LEGISLATIVE HISTORY

Public Law 85-508
H.R. 7999

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INDEX AND SUMMARY OF H. R. 7999

June 7, 1957	Rep. O'Brien introduced H. R. 7999 which was referred to House Committee on Interior and Insular Affairs. Print of bill as introduced.
June 25, 1957	House committee reported H. R. 7999 without amendment. House Report No. 624. Print of bill and report.
May 21, 1958	House agreed to begin consideration of H. R. 7999.
May 22, 1958	House continued debate on H. R. 7999.
May 23, 1958	House continued debate on H. R. 7999.
May 26, 1958	House continued debate on H. R. 7999.
May 27, 1958	House continued debate on H. R. 7999.
May 28, 1958	House passed H. R. 7999 with amendments.
May 29, 1958	Senate placed H. R. 7999 on the calendar. Print of bill as passed House and referred to calendar.
June 23, 1958	Senate began debate on H. R. 7999.
June 24, 1958	Senate continued debate on H. R. 7999.
June 25, 1958	Senate continued debate on H. R. 7999.
June 26, 1958	Senate continued debate on H. R. 7999.
June 27, 1958	Senate continued debate on H. R. 7999.
June 30, 1958	Senate passed H. R. 7999 without amendment.
July 7, 1958	Approved: (Public Law 85-508).

House hearings were held on H. R. 50, H. R. 628, H. R. 849, H. R. 340, H. R. 1242, and H. R. 1243 on March 11, 12, 13, 14, 15, 20, 25, 27, 28, and 29, 1957.

DIGEST OF PUBLIC LAW 85-508

ADMISSION OF ALASKA INTO THE UNION. Provides for the admission of Alaska into the Union as a State. Authorizes the State of Alaska to select, within 25 years after the date of admission, not to exceed 400,000 acres of vacant and unappropriated lands within the national forests, and not to exceed 400,000 acres from other vacant, unappropriated, and unreserved public lands, which are adjacent to established communities or suitable for prospective community centers and recreational areas, subject to the approval of the Secretary of Agriculture as to National forest lands, and the approval of the Secretary of Interior as to other public lands. Provides that any such grants shall not affect any valid existing claim, location, or entry on occupied U. S. land. Grants and authorizes Alaska to select, in addition to other grants, within 25 years after the date of admission, not to exceed 102,550,000 acres from public lands. Provides that Alaska and its people shall forever disclaim all right and title to any lands or other property now owned or hereafter acquired by the U. S., except as prescribed by Congress. Provides that all U. S. real and personal property, except lands and facilities withdrawn or set apart as refuges or reservations for the protection of wildlife, used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska shall be transferred and conveyed to Alaska under certain conditions. Provides that 5 percent of the net proceeds of the sale of public lands in Alaska after its admission as a State shall be paid to the State for its use to support the public schools. Provides that all grants made or confirmed shall include mineral deposits. Provides that any lease, permit, license, or contract issued under the Mineral Leasing Act or Alaska Coal Leasing Act shall, with certain exceptions, have the effect of withdrawing the lands subject thereto from selection by the State of Alaska. Provides that all laws of the U. S. shall have the same force and effect within the State of Alaska as elsewhere within the U. S.

H. R. 7999

A BILL.

85TH CONGRESS
1ST SESSION

H. R. 7999

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 1957

Mr. O'BRIEN of New York introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To provide for the admission of the State of Alaska into the Union.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 8 (c) of this Act, the State of Alaska is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Alaska entitled, "An Act to provide for the holding of a constitutional convention to prepare a constitution for the

State of Alaska; to submit the constitution to the people for adoption or rejection; to prepare for the admission of Alaska as a State; to make an appropriation; and setting an effective date", approved March 19, 1955 (Chapter 46, Session Laws of Alaska, 1955), and adopted by a vote of the people of Alaska in the election held on April 24, 1956, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska.

SEC. 3. The constitution of the State of Alaska shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Act, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights), the right or title to which may

be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation: *Provided,* That nothing contained in this Act shall recognize, deny, enlarge, impair, or otherwise affect any claim against the United States, and any such claim shall be governed by the laws of the United States applicable thereto; and nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that any law applicable thereto authorizes, establishes, recognizes, or confirms the validity or invalidity of any such claim, and the determination of the applicability or effect of any law to any such claim shall be unaffected by anything in this Act: *And provided further,* That no taxes shall be imposed by said State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent as the Congress has prescribed or may hereafter prescribe,

and except when held by individual natives in fee without restrictions on alienation.

SEC. 5. The State of Alaska and its political subdivisions, respectively, shall have and retain title to all property, real and personal, title to which is in the Territory of Alaska or any of the subdivisions. Except as provided in section 6 hereof, the United States shall retain title to all property, real and personal, to which it has title, including public lands.

SEC. 6. (a) For the purposes of furthering the development of and expansion of communities, the State of Alaska is hereby granted and shall be entitled to select, within fifty years after the date of the admission of the State of Alaska into the Union, from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection not to exceed four hundred thousand acres of land, and from the other public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection not to exceed another four hundred thousand acres of land, all of which shall be adjacent to established communities or suitable for prospective community centers and recreational areas. Such lands shall be selected by the State of Alaska with the approval of the Secretary of Agriculture as to national forest lands and with the approval of the Secretary of the Interior as to other public

lands: *Provided,* That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.

(b) The State of Alaska, in addition to any other grants made in this section, is hereby granted and shall be entitled to select, within twenty-five years after the admission of Alaska into the Union, not to exceed one hundred and eighty-two million acres from the public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection: *Provided,* That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the lands so occupied: *And provided further,* That no selection hereunder shall be made in the area north and west of the line described in section 10 without approval of the President or his designated representative.

(c) Block 32, and the structures and improvements thereon, in the city of Juneau are granted to the State of Alaska for any or all of the following purposes or a com-

bination thereof: A residence for the Governor, a State museum, or park and recreational use.

(d) Block 19, and the structures and improvements thereon, and the interests of the United States in blocks 6 and 7, and the structures and improvements thereon, in the city of Juneau, are hereby granted to the State of Alaska.

(e) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat. 301; 48 U. S. C., secs. 192–211), as amended, and under the provisions of the Alaska commercial fisheries laws of June 26, 1906 (34 Stat. 478; 48 U. S. C., secs. 230–239 and 241–242), and June 6, 1924 (43 Stat. 465; 48 U. S. C., secs. 221–228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: *Provided,* That such transfer shall not include lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife. Sums of money that are available for apportionment or which the Secretary of the Interior shall have apportioned, as of the date the State of Alaska shall be deemed to be ad-

mitted into the Union, for wildlife restoration in the Territory of Alaska, pursuant to section 8 (a) of the Act of September 2, 1937, as amended (16 U. S. C., sec. 669g–1), and for fish restoration and management in the Territory of Alaska, pursuant to section 12 of the Act of August 9, 1950 (16 U. S. C., sec. 777k), shall continue to be available for the period, and under the terms and conditions in effect at the time, the apportionments are made. Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 per centum of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea-otter skins made in accordance with the provisions of the Act of February 26, 1944 (58 Stat. 100; 16 U. S. C., secs. 631a–631q), as supplemented and amended. In arriving at the net proceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the Act of February 26, 1944, as supplemented and amended, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands. Nothing in this Act shall be construed as affecting the rights of the United States under the provisions of the Act of February 26, 1944, as

supplemented and amended, and the Act of June 28, 1937 (50 Stat. 325), as amended (16 U. S. C., sec. 772 et seq.).

(f) Five per centum of the proceeds of sale of public lands lying within said State which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to such sales, shall be paid to said State to be used for the support of the public schools within said State.

(g) Except as provided in subsection (a), all lands granted in quantity to and authorized to be selected by the State of Alaska by this Act shall be selected in such manner as the laws of the State may provide, and in conformity with such regulations as the Secretary of the Interior may prescribe. All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved, and each tract selected shall contain at least five thousand seven hundred and sixty acres unless isolated from other tracts open to selection. The authority to make selections shall never be alienated or bargained away, in whole or in part, by the State. Upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, if subsequent to the admission of Alaska into the Union, during which period the State of Alaska

shall have a preferred right of selection, subject to the requirements of this Act, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation. Such preferred right of selection shall have precedence over the preferred right of application created by section 4 of the Act of September 27, 1944 (58 Stat. 748; 43 U. S. C., sec. 282), as now or hereafter amended, but not over other preference rights now conferred by law. Where any lands desired by the State are unsurveyed at the time of their selection, the Secretary of the Interior shall survey the exterior boundaries of the area requested without any interior subdivision thereof and shall issue a patent for such selected area in terms of the exterior boundary survey; where any lands desired by the State are surveyed at the time of their selection, the boundaries of the area requested shall conform to the public land subdivisions established by the approval of the survey. All lands duly selected by the State of Alaska pursuant to this Act shall be patented to the State by the Secretary of the Interior. Following the selection of lands by the State and the tentative approval of such selection by the Secretary of the Interior or his designee, but prior to the issuance of final patent, the State is hereby authorized to execute conditional leases and to make conditional sales of

such selected lands. As used in this subsection, the words "equitable claims subject to allowance and confirmation" include, without limitation, claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands.

(h) Any lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U. S. C., sec. 432 and following), as amended, shall have the effect of withdrawing the lands subject thereto from selection by the State of Alaska under this Act, unless such lease, permit, license, or contract is in effect on the date of approval of this Act, and unless an application to select such lands is filed with the Secretary of the Interior within a period of five years after the date of the admission of Alaska into the Union. Such selections shall be made only from lands that are otherwise open to selection under this Act, and shall include the entire area that is subject to each lease, permit, license, or contract involved in the selections. Any patent for lands so selected shall vest in the State of Alaska all right, title, and interest of the United States in and to any such lease, permit, license, or contract that remains out-

standing on the effective date of the patent, including the right to all rentals, royalties, and other payments accruing after that date under such lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of such lease, permit, license, or contract: *Provided*, That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

(i) All grants made or confirmed under this Act shall include mineral deposits. The grants of mineral lands to the State of Alaska under subsections (a) and (b) of this section are made upon the express condition that all sales, grants, deeds, or patents for any of the mineral lands so granted shall be subject to and contain a reservation to the State of all of the minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. Mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct: *Provided*, That any lands or minerals hereafter disposed of contrary to the provisions of this section shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States District Court for the District of Alaska.

(j) The schools and colleges provided for in this

Act shall forever remain under the exclusive control of the State, or its governmental subdivisions, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

(k) Grants previously made to the Territory of Alaska are hereby confirmed and transferred to the State of Alaska upon its admission. Effective upon the admission of the State of Alaska into the Union, section 1 of the Act of March 4, 1915 (38 Stat. 1214; 48 U. S. C., sec. 353), as amended, and the last sentence of section 35 of the Act of February 25, 1920 (41 Stat. 450; 30 U. S. C., sec. 191), as amended, are repealed and all lands therein reserved under the provisions of section 1 as of the date of this Act shall, upon the admission of said State into the Union, be granted to said State for the purposes for which they were reserved; but such repeal shall not affect any outstanding lease, permit, license, or contract issued under said section 1, as amended, or any rights or powers with respect to such lease, permit, license, or contract, and shall not affect the disposition of the proceeds or income derived prior to such repeal from any lands reserved under said section 1, as amended, or derived thereafter from any disposition of the

reserved lands or an interest therein made prior to such repeal.

(l) The grants provided for in this Act shall be in lieu of the grant of land for purposes of internal improvements made to new States by section 8 of the Act of September 4, 1841 (5 Stat. 455), and sections 2378 and 2379 of the Revised Statutes (43 U. S. C., sec. 857), and in lieu of the swampland grant made by the Act of September 28, 1850 (9 Stat. 520), and section 2479 of the Revised Statutes (43 U. S. C., sec. 982), and in lieu of the grant of thirty thousand acres for each Senator and Representative in Congress made by the Act of July 2, 1862, as amended (12 Stat. 503; 7 U. S. C., secs. 301–308), which grants are hereby declared not to extend to the State of Alaska.

(m) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Alaska and the said State shall have the same rights as do existing States thereunder.

SEC. 7. Upon enactment of this Act, it shall be the duty of the President of the United States, not later than July 3, 1958, to certify such fact to the Governor of Alaska. Thereupon the Governor, on or after July 3, 1958, and not later than August 1, 1958, shall issue his proclamation for the elections, as hereinafter provided, for officers of all elective

offices and in the manner provided for by the constitution of the proposed State of Alaska, but the officers so elected shall in any event include two Senators and one Representative in Congress.

SEC. 8. (a) The proclamation of the Governor of Alaska required by section 7 shall provide for holding of a primary election and a general election on dates to be fixed by the Governor of Alaska: *Provided,* That the general election shall not be held later than December 1, 1958, and at such elections the officers required to be elected as provided in section 7 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Alaska may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Alaska for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Alaska may prescribe. The Governor of Alaska shall certify the results of said elections to the President of the United States.

(b) At an election designated by proclamation of the Governor of Alaska, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be sub-

mitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) The boundaries of the State of Alaska shall be as prescribed in the Act of Congress approved _____ (date of approval of this Act) and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(2) All provisions of the Act of Congress approved _____ (date of approval of this Act) reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Alaska, ratified by the people at the election held on April 24, 1956, shall be deemed amended accordingly. In the event the foregoing propositions are not adopted at said election by a majority of the legal votes case on said submission, the provisions of this Act shall thereupon cease to be effective.

The Governor of Alaska is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the

people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Alaska, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Alaska, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 7 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Alaska shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union, all of the officers of said Territory, including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Alaska into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State,

and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

(d) Upon admission of the State of Alaska into the Union as herein provided, all of the Territorial laws then in force in the Territory of Alaska shall be and continue in full force and effect throughout said State except as modified or changed by this Act, or by the constitution of the State, or as thereafter modified or changed by the legislature of the State. All of the laws of the United States shall have the same force and effect within said State as elsewhere within the United States. As used in this paragraph, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Alaska) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union, and the term "laws of the United

States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Alaska at the time of the admission of the State of Alaska into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provisions of this Act.

SEC. 9. The State of Alaska upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13) nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U. S. C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 10. (a) The President of the United States is hereby authorized to establish, by Executive order or proclamation, one or more special national defense withdrawals within the exterior boundaries of Alaska, which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President.

(b) Special national defense withdrawals established

under subsection (a) of this section shall be confined to those portions of Alaska that are situated to the north or west of the following line: Beginning at the point where the Porcupine River crosses the international boundary between Alaska and Canada; thence along a line parallel to, and five miles from, the right bank of the main channel of the Porcupine River to its confluence with the Yukon River; thence along a line parallel to, and five miles from, the right bank of the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160 degrees west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along a line parallel to, and five miles from the right bank of the Kuskokwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162 degrees 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 57 degrees 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156 degrees west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50 degrees north.

(c) Effective upon the issuance of such Executive order or proclamation, exclusive jurisdiction over all special national defense withdrawals established under this section is

hereby reserved to the United States, which shall have sole legislative, judicial, and executive power within such withdrawals, except as provided hereinafter. The exclusive jurisdiction so established shall extend to all lands within the exterior boundaries of each such withdrawal, and shall remain in effect with respect to any particular tract or parcel of land only so long as such tract or parcel remains within the exterior boundaries of such a withdrawal. The laws of the State of Alaska shall not apply to areas within any special national defense withdrawal established under this section while such areas remain subject to the exclusive jurisdiction hereby authorized: *Provided, however,* That such exclusive jurisdiction shall not prevent the execution of any process, civil or criminal, of the State of Alaska, upon any person found within said withdrawals: *And provided further,* That such exclusive jurisdiction shall not prohibit the State of Alaska from enacting and enforcing all laws necessary to establish voting districts, and the qualification and procedures for voting in all elections.

(d) During the continuance in effect of any special national defense withdrawal established under this section, or until the Congress otherwise provides, such exclusive jurisdiction shall be exercised within each such withdrawal in accordance with the following provisions of law:

(1) All laws enacted by the Congress that are of general

application to areas under the exclusive jurisdiction of the United States, including, but without limiting the generality of the foregoing, those provisions of title 18, United States Code, that are applicable within the special maritime and territorial jurisdiction of the United States as defined in section 7 of said title, shall apply to all areas within such withdrawals.

(2) In addition, any areas within the withdrawals that are reserved by Act of Congress or by Executive action for a particular military or civilian use of the United States shall be subject to all laws enacted by the Congress that have application to lands withdrawn for that particular use, and any other areas within the withdrawals shall be subject to all laws enacted by the Congress that are of general application to lands withdrawn for defense purposes of the United States.

(3) To the extent consistent with the laws described in paragraphs (1) and (2) of this subsection and with regulations made or other actions taken under their authority, all laws in force within such withdrawals immediately prior to the creation thereof by Eexecutive order or proclamation shall apply within the withdrawals and, for this purpose, are adopted as laws of the United States: *Provided, however,* That the laws of the State or Territory relating to the organi-

zation or powers of municipalities or local political subdivisions, and the laws or ordinances of such municipalities or political subdivisions shall not be adopted as laws of the United States.

(4) All functions vested in the United States commissioners by the laws described in this subsection shall continue to be performed within the withdrawals by such commissioners.

(5) All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporation, district, or other subdivision, and the laws of the State or the laws or ordinances of such municipalities or local political subdivision shall remain in full force and effect notwithstanding any withdrawal made under this section.

(6) All other functions vested in the government of Alaska or in any officer or agency thereof, except judicial functions over which the United States District Court for the District of Alaska is given jurisdiction by this Act or other provisions of law, shall be performed within the withdrawals by such civilian individuals or civilian agencies and in such manner as the President shall from time to time, by Executive order, direct or authorize.

(7) The United States District Court for the District of

Alaska shall have original jurisdiction, without regard to the sum or value of any matter in controversy, over all civil actions arising within such withdrawals under the laws made applicable thereto by this subsection, as well as over all offenses committed within the withdrawals.

(e) Nothing contained in subsection (d) of this section shall be construed as limiting the exclusive jurisdiction established in the United States by subsection (c) of this section or the authority of the Congress to implement such exclusive jurisdiction by appropriate legislation, or as denying to persons now or hereafter residing within any portion of the areas described in subsection (b) of this section the right to vote at all elections held within the political subdivisions as prescribed by the State of Alaska where they respectively reside, or as limiting the jurisdiction conferred on the United States District Court for the District of Alaska by any other provision of law, or as continuing in effect laws relating to the Legislature of the Territory of Alaska. Nothing contained in this section shall be construed as limiting any authority otherwise vested in the Congress or the President.

SEC. 11. (a) Nothing in this Act shall affect the establishment, or the right, ownership, and authority of the United States in Mount McKinley National Park, as now or hereafter constituted; but exclusive jurisdiction, in all cases, shall be exercised by the United States for the national

park, as now or hereafter constituted; saving, however, to the State of Alaska the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park: and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing now or hereafter in such area the right to vote at all elections held within the respective political subdivisions of their residence in which the park is situated.

(b) Notwithstanding the admission of the State of Alaska into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are owned by the United States and held for military, naval, Air Force, or Coast Guard purposes, including naval petroleum reserve numbered 4, whether such lands were acquired by cession and transfer to the United States by Russia and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Alaska for the

use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided,* (i) That the State of Alaska shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Alaska, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall rest and remain in the United States only so long as the particular tract or parcel of land involved is owned by the United States and used for military, naval, Air Force, or Coast Guard purposes. The provisions of this subsection shall not apply to lands within such special national defense withdrawal or withdrawals as may be established pursuant to section 10 of this Act until

such lands cease to be subject to the exclusive jurisdiction reserved to the United States by that section.

SEC. 12. Effective upon the admission of Alaska into the Union—

(a) The analysis of chapter 5 of title 28, United States Code, immediately preceding section 81 of such title, is amended by inserting immediately after and underneath item 81 of such analysis, a new item to be designated as item 81A and to read as follows:

"81A. Alaska";

(b) Title 28, United States Code, is amended by inserting immediately after section 81 thereof a new section, to be designated as section 81A, and to read as follows:

"§ 81A. Alaska

"Alaska constitutes one judicial district.

"Court shall be held at Anchorage, Fairbanks, Juneau, and Nome.";

(c) Section 133 of title 28, United States Code, is amended by inserting in the table of districts and judges in such section immediately above the item: "Arizona * * * 2", a new item as follows: "Alaska * * * 1";

(d) The first paragraph of section 373 of title 28, United States Code, as heretofore amended, is further amended by striking out the words: "the District Court for the Territory of Alaska,": *Provided,* That the amendment

made by this subsection shall not affect the rights of any judge who may have retired before it takes effect;

(e) The words "the District Court for the Territory of Alaska," are stricken out wherever they appear in sections 333, 460, 610, 753, 1252, 1291, 1292, and 1346 of title 28, United States Code;

(f) The first paragraph of section 1252 of title 28, United States Code, is further amended by striking out the word "Alaska," from the clause relating to courts of record;

(g) Subsection (2) of section 1294 of title 28, United States Code, is repealed and the later subsections of such section are renumbered accordingly;

(h) Subsection (a) of section 2410 of title 28, United States Code, is amended by striking out the words: "including the District Court for the Territory of Alaska,";

(i) Section 3241 of title 18, United States Code, is amended by striking out the words: "District Court for the Territory of Alaska, the";

(j) Subsection (e) of section 3401 of title 18, United States Code, is amended by striking out the words: "for Alaska or";

(k) Section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska,";

(l) Section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska,";

(m) Section 2072 of title 28, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "and of the District Court for the Territory of Alaska";

(n) Subsection (q) of section 376 of title 28, United States Code, is amended by striking out the words: "the District Court for the Territory of Alaska,": *Provided,* That the amendment made by this subsection shall not affect the rights under such section 376 of any present or former judge of the District Court for the Territory of Alaska or his survivors;

(o) The last paragraph of section 1963 of title 28, United States Code, is repealed;

(p) Section 2201 of title 28, United States Code, is amended by striking out the words: "and the District Court for the Territory of Alaska"; and

(q) Section 4 of the Act of July 28, 1950 (64 Stat. 380; 5 U. S. C., sec. 341b) is amended by striking out the word: "Alaska,".

SEC. 13. No writ, action, indictment, cause, or proceeding pending in the District Court for the Territory of

Alaska on the date when said Territory shall become a State, and no case pending in an appellate court upon appeal from the District Court for the Territory of Alaska at the time said Territory shall become a State, shall abate by the admission of the State of Alaska into the Union, but the same shall be transferred and proceeded with as hereinafter provided.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Alaska in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said courts had been established prior to the accrual of said causes of action or the commission of such offenses; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Alaska.

SEC. 14. All appeals taken from the District Court for the Territory of Alaska to the Supreme Court of

the United States or the United States Court of Appeals for the Ninth Circuit, previous to the admission of Alaska as a State, shall be prosecuted to final determination as though this Act had not been passed. All cases in which final judgment has been rendered in such district court, and in which appeals might be had except for the admission of such State, may still be sued out, taken, and prosecuted to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit under the provisions of then existing law, and there held and determined in like manner; and in either case, the Supreme Court of the United States, or the United States Court of Appeals, in the event of reversal, shall remand the said cause to either the State supreme court or other final appellate court of said State, or the United States district court for said district, as the case may require: *Provided*, That the time allowed by existing law for appeals from the district court for said Territory shall not be enlarged thereby.

SEC. 15. All causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State which are of such nature as to be within the jurisdiction of a district court of the United States shall be transferred to the United States District Court for the District of Alaska for final disposition and enforcement

in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts. All other causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State shall be transferred to the appropriate State court of Alaska. All final judgments and decrees rendered upon such transferred cases in the United States District Court for the District of Alaska may be reviewed by the Supreme Court of the United States or by the United States Court of Appeals for the Ninth Circuit in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts.

SEC. 16. Jurisdiction of all cases pending or determined in the District Court for the Territory of Alaska not transferred to the United States District Court for the District of Alaska shall devolve upon and be exercised by the courts of original jurisdiction created by said State, which shall be deemed to be the successor of the District Court for the Territory of Alaska with respect to cases not so transferred and, as such, shall take and retain custody of all records, dockets, journals, and files of such court pertaining to such cases. The files and papers in all cases so transferred to the United States district court, together with a transcript of all book entries to complete the record in such particular cases

so transferred, shall be in like manner transferred to said district court.

SEC. 17. All cases pending in the District Court for the Territory of Alaska at the time said Territory becomes a State not transferred to the United States District Court for the District of Alaska shall be proceeded with and determined by the courts created by said State with the right to prosecute appeals to the appellate courts created by said State, and also with the same right to prosecute appeals or writs of certiorari from the final determination in said causes made by the court of last resort created by such State to the Supreme Court of the United States, as now provided by law for appeals and writs of certiorari from the court of last resort of a State to the Supreme Court of the United States.

SEC. 18. The provisions of the preceding sections with respect to the termination of the jurisdiction of the District Court for the Territory of Alaska, the continuation of suits, the succession of courts, and the satisfaction of rights of litigants in suits before such courts, shall not be effective until three years after the effective date of this Act, unless the President, by Executive order, shall sooner proclaim that the United States District Court for the District of Alaska,

established in accordance with the provisions of this Act, is prepared to assume the functions imposed upon it. During such period of three years or until such Executive order is issued, the United States District Court for the Territory of Alaska shall continue to function as heretofore. The tenure of the judges, the United States attorneys, marshals, and other officers of the United States District Court for the Territory of Alaska shall terminate at such time as that court shall cease to function as provided in this section.

SEC. 19. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "When the State of Alaska or any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its

district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

SEC. 20. Section 2 of the Act of October 20, 1914 (38 Stat. 742; 48 U. S. C., sec. 433), is hereby repealed.

SEC. 21. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

SEC. 22. Section 101 (a) (36) of the Immigration and Nationality Act (66 Stat. 170, 8 U. S. C., sec. 1101 (a) (36)) is amended by deleting the word "Alaska,".

SEC. 23. The first sentence of section 212 (d) (7) of the Immigration and Nationality Act (66 Stat. 188, 8 U. S. C., sec. 1182 (d) (7)) is amended by deleting the word "Alaska,".

SEC. 24. Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 304 of the Immigration and Nationality Act (66 Stat. 237, 8 U. S. C., sec. 1404).

SEC. 25. The first sentence of section 310 (a) of the Immigration and Nationality Act (66 Stat. 239, 8 U. S. C., sec. 1421 (a)) is amended by deleting the words "District Courts of the United States for the Territories of Hawaii and Alaska" and substituting therefor the words "District Court of the United States for the Territory of Hawaii".

SEC. 26. Section 344 (d) of the Immigration and Nationality Act (66 Stat. 265, 8 U. S. C., sec. 1455 (d)) is amended by deleting the words "in Alaska and".

SEC. 27. The third proviso in section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C., sec. 883), is further amended by striking out the word "excluding" and inserting in lieu thereof the word "including".

SEC. 28. (a) The last sentence of section 9 of the Act entitled "An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes", approved October 20, 1914 (48 U. S. C. 439), is hereby amended to read as follows: "All net profits from operation of Government mines, and all bonuses, royalties, and rentals under leases as herein provided and all other payments received under this Act shall be distributed as follows as soon as practicable after December 31 and June 30 of each year: (1) 90 per centum thereof shall be paid by the Secretary of the Treasury to the State of Alaska for disposi-

tion by the legislature thereof; and (2) 10 per centum shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts."

(b) Section 35 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (30 U. S. C. 191), is hereby amended by inserting immediately before the colon preceding the first proviso thereof the following: ", and of those from Alaska 52½ per centum thereof shall be paid to the State of Alaska for disposition by the legislature thereof".

SEC. 29. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, 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 any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

SEC. 30. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

85TH CONGRESS
1ST SESSION

H. R. 7999

A BILL

To provide for the admission of the State of Alaska into the Union.

By Mr. O'BRIEN of New York

JUNE 7, 1957
Referred to the Committee on Interior and Insular Affairs

85TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 624

PROVIDING FOR THE ADMISSION OF THE STATE OF ALASKA INTO THE UNION

JUNE 25, 1957.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. O'BRIEN of New York, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H. R. 7999]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of H. R. 7999, introduced by Congressman O'Brien of New York, is to provide for the admission of the State of Alaska into the Union. Before reporting H. R. 7999, the Committee on Interior and Insular Affairs of the House of Representatives carefully considered six additional Alaska statehood bills introduced during the 85th Congress. These bills included Delegate Bartlett's (Alaska) H. R. 50; H. R. 628, introduced by Congressman Engle; and H. R. 849, introduced by Congressman O'Brien of New York; each providing for the admission of the Territory into the Union. Two bills, H. R. 340, introduced by Congressman Mack, of Washington, and H. R. 1242, introduced by Congressman Saylor, would enable the people of Alaska to form a constitution and State government and to be admitted into the Union on an equal footing with the original States. Finally, Congressman Saylor introduced H. R. 1243, which would place Alaska and Hawaii in the same bill and permit the two Territories to seek statehood jointly. This bill was similar to H. R. 2535, which received lengthy and careful hearings during the 84th Congress.

H. R. 7999 was reported by the Committee on Interior and Insular Affairs following 16 days of hearings. In addition, a special subcommittee composed of 8 members held 3 weeks of hearings in Alaska during September and October 1955.

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A NEW APPROACH TO ALASKA STATEHOOD

H. R. 7999 will enable Alaska to achieve full equality with existing States, not only in a technical juridical sense, but in practical economic terms as well. It does this by making the new State master in fact of most of the natural resources within its boundaries, and making provision for appropriate Federal assistance during the transition period.

The proposal to grant statehood to the Territory of Alaska has been considered and debated on many previously introduced bills since 1916, and on four occasions this committee has reported statehood for Alaska to the House. Hitherto, Alaska statehood legislation carried provisions to enable the Territory to form a constitution and State government. H. R. 7999 represents a new approach to statehood for Alaska, inasmuch as since reporting somewhat similar legislation during the 84th Congress, the Territory elected delegates who met in convention and drafted a State constitution which was approved on April 24, 1956, by better than a 2-to-1 majority. A copy of this constitution appears in this report as appendix A.

On the basis of field and Washington hearings, the majority of the Committee on Interior and Insular Affairs members are convinced that a substantial majority of the people of Alaska desire statehood, not at some time in the indefinite future, but at the earliest practicable time, and that Alaska is entitled to statehood by passing every reasonable test.

MAJOR PROVISIONS OF THE BILL

H. R. 7999 contains the following major provisions:

1. Provides that the Constitution of the State of Alaska approved by the Territorial legislature and adopted by the people of Alaska on April 24, 1956, is found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence and is accepted, ratified, and confirmed by the Congress of the United States (sec. 1).

2. Determines the area to be included in the new State and within its boundaries (sec. 2).

3. Provides that Alaska and its people disclaim all rights and titles to any lands or other property (including fishing rights) not granted to the State by or under the authority of this act. Congress does not concern itself with the legal merits of indigenous rights but leaves the matter in status quo for either future legislative action or judicial determination (sec. 4).

4. Grants to the State of Alaska the right to select 182,800,000 acres of vacant, unappropriated, and unreserved public lands. Said lands shall be selected under specific regulations. Sales, grants, deeds, and patents shall be subject to and contain a reservation to the State of all minerals (sec. 6 (a), (b), (c), and (d)).

5. Transfers and conveys to Alaska certain Federal property used for conservation and protection of fish and wildlife. Further provides that the new State shall receive from the Federal Government 70 percent of the net proceeds derived from fur-seal and sea-otter skin sales (sec. 6 (e)).

6. Provides that proceeds arising from sale of lands granted for educational purposes shall not be used for the support of sectarian or denominational schools or colleges (sed. 6 (j)).

7. Confirms to the State grants previously made to the Territory (sec. 6 (k)).

8. Provides for the extension of the Submerged Lands Act of 1953 to the State of Alaska (sec. 6 (m)).

9. Provides the mechanics for holding necessary elections in Alaska at which boundaries established by this act will be approved and at which State and Federal elected officials will be chosen (8 (a), (b), (c), and (d)).

10. Provides that Alaska shall be in a position of equality with existing States as to Members of the House of Representatives on the basis of its population, as determined by the 1950 Federal Census and of the present apportionment law, but with the provision that the temporary increase in total membership shall not exist after the next Federal census (sec. 9).

11. Designates the area in north and northwest Alaska within which there may be established national defense withdrawals. The United States shall reserve for itself exclusive jurisdiction (sec. 10).

12. Retains in the United States the power of exclusive legislation with concurrent jurisdiction over defense and Coast Guard installations in the new State, subject to future congressional action (sec. 11 (b)).

13. Establishes the United States District Court of Alaska as a court of the United States with full judicial powers and also makes necessary judiciary provision of the United States Code applicable to the State of Alaska (secs. 12, 13, 14, 15, 16, and 17).

14. Provides for the extension of the Federal Reserve System and the Merchant Marine Act of 1920 to Alaska (secs. 19 and 27).

15. Provides for the repeal of the 1914 statute withdrawing certain extensive coal lands of Alaska and places them under Federal control so that they may be available for selection by the State (sec. 20).

16. Provides for the amendment of the Alaska Coal Leasing Act of 1914 by providing that 90 percent of the net profits from the operation of the Government mines shall be covered into the State treasury and that 10 percent shall be deposited in the Treasury of the United States. It also provides that 52½ percent of the proceeds received from mining of coal, phosphate, oil, gas, and sodium on the public domain shall be covered into the State treasury (sec. 28 (a) and (b)).

A section-by-section analysis is set forth beginning on page 18.

HISTORICAL BACKGROUND

Alaska has been a part of the United States for 88 years. Beginning in 1867, when Alaska, with its vast natural resources, was purchased from Russia for $7,200,000, American pioneers moved in from the West to occupy this great "Northwest extension" of the United States. In that early period, there was no Territorial government or law and the Americans newly settled there conducted their affairs in accordance with the laws, social customs, and business practices of the continental States or Territories from which they had come. As early as 1872, prior to the gold rush, a number of Sitka citizens appealed for representation in the Congress. They assembled unofficially, and had even elected their Delegate at one time—all this when half of our continental West was still in Territorial status. It is abundantly clear that Alaska was, and is, basically American in thought and tradition.

Although Alaska was granted Territorial government in its present form in 1912, its legal status among the noncontiguous possessions of the United States was considered settled by the Supreme Court in 1905. By that time, the possessions which had been acquired recently from Spain (Puerto Rico and the Philippines) were declared to be "unincorporated" Territories, appurtenant to, and dependencies of, the United States, but not a part of the United States. On the other hand, Alaska was placed by the Court along with Oklahoma, Arizona, and New Mexico in the class of incorporated Territories. The reasoning was that the treaty with Russia concerning Alaska manifested an intention to admit the inhabitants of the ceded Territory to the enjoyment of citizenship and expressed the purpose to incorporate the Territory into the United States. These decisions gave Alaska the proud title of "Territory" in the place of the name of "district" with which she had been burdened since 1884.

The citizens of Alaska have always claimed that Alaska has been a Territory since 1872, but even the opponents of statehood admit that it has enjoyed Territorial status since 1912. Only three States in our Union have been organized Territories for a longer period of time. The following tabulation ranks the States outside the area of the Thirteen Original States according to years which elapsed between organization as Territories and admittance to statehood, with Alaska interpolated as of 1953.

State:	*Years elapsed*	State—Continued	*Years elapsed*
Florida	(1)	Arkansas	17
California	(1)	Oklahoma	17
Texas	(1)	Wyoming	21
Kansas	7	Montana	25
Louisiana	8	Idaho	27
Iowa	8	North Dakota	28
Minnesota	9	South Dakota	28
Missouri	9	Washington	36
Oregon	11	Alaska	41
Nebraska	13	Utah	46
Nevada	14	Arizona	49
Colorado	15	New Mexico	62

[1] No territorial government.

Statehood is not a new proposal with Alaska. Alaskans have been asking for it for many years. The first statehood bill was offered in 1916 by Delegate James Wickersham. Author of the organic act of 1912, he soon came to the conclusion that it was deficient in so many particulars that only statehood could provide the needed form of government.

During the first session of the 80th Congress, the House Committee on Public Lands held hearings on the subject of statehood in Washington during April 1947, and in Alaska at Anchorage, Fairbanks, Seward, Kodiak, Nome, Barrow, Cordova, Juneau, Petersburg, Wrangell, and Ketchikan at the end of August and during September of that year. The hearings impressed the committee with the importance to the United States of Alaska and its resources and convinced the committee that only by granting statehood could these resources be developed to the fullest in the interests of the United States as a whole. As a result of these hearings H. R. 5666 was reported to the House in the 80th Congress.

In the 81st Congress, the Committee on Public Lands of the House favorably reported H. R. 331, to provide for the admission of Alaska into the Union. This bill passed the House by a vote of 186 to 146, but failed to receive Senate consideration before adjournment.

The Senate Committee on Interior and Insular Affairs, in the 82d Congress, favorably reported to the Senate S. 50; however, it was not finally acted upon by the Senate before adjournment, having been recommitted to committee by a vote of 45 to 44.

During the 83d Congress, H. R. 2982 was thoroughly considered by the House Committee on Interior and Insular Affairs and reported to the House where it was sent to the Rules Committee but not acted upon. S. 50 was carefully and lengthily considered by the Senate during the 83d Congress and before being amended by adding S. 49 (Hawaii statehood) and passed by a vote of 46 to 43. The House did not act on the combined bills.

The House Interior and Insular Affairs Committee held 10 days of hearings on combined Alaska-Hawaiian statehood, and reported a joint bill early in the 84th Congress. Ten hours, an unprecedented period, were devoted to hearings before the House Rules Committee, whereupon the bill was allowed to appear on the floor under a closed rule. Following 7 hours of debate, H. R. 2535 was recommitted without instructions to the Committee on Interior and Insular Affairs by a vote of 218 to 170.

CONSTITUTIONAL CONVENTION AND "TENNESSEE PLAN" OFFICIALS

In November 1955, 55 elected delegates met for 75 days and drafted a proposed State constitution which political scientists and public administrators have declared to be one of the finest ever prepared. On April 24, 1956, this constitution was approved by the voters of Alaska by better than a 2-to-1 majority (appendix A). By enactment of H. R. 7999 this constitution will be accepted, ratified, and confirmed by the Congress of the United States.

At the same election the voters of Alaska approved an ordinance authorizing the election of 2 Senators and 1 Representative to come to Congress to seek statehood. This is not a procedure peculiar to Alaska inasmuch as it was first established in 1796 in Tennessee and later in Michigan, Iowa, California, Minnesota, Oregon, and Kansas. In each instance the elected persons actively sought support for the admittance of their respective Territories for statehood. The expenses of these "Tennessee plan" officials are met through appropriations by the Territorial legislature.

H. R. 7999 was amended in committee to provide for an election of 2 Senators and 1 Representative who will participate in Congress in the same manner as other Senators and Representatives.

ALASKA'S PECULIAR PROBLEMS

In order to understand clearly the necessity for certain different provisions in the Alaska statehood bill, it is advisable to have in mind some of the basic facts about Alaska's peculiar situation.

Over 99 percent of the land area of Alaska is owned by the Federal Government. The committee believes that such a condition is unprecedented at the time of the admission of any of the existing States.

The public land laws of the United States, including those providing for the disposal of the public domain to private individuals, theoretically are generally applicable to Alaska. The committee, however, found that the beneficial effects of these laws have been and are vitiated to a large degree by the Federal policies of the last half century, of withdrawing from public use many of the more valuable resources of the Territory through the creation of tremendous Federal reservations for the furtherance of the programs of the various Federal agencies. Thus, approximately 95 million acres—more than one-fourth of the total area of Alaska—is today enclosed within various types of Federal withdrawals or reservations. Much of the remaining area of Alaska is covered by glaciers, mountains, and worthless tundra. Thus it appeared to the committee that this tremendous acreage of withdrawals might well embrace a preponderance of the more valuable resources needed by the new State to develop flourishing industries with which to support itself and its people.

A third serious problem facing the new State, if statehood is granted—and in some respects the most serious of all—is that of financing the basic functions of State government. Of these functions road maintenance and road construction assume a key importance both because of the heavy cost and because of the crying need in Alaska for additional roads to facilitate economic development.

Farsighted and friendly House and Senate Members, recognizing the need for highway development in Alaska, insisted on the inclusion of the Territory under the provisions of the Federal Aid to Highways Act of 1956, which will permit Alaska to participate in the apportionment of funds expended on the Federal-aid primary and secondary systems and their urban extensions.

Under the provisions of the new law only one-third of the area of Alaska will be used as the area factor in the formula used in arriving at the apportionment of funds. Alaska is to contribute for each fiscal year funds in an amount of not less than 10 percent of the Federal funds apportioned to it. The road systems on which the apportionments are to be expended will be determined by the Secretary of Commerce, the Governor, and the Territorial highway engineer of Alaska. The Federal funds and the funds contributed by Alaska may be expended by the Secretary of Commerce either directly or in cooperation with the Territorial board of road commissioners and may be expended separately or in combination and without regard to the matching provisions of the Federal Highway Act of 1921. Finally, the 1956 law provides that the funds may be expended for both the construction and the maintenance of roads within the systems agreed upon.

PRINCIPAL LAND PROVISIONS

To alter the present distorted landownership pattern in Alaska under which the Federal Government owns 99 percent of the total area, the Committee on Interior and Insular Affairs proposes land grants to the new State aggregating 182,800,000 acres. Four hundred thousand acres are to be selected by State authorities within 50 years after Alaska is admitted to the Union from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection. Another 400,000 acres of vacant, unappropriated, and unreserved land adjacent to established communities or suitable

for prospective community or recreational areas are to be selected by State authorities within 50 years after the new State is admitted. The 182 million acres of vacant, unappropriated, and unreserved public lands are to be selected within 25 years after the enactment of this legislation from the area not included in land subject to military withdrawals as described in section 11 of H. R. 7999 without the express approval of the President or his designated representative. In each instance valid existing claims, entries, and locations in the acreages to be selected will be fully recognized.

As stated earlier, a grant of this size to a new State, whether considered in terms of total acreage or of percentage of area of the State, is unprecedented. On the occasion of the admission of the existing States, land grants have usually amounted to but 2 to 4 sections per township, or a maximum of 6 to 11 percent of the land area. In many instances, however, much of the acreage had already passed into private taxpaying ownership, or was in process of so passing at the time of admission. In Alaska very little land has passed out of Federal title and there seems to be little chance of any marked change in this situation under existing Federal policies. Even after the proposed State selects its 182,800,000 acres, the Federal landholdings will still be about 50 percent, subject to gradual piecemeal disposal for homesteads, mining patents, and the like. Thus the Federal Government will have control over a very sizable share of the land and resources of the new State and its people.

If the resources of value are withheld from the State's right of selection, such selection rights would be of limited value to the new State. The committee members have, therefore, broadened the right of selection so as to give the State at least an opportunity to select lands containing real values instead of millions of acres of barren tundra.

To attain this result, the State is given the right to select lands known or believed to be mineral in character (sec. 6 (i)). It is also specifically given the right to select lands which may now be under lease for oil and gas or coal development or which may even be under production for those products (sec. 6 (h)). All selections shall be made in compact tracts of at least 5,760 acres unless isolated from other tracts open to selection.

By the terms of section 6 (g), the State is also given a prior right to any lands returned to the public domain from a withdrawal status except as provided in section 6 (a). This right applies to the coal reserves restored to the public domain under this bill, and to any other reservations or withdrawals which may be rescinded now or hereafter.

Following the selection of lands by the State and the tentative approval of such selection by the Secretary of the Interior but prior to issuance of final patent, the State may execute conditional leases and made conditional sales of the selected lands.

If Alaska is to become a State, it must be a full and equal State, and not a puppet of the Federal Government.

THE PROBLEM OF FEDERAL RESERVATIONS

As previously noted, tremendous acreages of land in Alaska have been tied up in the status of Federal reservations and withdrawals for various purposes. The committee feels strongly that this practice has been carried to extreme lengths in Alaska, to a point which has hampered the development of such resources for the benefit of man-

kind. As a result, a long list of potential basic industries in the Territory, including the forest industries, hydroelectric power, oil and gas, coal, various other minerals, and the tourist industry, can exist in Alaska only as tenants of the Federal Government, and on the sufferance of the various Federal agencies. The committee considers that to be an unhealthy situation.

The failure of these industries to grow under such a restrictive policy is a proof of its unwisdom. The committee feels that this policy must be changed if statehood for Alaska is to be a success.

In its approach to the statehood issue, the committee has attempted to make a start toward such a change by various specific provisions in this bill. By section 28, the bill will amend the Alaska Coal Leasing Act of October 20, 1914, by providing that 90 percent per annum of the net profits from operation of Government coal mines shall be paid by the Secretary of the Treasury to the State of Alaska for disposition in a manner recommended by the State legislature and the remaining 10 percent deposited in the Federal Treasury to the credit of miscellaneous receipts.

A second provision in section 28 amends the Mineral Leasing Act of 1920, as amended, by granting 52½ percent per annum of the net proceeds realized from coal, phosphates, oil, oil shale, and sodium on the public domain in Alaska shall be paid to the State of Alaska for disposition by the legislature thereof.

The payment of these proceeds is recommended in return for Alaska not being covered by the Reclamation Act of 1902, as amended. The Reclamation Act provides that in the 17 Western States 52½ percent of the oil- and gas-lease revenues goes into the reclamation fund; 37½ percent is returned to the respective States, and the remaining 10 percent is retained by the Federal Government for administration purposes.

With respect to the many other existing reservations, the committee did not find it possible in the brief space of time available to it, to make a detailed survey of the need for each one. The committee is strongly of the opinion that a considerable number of the other withdrawals are either excessive in size or totally unnecessary. It is the opinion of the committee that the administrative agencies of the Government, working in cooperation with the Territorial officials of Alaska, should conduct a vigorous program of restudying the needs of the various Federal agencies for land in Alaska.

PROVISIONS AFFECTING THE COST OF STATEHOOD

A provision of the bill which should be of material help to Alaska in meeting the anticipated greater costs of statehood is section 7 (e) which will grant to the new State 70 percent per annum of the net proceeds from the operation by the United States Government of the fur-seal monopoly at the Pribilof Islands in the Bering Sea, now conducted by the Federal Government under international treaty. Net proceeds from this activity, after payment of all operation costs, including the expense of administration of the Pribilof Islands, have been between $1 million and $2 million during recent years. Under terms of the bill, the State would receive hereafter annually 70 percent of the net proceeds.

Limitations have been imposed upon the grants to the Fish and Wildlife Service of the Department of the Interior, which administers

wildlife and fishery resources in Alaska, under the Pittman-Robertson and Dingell-Johnson Acts. Although the Pittman-Robertson Act became law in 1937, Alaska was limited to a maximum annual grant of $25,000 until 1950, when the amount was increased to $75,000. If Alaska were now a State, it would have been entitled to receive for fiscal 1957 approximately $811,800. The Dingell-Johnson Act has been in force since 1950 when a ceiling of $75,000 annually was fixed as Alaska's share. Under statehood, Alaska would have been entitled to receive approximately $241,300 in fiscal 1957. So it is to be readily seen that when statehood is conferred upon Alaska, conservation and research will be measurably aided by availability of additional funds from both these laws.

The committee members recognize there will be certain added costs of statehood that are now being borne by the Federal Government but they have been given full assurance through numerous resolutions passed by the Territorial legislature, over the past 12 years, that such additional expense will be met by the people in Alaska (appendix B). With their Senators and Representative to speak and vote for them the Territorial legislators are certain that their representation in Congress will be able to obtain participation in Federal programs in which Alaska has been omitted previously.

PRIMARY REASONS FOR STATEHOOD

The committee is convinced that statehood for Alaska at the earliest possible date will promote the best interests of the Nation as a whole as well as those of the Territory.

In considering the extension of statehood to any Territory it has never been possible in our history to specify in precise terms the exact benefits to be derived from such a move. Since the adoption of the Constitution, statehood has been granted to additional areas no less than 35 times. In not a single case would it have been possible to prophesy the strength and growth that has since resulted from those decisions. Yet every American knows that, as the Alaskans put it, statehood has never been a failure.

While it is not possible to say definitely in what particular respect the admission of Alaska will strengthen the Nation, some general considerations may be pointed out which point to that conclusion.

The grant of statehood means the grant to the people of Alaska of the right to manage their own internal affairs and the right to send representatives to the Congress in Washington. It is therefore a measure in support of the principle of local government of local affairs, embodied in American legal philosophy under the concept of States rights. Behind the idea of States rights and local self-government lies the conviction that matters of local concern can best be determined and most efficiently managed by those most directly affected.

Concretely, the grant of statehood will mean some saving to the Federal Government as the people of Alaska take over part of the burden of supporting certain governmental functions now borne by the United States Treasury.

From the standpoint of economic development, the committee believes that statehood will permit and encourage a much more rapid growth in the economy of the Territory than would be possible under

territorial status. Many witnesses have testified to the committee regarding the wealth of untapped resources in Alaska.

It is apparent from the history of the last 88 years that the extreme degree of Federal domination of Alaskan affairs has not resulted in the maximum development of the Territory. As previously pointed out, the committee has included in this bill provisions which it believes will open up many of the resources of Alaska for the use of mankind. Over and beyond these specific provisions of this measure, however, the continuous and effective representation of elected Alaskans in Congress should be of immeasurable benefit in making those revisions of policy necessary to further the economic growth of Alaska.

Alaska's strategic position in our defense system is well known. A mere 54 miles of Bering Strait separates the mainland of Alaska from the mainland of Siberia. The international boundary between our Nation and the Union of Soviet Socialist Republics actually runs through the waters between Little Diomede Island, which is American, and Big Diomede Island, which is Russian, both in the Bering Strait. Alaska is the only part of the American Continent which suffered actual enemy occupation during World War II.

The grant of statehood to Alaska would be a healthy step in the development of our foreign policy for two reasons. On the one hand, it would be renewed proof that America is still the land of political opportunity and that Americans still believe as heartily as ever in the American tradition of equal rights and justice for all.

From another point of view, the grant of statehood would be a conclusive demonstration to the world that we consider Alaska to be an indissoluble part of the body of the Nation. America may hold the firm conviction that the Territory of Alaska is permanent American territory, but not all foreign nations may understand that fact as well as we do. The grant of statehood would remove any possible doubt on that score. In fact it would strengthen our whole position in Pacific affairs.

READINESS FOR STATEHOOD

Historical background.—In order accurately to assess the readiness of Alaska for statehood, a brief historical sketch, both of the admission of States in general and of political development in Alaska in particular, is desirable.

The Constitution itself provides merely that Congress shall decide when and how new States shall be admitted. The pattern for the creation of new States was set by the Continental Congress in 1787 with enactment of the Northwest Ordinance, set forth in First Statutes at page 51. This history-making act of the Founding Fathers has proved a legislative cornerstone for the expansion and political development of the West. The ordinance incorporated the then remote, sparsely populated, noncontiguous Northwest Territories into the Federal Union, and provided for their government and the eventual statehood which each part of the area attained. In a long series of cases, the Supreme Court of the United States has held that an incorporated Territory is an "inchoate state," the ultimate destiny of which is statehood.

The resources and strength, material and spiritual, of our American democracy today constitute unassailable proof of the wisdom of that policy.

Alaska and Hawaii are the only remaining incorporated Territories under the American flag which have not yet achieved the historic destiny of incorporated Territories, namely, statehood. H. R. 2535 would complete the historic pattern.

Alaska was purchased by the United States from Russia under the terms of the treaty of March 31, 1867 (15 Stat. 539), negotiated by the 40th Congress. The text of this treaty is set forth in the appendix (appendix C). By the act of May 17, 1884 (23 Stat. 24), Alaska was constituted a civil and judicial district and a civil government was established with a governor and district court system. This act made the general law of Oregon applicable to the Territory.

The greatest and most important step in the history of civil government for Alaska was the approval of the Organic Act on August 24, 1912 (37 Stat. 512). By it, Congress created the Territory of Alaska and conferred legislative powers upon an electric legislative assembly for the Territory. Section 3 of the act specifically provided that the Constitution of the United States, and all the laws thereof which were not locally inapplicable, should have the same force and effect within the said Territory as elsewhere in the United States.

Thus, the legal status of Alaska is that of an organized, incorporated Territory of the United States, as distinguished from the legal status of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the former status of the Philippines before they were granted full and complete independence by the Congress of the United States.

Requirements for statehood.—The traditionally accepted requirements for statehood can be stated simply. An analysis of the history of the admission of incorporated Territories shows that these requirements appear to be—

(1) That the inhabitants of the proposed new State are imbued with and are sympathetic toward the principles of democracy as exemplified in the American form of government.

(2) That a majority of the electorate wish statehood.

(3) That the proposed new State has sufficient population and resources to support State government and at the same time carry its share of the cost of the Federal Government.

This has been the historic pattern under which 29 States have been admitted to statehood from Territorial status and by which our Nation has grown to greatness.

By each of these historic standards, Alaska is ready and qualified for statehood now.

As to the first, no one has contended that the overwhelming majority of the inhabitants of the Territory are not loyal Americans in the sturdy frontiersman tradition. Their support of the Armed Forces under actual invasion conditions—conditions far more stringent than those experienced anywhere in any of the States—is unassailable proof of their loyalty, patriotism, and stability.

As to the desire of a majority of the inhabitants of the Territory for statehood, a referendum on the question was held in 1946 which resulted in a substantial victory for the proponents of statehood. Since then, the committee is convinced that popular support in Alaska for statehood has grown and is today more widespread than ever before. The committee is convinced that the majority of residents of the Territory desire statehood at the earliest possible date.

During the 1957 session of the Alaska Legislature a memorial to the Congress was agreed to by the legislature (appendix B), urging that statehood be granted immediately. The committee considers this fact to be impressive evidence of the state of public sentiment in Alaska.

Furthermore, H. R. 7999 carries its own provisions for a referendum following the enactment of the bill. If the people of Alaska do not wish statehood under the terms of H. R. 7999 they can make their disapproval known by rejecting the propositions in section 8 (b).

ARGUMENTS AGAINST STATEHOOD

Over the past years the committee has given most careful consideration to the arguments and reasoning of opponents to statehood for Alaska. Although a large majority of those who appeared before the committee favored statehood, there were those who, although supporting statehood in principle and ultimately, felt that the Territory was not yet ready to assume this step.

The principal arguments against immediate statehood for Alaska, including both those presented at the hearings and those which have come to the committee through other channels, appear to be the following:

(1) That the Territory's population is too small to justify representation in Congress or to support State government.

(2) That Alaska is not contiguous to the United States, that we have never yet admitted any noncontiguous State, and that its noncontiguity tends to isolate it from the main currents of American life.

(3) That the present economic boom in Alaska will be transitory, being based on Federal expenditures for military construction, and that, therefore, the Territory should wait until this construction boom is over so that the costs and other readjustment problems involved in statehood can be analyzed under more normal conditions; that the resources of Alaska are as yet insufficiently developed to permit private enterprise based on such resources to take up the slack in employment and tax revenue which would be needed if Federal spending comes to an abrupt end.

(4) That statehood will cause sharp increases in the cost of government in Alaska and therefore in taxes, which will discourage rather than encourage economic development.

INSUFFICIENCY OF POPULATION

As to the arguments that the present population of Alaska is insufficient to justify statehood, and to justify full representation in the Senate, the committee feels that this argument is without merit.

According to the 1952 census estimate, Alaska's population had increased so rapidly that it was already greater than at least one of the present States. The population figure given for Alaska as of July 1, 1952, was 182,000, an increase of over 50,000 from the census figure of April 1, 1950. The contrast between these two figures shows in itself how extremely rapidly Alaska is growing. The estimate as of June 1, 1957, showed a civilian population of 209,000, an increase of 78,000 over the 1952 estimated civilian population of 132,000.

Furthermore, the committee desires to point out that most of the present States had, at the time of their admission, less than Alaska's present population (see appendix D). Only 3 States ever entered the Union with enough population to have over 2 Representatives in the House (Maine had 7; Oklahoma had 5; West Virginia had 3); of the others, only 7 had enough for 2 Representatives; the remaining 25 had only 1 Representative. And yet the Federal Congress continued to follow the concept of our forefathers devised in the Constitution of giving each State equality in 1 of the 2 branches of Congress—the Senate. Four States (Delaware, Vermont, Wyoming, and Nevada) today have only one Representative in the House.

It has been argued against statehood that much of this increase in population is made up of military personnel. The committee knows of no reason to assume that our Military Establishment in Alaska will be decreased in size in the immediate future. Therefore, for reasons of national defense, it is to be expected that large numbers of troops may constitute a relatively permanent portion of the population of Alaska. By their presence there they create a potential market for Alaka industry and help to maintain the economy, just as other groups in the population do. There is no apparent reason why persons in uniform should be considered a less important portion of the population than civilians.

It is the expectation of this committee that when Alaska's resources are unlocked for development, as this bill provides, it may open the way to a great new boom in population.

NONCONTIGUITY

The argument that Alaska should be denied statehood because the peninsula happens to be noncontiguous to the rest of the continental United States is wholly lacking in merit, either historically or factually. Historically, noncontiguity has never been a requirement nor has it been followed as a precedent. California was admitted in 1850 when some 1,500 miles or more of plains and mountains and wilderness—a wilderness infested by hostile Indians—separated her from the nearest State of the United States. It is interesting to note that some of the very same arguments which were used in the 31st Congress in 1850 against the admission of California, and later Oregon, which was contiguous only to California, are being used against the admission of Alaska.

Factually, in this day of radio, telephone, television, telegraph, and the airplane, Alaska is much nearer to Washington, D. C., in travel and communication time than were Boston and New York at the time of the formation of the Union. This fact is so self-evident as to require no elaboration. However, the following historical comparisons are of interest:

The fastest time by the famed Pony Express from the "jumping off" place in the then sparsely populated and financially poor Territory of Nebraska to California was 9 days. This service, of course, was only for mail, at $5 a half ounce.

The best stagecoach time from the terminal in St. Joseph, Mo., to San Francisco, was 25 days.

The record for a sailing vessel in 1850 was established by the clipper *Sea Witch* which made the trip from New York around the Horn to San Francisco in 97 days.

Today, all of the principal cities of Alaska are within 24 hours by air from Washington. Regular ship time between Seattle and Seward or Whittier, the Territory's principal ports, is 5 to 7 days.

In addition, Alaska can be reached from any part of the United States by highway. The Alaska Highway, constructed during World War II, is open throughout the year. Automobiles and trucks can travel from the Northwestern States to Fairbanks, Alaska, in as little as 5 days.

LACK OF DEVELOPMENT AND ALASKAN DEPENDENCE ON FEDERAL SPENDING

As to the problem of resource development, the committee has incorporated in H. R. 7999 major changes from all previous statehood bills which are designed to facilitate the development of Alaska's resources. The committee also desires to state that it will hold itself ready at any time before or after statehood to study proposals which may be made by representatives of Alaska with respect to the further opening up of Federal reservations in Alaska, or with respect to any changes in the Federal land laws as they apply to Alaska, which are necessary to permit the further development of the economic resources of the Territory.

With respect to the problem which may arise if and when Federal construction expenditures are tapered off or discontinued, this situation may have to be faced boldly and courageously when the time comes. However, there is no reason to expect any immediate cessation of such expenditures. Furthermore, it appears likely that even after the major construction phase is finished, the complement of Federal personnel, both military and civilian, in the Territory will remain large.

Some evidence was presented that the development of certain resources is actually being held back by the tight labor situation created by the temporary construction boom. Thus it appears that many homesteads and mining properties are not now being worked because their owners or others who might be employed on them have temporarily accepted employment at higher wages on Federal construction work. It is hoped that if the major construction work comes to an end many of these young people will turn their attention and energy toward developing the resources of the Territory. After the gold-mining boom around the turn of the century, many of those who originally came to the Territory in the hope of finding gold, remained to turn their energies into other channels and to develop the other possibilities of the area. It is hoped that this experience will be repeated when and if the present construction boom comes to an end.

Furthermore, it should be pointed out that not all the growth in economic activity in Alaska is a direct result of Federal construction programs. The pulp mill at Ketchikan, on which construction is now completed; the widespread activity in oil exploration in several parts of the Territory; the growth of tin production on the Seward Peninsula; the widespread interest in development of low-cost power by private risk capital; and the opening up of a number of mining activities of various types are examples of the growth in economic activities based directly on the resources of the Territory which may be expected.

ALASKA'S PRESENT FINANCIAL SITUATION

In 1949 a basic tax program was enacted by the Alaska Legislature adding several new levies. As a result, Territorial tax revenues have increased sharply. Likewise, against these revenues the Territorial budget for the same period has increased in a somewhat similar manner as shown below:

Biennium	Gross tax collection [1]	Appropriations [2]
1949–50	$15,715,435.48	$18,429,131.38
1951–52	28,662,849.54	19,425,635.79
1953–54	30,221,633.01	25,079,617.24
1955–56	36,562,636.57	36,971,414.31
Total	111,162,554.60	99,905,798.72
1957–58	([3])	38,327,001.74

[1] Collections reported on calendar year basis.
[2] Appropriations made for fiscal biennium beginning April 1 of odd year and ending Mar. 31 of following odd year except for 1957–58 appropriations which is for a 27-month period beginning Apr. 1, 1957, and ending June 30, 1959.
[3] Estimates not presently available because of revisions made by Territorial legislature in 1957 in tax rates and methods of computing several important taxes.

Thus, if statehood is granted, Alaska will start its career as a State with a revenue system which, in recent years at least, has brought in a net surplus over budgeted needs.

Alaska as a Territory has created and now supports all the normal functions of State government except in areas which are reserved to the Federal Government by limitations set forth in the organic act. The most important functions provided by the Federal Government are courts and law-enforcement system, protection and conservation of fish and game, and the major share of the road construction and maintenance program.

The Territorial government has created departments and offices of agriculture, attorney general, auditor, treasurer, aviation, banking, civil defense, health, education (including the University of Alaska), welfare, labor, taxation, resource development, soil conservation, communications, highways, fisheries, public lands, police, public libraries, veterans affairs, and a number of other regulatory boards and commissions.

The cost to Alaska of Territorial government for the year ending March 31, 1957, was about $15 million. This sum was derived from a Territorial income tax (12½ percent of the amount paid the United States for Federal income tax), and taxes on fisheries, mines, liquor establishments, and other sources. Presently, there is no tax on property outside incorporated cities, school districts, and public utility districts. Nor is there a Territorial sales tax. The $15 million sum was allocated to the usual services offered by State governments. They include matching expenditures in conformity with all the Federal social-security programs, and an excellent public school system, including the University of Alaska. The services provided do not include appropriations for the regulation of the fisheries and wildlife, courts, the basic expenses of the Governor's office, and the salary and travel of legislators, all of which are reserved to the Federal Government.

PROCEDURAL STEPS TO BE TAKEN

Following enactment of this measure the Territorial Governor shall call for a primary election and a general election for offices of all elective officers provided in the State of Alaska constitution, including 2 Senators and 1 Representative in Congress. The Territorial Governor shall also proclaim an election, which may be the general election, at which time the eligible voters shall (1) adopt or reject the boundaries of the State of Alaska as prescribed by Congress by this act, and (2) approve or disapprove the provision of this act reserving rights or powers to the United States.

Upon certification of the favorable results of the election by the Governor to the President, Alaska shall be deemed admitted into the Union.

The newly elected Representative in Congress shall be in addition to the membership of the House as now prescribed by law and shall not affect the basis of apportionment established by the act of November 15, 1941 (55 Stat. 761; 2 U. S. C. sec. 2a), for the 83d Congress and each Congress thereafter.

GENERAL INFORMATION

For the information of the House, the committee deems it advisable to set forth certain basic facts about the Territory. The material submitted below is from such sources as the reports by our Government to the United Nations, the Encyclopedia Americana, or previous congressional reports.

Area.—Alaska covers 586,400 square miles, or some 375,296,000 acres, of land and inland waters. In total area the Territory is one-fifth the size of the United States, or larger than Iceland, Scotland, Norway, Sweden, Denmark, and Finland combined, all of which lie in similar latitudes, and under similar climatic conditions support a progressive and prosperous population of some 24 million persons.

The northernmost point of Alaska, like that of Norway, is 1,250 miles from the North Pole. The southernmost island of the Aleutian chain lies in the same latitude as Berlin, Germany. The most southerly point on the mainland is at the same latitude of northern Ireland. Kodiak Island is due north of the Hawaiian Islands, and the Aleutian Islands extend as far west as New Zealand. In more technical language, Alaska is located between 51° and 72° north latitude and 130° west and 173° east meridians.

Alaska's strategic situation on world air routes is emphasized by examining polar projection maps. The shortest air route from New York to Tokyo passes across the mainland of Alaska. Stockholm, Sweden, is only 3,600 miles from Fairbanks, Alaska, via the polar route.

Alaska's island areas are composed of two principal groups: The Aleutian chain with its hundreds of small islands, and the Alexander Archipelago with more than 1,100 islands, part of the southeastern portion of the Territory. Smaller island groups include the Kodiak group south of the Alaska Peninsula, and the Pribilof, Nunivak, St. Matthew, and St. Lawrence groups in the Bering Sea.

Population.—According to the 1950 census reports, population density in the Territory's four judicial divisions is revealed in the following table:

Judicial division	Land area (square miles)[1]	1950 population	Civilian	Military	Density per 100 square miles
First (southeast)	34,391	28,203	27,543	660	80.2
Second (Nome, Bering Sea)	147,135	12,272	11,820	452	8.3
Third (Anchorage, Aleutians)	142,031	59,518	45,647	13,871	41.9
Fourth (Fairbanks and interior)	247,508	28,650	23,226	5,424	11.6
Total	571,065	128,643	108,236	20,407	22.5

[1] Exclusive of inland water surface areas.

On the census date, natives numbered 33,863, of whom 15,882 were Eskimo, 14,089 were Indian, and 3,892 were Aleut. Since then, as previously noted, total civilian population has increased to an estimated figure of 209,000, as of June 1, 1957, virtually all of the increase being of persons from the continental United States.

The natives are participating more and more in the white man's economy of the Arctic region. The majority still depend on hunting, fishing, and trapping for their existence during the winter months, but the greater proportion find well-paid seasonal employment in canning, mining, and other industries of the region. They are regarded highly by their employers as expert machinery operators, mechanics, truck drivers, and many other skilled occupations.

Eskimos and Indians have served with distinction in the Territorial legislature.

Alaska, along with Hawaii, has been a pioneer in establishing and realizing the dream of our Founding Fathers for true democracy and equality of opportunity.

Climate.—Alaska is so large that almost any kind of climate and topography can be found, but the popular conception of Alaska as a land of snow and ice is incorrect. The average annual temperature varies from 45° above zero at Ketchikan to a low of 9.9° above zero at Point Barrow. The January mean temperature of 20° above zero in Anchorage compares to that in Concord, N. H. The January mean of 33.6° at Ketchikan is about the same as Denver and New York. Ketchikan's record low of 8° below zero approximates record low temperatures for Washington, D. C., and is considerably warmer than the record cold in such cities as Chicago and Boston. Ketchikan's all-time high is 96°; Juneau, 89°; and Fairbanks, 99°. The temperature at Fort Yukon, 20 miles above the Arctic Circle, has often reached heights of 100° above zero. The temperature also has been known to drop below minus 70° during the winter in that community.

The average annual precipitation varies from a high of 176.9 inches at Latouche to a low of 4.34 inches at Barrow. Precipitation in Alaska in its present agricultural areas is 11.71 inches in the Tanana Valley, 15.45 inches in Matanuska Valley, and 32.59 inches on the Kenai Peninsula.

The only pronounced climatic difference between a large part of Alaska and much of the northern and western portion of the United States is the long hours of summer daylight and, conversely, the short winter days. The average growing season varies from about 170 days in southeastern Alaska to 90 days in the northern interior.

Despite the fact that Alaskan waters are hundreds of miles to the north, there are more frozen rivers and harbors in the United States

than there are from the Aleutians to the southern tip of the Alaska Panhandle. This is due largely to the influence of the Japanese Current, which skirts the Alaska coast.

History.—The official date of Alaska's discovery is July 16, 1741, when Vitus Bering, a Danish captain in the service of the Russian Navy, sighted Mount St. Elias, 275 miles northwest of Juneau. Bering's expedition returned with about $100,000 in furs, which resulted in an immediate rush to the new land. In their search for furs, the Russians first explored the Aleutian Islands and the Bering Sea, subsequently reaching east and south to Cook Inlet, Prince William Sound, and the Alexander Archipelago.

During this period in history—the latter part of the 18th century—other European nations ventured along the northwest coast of Alaska. Spanish expeditions left bases in California to sail north and west as far as Unalaska in the Aleutians. England's famous mariner, Capt. James Cook, reached Alaska in 1778, the same year he discovered Hawaii, and sailed northward to Icy Cape before being turned back by the Arctic ice pack. A French expedition veered from South Pacific exploration to the North Pacific, and was later followed by French traders who had heard the stories of rich furs. Yankee traders, sailing out of bustling New England ports, followed the sea trails around the Americas to Alaskan waters.

From 1799 to 1863, Alaska was under the administration of the Russian-American Co., chartered by the government of czarist Russia to exploit the region. Its power was virtually absolute, and the natives were subjected to forced labor conditions similar in many respects to the slave-labor camps of Communist Siberia today. Attention is directed to the excellent study of the Library of Congress, Russian Administration of Alaska and the Status of the Alaskan Natives—printed in 1950 as a Senate document (S. Doc. No. 152, 81st Cong.).

Uncompleted plans of the Western Union Telegraph Co. in 1865 to join Europe and America by telegraph line from Alaska to Siberia precipitated new explorations of the interior. Construction stopped when the Atlantic cable was completed in 1867. Gold first brought prospectors into the north as early as 1858, when "pay dirt" was discovered in the Caribou country of the Fraser River in British Columbia.

First hint of the sale of Alaska to the United States is found in Russian archives of 1854. It appears that America was interested in the region much earlier, as President Andrew Jackson discussed acquisition of the northern territory in 1836. It was not until 1867, however, that the United States finally made the purchase from Russia for $7,200,000.

SECTIONAL ANALYSIS

Section 1 provides that subject to the provisions of this act and upon issuance of the proclamation required by section 8 (e) the State of Alaska is recognized and declared admitted into the Union on an equal footing with all other States. Further, it accepts, ratifies, and confirms the State constitution approved by the Territorial legislature and adopted by the voters of the Territory on April 24, 1956.

Section 2 describes the area which will comprise the State of Alaska as "all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska."

Section 3 provides that the constitution shall always be republican in form and shall not be repugnant to the Constitution of the United States or the principles of the Declaration of Independence.

Section 4 provides that the State of Alaska and its people forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Admission Act, the right or title to which is held by the United States or is subject to disposition of the United States. This disclaimer likewise applies to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts, or is held by the United States in trust for them. The section also provides that except for property held by Indians, Aleuts or Eskimos in fee without restrictions on alienation, it would be under the jurisdiction and control of the United States and would not be taxable by the State, except as prosecuted by Congress.

Finally the section provides that no attempt will be made to deal with the legal merits of the indigenous rights but to leave the matter in status quo for either future legislative action or judicial determination.

Section 5 provides for retention by the State of all lands and other property, title to which is in the Territory, and retention by the United States of title to public lands and other property to which the Federal Government has title.

Section 6 (a) grants to the State of Alaska the right to select within 50 years from the national forests 400,000 acres of land and from vacant, unappropriated, and unreserved public lands a second 400,000 acres of land—all of which shall be adjacent to established communities or suitable for prospective community centers and recreational areas. The rights of any persons now having any claims on the area to be selected are fully protected.

Subsection (b) provides for selection by the State, within 25 years after being admitted to the Union, of not to exceed 182 million acres of public lands which are vacant, unappropriated and unreserved at the time of selection. No selection may be made in the area located north and west of the line described in section 10 without approval of the President or his designated representative.

It should be noted that subsection 6 (h) qualifies the above by permitting selection of lands subject to Federal oil, gas, or other mineral leases at the time of the approval of the act.

Subsection (c) grants the Federal building and the land on which it rests in the Territorial capital, Juneau, to the State.

Subsection (d) grants the Federal jail in Juneau to the State.

Subsection (e) provides for the transfer and conveyance of all United States property used for conservation and protection of fisheries and wildlife to the State of Alaska. It also provides that said transfer shall not include withdrawn lands used in general wildlife and fisheries research activities. Sums of money presently available for wildlife restoration in the Territory of Alaska under existing statutes shall continue to be available to the State of Alaska. It further provides that when Alaska is admitted to the Union the United States shall pay to the new State 70 percent of the net proceeds derived from fur seals and sea-otter skin sales, but with the understanding that nothing in this act shall be construed as affecting the rights of the United States under the provisions of the act of February 26, 1944, as amended and the act of June 28, 1937, as amended.

Subsection (f) provides for payment to the State of 5 percent of the net proceeds of public land sales. These moneys shall be used for the support of Alaska's public schools.

Subsection (g) provides that authorized land grants shall be selected in conformity with regulations laid down by the Secretary of the Interior and that all selections will be made in reasonably compact tracts of at least 5,760 acres unless isolated from other tracts open to selection. It also guarantees that said selected lands may never be alienated or bargained away by the State. If any existing withdrawal is revoked the order of revocation must be issued 90 days before it becomes effective and this subsection provides that the State shall have preferred right of selection except in cases where prior existing valid rights have been confirmed. When the State desires and selects unsurveyed lands, the Secretary of the Interior shall survey the exterior boundaries of the areas selected and shall patent said lands to the State. After the State has selected its land but prior to the issuance of final patent, the State is authorized to execute conditional leases and to make conditional sales of such selected lands.

Subsection (h) authorizes the State to make its selections from lands which are under Federal oil and gas lease or other Federal mineral leases at the time of the approval of the act, provided that such application is made within 5 years after statehood is granted. These selections shall be made only from lands that are otherwise open to selection under this act and they shall include the entire area subject to lease. Patents for lands selected under this act shall vest in the State all right, title, and interest of the United States in and to any lease that remains outstanding on the date of the patent.

Subsection (i) provides that all grants made or confirmed under this act shall include mineral deposits. It also provides that grants of mineral lands to the State made under (a) and (b) of this section are made under the condition that sales, grants, deeds, or patents shall be subject to and contain a reservation to the State of all minerals. The Attorney General is authorized to institute appropriate proceedings for forfeiture of any of the lands granted to the State which are disposed of contrary to these restrictions.

Subsection (j) provides that the proceeds arising from the sale or disposal of any lands granted for educational purposes shall not be used for the support of any sectarian or denominational school, college, or university.

Subsection (k) confirms to the State grants previously made to the Territory of Alaska with the assurance that the purposes for which they were made will be continued. Also repeals 1915 and 1920 acts concerning land grants. The repeal of these statutes reserving lands and the disposition of the proceeds from them shall not affect any lease, permit, etc., outstanding or rights or powers thereunder on the date of admission of the State of Alaska.

Subsection (l) provides that grants for internal improvements, swampland grants, and grants provided for by the Morrill Act of 1862 shall not be made to Alaska because of the numerous grants made in section 6 of this act.

Subsection (m) extends the provisions of the Submerged Lands Act of 1953 to the new State.

Section 7 provides that upon enactment of this act, the President of the United States shall, not later than July 3, 1958, certify such fact

to the Governor of Alaska. Thereupon the Governor shall, not later than August 1, 1958, issue his proclamation for elections for elective offices of the new State, including 2 Senators and 1 Representative in Congress.

Section 8 (a) provides that the Governor of Alaska shall cause the holding of a primary election and a general election on dates that he shall fix. It provides that the general election shall not be held later than December 1, 1958, and that after the votes are counted, the results shall be certified by the Governor to the President of the United States.

Subsection (b) provides that at an election which may be the general election held pursuant to subsection (a), above, the qualified voters of Alaska shall adopt or reject the following propositions:

> (1) The boundaries of the State of Alaska shall be as prescribed in the act of Congress approved _____ (date of approval of this act) and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.
>
> (2) All provisions of the act of Congress approved _____ (date of approval of this act) reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, are consented to fully by said State and its people.

If the foregoing propositions are adopted, the State constitution approved by the voters of Alaska on April 24, 1956, shall be deemed amended accordingly. If the propositions are rejected, the provisions of this act shall cease to be effective. In due course the Governor shall certify the results to the President.

Subsection (c) provides that following the receipt of the Governor's certification the President shall issue his proclamation announcing the results of the election; thereupon, the State of Alaska shall be deemed admitted to the Union.

Pending this admittance, all officers of the Territory, including the Delegate in Congress, shall continue in office. Following the admittance proclamation the Governor shall certify the election of the Senators and Representative all of whom shall be entitled to their seats in the Congress of the United States.

Subsection (d) provides that upon admission of Alaska to statehood, all laws of the United States shall have the same force and effect within the State as in other States in the Union.

Section 9 provides that the State of Alaska shall be entitled to one Representative in the United States House of Representatives, until the taking effect of the next reapportionment, and that such Representative shall be in addition to the present membership. It further provides that such temporary increase in membership shall neither increase nor decrease the permanent membership of the House of Representatives as established by the act of November 15, 1941.

Section 10 (a) provides that the President may establish, prior to Alaska's admission into the Union, one or more national defense withdrawals in Alaska, which withdrawal or withdrawals may be terminated at the will of the President.

Subsection (b) provides that said national defense withdrawals shall be confined to those portions of Alaska that are situated to the west and north of the following line:

> Beginning at the point where the Yukon River crosses the international boundary between Alaska and Canada; thence downstream along a line parallel to, and 1 mile from, the right bank of the Yukon River, to the point of intersection of the Yukon River with the meridian of longitude 158° west of Greenwhich; thence north to the parallel of latitude 65° north, thence westward along said parallel to its intersection with the meridian of longitude 169° west of Greenwich.

Subsection (c) reserves to the United States exclusive jurisdiction over, as well as sole legislative, judicial, and executive powers within, such defense withdrawals. The laws of the State of Alaska shall not apply to areas within defense withdrawals while such areas remain subject to Federal exclusive jurisdiction but this exclusive jurisdiction shall not prevent the execution of any process, civil or criminal, of the State upon persons found within the withdrawal. This subsection also provides that such exclusive jurisdiction shall not prohibit the State from enacting and enforcing election laws.

Subsection (d) provides that during the time in which Federal exclusive jurisdiction is being exercised nothing contained in this subsection is intended to limit the authority of Congress in legislating in the matter of jurisdiction, nor to limit the authority of the United States District Court of Alaska, nor to limit any other authority vested in Congress. It provides, however, that the laws of the State or Territory relating to the organization, powers, or laws of municipalities or local political subdivisions shall not be adopted as laws of the United States.

Subsection (e) provides that nothing contained in subsection (d) shall limit Federal exclusive jurisdiction, the authority of Congress to implement exclusive jurisdiction, the right of persons to vote at all elections held within political subdivisions, the jurisdiction conferred upon the United States District Court for the District of Alaska, or any authority otherwise vested in Congress or the President.

Section 11 (a) retains Mount McKinley National Park under Federal ownership and control, but gives the State of Alaska the usual rights to serve civil and criminal processes and to levy State taxes on private business and persons within the park area. Residents in the park will be given the right to vote.

Subsection (b) reserves to the United States the power of Congress to exercise exclusive jurisdiction, as provided by article I, section 8, clause 17, of the Constitution of the United States, over areas owned by the United States and held for military or Coast Guard purposes. Regardless of the manner in which said areas were acquired, the following provisos apply: (i) The State of Alaska shall always have the right to serve civil or criminal processes, (ii) the right of exclusive jurisdiction shall not prevent the State from exercising over such lands, concurrently with the United States, any jurisdiction which it would have without such reservation of authority, and (iii) the right of exclusive jurisdiction shall remain in the Federal Government only so long as the land involved is owned by the United States and used for military or Coast Guard purposes.

Subsection (b) finally provides that the provisions aforementioned in this subsection shall not apply to the special defense withdrawals established under authority of section 210 of this act until they cease to be subject to the exclusive jurisdiction reserved by said section.

Section 12 establishes a United States district court and makes a number of necessary technical amendments to titles 18 and 28 of the United States Code.

Sections 13 through 17 provide for a continuation of suits, the succession of courts, the saving of the rights of litigants in the courts. These five sections are recommended by the Judicial Conference Committee on Revision of the Judicial Code.

Section 18 provides that the provisions of the preceding sections with respect to the termination of the jurisdiction of the District Court for the Territory of Alaska and related matters shall not be effective until 3 years after the effective date of this act unless the President should sooner proclaim that the United States District Court for Alaska is prepared to assume the functions imposed upon it. During this interim the United States District Court for the Territory of Alaska shall perform the necessary functions.

Section 19 amends the Federal Reserve Act to bring Alaska within the Federal Reserve System.

Section 20 repeals the 1914 statute withdrawing certain extensive coal lands of Alaska and placing them under Federal control. These coal lands will thus be available for selection by the State, and it is expected that their development will be greatly spurred.

Section 31 provides that nothing contained in this act operates to confer, terminate, or restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

Sections 22 through 26 are technical amendments relating to the application of the Immigration and Nationality Act to the State of Alaska.

Section 27 amends the Merchant Marine Act of 1920 by extending its provisions to the State of Alaska.

Section 28 (a) amends the Alaska Coal Leasing Act of 1914 by providing that 90 percent of the net profits from the operation of Government mines, and all bonuses, royalties and rentals under leases under the act shall be covered into the State treasury for disposition by the State legislature and that 10 percent of the net proceeds shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

Subsection (b) amends the act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain approved February 25, 1920, by providing that 52½ percent of the proceeds received therefrom shall be covered into the State treasury for disposition by the State legislature.

The payment of these proceeds is recommended in return for Alaska not being covered by the Reclamation Act of 1902, as amended. The Reclamation Act provides that 52½ percent of the oil and gas revenues goes into the reclamation fund; 37½ percent is returned to the respective States and the remaining 10 percent is retained by the Federal Government for administration purposes.

Section 29 provides that if any provision of this act is held invalid, the remainder of the act shall not be affected thereby.

Section 30 repeals all Federal and Territorial laws in conflict with this act.

REPORTS OF EXECUTIVE AGENCIES

Reports from the Departments of Interior, State, Agriculture, and Justice are set forth below:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., March 11, 1957.

Hon. CLAIR ENGLE,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D. C.

DEAR MR. ENGLE: In connection with your committee's consideration of H. R. 50, a bill to provide for the admission of the State of Alaska into the Union, on which our views were requested, we recommend the adoption of the following amendments which are basically technical in nature and are designed to clarify certain provisions of the bill:

1. Section 6 (c) would transfer to the State of Alaska all real and personal property of the United States utilized in connection with the conservation and protection of fisheries and wildlife. Lands withdrawn or otherwise reserved for research activities relating to fisheries or wildlife are excluded from transfer. It would seem that personal property utilized in such activities should likewise not be transferred to the State, if Federal research programs are to be continued. Accordingly, we recommend that section 6 (c) be amended by inserting between the words "or" and "in," in line 15, page 6, the words "such lands and personal property utilized."

2. Section 6 (e) would provide for the payment to the State of Alaska of 70 percent of the net proceeds from the sales of sealskins and sea-otter skins made pursuant to the provisions of the act of February 26, 1944 (16 U. S. C., secs. 631a–631q), as supplemented and amended. There would appear to be some ambiguity with respect to the meaning of the term "net proceeds" as used in the bill. These words could mean the difference between the receipts from the sale of skins and the direct costs incurred in the processing and handling of the skins; or they could mean the difference between total receipts from the sales and all costs incurred by the Government in the administration of the 1944 act, as supplemented and amended. In this connection, it should be noted that acts appropriating funds for the Department of the Interior for past several years have provided "amounts equal to 60 per centum of the proceeds covered into the Treasury * * * from the sale of sealskins and other products * * *" for the administration of the Pribilof Islands. It is our view that these costs should be deducted from the receipts from the sales of skins before arriving at the "net proceeds," as that term is used in section 6 (e) of the bill. In order to avoid any misunderstanding on this point, we suggest that section 6 (e) be further amended by the addition of a new sentence to appear in line 25, page 6, just before the last sentence of section 6 (e) which shall read substantially as follows:

"In arriving at the net proceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the act of February 26, 1944, as amended, including, but not limited to, the costs of handling and dressing the skins, the

costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands."

3. Section 6 (g) makes no provision that selections of land by the State of Alaska shall be of reasonably compact tracts. We believe that orderly and efficient procedures and, in general, proper utilization of lands by the State should require that they be selected in fairly compact tracts, except in the case of small tracts which are isolated from other tracts of land open to selection. In order to accomplish this purpose, we recommend that subsection (g) of section 6 be amended by inserting in line 15, page 7, after the first sentence thereof a new sentence which shall read substantially as follows:

"All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved, and each tract selected shall contain at least five thousand seven hundred and sixty acres unless isolated from other tracts open to selection."

4. Section 1 of the act of March 4, 1915 (38 Stat. 1214; 48 U. S. C., sec. 353), as amended, reserves sections 16 and 36 in each township of Alaska for the support of common schools, and section 33 in townships within a specified area for the support of a Territorial agricultural college and school of mines, as lands in Alaska are surveyed. Section 6 (1) of the bill would repeal this section. In view of the quantity grants contained in the bill, we agree that section 1 of the 1915 act should be repealed. As of the present time, only a small percentage of the Territory has been surveyed, and we suggest that, as to such lands, the sections which have been reserved for educational purposes should be granted to the State of Alaska to be used by it for the purposes for which they were reserved. In order to accomplish this purpose we suggest that section 6 (1) of H. R. 50 be amended by inserting after the word "repealed" in line 15, page 11, a comma and language reading substantially as follows: "and all lands therein reserved under the provisions of section 1 as of the date of this Act shall, upon the admission of said State into the Union, be granted to said State for the purposes for which they were reserved."

5. H. R. 50 does not contain provision for the continuity of local Territorial laws in force and effect as of the time the State of Alaska is admitted to the Union and for the applicability to the State of Alaska of Federal legislation, to the extent that such laws are applicable elsewhere within the United States. There would seem to be little doubt that the bill should contain such a provision. We recommend, therefore, that the bill be amended by adding at the end of section 8 at line 12, page 16, a new subsection to be designated subsection (d) and to read substantially as follows:

"(d) Upon admission of the State of Alaska into the Union as herein provided, all of the Territorial laws then in force in the Territory of Alaska shall be and continue in full force and effect throughout said State except as modified or changed by this Act, or by the constitution of the State, or as thereafter modified or changed by the legislature of the State. All of the laws of the United States shall have the same force and effect within said State as elsewhere within the United States. As used in this paragraph, the term 'Territorial laws' includes (in addition to laws enacted by the Territorial Legislature of Alaska) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the

State of Alaska into the Union, and the term 'laws of the United States' includes all laws or parts thereof enacted by the Congress that (1) apply to or within Alaska at the time of the admission of the State of Alaska into the Union, (2) are not 'Territorial laws' as defined in this paragraph, and (3) are not in conflict with any other provisions of this Act."

6. Assuming the adoption of amendatory language to make applicable to the State of Alaska the provisions of Federal statutes applicable generally within the United States, the authorities of the Interstate Commerce Commission would be made applicable to the State of Alaska. In view of the language contained in section 302 (i) of the Interstate Commerce Act (49 U. S. C., sec. 902), the Interstate Commerce Commission would have jurisdiction over water transportation between the United States and Alaska. It would seem that the present exercise of authority over such transportation by the Federal Maritime Board be preserved, and we suggest that H. R. 50 be amended by designating section 21 as section 22 and adding a new section 21 at line 18, page 28, which shall read substantially as follows:

"SEC. 21. Nothing contained in this or any other act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Alaska and other ports in the United States, its Territories, or possessions, or as conferring upon the Interstate Commerce Commission jurisdiction over transportation by water between any such ports."

It should be noted that section 6 (j) would provide that any withdrawals of public lands in Alaska for purposes other than defense or for the Coast Guard would be ineffective as against selection by the State of Alaska within a period of 5 years from the date of the approval of H. R. 50. We should like to point out the undesirability of such a provision in that its effect would be to possibly curtail the continuation and expansion of current Federal activities and the undertaking of new Federal activities in Alaska for a 5-year period. Since approximately 98 percent of the land in Alaska is now in Federal ownership, it would seem that this provision could be deleted from the bill with little possibility of inconvenience or loss to the State in making its selections.

We are informed that there is a particular urgency for your committee to have this report and that hearings on H. R. 50 will commence March 11. In view thereof, this report is being submitted prior to clearance through the Bureau of the Budget and we are not in a position to advise you concerning its relation to the program of the President.

Sincerely yours,

HATFIELD CHILSON,
Assistant Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, 25, D. C., April 10, 1957.

Hon. CLAIR ENGLE,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington 25, D. C.

DEAR MR. ENGLE: This supplements our report of March 11 to your committee on H. R. 50, a bill to provide for the admission of the State of Alaska into the Union.

We recommend the adoption of the two following amendments:

1. In section 8 (b), delete all that language contained in lines 10 through 15, inclusive, on page 14, and substitute therefor language which shall read substantially as follows:

"(2) All provisions of the act of Congress approved _____
(Date of approval of this act)
reserving rights or powers to the United States, prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, and providing for the establishment of exclusive Federal jurisdiction within the State of Alaska in the event of the exercise by the President of the authority granted in section 10 of this act, are consented to fully by said State and its people."

This proposed language would give the people of Alaska an opportunity to voice their approval or disapproval of the grant of exclusive jurisdiction to the Federal Government over the areas to be included within the special national defense withdrawals which may be created by the President in accordance with the provisions of proposed section 10. It is our view that the electorate should have the right to pass on this grant of authority to the Federal Government just as it would have the right to pass on the other reservations of rights or powers to the United States, the terms and conditions of the grant of land and other property to the State, and the boundaries of the State proposed in the bill.

2. In line 17, page 6, before the sentence beginning with the word "Commencing", insert a new sentence which shall read substantially as follows:

"Sums of money that are available for apportionment or which the Secretary of the Interior shall have apportioned, as of the date the State of Alaska shall be deemed to be admitted into the Union, for wildlife restoration in the Territory of Alaska, pursuant to section 8 (a) of the Act of September 2, 1937, as amended (16 U. S. C., sec. 669g–l), and for fish restoration and management in the Territory of Alaska, pursuant to section 12 of the Act of August 9, 1950 (16 U. S. C., sec. 777k), shall continue to be available for the period, and under the terms and conditions in effect at the time, the apportionments are made."

Upon admission into the Union, the State of Alaska would be entitled to participate in the programs for Federal aid to States for fish and wildlife restoration in the same manner as the other States. Because of its vast area, Alaska would be entitled to receive the maximum apportionable to a State (5 percent) which, on the basis of revenues comparable to those available for fiscal year 1957, would amount to $811,800 of funds for wildlife restoration and $241,300 of funds for fish restoration. As a State, Alaska would have to match these Federal-aid funds by paying 25 percent of the cost of projects

out of its own funds, which would amount to $270,600 and $80,433, respectively, if the entire Federal amounts were to be utilized. The existing provision of law, whereby the Secretary of the Interior is authorized to cooperate with the Alaska Game Commission by paying up to 100 percent of the cost of Federal-aid work, would cease to be effective as of the date Alaska becomes a State and it would not be entitled to an apportionment of funds as a State until July 1 of the fiscal year following. This would create a period when Federal aid would not be available in Alaska for fish and wildlife restoration projects.

It is the purpose of the suggested amendment to provide for the availability of Federal-aid funds during this interim period so that necessary fish and wildlife restoration programs may continue uninterrupted.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

HATFIELD CHILSON,
Acting Secretary of the Interior.

DEPARTMENT OF STATE,
March 7, 1957.

Hon. CLAIR ENGLE,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives.

DEAR MR. ENGLE: I refer to your letter of January 16, 1957, requesting this Department to furnish reports on the following bills, each of which deals with the question of Statehood for Alaska and Hawaii: H. R. 49, H. R. 50, H. R. 339, H. R. 340, H. R. 628, H. R. 629, H. R. 848, H. R. 849, H. R. 1242, H. R. 1243, H. R. 1246.

The Department of State's interest in this question is, of course, confined to the effect which the admission of Alaska and Hawaii to the Union might have on our foreign relations. In a general sense the Department believes that the granting of statehood to these two Territories would be favorably regarded by most foreign powers.

As you know, chapter XI of the United Nations Charter calls upon those members which administer non-self-governing territories to develop self-government in them and to take account of the political aspirations of their peoples. Statehood for Alaska and Hawaii, particularly in view of the concrete expressions of public opinion in its favor in these Territories, would seem to constitute a clear example of the development of self-government referred to in the charter, and as such, should be viewed in a favorable light by the great majority of U. N. members.

The Bureau of the Budget, in informing the Department that it has no objection to the submission of this report, has requested that the President's remarks on this subject in his budget message of January 16, 1957, be brought to your attention. In that message the President said:

"I also recommend the enactment of legislation admitting Hawaii into the Union as a State, and that, subject to area limitations and other safeguards for the conduct of defense activities so vitally neces-

sary to our national seeurity, statehood also be eonferred upon Alaska."

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary
(For the Secretary of State).

DEPARTMENT OF STATE,
Washington, D. C., March 27, 1957.

Hon. LEO W. O'BRIEN,
Chairman, Subcommittee on Territorial and Insular Affairs, Committee on Interior and Insular Affairs, House of Representatives.

DEAR MR. O'BRIEN: I am informed that there was some misunderstanding in the eommittee as to the purport of my letter of March 7 regarding the Department's attitude on the question of Alaskan statehood, and in partieular on H. R. 50 now before the Subeommittee on Territories and Insular Affairs.

The Department of State favors the adoption of H. R. 50, or a similar bill, with the amendments proposed by the Department of the Interior before the subcommittee on March 11. We believe that the adoption by the Congress of this measure for the admission of Alaska to the Union would be regarded as fulfilling the wishes of the people of that Territory and would therefore be of benefit to the foreign relations of the United States.

Sineerely yours,

ROBERT C. HILL,
Assistant Secretary
(For the Seeretary of State).

DEPARTMENT OF AGRICULTURE,
Washington, D. C., March 8, 1957.

Hon. CLAIR ENGLE,
Chairman, Committee on Interior and Insular Affairs, House of Representatives.

DEAR CONGRESSMAN ENGLE: This is in reply to your letter of January 16, 1957, requesting a report on certain bills, including H. R. 50, H. R. 340, H. R. 628, H. R. 849, H. R. 1242, and H. R. 1243, all of which pertain wholly or in part to provide for admission of the State of Alaska into the Union.

The Department's overall position on these bills may best be set forth by quoting from the budget message of the President, dated January 16, 1957:

"I also reeommend the enaetment of legislation admitting Hawaii into the Union as a State, and that, subjeet to area limitations and other safeguards for the conduct of defense activities so vitally necessary to our national seeurity, statehood also be eonferred upon Alaska."

The following additional eomments and recommendations are limited to those aspects of the bills which would affeet the national forests in Alaska, which are under the jurisdiction of this Department:

1. Subsection 6 (a) of H. R. 50, H. R. 628, and H. R. 849, and sec-

tion 105 (a) of H. R. 340, section 5 (a) of H. R. 1242, and section 205 (a) of H. R. 1243 would grant certain public lands to the State of Alaska, including not more than 400,000 acres of national forest lands for the purpose of furthering the development of and expansion of communities, all of which shall be adjacent to established communities or suitable for prospective community centers and recreation areas. National-forest lands would be selected by the State of Alaska only with the approval of the Secretary of Agriculture. This Department has no objection to the provisions of these subsections.

2. There appears to be a conflict between the provisions of the subsections mentioned in (1) above, which specify that national-forest lands to be granted to the State of Alaska shall be selected with the approval of the Secretary of Agriculture, and those of subsection (g) of section 6 of H. R. 50, H. R. 628, and H. R. 849, and section 105 (h) of H. R. 340, and section 5 (h) of H. R. 1242, and section 205 (h) of H. R. 1243 would provide that all lands authorized to be granted to the State of Alaska shall be selected subject to the regulations of the Secretary of the Interior. We recommend that this conflict be corrected by deleting the period at the end of the first sentence in said subsections and by adding ", except as provided in subsection (a)."

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

UNITED STATES DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D. C., May 14, 1957.

HON. CLAIR ENGLE,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning the bill (H. R. 50) to provide for the admission of the State of Alaska into the Union.

The Department of Justice favors statehood for Alaska. However, in his budget message for the fiscal year ending June 30, 1958, the President recommended that "* * * subject to area limitations and other safeguards for the conduct of defense activities so vitally necessary to our national security, statehood also be conferred upon Alaska." Additionally, there are certain features of the pending bill to which the committee may wish to give consideration.

Under section 4, the State and its people would agree and declare as a compact with the United States that they forever disclaim all right and title to "any lands or other property" not granted or confirmed to the State or its political subdivisions by or under the authority of the bill, the right or title to which is held by the United States "or is subject to disposition by the United States" and "to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives." Except as to such property held by individual natives in fee without restrictions on alienation, such property would be under the absolute

jurisdiction and control of the United States, and such property and property hereafter acquired by the United States would not be taxable by the State, except as Congress prescribed.

Section 4 also includes a proviso with respect to claims against the United States so drafted as to make it clear that such claims are to remain unaffected by the act. House Report No. 88, on H. R. 2535, 84th Congress (pp. 28 and 47) includes the following statement on page 47 with respect to an identically worded proviso; "It is provided that no attempt will be made to deal with the legal merits of the indigenous rights but to leave the matter in status quo for either future legislative action or judicial determination."

In view of the foregoing and in the light of the judicial determinations hereinafter mentioned, it is recommended that the parenthetical phrase "(including fishing rights)" appearing on page 2, lines 24 and 25 of the bill be eliminated. The Court of Claims decided on July 12, 1955, in *The Tee-Hit-Ton Indians* v. *The United States* (132 Cl. 624), that the Indians had not since the acquisition of Alaska acquired any right to fish, by immemorial usage or otherwise, against the Government. In an earlier case, *Hynes* v. *Grimes Packing Company* (337 U. S. 86), an Indian group was held to have no exclusive irrevocable right to fish commercially in an area designated as a reservation by the Secretary of the Interior. These cases establish that the Alaskan Indians have no compensable claim to a right to fish, which is applicable as well to the Eskimos and Aleuts. The inclusion of a reference to "fishing rights" may have the consequence of raising an implication that there is a "right or title" to fishing rights by the natives of Alaska notwithstanding the above cited judicial determinations.

For purposes of clarity and to supply an apparent omission it is recommended that the words "law to any" be inserted between the words "any" and "such" appearing on page 3, line 18 of the bill.

As to the reservation of exclusive jurisdiction by section 10, the Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas within the States has concluded that possession of any measure of legislative jurisdiction is not generally advantageous with respect to the large bulk of Federal areas in the States, and that only concurrent legislative jurisdiction should be acquired in the usual case over areas on which, because of their great size, large population or remote location, or because of peculiar requirement based on their use, it is necessary that the Federal Government render law enforcement and other services of a character ordinarily rendered by a State or local government. It is understood that consideration has been given to the Interdepartmental Committee's recommendations in connection with section 10, and that although the validity of the recommendations is not questioned, the circumstances are regarded as so exceptional as to call for the reservation of exclusive jurisdiction.

The exceptions to exclusive jurisdiction in Mount McKinley National Park provided in section 10 (a), viz, the right of residents to vote and the right of the State of Alaska to serve civil and criminal process in the park and to tax persons and their property on the lands included in the park are in accord with the Interdepartmental Committee's recommendations. It is noted that the provisions of section 10 (b) as to exclusive jurisdiction in areas owned and held by the United States for military, naval, Air Force or Coast Guard purposes, is subject to the proviso that the reservation of exclusive legislation

shall not operate "to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority." This language is not clear but the intent is apparently that the State is to have concurrent jurisdiction until Congress provides otherwise. As pointed out in House Report No. 88 on H. R. 2535 (84th Cong.), page 29, with respect to identical language the bill "Retains in the United States the power of exclusive legislation with concurrent jurisdiction over defense and Coast Guard installations in the new State, subject to future congressional action (sec. 211(b))." Provision for concurrent jurisdiction is consistent with the Interdepartmental committee recommendations.

A number of the provisions of existing law relating to the judiciary of the Territory of Alaska are included in sections 101 through 122 of title 48, United States Code. Provision is made for the appointment of 4 district judges, 4 district attorneys, 4 United States marshals, and other court officers for assignment to the 4 divisions of the district. The district court for the Territory of Alaska functions in a dual capacity, administering the laws of the United States and also administering the local laws of the Territory. It is a legislative as distinguished from an article III or constitutional court. The bill would provide for the establishment, pursuant to article III, section 1, of the Constitution, of a United States District Court for the District of Alaska and for the appointment pursuant to the provisions of title 28, United States Code of 1 district judge, 1 United States attorney, and other officers for the newly created Federal court. Unlike the existing court, the newly created court would not function in a dual capacity but would be limited to causes of such a nature as to be within the jurisdiction of a Federal court.

A new Federal court coming into existence upon the admission of Alaska to statehood it would appear that the existing court, its four judges, other personnel of the court, the district attorneys and the United States marshals no longer would function in a Federal capacity. Since it appears likely that some time would elapse before the newly created court is organized and ready to function, it would seem desirable that some provision be made for the interim functioning of a Federal judicial system in Alaska.

With respect to "State" functions of the existing court there is some indication in the constitution of Alaska (sec. 17 of article XV, entitled "Schedule of Transitional Measures") that it is intended, at least insofar as causes to be transferred to the State courts are concerned, that the existing court, the 4 judges, the 4 district attorneys, the 4 United States marshals, and other personnel of the court would continue to function with respect to such causes after admission of Alaska to statehood and until the courts provided for in the Constitution of Alaska, are organized and functioning. Whether this result is accomplished in the manner proposed would appear to be open to question and, in this regard, would seem to merit further consideration by the committee. If it is contemplated that the existing court is to continue to function as a State court after admission of Alaska to statehood and the judges, the district attorneys, United States marshals, and other personnel of the court are to per-

form the functions of State officers there should be a clear provision to that effect in the bill. In such an event, it would appear wise to terminate their status as officers of the United States.

It is suggested that in lieu of the language "When any State is" appearing on page 24, line 24, of the bill, there be substituted the language "When the State of Alaska or any State." Such amendment would make it clear that the proposed amendment of the Federal Reserve Act is intended to apply to Alaska.

The bill should provide specifically that nothing contained therein shall be construed to confer United States nationality upon any alien residents of the Territory, and that the repeal of any statutes by the bill shall not confer or restore nationality previously lost under any law of the United States or any treaty to which the United States may have been a party. Otherwise doubt might arise as to the citizenship status of many persons now in the Territory of Alaska.

Section 101 (a) (36) and section 212 (d) (7) of the Immigration and Nationality Act should be revised to eliminate the references therein to Alaska. Amendment of section 310 (a) of the Immigration and Nationality Act also would appear to be necessary in view of the reference therein to the District Court of the United States for the Territory of Alaska.

Inasmuch as section 304 of the Immigration and Nationality Act declares the citizenship status of persons born in Alaska the bill should include a provision specifying that this section of the Immigration and Nationality Act is not to be regarded as amended, repealed, or modified by the enactment of the bill.

Section 344 (d) of the Immigration and Nationality Act should be revised to eliminate the language referring to Alaska. Under the present statute, the clerk of the district court there is relieved from accounting and paying over to the Attorney General fees collected in naturalization proceedings. If Alaska becomes a State, the same rules applicable to other States should also apply to the State of Alaska.

It is noted that the bill makes no provision for separability in the event of judicial determination of the unconstitutionality of any provision. Accordingly, it is suggested that a section covering separability be added to the bill.

The bill also lacks a provision which would continue in force all Territorial laws not changed or modified by the bill, and all United States laws, the latter to have the same effect in the State of Alaska as in any other State. Such a provision would appear to be desirable in the enabling act notwithstanding that the constitution of Alaska includes a provision in article XV for continuing in effect all laws in force on the effective date of the constitution. The bill (H. R. 49) which would provide for the admission of the State of Hawaii into the Union has such a provision and such provision is common to other enabling acts (see, e. g., 36 Stat. 567–68 and 578 relating to New Mexico and Arizona respectively).

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

WILLIAM P. ROGERS,
Deputy Attorney General.

CONCLUSION

A greater amount of information has been assembled regarding Alaska than in the case of any other Territory which has been admitted to the Union. Effort has been made to study every facet of the effect statehood would have on both Alaska and the United States. Objective attempts have been made to obtain impartial data on all pro and con arguments presented. Every witness who requested permission to appear before the committee and to testify for or against statehood was encouraged to do so here in Washington, D. C., this year and in Alaska in 1955.

After thorough and exhaustive hearings and careful study, the majority of the committee members have found the Territory of Alaska to be ready, willing, and able to support statehood, and are of the opinion that statehood for Alaska would be in the best interest of the United States as a whole and of the people of the Territory in particular.

Therefore, the Committee on Interior and Insular Affairs recommends the enactment of H. R. 7999 to admit Alaska to statehood.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

TITLE 28 OF THE UNITED STATES CODE

CHAPTER 5—DISTRICT COURTS

Sec.
81. Alabama.
81A. Alaska.
82. Arizona.

* * * * * * *

§ 81. * * *

§ *81A. Alaska*

Alaska constitutes one judicial district.
Court shall be held at Anchorage, Fairbanks, Juneau, and Nome.

§ 82. * * *

* * * * * * *

§ 133. Appointment and number of district judges.

The President shall appoint, by and with the advice and consent of the Senate, district judges for the several judicial districts, as follows:

Districts	Judges
Alabama:	
Northern	2
Middle	1
Southern	1
Alaska	*1*
Arizona	2

* * * * * * *

§ 333. Judicial conferences of circuits.

The chief judge of each circuit shall summon annually the circuit and district judges of the circuit, in active service, to a conference at a time and place that he designates, for the purpose of considering the business of the courts and advising means of improving the administration of justice within such circuit. He shall preside at such conference, which shall be known as the Judicial Conference of the circuit. The judges of [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands shall also be summoned annually to the conferences of their respective circuits.

Every judge summoned shall attend, and unless excused by the chief judge, shall remain throughout the conference.

The court of appeals for each circuit shall provide by its rules for representation and active participation at such conference by members of the bar of such circuit.

* * * * * * *

§ 373. Judges in Territories and possessions.

Any judge of the United States District Courts for the Districts of Hawaii or Puerto Rico, [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam, or the District Court of the Virgin Islands, and any justice of the Supreme Court of the Territory of Hawaii who resigns after attaining the age of seventy years and after serving at least ten years, continuously or otherwise, or after attaining the age of sixty-five years and after serving at least fifteen years, continuously or otherwise, shall continue during the remainder of his life to receive the salary he received when he relinquished office.

* * * * * * *

§ 376. Annuities to widows and surviving dependent children of judges.

* * * * * * *

(q) The judges of [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands and judges of the United States, as defined in section 451 of this title, who are entitled to hold office only for a term of years shall be deemed judges of the United States for the purposes of this section and shall be entitled to bring themselves within the purview of this section by filing an election as provided in subsection (a) of this section within the time therein specified. In the case of such judges the phrase "retirement from office by resignation on salary under section 371 (a) of this title" as used in subsections (b), (c), (g), (i) and (n) of this section shall mean "retirement from office by resignation on salary under section 373 of this title or by removal or failure of reappointment after not less than ten years judicial service", and the phrase "resigns from office otherwise than on salary under section 371 (a) of this title" as used in subsection (f) of this section shall mean "resigns from office otherwise than on salary under section 373 of this title or is removed or fails of reappointment after less than ten years judicial service".

* * * * * * *

§ 460. Application to Alaska, Canal Zone, Guam and Virgin Islands.

Sections 452–459 of this chapter shall also apply to [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands and the judges thereof.

* * * * * * *

§ 610. Courts defined

As used in this chapter the word "courts" includes the courts of appeals and district courts of the United States, [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, the Court of Claims, the Court of Customs and Patent Appeals, and the Customs Court.

* * * * * * *

§ 753. Reporters

(a) Each district court of the United States, [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands shall appoint one or more court reporters.

The number of reporters shall be determined by the Judicial Conference of the United States.

The qualifications of such reporters shall be determined by standards formulated by the Judicial Conference. Each reporter shall take an oath faithfully to perform the duties of his office.

Each such court, with the approval of the Director of the Administrative Office of the United States Courts, may appoint additional reporters for temporary service not exceeding three months, when there is more reporting work in the district than can be performed promptly by the authorized number of reporters and the urgency is so great as to render it impracticable to obtain the approval of the Judicial Conference.

If any such court and the Judicial Conference are of the opinion that it is in the public interest that the duties of reporter should be combined with those of any other employee of the court, the Judicial Conference may authorize such a combination and fix the salary for the performance of the duties combined.

(b) One of the reporters appointed for each such court shall attend at each session of the court and at every other proceeding designated by rule or order of court or by one of the judges, and shall record verbatim by shorthand or by mechanical means: (1) all proceedings in criminal cases had in open court; (2) all proceedings in other cases had in open court unless the parties with the approval of the judge shall specifically agree to the contrary; and (3) such other proceedings as a judge of the court may direct or as may be required by rule or order of court or as may be requested by any party to the proceeding.

The reporter shall attach his official certificate to the original shorthand notes or other original records so taken and promptly file them with the clerk who shall preserve them in the public records of the court for not less than ten years.

Upon the request of any party to any proceeding which has been so recorded who has agreed to pay the fee therefor, or of a judge of the

court, the reporter shall promptly transcribe the original records of the requested parts of the proceedings and attach to the transcript his official certificate, and deliver the same to the party or judge making the request. He shall also transcribe and certify all pleas and proceedings in connection with the imposition of sentence in criminal cases and such other parts of the record of proceedings as may be required by rule or order of court.

The reporter shall promptly deliver to the clerk for the records of the court a certified copy of any transcript so made.

The transcript in any case certified by the reporter shall be deemed prima facie a correct statement of the testimony taken and proceedings had. No transcripts of the proceedings of the court shall be considered as official except those made from the records taken by the reporter.

The original notes or other original records and the copy of the transcript in the office of the clerk shall be open during office hours to inspection by any person without charge.

(c) The reporters shall be subject to the supervision of the appointing court and the Judicial Conference in the performance of their duties, including dealings with parties requesting transcripts.

(d) The Judicial Conference shall prescribe records which shall be maintained and reports which shall be filed by the reporters. Such records shall be inspected and audited in the same manner as the records and accounts of clerks of the district courts, and may include records showing:

(1) the quantity of transcripts prepared;

(2) the fees charged and the fees collected for transcripts;

(3) any expenses incurred by the reporters in connection with transcripts;

(4) the amount of time the reporters are in attendance upon the courts for the purpose of recording proceedings; and

(5) such other information as the Judicial Conference may require.

(e) Each reporter shall receive an annual salary to be fixed from time to time by the Judicial Conference of the United States at not less than $3,000 nor more than $6,450 per annum. All supplies shall be furnished by the reporter at his own expense.

(f) Each reporter may charge and collect fees for transcripts requested by the parties, including the United States, at rates prescribed by the court subject to the approval of the Judicial Conference. He shall not charge a fee for any copy of a transcript delivered to the clerk for the records of court. Fees for transcripts furnished in criminal or habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose. Fees for transcripts furnished in other proceedings to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous but presents a substantial question. The reporter may require any party requesting a transcript to prepay the estimated fee in advance except as to transcripts that are to be paid for by the United States.

* * * * * * *

§ 1252. Direct appeals from decisions invalidating Acts of Congress.

Any party may appeal to the Supreme Court from an interlocutory or final judgment, decree or order of any court of the United States,

[the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands and any court of record of [Alaska,] Hawaii and Puerto Rico, holding an Act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States or any of its agencies, or any officer or employee thereof, as such officer or employee, is a party.

A party who has received notice of appeal under this section shall take any subsequent appeal or cross appeal to the Supreme Court. All appeals or cross appeals taken to other courts prior to such notice shall be treated as taken directly to the Supreme Court.

* * * * * * *

§ 1291. Final decisions of district courts.

The courts of appeals shall have jurisdiction of appeals from all final decisions of the district courts of the United States, [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands, except where a direct review may be had in the Supreme Court.

§ 1292. Interlocutory decisions.

The courts of appeals shall have jurisdiction of appeals from:

(1) Interlocutory orders of the district courts of the United States, [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of Guam, and the District Court of the Virgin Islands, or of the judges thereof, granting, continuing, modifying, refusing or dissolving injunctions, or refusing to dissolve or modify injunctions, except where a direct review may be had in the Supreme Court;

(2) Interlocutory orders appointing receivers, or refusing orders to wind up receiverships or to take steps to accomplish the purposes thereof, such as directing sales or other disposals of property;

(3) Interlocutory decrees of such district courts or the judges thereof determining the rights and liabilities of the parties to admiralty cases in which appeals from final decrees are allowed;

(4) Judgments in civil actions for patent infringement which are final except for accounting.

* * * * * * *

§ 1294. Circuits in which decisions reviewable

Appeals from reviewable decisions of the district and territorial courts shall be taken to the courts of appeals as follows:

(1) From a district court of the United States to the court of appeals for the circuit embracing the district;

[(2) From the District Court for the Territory of Alaska or any division thereof, to the Court of Appeals for the Ninth Circuit:]

[(3)] (*2*) From the United States District Court for the District of the Canal Zone, to the Court of Appeals for the Fifth Cricuit;

[(4)] (*3*) From the District Court of the Virgin Islands, to the Court of Appeals for the Third Circuit;

[(5)] (*4*) From the Supreme Court of Hawaii, to the Court of Appeals for the Ninth Circuit;

[(6)] (*5*) From the Supreme Court of Puerto Rico, to the Court of Appeals for the First Circuit.

[(7)] (6) From the District Court of Guam, to the Court of Appeals for the Ninth Circuit.

* * * * * * *

§ 1346. United States as defendant.

(a) The district courts shall have original jurisdiction, concurrent with the Court of Claims, of:

(1) Any civil action against the United States for the recovery of any internal-revenue tax alleged to have been erroneously or illegally assessed or collected, or any penalty claimed to have been collected without authority or any sum alleged to have been excessive or in any manner wrongfully collected under the internal-revenue laws;

(2) Any other civil action or claim against the United States, not exceeding $10,000 in amount, founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort.

(b) Subject to the provisions of chapter 171 of this title, the district courts, together with [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

(c) The jurisdiction conferred by this section includes jurisdiction of any set-off, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing an action under this section.

(d) The district courts shall not have jurisdiction under this section of:

(1) Any civil action or claim for a pension;

(2) Any civil action or claim to recover fees, salary, or compensation for official services of officers or employees of the United States.

* * * * * * *

§ 1963. Registration in other districts.

A judgment in an action for the recovery of money or property now or hereafter entered in any district court which has become final by appeal or expiration of time for appeal may be registered in any other district by filing therein a certified copy of such judgment. A judgment so registered shall have the same effect as a judgment of the district court of the district where registered and may be enforced in like manner.

A certified copy of the satisfaction of any judgment in whole or in part may be registered in like manner in any district in which the judgment is a lien.

[For the purpose of this section only, "district" as used herein shall include the Territory of Alaska, and "district court" as used herein shall include the District Court for the Territory of Alaska.]

* * * * * * *

§ 2072. Rules of civil procedure for district courts.

The Supreme Court shall have the power to prescribe, by general rules, the forms of process, writs, pleadings, and motions, and the practice and procedure of the district courts of the United States [and of the District Court for the Territory of Alaska] in civil actions.

Such rules shall not abridge, enlarge or modify any substantive right and shall preserve the right of trial by jury as at common law and as declared by the Seventh Amendment to the Constitution.

Such rules shall not take effect until they have been reported to Congress by the Chief Justice at or after the beginning of a regular session thereof but not later than the first day of May, and until the expiration of ninety days after they have been thus reported.

All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect. Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

* * * * * * *

§ 2201. Creation of remedy.

In a case of actual controversy within its jurisdiction, except with respect to Federal taxes, any court of the United States [and the District Court for the Territory of Alaska], upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such.

* * * * * * *

§ 2410. Actions affecting property on which United States has lien.

(a) Under the conditions prescribed in this section and section 1444 of this title for the protection of the United States, the United States may be named a party in any civil action or suit in any district, [including the District Court for the Territory of Alaska,] or in any State court having jurisdiction of the subject matter, to quiet title to or for the foreclosure of a mortgage or other lien upon real or personal property on which the United States has or claims a mortgage or other lien.

TITLE 18 OF THE UNITED STATES CODE

§ 3241. Jurisdiction of offenses under certain sections.

The [District Court for the Territory of Alaska, the] United States District Court for the Canal Zone and the District Court of the Virgin Islands shall have jurisdiction of offenses under the laws of the United States, not locally inapplicable, committed within the territorial jurisdiction of such courts, and jurisdiction, concurrently with the District courts of the United States, of offenses against the laws of the United States committed upon the high seas.

* * * * * * *

§ 3401. Petty offenses; application of probation laws; fees.

* * * * * * *

(e) This section shall not apply to the District of Columbia nor shall it repeal or limit existing jurisdiction, power or authority of commissioners appointed [for Alaska or] in the several national parks.

* * * * * * *

§ 3771. Procedure to and including verdict.

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of pleading, practice, and procedure with respect to any or all proceedings prior to and including verdict, or finding of guilty or not guilty by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt of court in the United States district courts, in the district courts for [the Territory of Alaska,] the district of the Canal Zone and the Virgin Islands, in the Supreme Courts of Hawaii and Puerto Rico, and in proceedings before United States commissioners. Such rules shall not take effect until they have been reported to Congress by the Chief Justice at or after the beginning of a regular session thereof but not later than the first day of May, and until the expiration of ninety days after they have been thus reported. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

* * * * * * *

§ 3772. Procedure after verdict.

The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of practice and procedure with respect to any or all proceedings after verdict, or finding of guilt by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt in the United States district courts, in the district courts for [the Territory of Alaska,] the District of the Canal Zone, and the Virgin Islands, in the Supreme Courts of Hawaii and Puerto Rico, in the United States courts of appeals, in the United States Court of Appeals for the District of Columbia, and in the Supreme Court of the United States. This section shall not give the Supreme Court power to abridge the right of the accused to apply for withdrawal of a plea of guilty, if such application be made within ten days after entry of such plea, and before sentence is imposed.

The right of appeal shall continue in those cases in which appeals are authorized by law, but the rules made as herein authorized may prescribe the times for and manner of taking appeals and applying for writs of certiorari and preparing records and bills of exceptions and the conditions on which supersedeas or bail may be allowed.

The Supreme Court may fix the dates when such rules shall take effect and the extent to which they shall apply to proceedings then pending, and after they become effective all laws in conflict therewith shall be of no further force.

Nothing in this title, anything therein to the contrary notwithstanding, shall in any way limit, supersede, or repeal any such rules heretofore prescribed by the Supreme Court.

* * * * * * *

IMMIGRATION AND NATIONALITY ACT (8 U. S. C. CH. 12)

TITLE I—GENERAL

DEFINITIONS

SECTION 101. (a) As used in this Act—

* * * * * * *

(36) The term "State" includes (except as used in section 310 (a) of title III) [Alaska,] Hawaii, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States.

* * * * * * *

TITLE II—IMMIGRATION

GENERAL CLASSES OF ALIENS INELIGIBLE TO RECEIVE VISAS AND EXCLUDED FROM ADMISSION

SEC. 212. (a) * * *

* * * * * * *

(d) (1) * * *

* * * * * * *

(7) The provisions of subsection (a) of this section, except paragraphs (20), (21), and (26), shall be applicable to any alien who shall leave Hawaii, [Alaska,] Guam, Puerto Rico, or the Virgin Islands of the United States, and who seeks to enter the continental United States or any other place under the jurisdiction of the United States: *Provided*, That persons who were admitted to Hawaii under the last sentence of section 8 (a) (1) of the Act of March 24, 1934, as amended (48 Stat. 456), and aliens who were admitted to Hawaii as nationals of the United States shall not be excepted by this paragraph from the application of paragraphs (20) and (21) of subsection (a) of this section, unless they belong to a class declared to be nonquota immigrants under the provisions of section 101 (a) (27) of this Act, other than subparagraph (C) thereof, or unless they were admitted to Hawaii with an immigration visa. * * *

* * * * * * *

TITLE III—NATIONALITY AND NATURALIZATION

* * * * * * *

JURISDICTION TO NATURALIZE

SEC. 310. (a) Exclusive jurisdiction to naturalize persons as citizens of the United States is hereby conferred upon the following specified courts: District courts of the United States now existing, or which may hereafter be established by Congress in any State, [District Courts of the United States for the Territories of Hawaii and Alaska,] *District Court of the United States for the Territory of Hawaii*, and for the District of Columbia and for Puerto Rico, the District Court of the Virgin Islands of the United States, and the District Court of Guam; also all courts of record in any State or Territory now existing, or which may hereafter be created, having a seal, a clerk, and jurisdiction in actions at law or equity, or law and equity, in which the amount in controversy is unlimited. * * *

* * * * * * *

FISCAL PROVISIONS

SEC. 344. (a) * * *

* * * * * * *

(d) The clerk of any United States district court (except [in Alaska and] in the District Court of the Virgin Islands of the United States and in the District Court of Guam) shall account for and pay over to the Attorney General all fees collected by any such clerk in naturalization proceedings: *Provided, however,* That the clerk of the District Court of the Virgin Islands of the United States and of the District Court of Guam shall report but shall not be required to pay over to the Attorney General the fees collected by any such clerk in naturalization proceedings.

SECTION 1 OF THE ACT OF MARCH 4, 1915, AS AMENDED
(48 U. S. C. 353)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That when the public lands of the Territory of Alaska are surveyed, under direction of the Government of the United States, sections numbered sixteen and thirty-six in each township in said Territory shall be and the same are hereby, reserved from sale or settlement for the support of common schools in the Territory of Alaska; and section thirty-three in each township in the Tanana Valley between parallels sixty-four and sixty-five north latitude and between the one hundred and forty-fifth and the one hundred and fifty-second degrees of west longitude (meridian of Greenwich) shall be, and the same is hereby, reserved from sale or settlement for the support of a territorial agricultural college and school of mines when established by the Legislature of Alaska upon the tract granted in section two of this Act: *Provided,* That where settlement with a view to homestead entry has been made upon any part of the sections reserved hereby before the survey thereof in the field, or where the same may have been sold or otherwise appropriated by or under the authority of any Act of Congress, or are wanting or fractional in quantity, other lands may be designated and reserved in lieu thereof in the manner provided by the Act of Congress of February twenty-eighth, eighteen hundred and ninety-one (Twenty-sixth Statutes, page seven hundred and ninety-one): *Provided further,* That the Territory may, by general law, provide for leasing said land in area not to exceed one section to any one person, association, or corporation for not longer than ten years at any one time: *And provided further,* That the entire proceeds or income derived from said reserved lands, are hereby appropriated and set apart as separate and permanent funds in the Territorial treasury, to be invested and the income from which shall be expended only for the exclusive use and benefit of the public schools of Alaska or of the agricultural college and school of mines, respectively, in such manner as the Legislature of Alaska may by law direct. Nothing in this Act shall affect any lands included within the limits of existing reservations of or by the United States, or lands subject to or included in any valid application, claim, or right initiated or held under any laws of the United States unless and until such reservation, application, claim, or right is extinguished, relinquished, or canceled: *Provided,* That the existence of

a mineral lease or permit, or application thereof, shall not prevent the reservation of land under this section, and such leases, permits, and applications shall be administered as hereinafter provided. The rights of the Territory to any lands under this Act shall not be denied on the sole grounds that such lands were at the time of the acceptance of the survey subject to a reservation, application, claim, or right and that that reservation, application, claim, or right was extinguished, relinquished, or cancelled prior to March 5, 1952.

[All deposits of oil, gas, oil shale, phosphate, sodium, and potassium in the reserved lands together with the lands containing such deposits shall be subject to disposition under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended, and all deposits of coal in the reserved lands together with the lands containing such deposits shall be subject to disposition under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741), as amended. Ninety per centum of the entire proceeds or income derived by the United States from any disposition of the minerals in the reserved lands under the mineral leasing laws, as herein provided, are hereby appropriated for payment to the Territorial treasury, where such sums shall be set apart as permanent funds, to be invested and the income expended for the same purposes and in the same manner as hereinbefore provided for. The other ten per centum of the entire proceeds or income shall be deposited in the United States Treasury as miscellaneous receipts.

[Any persons qualified to hold an oil or gas lease who had first filed in point of time and had pending on January 15, 1953, an offer or application for an oil and gas lease for any lands subject to this Act, which lands on said date were within the limits of a unitized area created by unit agreement approved by the Secretary of the Interior, and which lands on the date the application for an oil and gas lease was filed were not situated within the known geologic structure of a producing oil and gas field, shall have a preference right over others to an oil and gas lease of such lands.

[Upon the transfer to any future State erected out of the Territory of Alaska of title to any of the reserved lands, the provisions of this amendment shall cease to apply to the reserved lands title to which is so transferred. Any lease, permit, or contract made pursuant to this amendment which is in effect at the time of any such transfer of title to the lands covered by the lease, permit, or contract shall not be terminated or otherwise affected by such transfer of title; but all right, title, and interest of the United States under such lease, permit, or contract, including any authority to modify its terms and conditions that may have been retained by the United States, shall vest in the State to which title to the lands covered by the lease, permit, or contract is transferred.

[The Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this Act for the purpose of carrying the same into effect, including such provisions as he may deem equitable to assure compensation of surface lessees for damages to crops or improvements on, or impairment of the surface utilization of, the reserve lands by the holder of a mineral lease, or contract issued under this Act: *Provided*, That such damages, if any, may be subject to judicial review.]

SECTION 35 OF THE ACT OF FEBRUARY 25, 1920, AS AMENDED (30 U. S. C. 191)

SEC. 35. All money received from sales, bonuses, royalties, and rentals of public lands under the provisions of this Act shall be paid into the Treasury of the United States; 37½ per centum thereof shall be paid by the Secretary of the Treasury as soon as practicable after December 31 and June 30 of each year to the State or the Territory of Alaska within the boundaries of which the leased lands or deposits are or were located; said moneys to be used by such State, Territory, or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State or Territory may direct; and, excepting those from Alaska, 52½ per centum thereof shall be paid into, reserved and appropriated, as a part of the reclamation fund created by the Act of Congress known as the ReclamationAct, approved June 17, 1902, *and of those from Alaska 52½ per centum thereof shall be paid to the State of Alaska for disposition by the legislature thereof; Provided,* That all moneys which may accrue to the United States under the provisions of this Act from lands within the naval petroleum reserves shall be deposited in the Treasury as "miscellaneous receipts", as provided by the Act of June 4, 1920 (41 Stat. 813), as amended June 30, 1938 (52 Stat. 1252, 34 U. S. C., sec. 524). All moneys received under the provisions of this Act not otherwise disposed of by this section shall be credited to miscellaneous receipts. [Nothing herein contained shall be construed to affect the disposition of proceeds or income derived by the United States from mineral school sections in the Territory of Alaska as provided for in the Act of March 4, 1915 (38 Stat. 1214, 1215; 48 U. S. C., sec. 353), as amended.]

SECTION 4 OF THE ACT OF JULY 28, 1950 (5 U. S. C. 341b)

SEC. 4. The Attorney General is empowered to investigate the official acts, records, and accounts of United States marshals and United States attorneys, and at the request and in behalf of the Director of the Administrative Office of the United States courts those of the clerks of the United States courts and of the district courts of [Alaska,] Canal Zone, and Virgin Islands, probation officers, referees, trustees and receivers in bankruptcy, United States commissioners and court reporters, for which purpose all the official papers, records, dockets, and accounts of said officers, without exception, shall be examined by agents of the Attorney General at any time. Appropriations now or hereafter provided for the examination of judicial offices shall be available for carrying out the provisions of this section.

THE FIRST PARAGRAPH OF SECTION 2 OF THE FEDERAL RESERVE ACT (38 STAT. 251, 252)

FEDERAL RESERVE DISTRICTS

SEC. 2. As soon as practicable, the Secretary of the Treasury, the Secretary of Agriculture and the Comptroller of the Currency, acting

as "The Reserve Bank Organization Committee," shall designate not less than eight nor more than twelve cities to be known as Federal Reserve cities, and shall divide the continental United States, excluding Alaska, into districts, each district to contain only one of such Federal Reserve cities. The determination of said organization committee shall not be subject to review except by the Board of Governors of the Federal Reserve System when organized: *Provided*, That the districts shall be apportioned with due regard to the convenience and customary course of business and shall not necessarily be coterminous with any State or States. The districts thus created may be readjusted and new districts may from time to time be created by the Board of Governors of the Federal Reserve System, not to exceed twelve in all. Such districts shall be known as Federal Reserve districts and may be designated by number. [A majority of the organization committee shall constitute a quorum with authority to act.] *When the State of Alaska or any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section.*

Section 2 and Last Sentence of Section 9 of the Act of October 20, 1914 (48 U. S. C. 433, 439)

[Sec. 2. That the President of the United States shall designate and reserve from use, location, sale, lease, or disposition not exceeding five thousand one hundred and twenty acres of coal-bearing land in the Bering River field and not exceeding seven thousand six hundred and eighty acres of coal-bearing land in the Matanuska field, and not to exceed one-half of the other coal lands in Alaska: *Provided*, That the coal deposits in such reserved areas may be mined under the direction of the President when, in his opinion, the mining of such coal in such reserved areas, under the direction of the President, becomes necessary, by reason of an insufficient supply of coal at a reasonable price for the requirements of Government works, construction and operation of Government railroads, for the Navy, for national protection, or for relief from monopoly or oppressive conditions.]

* * * * * * *

Sec. 9. * * * [All net profits from operation of Government mines, and all royalties and rentals under leases as herein provided, shall be deposited in the Treasury of the United States in a separate and distinct fund to be applied to the reimbursement of the Government of the United States on account of any expenditures made in the construction of railroads in Alaska, and the excess shall be deposited in the fund known as The Alaska fund, established by the Act of Congress of January twenty-seventh, nineteen hundred and five, to be ex-

pended as provided in said last-mentioned Act.] *All net profits from operation of Government mines, and all bonuses, royalties, and rentals under leases as herein provided and all other payments received under this Act shall be distributed as follows as soon as practicable after December 31 and June 30 of each year: (1) 90 per centum thereof shall be paid by the Secretary of the Treasury to the State of Alaska for disposition by the legislature thereof; and (2) 10 per centum shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.*

Section 27 of the Merchant Marine Act, 1920, as Amended (46 U. S. C. 883)

Sec. 27. That no merchandise shall be transported by water, or by land and water, on penalty of forfeiture thereof, between points in the United States, including Districts, Territories, and possessions thereof embraced within the coastwise laws, either directly or via a foreign port, or for any part of the transportation, in any other vessel than a vessel built in and documented under the laws of the United States and owned by persons who are citizens of the United States, or vessels to which the privilege of engaging in the coastwise trade is extended by sections 18 or 22 of this Act: *Provided*, That no vessel having at any time acquired the lawful right to engage in the coastwise trade, either by virtue of having been built in, or documented under the laws of the United States, and later sold foreign in whole or in part, or placed under foreign registry, shall hereafter acquire the right to engage in the coastwise trade: *Provided further*, That no vessel of more than five hundred gross tons which has acquired the lawful right to engage in the coastwise trade, either by virtue of having been built in or documented under the laws of the United States, and which has later been rebuilt outside the United States, its Territories (not including trust territories), or its possessions shall have the right thereafter to engage in the coastwise trade: *Provided further*, That this section shall not apply to merchandise transported between points within the continental United States, [excluding] *including* Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said Commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: * * *

APPENDIXES

Appendix A

THE CONSTITUTION OF THE STATE OF ALASKA

Preamble

We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil, and religious liberty within the Union of States, do ordain and establish this constitution for the State of Alaska.

Article I. Declaration of Rights

Inherent rights

Section 1. This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people and to the State.

Source of Government

Section 2. All political power is inherent in the people. All government originates with the people, is founded upon their will only, and is instituted solely for the good of the people as a whole.

Civil rights

Section 3. No person is to be denied the enjoyment of any civil or political right because of race, color, creed, or national origin. The legislature shall implement this section.

Freedom of religion

Section 4. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof.

Freedom of speech

Section 5. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

Assembly; petition

Section 6. The right of the people peaceably to assemble, and to petition the government shall never be abridged.

Due process

Section 7. No person shall be deprived of life, liberty, or property, without due process of law. The right of all persons to fair and just

treatment in the course of legislative and executive investigations shall not be infringed.

Grand jury

SECTION 8. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces in time of war or public danger. Indictment may be waived by the accused. In that case the prosecution shall be by information. The grand jury shall consist of at least twelve citizens, a majority of whom concurring may return an indictment. The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended.

Jeopardy and self-incrimination

SECTION 9. No person shall be put in jeopardy twice for the same offense. No person shall be compelled in any criminal proceeding to be a witness against himself.

Treason

SECTION 10. Treason against the State consists only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Rights of accused

SECTION 11. In all criminal prosecutions, the accused shall have the right to a speedy and public trial, by an impartial jury of twelve, except that the legislature may provide for a jury of not more than twelve nor less than six in courts not of record. The accused is entitled to be informed of the nature and cause of the accusation; to be released on bail, except for capital offenses when the proof is evident or the presumption great; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Excessive punishment

SECTION 12. Excessive bail shall not be required, nor excessive fines imposed, not cruel and unusual punishments inflicted. Penal administration shall be based on the principle of reformation and upon the need for protecting the public.

Habeus corpus

SECTION 13. The privilege of the writ of habeus corpus shall not be suspended, unless when in cases of rebellion or actual or imminent invasion, the public safety requires it.

Searches and seizures

SECTION 14. The right of the people to be secure in their persons, houses and other property, papers, and effects, against unreasonable searches and seizures, shall not be violated. No warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Prohibited State action

SECTION 15. No bill of attainder or ex post facto law shall be passed. No law impairing the obligation of contracts, and no law making any irrevocable grant of special privileges or immunities shall be passed. No conviction shall work corruption of blood or forfeiture of estate.

Civil suits; trial by jury

SECTION 16. In civil cases where the amount in controversy exceeds two hundred fifty dollars, the right of trial by a jury of twelve is preserved to the same extent as it existed at common law. The legislature may make provision for a verdict by not less than three-fourths of the jury and, in courts not of record, may provide for a jury of not less than six or more than twelve.

Imprisonment for debt

SECTION 17. There shall be no imprisonment for debt. This section does not prohibit civil arrest of absconding debtors.

Eminent domain

SECTION 18. Private property shall not be taken or damaged for public use without just compensation.

Right to bear arms

SECTION 19. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Quartering soldiers

SECTION 20. No member of the armed forces shall in time of peace be quartered in any house without the consent of the owner or occupant, or in time of war except as prescribed by law. The military shall be in strict subordination to the civil power.

Construction

SECTION 21. The enumeration of rights in this constitution shall not impair or deny others retained by the people.

ARTICLE 11. THE LEGISLATURE

Legislative power; membership

SECTION 1. The legislative power of the State is vested in a legislature consisting of a senate with a membership of twenty and a house of representatives with a membership of forty.

Members: Qualifications

SECTION 2. A member of the legislature shall be a qualified voter who has been a resident of Alaska for at least three years and of the district from which elected for at least one year, immediately preceding his filing for office. A senator shall be at least twenty-five years of age and a representative at least twenty-one years of age.

Election and terms

SECTION 3. Legislators shall be elected at general elections. Their terms begin on the fourth Monday of the January following election unless otherwise provided by law. The term of representatives shall be two years, and the term of senators, four years. One-half of the senators shall be elected every two years.

Vacancies

SECTION 4. A vacancy in the legislature shall be filled for the unexpired term as provided by law. If no provision is made, the governor shall fill the vacancy by appointment.

Disqualifications

SECTION 5. No legislator may hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected, or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state, or member of Congress. This section shall not apply to employment by or election to a constitutional convention.

Immunities

SECTION 6. Legislators may not be held to answer before any other tribunal for any statement made in the exercise of their legislative duties while the legislature is in session. Members attending, going to, or returning from legislative sessions are not subject to civil process and are privileged from arrest except for felony or breach of the peace.

Salary and expenses

SECTION 7. Legislators shall receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation.

Regular sessions

SECTION 8. The legislature shall convene each year on the fourth Monday in January, but the month and day may be changed by law.

Special sessions

SECTION 9. Special sessions may be called by the governor or by vote of two-thirds of the legislators. The vote may be conducted by the legislative council or as prescribed by law. At special sessions called by the governor, legislation shall be limited to subjects designated in his proclamation calling the session or to subjects presented by him. Special sessions are limited to thirty days.

Adjournment

SECTION 10. Neither house may adjourn or recess for longer than three days unless the other concurs. If the two houses cannot agree on the time of adjournment and either house certifies the disagreement to the governor, he may adjourn the legislature.

Interim committees

SECTION 11. There shall be a legislative council, and the legislature may establish other interim committees. The council and other interim committees may meet between legislative sessions. They may perform duties and employ personnel as provided by the legislature. Their members may receive an allowance for expenses while performing their duties.

Rules

SECTION 12. The houses of each legislature shall adopt uniform rules of procedure. Each house may choose its officers and employees.

Each is the judge of the election and qualifications of its members and may expel a member with the concurrence of two-thirds of its members. Each shall keep a journal of its proceedings. A majority of the membership of each house constitutes a quorum to do business, but a smaller number may adjourn from day to day and may compel attendance of absent members. The legislature shall regulate lobbying.

Form of bills

SECTION 13. Every bill shall be confined to one subject unless it is an appropriation bill or one codifying, revising, or rearranging existing laws. Bills for appropriations shall be confined to appropriations. The subject of each bill shall be expressed in the title. The enacting clause shall be: "Be it enacted by the Legislature of the State of Alaska."

Passage of bills

SECTION 14. The legislature shall establish the procedure for enactment of bills into law. No bill may become law unless it has passed three readings in each house on three separate days, except that any bill may be advanced from second to third reading on the same day by concurrence of three-fourths of the house considering it. No bill may become law without an affirmative vote of a majority of the membership of each house. The yeas and nays on final passage shall be entered in the journal.

Veto

SECTION 15. The governor may veto bills passed by the legislature. He may, by veto, strike or reduce items in appropriation bills. He shall return any vetoed bill, with a statement of his objections, to the house of origin.

Action upon veto

SECTION 16. Upon receipt of a veto message, the legislature shall meet immediately in joint session and reconsider passage of the vetoed bill or item. Bills to raise revenue and appropriation bills or items, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature. Other vetoed bills become law by affirmative vote of two-thirds of the membership of the legislature. The vote on reconsideration of a vetoed bill shall be entered on the journals of both houses.

Bills not signed

SECTION 17. A bill becomes law if, while the legislature is in session, the governor neither signs nor vetoes it within fifteen days, Sundays excepted, after its delivery to him. If the legislature is not in session and the governor neither signs nor vetoes a bill within twenty days, Sundays excepted, after its delivery to him, the bill becomes law.

Effective date

SECTION 18. Laws passed by the legislature become effective ninety days after enactment. The legislature may, by concurrence of two-thirds of the membership of each house, provide for another effective date.

Local or special acts

SECTION 19. The legislature shall pass no local or special act if a general act can be made applicable. Whether a general act can be

made applicable shall be subject to judicial determination. Local acts necessitating appropriations by a political subdivision may not become effective unless approved by a majority of the qualified voters voting thereon in the subdivision affected.

Impeachment

SECTION 20. All civil officers of the State are subject to impeachment by the legislature. Impeachment shall originate in the senate and must be approved by a two-thirds vote of its members. The motion for impeachment shall list fully the basis for the proceeding. Trial on impeachment shall be conducted by the house of representatives. A supreme court justice designated by the court shall preside at the trial. Concurrence of two-thirds of the members of the house is required for a judgment of impeachment. The judgment may not extend beyond removal from office, but shall not prevent proceedings in the courts on the same or related charges.

Suits against the State

SECTION 21. The legislature shall establish procedures for suits against the State.

ARTICLE III. THE EXECUTIVE

Executive power

SECTION 1. The executive power of the State is vested in the governor.

Governor: Qualifications

SECTION 2. The governor shall be at least thirty years of age and a qualified voter of the State. He shall have been a resident of Alaska at least seven years immediately preceding his filing for office, and he shall have been a citizen of the United States for at least seven years.

Election

SECTION 3. The governor shall be chosen by the qualified voters of the State at a general election. The candidate receiving the greatest number of votes shall be governor.

Term of office

SECTION 4. The term of office of the governor is four years, beginning at noon on the first Monday in December following his election and ending at noon on the first Monday in December four years later.

Limit on tenure

SECTION 5. No person who has been elected governor for two full successive terms shall be again eligible to hold that office until one full term has intervened.

Dual office holding

SECTION 6. The governor shall not hold any other office or position of profit under the United States, the State, or its political subdivisions.

Secretary of state: Duties

SECTION. 7. There shall be a secretary of state. He shall have the same qualifications as the governor and serve for the same term. He shall perform such duties as may be prescribed by law and as may be delegated to him by the governor.

Election

SECTION 8. The secretary of state shall be nominated in the manner provided by law for nominating candidates for other elective offices. In the general election the votes cast for a candidate for governor shall be considered as cast also for the candidate for secretary of state running jointly with him. The candidate whose name appears on the ballot jointly with that of the successful candidate for governor shall be elected secretary of state.

Acting governor

SECTION 9. In case of the temporary absence of the governor from office, the secretary of state shall serve as acting governor.

Succession: Failure to qualify

SECTION 10. If the governor-elect dies, resigns, or is disqualified, the secretary of state elected with him shall succeed to the office of governor for the full term. If the governor-elect fails to assume office for any other reason, the secretary of state elected with him shall serve as acting governor, and shall succeed to the office if the governor-elect does not assume his office within six months of the beginning of the term.

Vacancy

SECTION 11. In case of a vacancy in the office of governor for any reason, the secretary of state shall succeed to the office for the remainder of the term.

Absence

SECTION 12. Whenever for a period of six months, a governor has been continuously absent from office or has been unable to discharge the duties of his office by reason of mental or physical disability, the office shall be deemed vacant. The procedure for determining absence and disability shall be prescribed by law.

Further succession

SECTION 13. Provision shall be made by law for succession to the office of governor and for an acting governor in the event that the secretary of state is unable to succeed to the office or act as governor. No election of a secretary of state shall be held except at the time of electing a governor.

Title and authority

SECTION 14. When the secretary of state succeeds to the office of governor, he shall have the title, powers, duties, and emoluments of that office.

Compensation

SECTION 15. The compensation of the governor and the secretary of state shall be prescribed by law and shall not be diminished during their term of office, unless by general law applying to all salaried officers of the State.

Governor: Authority

SECTION 16. The governor shall be responsible for the faithful execution of the laws. He may, by appropriate court action or proceeding brought in the name of the State, enforce compliance with any constitutional or legislative mandate, or restrain violation

of any constitutional or legislative power, duty, or right by any officer, department, or agency of the State or any of its political subdivisions. This authority shall not be construed to authorize any action or proceeding against the legislature.

Convening legislature

SECTION 17. Whenever the governor considers it in the public interest, he may convene the legislature, either house, or the two houses in joint session.

Messages to legislature

SECTION 18. The governor shall, at the beginning of each session, and may at other times, give the legislature information concerning the affairs of the State and recommend the measures he considers necessary.

Military authority

SECTION 19. The governor is commander-in-chief of the armed forces of the State. He may call out these forces to execute the laws, suppress or prevent insurrection or lawless violence, or repeal invasion. The governor, as provided by law, shall appoint all general and flag officers of the armed forces of the State, subject to confirmation by a majority of the members of the legislature in joint session. He shall appoint and commission all other officers.

Martial law

SECTION 20. The governor may proclaim martial law when the public safety requires it in case of rebellion or actual or imminent invasion. Martial law shall not continue for longer than twenty days without the approval of a majority of the members of the legislature in joint session.

Executive clemency

SECTION 21. Subject to procedure prescribed by law, the governor may grant pardons, commutations, and reprieves, and may suspend and remit fines and forfeitures. This power shall not extend to impeachment. A parole system shall be provided by law.

Executive branch

SECTION 22. All executive and administrative offices, departments, and agencies of the state government and their respective functions, powers, and duties shall be allocated by law among and within not more than twenty principal departments, so as to group them as far as practicable according to major purposes. Regulatory, quasi-judicial, and temporary agencies may be established by law and need not be allocated within a principal department.

Reorganization

SECTION 23. The governor may make changes in the organization of the executive branch or in the assignment of functions among its units which he considers necessary for efficient administration. Where these changes require the force of law, they shall be set forth in executive orders. The legislature shall have sixty days of a regular session, or a full session if of shorter duration, to disapprove these executive orders. Unless disapproved by resolution concurred in by a majority of the members in joint session, these orders become effective at a date thereafter to be designated by the governor.

Supervision

SECTION 24. Each principal department shall be under the supervision of the governor.

Department heads

SECTION 25. The head of each principal department shall be a single executive unless otherwise provided by law. He shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and shall serve at the pleasure of the governor, except as otherwise provided in this article with respect to the secretary of state. The heads of all principal departments shall be citizens of the United States.

Boards and commissions

SECTION 26. When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and may be removed as provided by law. They shall be citizens of the United States. The board or commission may appoint a principal executive officer when authorized by law, but the appointment shall be subject to the approval of the governor.

Recess appointments

SECTION 27. The governor may make appointments to fill vacancies occurring during a recess of the legislature, in offices requiring confirmation by the legislature. The duration of such appointments shall be prescribed by law.

ARTICLE IV. THE JUDICIARY

Judicial power and jurisdiction

SECTION 1. The judicial power of the State is vested in a supreme court, a superior court, and the courts established by the legislature. The jurisdiction of courts shall be prescribed by law. The courts shall constitute a unified judicial system for operation and administration. Judicial districts shall be established by law.

Supreme court

SECTION 2. The supreme court shall be the highest court of the State, with final appellate jurisdiction. It shall consist of three justices, one of whom is chief justice. The number of justices may be increased by law upon the request of the supreme court.

Superior court

SECTION 3. The superior court shall be the trial court of general jurisdiction and shall consist of five judges. The number of judges may be changed by law.

Qualifications of justices and judges

SECTION 4. Supreme court justices and superior court judges shall be citizens of the United States and of the State, licensed to practice law in the State, and possessing any additional qualifications prescribed by law. Judges of other courts shall be selected in a manner, for terms, and with qualifications prescribed by law.

Nomination and appointment

SECTION 5. The governor shall fill any vacancy in an office of supreme court justice or superior court judge by appointing one of two or more persons nominated by the judicial council.

Approval or rejection

SECTION 6. Each supreme court justice and superior court judge shall, in the manner provided by law, be subject to approval or rejection on a nonpartisan ballot at the first general election held more than three years after his appointment. Thereafter, each supreme court justice shall be subject to approval or rejection in a like manner every tenth year, and each superior court judge, every sixth year.

Vacancy

SECTION 7. The office of any supreme court justice or superior court judge becomes vacant ninety days after the election at which he is rejected by a majority of those voting on the question, or for which he fails to file his declaration of candidacy to succeed himself.

Judicial council

SECTION 8. The judicial council shall consist of seven members. Three attorney members shall be appointed for six-year terms by the governing body of the organized state bar. Three non-attorney members shall be appointed for six-year terms by the governor subject to confirmation by a majority of the members of the legislature in joint session. Vacancies shall be filled for the unexpired term in like manner. Appointments shall be made with due consideration to area representation and without regard to political affiliation. The chief justice of the supreme court shall be ex officio the seventh member and chairman of the judicial council. No member of the judicial council, except the chief justice, may hold any other office or position of profit under the United States or the State. The judicial council shall act by concurrence of four or more members and according to rules which it adopts.

Additional duties

SECTION 9. The judicial council shall conduct studies for improvement of the administration of justice, and make reports and recommendations to the supreme court and to the legislature at intervals of not more than two years. The judicial council shall perform other duties assigned by law.

Incapacity of judges

SECTION 10. Whenever the judicial council certifies to the governor that a supreme court justice appears to be so incapacitated as substantially to prevent him from performing his judicial duties, the governor shall appoint a board of three persons to inquire into the circumstances, and may on the board's recommendation retire the justice. Whenever a judge of another court appears to be so incapacitated as substantially to prevent him from performing his judicial duties, the judicial council shall recommend to the supreme court that the judge be placed under early retirement. After notice and hearing, the supreme court by majority vote of its members may retire the judge.

Retirement

SECTION 11. Justices and judges shall be retired at the age of seventy except as provided in this article. The basis and amount of retirement pay shall be prescribed by law. Retired judges shall render no further service on the bench except for special assignments as provided by court rule.

Impeachment

SECTION 12. Impeachment of any justice or judge for malfeasance or misfeasance in the performance of his official duties shall be according to procedure prescribed for civil officers.

Compensation

SECTION 13. Justices, judges, and members of the judicial council shall receive compensation as prescribed by law. Compensation of justices and judges shall not be diminished during their terms of office, unless by general law applying to all salaried officers of the State.

Restrictions

SECTION 14. Supreme court justices and superior court judges while holding office may not practice law, hold office in a political party, or hold any other office or position of profit under the United States, the State, or its political subdivisions. Any supreme court justice or superior court judge filing for another elective public office forfeits his judicial position.

Rule-making power

SECTION 15. The supreme court shall make and promulgate rules governing the administration of all courts. It shall make and promulgate rules governing practice and procedure in civil and criminal cases in all courts. These rules may be changed by the legislature by two-thirds vote of the members elected to each house.

Court administration

SECTION 16. The chief justice of the supreme court shall be the administrative head of all courts. He may assign judges from one court or division thereof to another for temporary service. The chief justice shall, with the approval of the supreme court, appoint an administrative director to serve at his pleasure and to supervise the administrative operations of the judicial system.

ARTICLE V. SUFFRAGE AND ELECTIONS

Qualified voters

SECTION 1. Every citizen of the United States who is at least nineteen years of age, who meets registration requirements which may be prescribed by law, and who is qualified to vote under this article, may vote in any state or local election. He shall have been, immediately preceding the election, for one year a resident of Alaska and for thirty days a resident of the election district in which he seeks to vote. He shall be able to read or speak the English language as prescribed by law, unless prevented by physical disability. Additional voting qualifications may be prescribed by law for bond issue elections of political subdivisions.

Disqualifications

SECTION 2. No person may vote who has been convicted of a felony involving moral turpitude unless his civil rights have been restored. No person may vote who has been judicially determined to be of unsound mind unless the disability has been removed.

Methods of voting; election contests

SECTION 3. Methods of voting, including absentee voting, shall be prescribed by law. Secrecy of voting shall be preserved. The procedure for determining election contests, with right of appeal to the courts, shall be prescribed by law.

Voting precincts; registration

SECTION 4. The legislature may provide a system of permanent registration of voters, and may establish voting precincts within election districts.

General elections

SECTION 5. General elections shall be held on the second Tuesday in October of every even-numbered year, but the month and day may be changed by law.

ARTICLE VI. LEGISLATIVE APPORTIONMENT

Election districts

SECTION 1. Members of the house of representatives shall be elected by the qualified voters of the respective election districts. Until reapportionment, election districts and the number of representatives to be elected from each district shall be as set forth in Section 1 of Article XIV.

Senate districts

SECTION 2. Members of the senate shall be elected by the qualified voters of the respective senate districts. Senate districts shall be as set forth in Section 2 of Article XIV, subject to changes authorized in this article.

Reapportionment of house

Section 3. The governor shall reapportion the house of representatives immediately following the official reporting of each decennial census of the United States. Reapportionment shall be based upon civilian population within each election district as reported by the census.

Method

SECTION 4. Reapportionment shall be by the method of equal proportions, except that each election district having the major fraction of the quotient obtained by dividing total civilian population by forty shall have one representative.

Combining districts

SECTION 5. Should the total civilian population within any election district fall below one-half of the quotient, the district shall be attached to an election district within its senate district, and the reapportionment for the new district shall be determined as provided in Section 4 of this article.

Redistricting

SECTION 6. The governor may further redistrict by changing the size and area of election districts, subject to the limitations of this article. Each new district so created shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area. Each shall contain a population at least equal to the quotient obtained by dividing the total civilian population by forty. Consideration may be given to local government boundaries. Drainage and other geographic features shall be used in describing boundaries wherever possible.

Modification of senate districts

SECTION 7. The senate districts, described in Section 2 of Article XIV, may be modified to reflect changes in election districts. A district, although modified, shall retain its total number of senators and its approximate perimeter.

Reapportionment board

SECTION 8. The governor shall appoint a reapportionment board to act in an advisory capacity to him. It shall consist of five members, none of whom may be public employees or officials. At least one member each shall be appointed from the Southeastern, Southcentral, Central, and Northwestern Senate Districts. Appointments shall be made without regard to political affiliation. Board members shall be compensated.

Organization

SECTION 9. The board shall elect one of its members chairman and may employ temporary assistants. Concurrence of three members is required for a ruling or determination, but a lesser number may conduct hearings or otherwise act for the board.

Reapportionment plan and proclamation

SECTION 10. Within ninety days following the official reporting of each decennial census, the board shall submit to the governor a plan for reapportionment and redistricting as provided in this article. Within ninety days after receipt of the plan, the governor shall issue a proclamation of reapportionment and redistricting. An accompanying statement shall explain any change from the plan of the board. The reapportionment and redistricting shall be effective for the election of members of the legislature until after the official reporting of the next decennial census.

Enforcement

SECTION 11. Any qualified voter may apply to the superior court to compel the governor, by mandamus or otherwise, to perform his reapportionment duties or to correct any error in redistricting or reapportionment. Application to compel the governor to perform his reapportionment duties must be filed within thirty days of the expiration of either of the two ninety-day periods specified in this article. Application to compel correction of any error in redistricting or reapportionment must be filed within thirty days following the proclamation. Original jurisdiction in these matters is hereby vested in the superior court. On appeal, thec ause shall be reviewed by the supreme court upon the law and the facts.

Article VII. Health, Education, and Welfare

Public education

Section 1. The legislature shall be general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.

State university

Section 2. The University of Alaska is hereby established as the state university and constituted a body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it. Its property shall be administered and disposed of according to law.

Board of regents

Section 3. The University of Alaska shall be governed by a board of regents. The regents shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board.

Public health

Section 4. The legislature shall provide for the promotion and protection of public health.

Public welfare

Section 5. The legislature shall provide for public welfare.

Article VIII. Natural Resources

Statement of policy

Section 1. It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

General authority

Section 2. The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

Common use

Section 3. Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.

Sustained yield

Section 4. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

Facilities and improvements

Section 5. The legislature may provide for facilities, improvements, and services to assure greater utilization, development, recla-

mation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

State public domain

SECTION 6. Lands and interests therein, including submerged and tidal lands, possessed or acquired by the State, and not used or intended exclusively for governmental purposes, constitute the state public domain. The legislature shall provide for the selection of lands granted to the State by the United States, and for the administration of the state public domain.

Special purpose sites

SECTION 7. The legislature may provide for the acquisition of sites, objects, and areas of natural beauty or of historic, cultural, recreational, or scientific value. It may reserve them from the public domain and provide for their administration and preservation for the use, enjoyment, and welfare of the people.

Leases

SECTION 8. The legislature may provide for the leasing of, and the issuance of permits for exploration of, any part of the public domain or interest therein, subject to reasonable concurrent uses. Leases and permits shall provide, among other conditions, for payment by the party at fault for damage or injury arising from noncompliance with terms governing concurrent use, and for forfeiture in the event of breach of conditions.

Sales and grants

SECTION 9. Subject to the provisions of this section, the legislature may provide for the sale or grant of state lands, or interests therein, and establish sales procedures. All sales or grants shall contain such reservations to the State of all resources as may be required by Congress or the State and shall provide for access to these resources. Reservation of access shall not unnecessarily impair the owners' use, prevent the control of trespass, or preclude compensation for damage.

Public notice

SECTION 10. No disposals or leases of state lands, or interests therein, shall be made without prior public notice and other safeguards of the public interest as may be prescribed by law.

Mineral rights

SECTION 11. Discovery and appropriation shall be the basis for establishing a right in those minerals reserved to the State which, upon the date of ratification of this constitution by the people of Alaska, were subject to location under the federal mining laws. Prior discovery, location, and filing, as prescribed by law, shall establish a prior right to these minerals and also a prior right to permits, leases, and transferable licenses for their extraction. Continuation of these rights shall depend upon the performance of annual labor, or the payment of fees, rents, or royalties, or upon other requirements as may be prescribed by law. Surface uses of land by a mineral claimant shall be limited to those necessary for the extraction or basic processing of the mineral deposits, or for both. Discovery and appropriation shall initiate a right, subject to further requirements of law, to patent of mineral lands if authorized by the State and not prohibited by Congress. The provisions of this section shall apply to all other minerals

reserved to the State which by law are declared subject to appropriation.

Mineral leases and permits

SECTION 12. The legislature shall provide for the issuance, types and terms of leases for coal, oil, gas, oils shale, sodium, phosphate, potash, sulfur, pumice, and other minerals as may be prescribed by law. Leases and permits giving the exclusive right of exploration for these minerals for specific periods and areas, subject to reasonable concurrent exploration as to different classes of minerals, may be authorized by law. Like leases and permits giving the exclusive right of prospecting by geophysical, geochemical, and similar methods for all minerals may also be authorized by law.

Water rights

SECTION 13. All surface and subsurface waters reserved to the people for common use, except mineral and medicinal waters, are subject to appropriation. Priority of appropriation shall give prior right. Except for public water supply, an appropriation of water shall be limited to stated purposes and subject to preferences among beneficial uses, concurrent or otherwise, as prescribed by law, and to the general reservation of fish and wildlife.

Access to navigable waters

SECTION 14. Free access to the navigable or public waters of the State, as defined by the legislature, shall not be denied any citizen of the United States or resident of the State, except that the legislature may by general law regulate and limit such access for other beneficial uses or public purposes.

No exclusive right of fishery

SECTION 15. No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State.

Protection of rights

SECTION 16. No person shall be involuntarily divested of his right to the use of waters, his interests in lands, or improvements affecting either, except for a superior beneficial use or public purpose and then only with just compensation and by operation of law.

Uniform application

SECTION 17. Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation.

Private ways of necessity

SECTION 18. Proceedings in eminent domain may be undertaken for private ways of necessity to permit essential access for extraction or utilization of resources. Just compensation shall be made for property taken or for resultant damages to other property rights.

ARTICLE IX. FINANCE AND TAXATION

Taxing power

SECTION 1. The power of taxation shall never be surrendered. This power shall not be suspended or contracted away, except as provided in this article.

Nondiscrimination

SECTION 2. The lands and other property belonging to citizens of the United States residing without the State shall never be taxed at a higher rate than the lands and other property belonging to the residents of the State.

Assessment standards

SECTION 3. Standards for appraisal of all property assessed by the State or its political subdivisions shall be prescribed by law.

Exemptions

SECTION 4. The real and personal property of the State or its political subdivisions shall be exempt from taxation under conditions and exceptions which may be provided by law. All, or any portion of, property used exclusively for non-profit religious, charitable, cemetery, or educational purposes, as defined by law, shall be exempt from taxation. Other exemptions of like or different kind may be granted by general law. All valid existing exemptions shall be retained until otherwise provided by law.

Interests in government property

SECTION 5. Private leaseholds, contracts, or interests in land or property owned or held by the United States, the State, or its political subdivisions, shall be taxable to the extent of the interests.

Public purpose

SECTION 6. No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose.

Dedicated funds

SECTION 7. The proceeds of any state tax or license shall not be dedicated to any special purpose, except when required by the federal government for state participation in federal programs. This provision shall not prohibit the continuance of any dedication for special purposes existing upon the date of ratification of this constitution by the people of Alaska.

State debt

SECTION 8. No state debt shall be contracted unless authorized by law for capital improvements and ratified by a majority of the qualified voters of the State who vote on the question. The State may, as provided by law and without ratification, contract debt for the purpose of repelling invasion, suppressing insurrection, defending the State in war, meeting natural disasters, or redeeming indebtedness outstanding at the time this constitution becomes effective.

Local debts

SECTION 9. No debt shall be contracted by any political subdivision of the State, unless authorized for capital improvements by its governing body and ratified by a majority vote of those qualified to vote and voting on the question.

Interim borrowing

SECTION 10. The State and its political subdivisions may borrow money to meet appropriations for any fiscal year in anticipation of

the collection of the revenues for that year, but all debt so contracted shall be paid before the end of the next fiscal year.

Exceptions

SECTION 11. The restrictions on contracting debt do not apply to debt incurred through the issuance of revenue bonds by a public enterprise or public corporation of the State or a political subdivision, when the only security is the revenues of the enterprise or corporation. The restrictions do not apply to indebtedness to be paid from special assessments on the benefited property, nor do they apply to refunding indebtedness of the State or its political subdivisions.

Budget

SECTION 12. The governor shall submit to the legislature, at a time fixed by law, a budget for the next fiscal year setting forth all proposed expenditures and anticipated income of all departments, offices, and agencies of the State. The governor, at the same time, shall submit a general appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations in the budget for new or additional revenues.

Expenditures

SECTION 13. No money shall be withdrawn from the treasury except in accordance with appropriations made by law. No obligation for the payment of money shall be incurred except as authorized by law. Unobligated appropriations outstanding at the end of the period of time specified by law shall be void.

Legislative post-audit

SECTION 14. The legislature shall appoint an auditor to serve at its pleasure. He shall be a certified public accountant. The auditor shall conduct post-audits as prescribed by law and shall report to the legislature and to the governor.

ARTICLE X. LOCAL GOVERNMENT

Purpose and construction

SECTION 1. The purpose of this article is to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax-levying jurisdictions. A liberal construction shall be given to the powers of local government units.

Local government powers

SECTION 2. All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only.

Boroughs

SECTION 3. The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include population, geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible. The legislature shall classify boroughs and prescribe their powers and functions. Methods by which boroughs may be organized, incorporated, merged, consolidated, reclassified, or dissolved shall be prescribed by law.

Assembly

SECTION 4. The governing body of the organized borough shall be the assembly, and its composition shall be established by law or charter. Each city of the first class, and each city of any other class designated by law, shall be represented on the assembly by one or more members of its council. The other members of the assembly shall be elected from and by the qualified voters resident outside such cities.

Service areas

SECTION 5. Service areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.

Unorganized boroughs

SECTION 6. The legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility. It may exercise any power or function in an unorganized borough which the assembly may exercise in an organized borough.

Cities

SECTION 7. Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified, reclassified, or dissolved in the manner provided by law.

Council

SECTION 8. The governing body of a city shall be the council.

Charters

SECTION 9. The qualified voters of any borough of the first class or city of the first class may adopt, amend, or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be submitted to the qualified voters of the borough or city, and shall become effective if approved by a majority of those who vote on the specific question.

Extended home rule

SECTION 10. The legislature may extend home rule to other boroughs and cities.

Home rule powers

SECTION 11. A home rule borough or city may exercise all legislative powers not prohibited by law or by charter.

Boundaries

SECTION 12. A local boundary commission or board shall be established by law in the executive branch of the state government. The

commission or board may consider any proposed local government boundary change. It may present proposed changes to the legislature during the first ten days of any regular session. The change shall become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house. The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action.

Agreements; transfer of powers

SECTION 13. Agreements, including those for cooperative or joint administration of any functions or powers, may be made by any local government with any other local government, with the State, or with the United States, unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer.

Local government agency

SECTION 14. An agency shall be established by law in the executive branch of the state government to advise and assist local governments. It shall review their activities, collect and publish local government information, and perform other duties prescribed by law.

Special service districts

SECTION 15. Special service districts existing at the time a borough is organized shall be integrated with the government of the borough as provided by law.

ARTICLE XI. INITIATIVE, REFERENDUM, AND RECALL

Initiative and referendum

SECTION 1. The people may propose and enact laws by the initiative, and approve or reject acts of the legislature by the referendum.

Application

SECTION 2. An initiative or referendum is proposed by an application containing the bill to be initiated or the act to be referred. The application shall be signed by not less than one hundred qualified voters as sponsors, and shall be filed with the secretary of state. If he finds it in proper form he shall so certify. Denial of certification shall be subject to judicial review.

Petition

SECTION 3. After certification of the application, a petition containing a summary of the subject matter shall be prepared by the secretary of state for circulation by the sponsors. If signed by qualified voters, equal in number to ten per cent of those who voted in the preceding general election and resident in at least two-thirds of the election districts of the State, it may be filed with the secretary of state.

Initiative election

SECTION 4. An initiative petition may be filed at any time. The secretary of state shall prepare a ballot title and proposition summarizing the proposed law, and shall place them on the ballot for the first

statewide election held more than one hundred twenty days after adjournment of the legislative session following the filing. If, before the election, substantially the same measure has been enacted, the petition is void.

Referendum election

SECTION 5. A referendum petition may be filed only within ninety days after adjournment of the legislative session at which the act was passed. The secretary of state shall prepare a ballot title and proposition summarizing the act and shall place them on the ballot for the first statewide election held more than one hundred eighty days after adjournment of that session.

Enactment

SECTION 6. If a majority of the votes cast on the proposition favor its adoption, the initiated measure is enacted. If a majority of the votes cast on the proposition favor the rejection of an act referred, it is rejected. The secretary of state shall certify the election returns. An initiated law becomes effective ninety days after certification, is not subject to veto, and may not be repealed by the legislature within two years of its effective date. It may be amended at any time. An act rejected by referendum is void thirty days after certification. Additional procedures for the initiative and referendum may be prescribed by law.

Restrictions

SECTION 7. The initiative shall not be used to dedicate revenues, make or repeal appropriations, create courts, define the jurisdiction of courts or prescribe their rules, or enact local or special legislation. The referendum shall not be applied to dedications of revenue, to appropriations, to local or special legislation, or to laws necessary for the immediate preservation of the public peace, health, or safety.

Recall

SECTION 8. All elected public officials in the State, except judicial officers, are subject to recall by the voters of the State or political subdivision from which elected. Procedures and grounds for recall shall be prescribed by the legislature.

ARTICLE XII. GENERAL PROVISIONS

State boundaries

SECTION 1. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, included in the Territory of Alaska upon the date of ratification of this constitution by the people of Alaska.

Intergovernmental relations

SECTION 2. The State and its political subdivisions may cooperate with the United States and its territories, and with other states and their political subdivisions on matters of common interest. The respective legislative bodies may make appropriations for this purpose.

Office of profit

SECTION 3. Service in the armed forces of the United States or of the State is not an office or position of profit as the term is used in this constitution.

Disqualification for disloyalty

SECTION 4. No person who advocates, or who aids or belongs to any party or organization or association which advocates, the overthrow by force or violence of the government of the United States or of the State shall be qualified to hold any public office of trust or profit under this constitution.

Oath of office

SECTION 5. All public officers, before entering upon the duties of their offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska, and that I will faithfully discharge my duties as _____ to the best of my ability." The legislature may prescribe further oaths or affirmations.

Merit system

SECTION 6. The legislature shall establish a system under which the merit principle will govern the employment of persons by the State.

Retirement systems

SECTION 7. Membership in employee retirement systems of the State or its political subdivisions shall constitute a contractual relationship. Accrued benefits of these systems shall not be diminished or impaired.

Residual power

SECTION 8. The enumeration of specified powers in this constitution shall not be construed as limiting the powers of the State.

Provisions self-executing

SECTION 9. The provisions of this constitution shall be construed to be self-executing whenever possible.

Interpretation

SECTION 10. Titles and subtitles shall not be used in construing this constitution. Personal pronouns used in this constitution shall be construed as including either sex.

Law-making power

SECTION 11. As used in this constitution, the terms "by law" and "by the legislature," or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI.

Disclaimer and agreement

SECTION 12. The State of Alaska and its people forever disclaim all right and title in or to any property belonging to the United States, or subject to its disposition, and not granted or confirmed to the State or its political subdivisions, by or under the act admitting Alaska to the Union. The State and its people further disclaim all right or title in or to any property, including fishing rights, the right or title to which may be held by or for any Indian, Eskimo, or Aleut, or community thereof, as that right or title is defined in the act of

admission. The State and its people agree that, unless otherwise provided by Congress, the property, as described in this section, shall remain subject to the absolute disposition of the United States. They further agree that no taxes will be imposed upon any such property, until otherwise provided by the Congress. This tax exemption shall not apply to property held by individuals in fee without restrictions on alienation.

Consent to act of admission

SECTION 13. All provisions of the act admitting Alaska to the Union which reserve rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property, are consented to fully by the State and its people.

ARTICLE XIII. AMENDMENT AND REVISION

Amendments

SECTION 1. Amendments to this constitution may be proposed by a two-thirds vote of each house of the legislature. The secretary of state shall prepare a ballot title and proposition summarizing each proposed amendment, and shall place them on the ballot for the next statewide election. If a majority of the votes cast on the proposition favor the amendment, it shall be adopted. Unless otherwise provided in the amendment, it becomes effective thirty days after the certification of the election returns by the secretary of state.

Convention

SECTION 2. The legislature may call constitutional conventions at any time.

Call by referendum

SECTION 3. If during any ten-year period a constitutional convention has not been held, the secretary of state shall place on the ballot for the next general election the question: "Shall there be a Constitutional Convention?" If a majority of the votes cast on the question are in the negative, the question need not be placed on the ballot until the end of the next ten-year period. If a majority of the votes cast on the question are in the affirmative, delegates to the convention shall be chosen at the next regular statewide election, unless the legislature provides for the election of the delegates at a special election. The secretary of state shall issue the call for the convention. Unless other provisions have been made by law, the call shall conform as nearly as possible to the act calling the Alaska Constitutional Convention of 1955, including, but not limited to, number of members, districts, election and certification of delegates, and submission and ratification of revisions and ordinances. The appropriation provisions of the call shall be self-executing and shall constitute a first claim on the state treasury.

Powers

SECTION 4. Constitutional conventions shall have plenary power to amend or revise the constitution, subject only to ratification by the people. No call for a constitutional convention shall limit these powers of the convention.

Article XIV. Apportionment Schedule

Election districts

Section 1. Members of the house of representatives shall, until reapportionment, be elected from the election districts and in the numbers shown below:

Number of districts	Name of District	Number of Representatives
1	Prince of Wales	1
2	Ketchikan	2
3	Wrangell-Petersburg	1
4	Sitka	2
5	Juneau	2
6	Lynn Canal-Icy Straits	1
7	Cordova-McCarthy	1
8	Valdez-Chitina-Whittier	1
9	Palmer-Wasilla-Talkeetna	1
10	Anchorage	8
11	Seward	1
12	Kenai-Cook Inlet	1
13	Kodiak	2
14	Aleutian Islands	1
15	Bristol Bay	1
16	Bethel	1
17	Kuskokwim	1
18	Yukon-Koyukuk	1
19	Fairbanks	5
20	Upper Yukon	1
21	Barrow	1
22	Kobuk	1
23	Nome	2
24	Wade Hampton	1

Senate districts

SECTION 2. Members of the senate shall be elected from the senate districts and in the number shown below:

Name of District	Composed of Election Districts	Number of Senators
A. Southeastern	1, 2, 3, 4, 5, and 6	2
B. Ketchikan-Prince of Wales	1 and 2	1
C. Wrangell-Petersburg-Sitka	3 and 4	1
D. Juneau-Yakutat	5 and 6	1
E. Southcentral	7, 8, 9, 10, 11, 12, 13, and 14	2
F. Cordova-Valdez	7 and 8	1
G. Anchorage-Palmer	9 and 10	1
H. Seward-Kenai	11 and 12	1
I. Kodiak-Aleutians	13 and 14	1
J. Central	15, 16, 17, 18, 19, and 20	2
K. Bristol Bay-Bethel	15 and 16	1
L. Yukon-Kuskokwim	17 and 18	1
M. Fairbanks-Fort Yukon	19 and 20	1
N. Northwestern	21, 22, 23, and 24	2
O. Barrow-Kobuk	21 and 22	1
P. Nome-Wade Hampton	23 and 24	1

Description of election districts

SECTION 3. The election districts set forth in Section 1 shall include the following territory:

1. Prince of Wales: All of Prince of Wales, Dall, Forrester, Suemez, Baker, Lulu, Noyes, Warren, Kosciusko and the Kashevarof Islands as well as adjacent off-shore islands.

2. Ketchikan: That area of the mainland drained by streams flowing into Revillagigedo Channel, Behm Canal, Burroughs Bay, and east side of Clarence Strait from the southernmost point of the Alaska-British Columbia boundary line to and including Lemesurier Point; and those islands south of Ernest Sound and east of Clarence Strait, including Revillagigedo, Gravina, Annette, and Duke Islands, and other adjacent smaller islands.

3. Wrangell-Petersburg: That area of the mainland north of Election District No. 2 and south of, and including, the area draining into Frederick Sound to Cape Fanshaw on the north, and partly bounded on the north by a line drawn between Cape Fanshaw and the north side of Pybus Bay; that area of Admiralty Island drained by streams flowing into Frederick Sound; that area of Baranof Island drained by streams flowing into Chatham Strait to but not including that area drained by streams flowing into Peril Strait; and including Kupreanof, Mitkof, Kuiu and Coronation Islands and other smaller adjacent islands.

4. Sitka: Those parts of Admiralty, Chichagof, and Baranof Islands not included in Election Districts No. 3, 5, and 6; and Kruzof Island and other smaller adjacent islands.

5. Juneau: The mainland north of Election District No. 3 up to and including the area drained by streams flowing into Berners Bay on the north; and that area of Admiralty Island north of Election District No. 3 and drained by streams flowing into Stephens Passage, Seymour Canal, Lynn Canal, and their tributaries; and including Douglas, Shelter, and Benjamin Islands, and other small adjacent islands.

6. Lynn Canal-Icy Straits: That part of the mainland, not included in Election District No. 5, drained by streams flowing into Lynn Canal, Glacier Bay, Icy Strait, Cross Sound, and their tributaries, and the Pacific Ocean, to and including the area drained into Icy Bay to the west; those parts of Admiralty and Chichagof Islands drained by streams flowing into Icy Strait, Cross Sound, and their tributaries; and Yakobi, Lemesurier, and Pleasant Islands, and other smaller adjacent islands.

7. Cordova-McCarthy: That area draining into the Gulf of Alaska and Prince William Sound, from but not including that area draining into the south side of Icy Bay on the east, to Knowles Head on the west, including Hawkins, Hinchinbrook, Kayak, and Middleton Islands, and other smaller adjacent islands; and that area drained by the Copper River and its tributaries up to and not including the Tiekel River on the west, and up to and including the Chitina River on the east.

8. Valdez-Chitina-Whittier: That area drained by all streams flowing into Price William Sound from Cape Junken on the west to Knowles Head on the east, including Montague, Latouche, and Knight Islands, and adjacent smaller islands; and all of the area drained by the Copper River and its tributaries above and including the Tiekel River on the west, and above but not including the Chitina River on the east.

9. Palmer-Wasilla-Talkeetna: That area from and including Susitna on the south, drained by the Susitna River and its tributaries; and that area drained by the Little Susitna River from and including Flat Lake on the south; and that area draining into Knik Arm from and including Fish Creek and its tributaries on the west side of Knik Arm, to and including the area draining into the Knik River from the north, and from the south to the highway bridge.

10. Anchorage: That area around Turnagain Arm and east of Knik Arm drained by streams flowing into Turnagain Arm and Knik Arm, from and including Placer River on the south, to and including the Knik River highway bridge on the north; that area east of Knik Arm and north of Cook Inlet drained by Goose Creek and its tributaries on the east, and the Little Susitna River south of Flat Lake, and the Susitna River south of but not including Susitna; the area west of Cook Inlet drained by Ivan, Lewis, Theodore Rivers and their tributaries, to but not including Beluga River on the south.

11. Seward: That part of Kenai Peninsula draining into the Gulf of Alaska from Gore Point on the west to Cape Junken on the east; and the area draining into Turnagain Arm from and including the drainage of Resurrection Creek on the west to but not including Placer River on the east, and to and including the confluence of the Kenai and Russian Rivers on the west.

12. Kenai-Cook Inlet: That area of Kenai Peninsula drained by streams flowing into the Gulf of Alaska, Cook Inlet, and Turnagain Arm, from and including the area drained into Port Dick on the south

to Gore Point, to but not including Resurrection Creek on the north, and the area east of the confluence of the Kenai and Russian Rivers; and that area west of Cook Inlet drained by all streams flowing into Cook Inlet from Cape Douglas on the south, to and including the Beluga River; including Elizabeth Island and adjacent islands in Cook Inlet.

13. Kodiak: The part of the Alaska Peninsula drained by all streams flowing into the Pacific Ocean from Cape Douglas on the east to but not including Kujulik Bay on the west; and all adjacent off-shore islands, including the Semidi Islands, and Kodiak, Afognak, Trinity, Chirikof Islands, and other smaller islands in the immediate vicinity, such as the Barren Islands and the Chugach Islands.

14. Aleutian Islands: The part of the Alaska Peninsula west of and including the drainage of Meshik River and Kujulik Bay; and all of the Aleutian and Pribilof Islands and adjacent off-shore islands west of and excluding the Semidi Islands and Sutwik Island.

15. Bristol Bay: The area drained by all streams flowing into Bristol Bay from Cape Newenham on the west to but not including the Meshik River on the south.

16. Bethel: The area drained by all streams flowing into Baird Inlet, Etolin Strait, and Kuskokwim Bay; that area drained by the Kuskokwim River and its tributaries up to, and including, the area drained by the Tuluksak River on the east bank of the Kuskokwim River; and the area drained by tributaries up to the opposite point on the west bank of the Kuskokwim River; and including Nunivak Island and St. Matthew Island and adjacent islands.

17. Kuskokwim: The area drained by the Kuskokwim River and its tributaries above and not including the area drained by the Tuluksak River on the east bank; and the area drained by tributaries above the opposite point on the west bank of the Kuskokwim River and the area drained by the Yukon River from Tuckers Slough, to but not including the area drained by the Khotol River.

18. Yukon-Koyukuk: The area drained by all streams and their tributaries flowing into the Yukon River from and including Khotol River on the west to and including Hess Creek on the east; and that area drained by the Tanana River and its tributaries up to but not including Clear Creek, near Blair Lakes, on the east; and that part of Goldstream Creek up to but not including Nugget Creek and Spinach Creek; and that portion drained by the Chatanika River up to but not including Vault Creek.

19. Fairbanks: That area drained by the Tanana River and its tributaries from and including Clear Creek, near Blair Lakes, on the west, to the Alaska-Canada boundary on the east; and also that area drained by Goldstream Creek and its tributaries up stream from, and including, Nugget Creek and Spinach Creek; and that portion drained by the Chatanika River and its tributaries up stream from, and including, Vault Creek.

20. Upper Yukon: That area drained by the Yukon River and its tributaries from, but not including, Hess Creek on the west, to the Alaska-Canada boundary; and that area drained by streams flowing into the Arctic Ocean from, but not including, Kuparuk River on the west, to the Alaska boundary.

21. Barrow: The area drained by all streams flowing into the Arctic Ocean from Cape Lisburne on the west, to and including the area drained by the Kuparuk River and its tributaries on the east.

22. Kobuk: The area drained by all streams flowing into the Arctic Ocean and Kotzebue Sound, from Cape Lisburne on the north, to and including the area drained by the Goodhope River and its tributaries on the south.

23. Nome: That part of the Seward Peninsula and adjacent areas drained by all streams flowing into the Kotzebue Sound, Bering Strait and Norton Sound, from, but not including, the area drained by the Goodhope River and its tributaries on the north, to but not including, the area drained by the Pastolik River on the south; and King, Little Diomede, St. Lawrence, Sledge, and Stuart Islands, as well as adjacent offshore islands.

24. Wade Hampton: The area drained by the lower Yukon River and its tributaries, from Tuckers Slough to the mouth at the Bering Sea; and the area drained by all streams flowing into the Bering Sea and Norton Sound, from and including Hazen Bay on the south, to and including the Pastolik River on the north.

Article XV. Schedule of Transitional Measures

To provide an orderly transition from a territorial to a state form of government, it is declared and ordained:

Continuance of laws

Section 1. All laws in force in the Territory of Alaska on the effective date of this constitution and consistent therewith shall continue in force until they expire by their own limitation, are amended, or repealed.

Saving of existing rights and liabilities

Section 2. Except as otherwise provided in this constitution, all rights, titles, actions, suits, contracts, and liabilities and all civil, criminal, or administrative proceedings shall continue unaffected by the change from territorial to state government, and the State shall be the legal successor to the Territory in these matters.

Local government

Section 3. Cities, school districts, health districts, public utility districts, and other local subdivisions of government existing on the effective date of this constitution shall continue to exercise their powers and functions under existing law, pending enactment of legislation to carry out the provisions of this constitution. New local subdivisions of government shall be created only in accordance with this constitution.

Continuance of office

Section 4. All officers of the Territory, or under its laws, on the effective date of this constitution shall continue to perform the duties of their offices in a manner consistent with this constitution until they are superseded by officers of the State.

Corresponding qualifications

Section 5. Residence, citizenship, or other qualifications under the Territory may be used toward the fulfillment of corresponding qualifications required by this constitution.

Governor to proclaim election

SECTION 6. When the people of the Territory ratify this constitution and it is approved by the duly constituted authority of the United States, the governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue a proclamation and take necessary measures to hold primary and general elections for all state elective offices provided for by this constitution.

First State elections

SECTION 7. The primary election shall take place not less than forty nor more than ninety days after the proclamation by the governor of the Territory. The general election shall take place not less than ninety days after the primary election. The elections shall be governed by this constitution and by applicable territorial laws.

United States senators and representative

SECTION 8. The officers to be elected at the first general election shall include two senators and one representative to serve in the Congress of the United States, unless senators and a representative have been previously elected and seated. One senator shall be elected for the long term and one senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States. The term of the representative shall expire on the third day of January in the odd-numbered year immediately following his assuming office. If the first representative is elected in an even-numbered year to take office in that year, a representative shall be elected at the same time to fill the full term commencing on the third day of January of the following year, and the same person may be elected for both terms.

First governor and secretary of state: Terms

SECTION 9. The first governor and secretary of state shall hold office for a term beginning with the day on which they assume office and ending at noon on the first Monday in December of the even-numbered year following the next presidential election. This term shall count as a full term for purposes of determining eligibility for reelection only if it is four years or more in duration.

Election of first senators

SECTION 10. At the first state general election, one senator shall be chosen for a two-year term from each of the following senate districts, described in Section 2 of Article XIV: A, B, D, E, G, I, J, L, N, and O. At the same election, one senator shall be chosen for a four-year term from each of the following senate districts, described in Section 2 of Article XIV: A, C, E, F, H, J, K, M, N, and P.

Terms of first State legislators

SECTION 11. The first state legislators shall hold office for a term beginning with the day on which they assume office and ending at noon on the fourth Monday in January after the next general election, except that senators elected for four-year terms shall serve an additional two years thereafter. If the first general election is held in an even-numbered year, it shall be deemed to be the general election for that year.

Election returns

SECTION 12. The returns of the first general election shall be made, canvassed, and certified in the manner prescribed by law. The governor of the Territory shall certify the results to the President of the United States.

Assumption of office

SECTION 13. When the President of the United States issues a proclamation announcing the results of the election, and the State has been admitted into the Union, the officers elected and qualified shall assume office.

First session of legislature

SECTION 14. The governor shall call a special session of the first state legislature within thirty days after the presidential proclamation unless a regular session of the legislature falls within that period. The special session shall not be limited as to duration.

First legislators: Office holding

SECTION 15. The provisions of Section 5 of Article II shall not prohibit any member of the first state legislature from holding any office or position created during his first term.

First judicial council

SECTION 16. The first members of the judicial council shall, notwithstanding Section 8 of Article IV, be appointed for terms as follows: three attorney members for one, three, and five years respectively, and three non-attorney members for two, four, and six years respectively. The six members so appointed shall, in accordance with Section 5 of Article IV, submit to the governor nominations to fill the initial vacancies on the superior court and the supreme court, including the office of chief justice. After the initial vacancies on the superior and supreme courts are filled, the chief justice shall assume his seat on the judicial council.

Transfer of court jurisdiction

SECTION 17. Until the courts provided for in Article IV are organized, the courts, their jurisdiction, and the judicial system shall remain as constituted on the date of admission unless otherwise provided by law. When the state courts are organized, new actions shall be commenced and filed therein, and all causes, other than those under the jurisdiction of the United States, pending in the courts existing on the date of admission, shall be transferred to the proper state court as though commenced, filed, or lodged in those courts in the first instance, except as otherwise provided by law.

Territorial assets and liabilities

SECTION 18. The debts and liabilities of the Territory of Alaska shall be assumed and paid by the State, and debts owed to the Territory shall be collected by the State. Assets and records of the Territory shall become the property of the State.

First reapportionment.

SECTION 19. The first reapportionment of the house of representatives shall be made immediately following the official reporting of the 1960 decennial census, or after the first regular legislative session if the session occurs thereafter, notwithstanding the provision as

to time contained in Section 3 of Article VI. All other provisions of Article VI shall apply in the first reapportionment.

State capital

SECTION 20. The capital of the State of Alaska shall be at Juneau.

Seal

SECTION 21. The seal of the Territory, substituting the word "State" for "Territory," shall be the seal of the State.

Flag

SECTION 22. The flag of the Territory shall be the flag of the State.

Special voting provision

SECTION 23. Citizens who legally voted in the general election of November 4, 1924, and who meet the residence requirements for voting, shall be entitled to vote notwithstanding the provisions of Section 1 of Article V.

Ordinances

SECTION 24. Ordinance No. 1 on ratification of the constitution, Ordinance No. 2 on the Alaska-Tennessee Plan, and Ordinance No. 3 on the abolition of fish traps, adopted by the Alaska Constitutional Convention and appended to this constitution, shall be submitted to the voters and if ratified shall become effective as provided in each ordinance.

Effective date

SECTION 25. This constitution shall take effect immediately upon the admission of Alaska into the Union as a state.

Agreed upon by the delegates in Constitutional Convention assembled at the University of Alaska, this fifth day of February, in the year of our Lord one thousand nine hundred and fifty-six, and of the Independence of the United States the one hundred and eightieth.

WM. A. EGAN,
President of the Convention.

R. ROLLAND ARMSTRONG
DOROTHY J. AWES
FRANK BARR
JOHN C. BOSWELL
SEABORN J. BUCKALEW, JR.
JOHN B. COGHILL
E. B. COLLINS
GEORGE D. COOPER
JOHN M. CROSS
EDWARD V. DAVIS
JAMES P. DOOGAN
TRUMAN C. EMBERG
HELEN FISCHER
VICTOR FISCHER
DOUGLAS GRAY
THOMAS C. HARRIS
JOHN S. HELLENTHAL
MILDRED R. HERMANN
HERB HILSCHER
JACK HINCKEL
JAMES HURLEY
MAURICE T. JOHNSON
YULE F. KILCHER
LEONARD H. KING
WILLIAM W. KNIGHT
W. W. LAWS
ELDOR R. LEE
MAYNARD D. LONDBORG
STEVE McCUTCHEON
GEORGE M. McLAUGHLIN
ROBERT J. McNEALY
JOHN A. McNEES
M. R. MARSTON
IRWIN L. METCALF
LESLIE NERLAND
JAMES NOLAN
KATHERINE D. NORDALE
FRANK PERATROVICH
CHRIS POULSEN
PETER L. READER
BURKE RILEY
RALPH J. RIVERS
VICTOR C. RIVERS
JOHN H. ROSSWOG
B. D. STEWART
W. O. SMITH
GEORGE SUNDBORG
DORA M. SWEENEY
WARREN A. TAYLOR
H. R. VANDERLEEST
M. J. WALSH
BARRIE M. WHITE
ADA B. WIEN

Attest:

THOMAS B. STEWART,
Secretary of the Convention.

ORDINANCE NO. 1

RATIFICATION OF CONSTITUTION

Election

SECTION 1. The Constitution for the State of Alaska agreed upon by the delegates to the Alaska Constitutional Convention on February 5, 1956, shall be submitted to the voters of Alaska for ratification or rejection at the territorial primary election to be held on April 24, 1956. The election shall be conducted according to existing laws regulating primary elections so far as applicable.

Ballot

SECTION 2. Each elector who offers to vote upon this constitution shall be given a ballot by the election judges which will be separate from the ballot on which candidates in the primary election are listed. Each of the propositions offered by the Alaska Constitutional Con-

vention shall be set forth separately, but on the same ballot form. The first proposition shall be as follows:

"Shall the Constitution for the State of Alaska prepared and agreed upon by the Alaska Constitutional Convention be adopted?" Yes ☐ No ☐

Canvass

SECTION 3. The returns of this election shall be made to the governor of the Territory of Alaska, and shall be canvassed in substantially the manner provided by law for territorial elections.

Acceptance and approval

SECTION 4. If a majority of the votes cast on the proposition favor the constitution, then the constitution shall be deemed to be ratified by the people of Alaska to become effective as provided in the constitution.

Submission of constitution

SECTION 5. Upon ratification of the constitution, the governor of the Territory shall forthwith transmit a certified copy of the constitution to the President of the United States for submission to the Congress, together with a statement of the votes cast for and against ratification.

ORDINANCE NO. 2

ALASKA-TENNESSEE PLAN

Statement of purpose

SECTION 1. The election of senators and a representative to serve in the Congress of the United States being necessary and proper to prepare for the admission of Alaska as a state of the Union, the following sections are hereby ordained, pursuant to Chapter 46, SLA 1955:

Ballot

SECTION 2. Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a second proposition, which shall be as follows:

"Shall Ordinance Number Two (Alaska Tennessee Plan) of the Alaska Constitutional Convention, calling for the immediate election of two United States Senators and one United States Representative, be adopted?" Yes ☐ No ☐

Approval

SECTION 3. Upon ratification of the constitution by the people of Alaska and separate approval of this ordinance by a majority of all votes cast for and against it, the remainder of this ordinance shall become effective.

Election of senators and representative

SECTION 4. Two United States senators and one United States representative shall be chosen at the 1956 general election.

Terms

SECTION 5. One senator shall be chosen for the regular term expiring on January 3, 1963, and the other for an initial short term expiring on January 3, 1961, unless when they are seated the Senate prescribes

other expiration dates. The representative shall be chosen for the regular term of two years expiring January 3, 1959.

Qualifications

SECTION 6. Candidates for senators and representative shall have the qualifications prescribed in the Constitution of the United States and shall be qualified voters of Alaska.

Other office holding

SECTION 7. Until the admission of Alaska as a state, the senators and representative may also hold or be nominated and elected to other offices of the United States or of the Territory of Alaska, provided that no person may receive compensation for more than one office.

Election procedure

SECTION 8. Except as provided herein, the laws of the Territory governing elections to the office of Delegate to Congress shall, to the extent applicable, govern the election of the senators and representative. Territorial and other officials shall perform their duties with reference to this election accordingly.

Independent candidates

SECTION 9. Persons not representing any political party may become independent candidates for the offices of senator or representative by filing applications in the manner provided in Section 38–5–10, ACLA 1949, insofar as applicable. Applications must be filed in the office of the director of finance of the Territory on or before June 30, 1956.

Party nominations

SECTION 10. Party nominations for senators and representative shall, for this election only, be made by party conventions in the manner prescribed in Section 38–4–11, ACLA 1949, for filling a vacancy in a party nomination occurring after a primary election. The names of the candidates nominated shall be certified by the chairman and secretary of the central committee of each political party to the director of finance of the Territory on or before June 30, 1956.

Certification

SECTION 11. The director of finance shall certify the names of all candidates for senators and representative to the clerks of court by July 15, 1956. The clerks of court shall cause the names to be printed on the official ballot for the general election. Independent candidates shall be identified as provided in Section 38–5–10, ACLA 1949. Candidates nominated at party conventions shall be identified with appropriate party designations as is provided by law for nominations at primary elections.

Ballot form; who elected

SECTION 12. The ballot form shall group separately the candidates seeking the regular senate term, those seeking the short senate term, and candidates for representative. The candidate for each office receiving the largest number of votes cast for that office shall be elected.

Duties and emoluments

SECTION 13. The duties and emoluments of the offices of senator and representative shall be as prescribed by law.

Convention assistance

SECTION 14. The president of the Alaska Constitutional Convention, or a person designated by him, may assist in carrying out the purposes of this ordinance. The unexpended and unobligated funds appropriated to the Alaska Constitutional Convention by Chapter 46, SLA 1955, may be used to defray expenses attributable to the referendum and the election required by this ordinance.

Alternative effective dates

SECTION 15. If the Congress of the United States seats the senators and representative elected pursuant to this ordinance and approves the constitution before the first election of state officers, then Section 25 of Article XV shall be void and shall be replaced by the following:

"The provisions of the constitution applicable to the first election of state officers shall take effect immediately upon the admission of Alaska into the Union as a state. The remainder of the constitution shall take effect when the elected governor takes office."

ORDINANCE NO. 3

ABOLITION OF FISH TRAPS

Ballot

SECTION 1. Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a third proposition, which shall be as follows:

"Shall Ordinance Number Three of the Alaska Constitutional Convention, prohibiting the use of fish traps for the taking of salmon for commercial purposes in the coastal waters of the State, be adopted?" Yes ☐ No ☐

Effect of referendum

SECTION 2. If the constitution shall be adopted by the electors and if a majority of all the votes cast for and against this ordinance favor its adoption, then the following shall become operative upon the effective date of the constitution:

"As a matter of immediate public necessity, to relieve economic distress among individual fishermen and those dependent upon them for a livelihood, to conserve the rapidly dwindling supply of salmon in Alaska, to insure fair competition among those engaged in commercial fishing, and to make manifest the will of the people of Alaska, the use of fish traps for the taking of salmon for commercial purposes is hereby prohibited in all the coastal waters of the State."

APPENDIX B

ALASKA TERRITORIAL LEGISLATIVE ACTION ON STATEHOOD MEMORIALS

1945—17th legislature:

House Joint Memorial No. 7:

House: 24 yeas; 0 nays.

Senate: 7 yeas; 9 nays.

Senate: 12 yeas; 4 nays (vote to reconsider and pass).

1947—18th legislature:
House Joint Memorial No. 1:
House: 15 yeas; 9 nays.
Senate: 10 yeas; 5 nays; 1 absent.
1949—19th legislature:
House Joint Memorial No. 17:
House: 23 yeas; 0 nays; 1 absent.
Senate: 12 yeas; 3 nays.
1951—20th legislature:
House Joint Memorial No. 4:
Referred to special committee on statehood and no action taken.
1953—21st legislature:
House Joint Memorial No. 15:
House (no record made of vote).
Senate: 16 yeas; 0 nays.
1955—22d legislature:
House Joint Memorial No. 1:
House: 22 yeas; 0 nays; 2 absent.
Senate: 16 yeas; 0 nays.
1957—23d legislature:
House Joint Memorial No. 1:
House: Passed unanimously.
Senate: Passed unanimously.

Appendix C

TEXT OF TREATY WITH RUSSIA FOR THE PURCHASE OF ALASKA (15 STAT. 539)

Treaty concerning the Cession of the Russian Possessions in North America by his Majesty the Emperor of all the Russias to the United States of America; Concluded March 30, 1867; Ratified by The United States May 28, 1867; Exchanged June 20, 1867; Proclaimed by the United States June 20, 1867.

By the President of the United States of America

A Proclamation

Whereas, a treaty between the United States of America and his Majesty the Emperor of all the Russias was concluded and signed by their respective plenipotentiaries at the city of Washington, on the thirtieth day of March, last, which treaty, being in the English and French languages, is, word for word, as follows:

The United States of America and his Majesty the Emperor of all the Russias, being desirous of strengthening, if possible, the good understanding which exists between them, have, for that purpose, appointed as their Plenipotentiaries: the President of the United States, William H. Seward, Secretary of State; and his Majesty the Emperor of all the Russias, the Privy Councillor Edward de Stoeckl his Envoy Extraordinary and Minister Plenipotentiary to the United States.

And the said Plenipotentiaries, having exchanged their full powers, which were found to be in due form, have agreed upon and signed the following articles:

ARTICLE I

His Majesty the Emperor of all the Russias agrees to cede to the United States, by this convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by his said Majesty on the continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to-wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America, as established by the convention between Russia and Great Britain, of February 28–16, 1825, and described in Articles III and IV of said convention, in the following terms:

"Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the 131st and the 133d degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian), and finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen ocean.

"IV. With reference to the line of demarcation laid down in the preceding article, it is understood—

"1st. That the island called Prince of Wales Island shall belong wholly to Russia" (now, by this cession, to the United States).

"2nd. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of the coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of ten marine leagues therefrom."

The western limit within which the territories and dominion conveyed, are contained, passes through a point in Behring's straits on the parallel of sixty-five degrees thirty minutes north latitude, at its intersection by the meridian which passes midway between the islands of Krusenstern, or Inaglook, and the island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same Frozen ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest through Behring's straits and Behring's sea, so as to pass midway between the northwest point of the island of St. Lawrence and the southeast point of Cape Choukotski, to the meridian of one hundred and seventy-two west longitude; thence, from the intersection of that meridian, in a southwesterly direction, so as to pass midway between the island of Attou and the Copper island of the Kormandorski couplet or group in the

North Pacific ocean, to the meridian of one hundred and ninety-three degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian islands east of that meridian.

ARTICLE II

In the cession of territory and dominion made by the preceding article are included the right of property in all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices which are not private individual property. It is, however, understood and agreed, that the churches which have been built in the ceded territory by the Russian government, shall remain the property of such members of the Greek Oriental Church resident in the territory, as may choose to worship therein. Any government archives, papers and documents relative to the territory and dominion aforesaid, which may be now existing there, will be left in the possession of the agent of the United States; but an authenticated copy of such of them as may be required, will be, at all times, given by the United States to the Russian government, or to such Russian officers or subjects as they may apply for.

ARTICLE III

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country.

ARTICLE IV

His Majesty the Emperor of all the Russias shall appoint, with convenient despatch, an agent or agents for the purpose of formally delivering to a similar agent or agents appointed on behalf of the United States, the territory, dominion, property, dependencies and appurtenances which are ceded as above, and for doing any other act which may be necessary in regard thereto. But the cession, with the right of immediate possession, is nevertheless to be deemed complete and absolute on the exchange of ratifications, without waiting for such formal delivery.

ARTICLE V

Immediately after the exchange of the ratifications of this convention, any fortifications or military posts which may be in the ceded territory shall be delivered to the agent of the United States, and any Russian troops which may be in the territory shall be withdrawn as soon as may be reasonably and conveniently practicable.

ARTICLE VI

In consideration of the cession aforesaid, the United States agree to pay at the treasury in Washington, within ten months after the

exchange of the ratifications of this convention, to the diplomatic representative or other agent of his Majesty the Emperor of all the Russias, duly authorized to receive the same, seven million two hundred thousand dollars in gold. The cession of territory and dominion herein made is hereby declared to be free and unencumbered by any reservations, privileges, franchises, grants, or possessions, by any associated companies, whether corporate or incorporate, Russian or any other, or by any parties, except merely private individual property holders; and the cession hereby made, conveys all the rights, franchises, and privileges now belonging to Russia in the said territory or dominion, and appurtenances thereto.

ARTICLE VII

When this convention shall have been duly ratified by the President of the United States, by and with the advice and consent of the Senate, on the one part, and on the other by his Majesty the Emperor of all the Russias, the ratifications shall be exchanged at Washington within three months from the date hereof, or sooner, if possible.

In faith whereof, the respective plenipotentiaries have signed this convention, and thereto affixed the seals of their arms.

Done at Washington, the thirtieth day of March, in the year of our Lord one thousand eight hundred and sixty-seven.

[L. S.] WILLIAM H. SEWARD.
[L. S.] EDOUARD DE STOECKL.

And whereas the said Treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on this twentieth day of June, by William H. Seward, Secretary of State of the United States, and the Privy Counsellor Edward de Stoeckl, the Envoy Extraordinary of His Majesty the Emperor of all the Russias, on the part of their respective governments.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this twentieth day of June in the year of our Lord one thousand eight hundred and sixty-seven, and of the Independence of the United States the ninety-first.

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD, *Secretary of State.*

Appendix D

The Library of Congress, Legislative Reference Service—Selected population data for the States, Alaska, and Hawaii: Statistics showing population at date of entry

State	Date of admission	Population at date of admission [1]	Population at preceding census		Population at succeeding census	
			Year	Population	Year	Population
Alabama	Dec. 14, 1819			[2]	1820	127,901
Arizona	Feb. 14, 1912	216,639				
Arkansas	June 15, 1836	52,240				
California	Sept. 9, 1850	92,597				
Colorado	Aug. 1, 1876	150,000				
Connecticut [3]	Jan. 9, 1788		[4] 1782	208,870	1790	237,946
Delaware [3]	Dec. 7, 1787		[4] 1780	37,000	1790	59,096
Florida	Mar. 3, 1845		1840	54,477	1850	87,445
Georgia [3]	Jan. 2, 1788		[4] 1780	55,000	1790	82,548
Idaho	Jan. 3, 1890	88,548				
Illinois	Dec. 3, 1818	34,620				
Indiana	Dec. 11, 1816	63,897				
Iowa	Dec. 28, 1846		1846	[5] 102,388	1850	192,214
Kansas	Jan. 29, 1861	102,338				
Kentucky	June 1, 1792		1790	73,677	1800	220,955
Louisiana	Apr. 30, 1812		1810	76,566	1820	153,407
Maine	Mar. 15, 1820	298,335				
Maryland [3]	Apr. 28, 1788		[4] 1783	254,000	1790	319,728
Massachusetts [3]	Feb. 6, 1788		[4] 1780	307,000	1790	378,787
Michigan	Jan. 26, 1837	200,000				
Minnesota	May 11, 1858		[6] 1857	150,092	1860	172,023
Mississippi	Dec. 10, 1817	150,092				
Missouri	Aug. 10, 1821		1820	66,586	1830	140,455
Montana	Nov. 8, 1889		1880	39,159	1890	142,924
Nebraska	Mar. 1, 1867	88,530				
Nevada	Oct. 31, 1864	40,000				
New Hampshire [3]	June 21, 1788		[4] 1786	95,755	1790	141,885
New Jersey [3]	Dec. 18, 1787		[4] 1784	149,434	1790	184,139
New Mexico	Jan. 6, 1912	338,470				
New York [3]	July 26, 1788		[4] 1786	238,795	1790	340,120
North Carolina [3]	Nov. 21, 1789		[4] 1780	300,000	1790	393,751
North Dakota	Nov. 2, 1889		1880	36,909	1890	190,983
Ohio	Mar. 3, 1803	60,000				
Oklahoma	Nov. 16, 1907	1,414,177				
Oregon	Feb. 14, 1859		1850	13,294	1860	52,465
Pennsylvania [3]	Dec. 12, 1787		[4] 1782	350,000	1790	434,373
Rhode Island [3]	May 29, 1790		[4] 1782	52,400	1790	68,825
South Carolina [3]	May 23, 1789		[4] 1780	160,000	1790	249,073
South Dakota	Nov. 2, 1889		1880	98,268	1890	348,600
Tennessee	June 1, 1796	77,262				
Texas	Dec. 29, 1845			[2]	1850	212,592
Utah	Jan. 4, 1896		1890	210,779	1900	276,749
Vermont	Mar. 4, 1791	241,000				
Virginia [3]	June 25, 1788		[4] 1782	567,614	1790	747,610
Washington	Nov. 11, 1889	273,000				
West Virginia	June 19, 1863	376,683				
Wisconsin	May 29, 1848	210,596				
Wyoming	July 10, 1890	62,555				
Alaska					1950	128,643
Hawaii					1950	499,794
Alaska					1952	[7] 182,000

[1] Population estimates given by States at dates of admission as given in the Senate Manual, pp. 570–573, and Dictionary of Congress.
[2] Not available.
[3] One of the Thirteen Original States. Dates under admission are the dates of ratification of the United States Constitution.
[4] Colonial estimate or census taken from U. S. Bureau of the Census—Century of Population Growth.
[5] Cole, Cyrenus, Iowa Through the Years, p. 190.
[6] Special census of Minnesota, Sept. 21, 1857.
[7] Estimate.

Sources: U. S. Department of Commerce, Bureau of the Census—Statistical Abstract of the United States, 1951. ———, ———, Century of Population Growth, 1790–1900. Lanham, Charles, Dictionary of the United States Congress. Hartford, T. Belknap & Sons, 1869. U. S. Library of Congress, Legislative Reference Service. Manuscript—Population estimates for States at date of entry, Angeline Bogucki, February 21, 1950.

Appendix E

State	Area of State (millions of acres)	Area of Federal lands (millions of acres)	Percent of State area	Area of Federal reserved lands (millions of acres)	Percent of State area
Nevada	70.3	59.0	84	13.6	19
Utah	52.7	37.9	72	13.8	26
Arizona	72.7	50.7	70	38.0	52
Idaho	53.0	34.4	65	23.3	44
Oregon	61.7	32.8	53	19.9	32
Wyoming	62.4	32.7	52	16.1	26
California	100.4	46.0	46	29.7	30
New Mexico	77.8	34.8	45	20.1	26
Colorado	66.5	25.1	38	17.0	26
Montana	93.6	34.3	37	27.5	29
Washington	42.9	15.4	36	14.9	35
Alaska	365.5	365.0	99	95.0	26

Source: U. S. Department of Agriculture Circular No. 909, Federal and State Rural Lands, 1950, p. 76, and Annual Report of the Director, Bureau of Land Management, 1949, Statistical Appendix, p. 5.

Hearings, Reports on Statehood for Alaska

BIBLIOGRAPHY

64th Congress (1916)

The first Alaska statehood bill was introduced by Delegate Wickersham of Alaska on March 30, 1916—H. R. 13978.

80th Congress (1st sess.), 1947

Hearings before the Subcommittee on Territorial and Insular Possessions of the House Committee on Public Lands on H. R. 206 and H. R. 1808. Hearings held in Washington, D. C., on April 16 to April 24, 1947.

Hearings before the Subcommittee on Territorial and Insular Possessions of the House Committee on Public Lands pursuant to H. Res. 93. Hearings held in Alaska on August 30 to September 12, 1947.

80th Congress (2d sess.), 1948

H. R. 5666 ("clean" bill for H. R. 206 and H. R. 1808, 1st sess., 80th Cong.) was unanimously approved by the House Public Lands Committee on April 7, 1948, and reported to the House on April 14, 1948 (H. Rept. No. 1731). No action taken by the House.

81st Congress (1st sess.), 1949

Hearings before the Subcommittee on Territorial and Insular Affairs, House Committee on Public Lands, on H. R. 331 and related bills. Hearings held in Washington, D. C., on March 4 and 8, 1949.

H. R. 331 approved by House Committee on Public Lands on March 8, 1949, and reported to the House on March 10, 1949 (H. Rept. No. 255).

81st Congress (2d sess.), 1950

H. R. 331 passed House on March 3, 1950.

Hearings before the Senate Committee on Interior and Insular Affairs on H. R. 331 and S. 2036 held in Washington, D. C., on April 24 to 29, 1950.

Senate Committee on Interior and Insular Affairs reported H. R. 331 favorably to the Senate on June 28, 1950, and filed Senate Report No. 1929 on June 29, 1950. No further action taken.

82d Congress (1st sess.), 1951

The Senate Interior and Insular Affairs Committee voted to report S. 50 favorably to the Senate, and the bill was reported on March 8, 1951 (S. Rept. No. 315).

82d Congress (2d sess.), 1952

A motion to take up the Alaska statehood bill was debated in the Senate during the month of February 1952, and on February 27, 1952, S. 50 was recommitted by a vote of 45 to 44.

83d Congress (1st sess.), 1953

H. R. 2982 was approved on June 2, 1953, by the House Interior and Insular Affairs Committee. Reported to the House on June 26, 1953 (H. Rept. No. 675).

On May 14, 1953, the Senate Committee on Interior and Insular Affairs adopted Senator Anderson's motion to add S. 50 (Alaska statehood) as an amendment to the House-passed Hawaii statehood bill and to hold hearings on such a measure.

Hearings on H. R. 20, H. R. 207, H. R. 1746, H. R. 2684, H. R. 2982, and H. R. 1916 were held in Washington before the Subcommittee on Territories and Insular Possessions of the House Committee on Interior and Insular Affairs, on April 14 to 17, 1953.

Hearings on S. 50 were held on August 17 to August 25, 1953, in Alaska before the Senate Committee on Interior and Insular Affairs.

83d Congress (2d sess.), 1954

Hearings held before the Senate Committee on Interior and Insular Affairs on S. 50 in Washington, D. C., on January 20 to January 29, and on February 1, 2, 3, 4, and 24, 1954.

Senate Committee on Interior and Insular Affairs reported S. 50 to the Senate on February 24, 1954 (S. Rept. 1028).

Senate voted to combine the Hawaii and Alaska bills into H. R. 3575 and approved this bill on April 1, 1954.

Unanimous consent request for conference objected to in the House. House Rules Committee tabled request for conference.

84th Congress (1st sess.), 1955

Hearings held before the House Interior and Insular Affairs Committee on H. R. 2535, H. R. 2536, and other statehood bills on January 25, 28, 31, and on February 2, 4, 7, 8, 14, 15, and 16, 1955, in Washington, D. C.

H. R. 2535 was ordered reported with amendments by the House Committee on Interior and Insular Affairs on February 16, 1955, and reported to the House on March 3, 1955 (H. Rept. No. 88).

85th Congress (1st sess.), 1955

Hearings held before House Interior and Insular Affairs Committee on H. R. 7999, H. R. 50, and related Alaska statehood bills on March 11, 12, 13, 14, 15, 20, 25, 27, 28, 29, April 10, 29, 30, and May 8, 15, 22, 23, and 28, 1957, in Washington, D. C.

H. R. 7999 was ordered reported by the House Committee on Interior and Insular Affairs on May 28, 1957, and reported to the House on June 25, 1957 (H. Rept. No. —).

Hearings held before the Senate Committee on Interior and Insular Affairs on S. 49 on March 26 and 27, and June 5, 13, and 26, 1957, in Washington, D. C.

MINORITY REPORT ON H. R. 7999

After careful consideration of all the factors involved in the proposed grant of statehood to Alaska, the undersigned are convinced that statehood would be contrary to the best interests of this country. They are, therefore, opposed to H. R. 7999.

CONGRESS HAS REPEATEDLY REJECTED STATEHOOD

The first statehood bill for Alaska was offered in Congress in the year 1916. Since then, Congress has considered and deliberated upon every conceivable argument advanced in favor of statehood. Congress has repeatedly repudiated this proposition and rejected every Alaskan statehood bill. The facts are no more favorable today than they were previously.

28,767 ALASKANS TO ELECT 2 SENATORS AND 1 REPRESENTATIVE IN UNITED STATES CONGRESS

The total votes cast in the 1956 Alaskan general election was only 28,767.

The United States Bureau of Census estimates the population of Alaska to be 161,000, exclusive of military personnel. This amounts to less than one one-thousandth (1/1000) of this country's population.

Statehood would grant an average representation of 1 United States Senator for each 80,500 of its population.

This power is wholly disproportionate and excessive. It would enable this small population to cancel out and nullify the Senate representation of any State regardless of the size of its population.

TWENTY-EIGHT THOUSAND SEVEN HUNDRED AND SIXTY-SEVEN ALASKANS TO ELECT THREE PRESIDENTIAL ELECTORS

In the event of statehood, Alaska would become entitled to elect 3 presidential electors, 1 for each of its 54,000 inhabitants.

The 170 million people of the United States are entitled to elect 531 electors in a presidential election, 1 for each 320,000 inhabitants. The population of Alaska would have a 6-to-1 advantage in the effectiveness of their votes in electing a President of the United States.

STATEHOOD REDUCES THE REPRESENTATION AND POWER OF THE PEOPLE OF THE 48 STATES IN CONGRESS AND THE PRESIDENCY

Statehood would give to the people of Alaska the power of the representation in the United States Congress of 2 Senators and 1 Representative. In addition, it would have 3 electoral college votes.

Basically, this amounts to a transfer of power from the people of the 48 States to the people of Alaska. The power that is now exercised by the legislative representatives of the 48 States would be propor-

tionally reduced by that fraction of the whole power that is proposed to be granted to Alaska.

The right of suffrage in the eleetion of a President would similarly also be reduced for the 48 States.

THE ECONOMIC ASPECTS OF ALASKAN STATEHOOD

There is a most serious question as to whether the Alaskan economy can finance the added burdens of statehood.

The eeonomy is an artificial one, bolstered by huge Federal handouts. The 1958 budget provides for a total eivil-Federal expenditure in Alaska of $122 million. In addition thereto, the military defense and military eonstruetion expenditures amount to $350 million annually.

The total ineome from all private industry only totals approximately $160 million per year. The economy is dependent to the extent of more than two-thirds (⅔) of its income upon Federal expenditures.

The Territorial taxes, on a per capita basis, is higher than any State in the Union. The prohibitive taxes diseourage the saving of capital for investment.

Alska's development is being retarded by its unsound eeonomy and fiseal management.

ALASKA'S POLL OF ITS CITIZENS REJECTS STATEHOOD

In order to sound out the sentiment of the people of Alaska for statehood, Congressman A. L. Miller initiated a poll. Dr. Miller is the ranking minority member of the House Committee on Interior and Insular Affairs.

In Mareh 1957, he asked 5 newspapers in the largest cities and the 10 largest radio stations to publicize and propound this question: "Do you favor immediate statehood for Alaska?"

As of April 30, 1957, the answers were: Yes, 516; no, 1,361.

This large return confirms that there is widespread apprehension of the eeonomic and politieal eonsequenees of statehood. Certainly, Congress should not impose the status of statehood upon a people who are unwilling, or believe that they are unable, to assume the attendant obligations.

NONCONTIGUITY

The admission of Alaska would set a questionable precedent. It would become the first State to be separated from the mainland of the United States by foreign lands or international waters.

WALTER ROGERS.
JAMES A. HALEY.
GEORGE A. SHUFORD.
J. T. RUTHERFORD.
J. ERNEST WHARTON.
JOHN R. PILLION.

MINORITY VIEWS ON H. R. 7999 EXPRESSED BY HON. CRAIG HOSMER OF CALIFORNIA

According to 1956 United States census population estimates, the population of Alaska is 161,000 of which approximately 141,000 are adults. This does not include 50,000 transitory military personnel in the Territory; they have no bearing on the statehood issue.

The population of the Territory is far less than that of any of the 435 congressional districts in the existing 48 States. It totals less people than the capacities of many college football stadiums.

Under the circumstances, there simply does not exist in the Territory of Alaska the basic minimum number of people to warrant or support statehood status.

Although some States had no more population when admitted than Alaska today, the situations are not comparable due to reasons of geography, economic potentialities, and time in history.

CRAIG HOSMER.

○

Union Calendar No. 220

85TH CONGRESS
1ST SESSION

H. R. 7999

[Report No. 624]

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 1957

Mr. O'BRIEN of New York introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

JUNE 25, 1957

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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A BILL

To provide for the admission of the State of Alaska into the Union.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 8 (c) of this Act, the State of Alaska is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Alaska entitled, "An Act to provide for the holding of a constitutional convention to prepare a constitution for the

State of Alaska; to submit the constitution to the people for adoption or rejection; to prepare for the admission of Alaska as a State; to make an appropriation; and setting an effective date", approved March 19, 1955 (Chapter 46, Session Laws of Alaska, 1955), and adopted by a vote of the people of Alaska in the election held on April 24, 1956, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska.

SEC. 3. The constitution of the State of Alaska shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Act, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights), the right or title to which may

be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation: *Provided*, That nothing contained in this Act shall recognize, deny, enlarge, impair, or otherwise affect any claim against the United States, and any such claim shall be governed by the laws of the United States applicable thereto; and nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that any law applicable thereto authorizes, establishes, recognizes, or confirms the validity or invalidity of any such claim, and the determination of the applicability or effect of any law to any such claim shall be unaffected by anything in this Act: *And provided further*, That no taxes shall be imposed by said State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent as the Congress has prescribed or may hereafter prescribe,

and except when held by individual natives in fee without restrictions on alienation.

SEC. 5. The State of Alaska and its political subdivisions, respectively, shall have and retain title to all property, real and personal, title to which is in the Territory of Alaska or any of the subdivisions. Except as provided in section 6 hereof, the United States shall retain title to all property, real and personal, to which it has title, including public lands.

SEC. 6. (a) For the purposes of furthering the development of and expansion of communities, the State of Alaska is hereby granted and shall be entitled to select, within fifty years after the date of the admission of the State of Alaska into the Union, from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection not to exceed four hundred thousand acres of land, and from the other public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection not to exceed another four hundred thousand acres of land, all of which shall be adjacent to established communities or suitable for prospective community centers and recreational areas. Such lands shall be selected by the State of Alaska with the approval of the Secretary of Agriculture as to national forest lands and with the approval of the Secretary of the Interior as to other public

lands: *Provided,* That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.

(b) The State of Alaska, in addition to any other grants made in this section, is hereby granted and shall be entitled to select, within twenty-five years after the admission of Alaska into the Union, not to exceed one hundred and eighty-two million acres from the public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection: *Provided,* That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the lands so occupied: *And provided further,* That no selection hereunder shall be made in the area north and west of the line described in section 10 without approval of the President or his designated representative.

(c) Block 32, and the structures and improvements thereon, in the city of Juneau are granted to the State of Alaska for any or all of the following purposes or a com-

bination thereof: A residence for the Governor, a State museum, or park and recreational use.

(d) Block 19, and the structures and improvements thereon, and the interests of the United States in blocks C and 7, and the structures and improvements thereon, in the city of Juneau, are hereby granted to the State of Alaska.

(e) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat. 301; 48 U. S. C., secs. 192–211), as amended, and under the provisions of the Alaska commercial fisheries laws of June 26, 1906 (34 Stat. 478; 48 U. S. C., secs. 230–239 and 241–242), and June 6, 1924 (43 Stat. 465; 48 U. S. C., secs. 221–228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: *Provided*, That such transfer shall not include lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife. Sums of money that are available for apportionment or which the Secretary of the Interior shall have apportioned, as of the date the State of Alaska shall be deemed to be ad-

mitted into the Union, for wildlife restoration in the Territory of Alaska, pursuant to section 8 (a) of the Act of September 2, 1937, as amended (16 U. S. C., sec. 669g–1), and for fish restoration and management in the Territory of Alaska, pursuant to section 12 of the Act of August 9, 1950 (16 U. S. C., sec. 777k), shall continue to be available for the period, and under the terms and conditions in effect at the time, the apportionments are made. Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 per centum of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea-otter skins made in accordance with the provisions of the Act of February 26, 1944 (58 Stat. 100; 16 U. S. C., secs. 631a–631q), as supplemented and amended. In arriving at the net proceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the Act of February 26, 1944, as supplemented and amended, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands. Nothing in this Act shall be construed as affecting the rights of the United States under the provisions of the Act of February 26, 1944, as

supplemented and amended, and the Act of June 28, 1937 (50 Stat. 325), as amended (16 U. S. C., sec. 772 et seq.).

(f) Five per centum of the proceeds of sale of public lands lying within said State which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to such sales, shall be paid to said State to be used for the support of the public schools within said State.

(g) Except as provided in subsection (a), all lands granted in quantity to and authorized to be selected by the State of Alaska by this Act shall be selected in such manner as the laws of the State may provide, and in conformity with such regulations as the Secretary of the Interior may prescribe. All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved, and each tract selected shall contain at least five thousand seven hundred and sixty acres unless isolated from other tracts open to selection. The authority to make selections shall never be alienated or bargained away, in whole or in part, by the State. Upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, if subsequent to the admission of Alaska into the Union, during which period the State of Alaska

shall have a preferred right of selection, subject to the requirements of this Act, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation. Such preferred right of selection shall have precedence over the preferred right of application created by section 4 of the Act of September 27, 1944 (58 Stat. 748; 43 U. S. C., sec. 282), as now or hereafter amended, but not over other preference rights now conferred by law. Where any lands desired by the State are unsurveyed at the time of their selection, the Secretary of the Interior shall survey the exterior boundaries of the area requested without any interior subdivision thereof and shall issue a patent for such selected area in terms of the exterior boundary survey; where any lands desired by the State are surveyed at the time of their selection, the boundaries of the area requested shall conform to the public land subdivisions established by the approval of the survey. All lands duly selected by the State of Alaska pursuant to this Act shall be patented to the State by the Secretary of the Interior. Following the selection of lands by the State and the tentative approval of such selection by the Secretary of the Interior or his designee, but prior to the issuance of final patent, the State is hereby authorized to execute conditional leases and to make conditional sales of

such selected lands. As used in this subsection, the words "equitable claims subject to allowance and confirmation" include, without limitation, claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands.

(h) Any lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U. S. C., sec. 432 and following), as amended, shall have the effect of withdrawing the lands subject thereto from selection by the State of Alaska under this Act, unless such lease, permit, license, or contract is in effect on the date of approval of this Act, and unless an application to select such lands is filed with the Secretary of the Interior within a period of five years after the date of the admission of Alaska into the Union. Such selections shall be made only from lands that are otherwise open to selection under this Act, and shall include the entire area that is subject to each lease, permit, license, or contract involved in the selections. Any patent for lands so selected shall vest in the State of Alaska all right, title, and interest of the United States in and to any such lease, permit, license, or contract that remains out-

standing on the effective date of the patent, including the right to all rentals, royalties, and other payments accruing after that date under such lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of such lease, permit, license, or contract: *Provided,* That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

(i) All grants made or confirmed under this Act shall include mineral deposits. The grants of mineral lands to the State of Alaska under subsections (a) and (b) of this section are made upon the express condition that all sales, grants, deeds, or patents for any of the mineral lands so granted shall be subject to and contain a reservation to the State of all of the minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. Mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct: *Provided,* That any lands or minerals hereafter disposed of contrary to the provisions of this section shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States District Court for the District of Alaska.

(j) The schools and colleges provided for in this

Act shall forever remain under the exclusive control of the State, or its governmental subdivisions, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

(k) Grants previously made to the Territory of Alaska are hereby confirmed and transferred to the State of Alaska upon its admission. Effective upon the admission of the State of Alaska into the Union, section 1 of the Act of March 4, 1915 (38 Stat. 1214; 48 U. S. C., sec. 353), as amended, and the last sentence of section 35 of the Act of February 25, 1920 (41 Stat. 450; 30 U. S. C., sec. 191), as amended, are repealed and all lands therein reserved under the provisions of section 1 as of the date of this Act shall, upon the admission of said State into the Union, be granted to said State for the purposes for which they were reserved; but such repeal shall not affect any outstanding lease, permit, license, or contract issued under said section 1, as amended, or any rights or powers with respect to such lease, permit, license, or contract, and shall not affect the disposition of the proceeds or income derived prior to such repeal from any lands reserved under said section 1, as amended, or derived thereafter from any disposition of the

reserved lands or an interest therein made prior to such repeal.

(l) The grants provided for in this Act shall be in lieu of the grant of land for purposes of internal improvements made to new States by section 8 of the Act of September 4, 1841 (5 Stat. 455), and sections 2378 and 2379 of the Revised Statutes (43 U. S. C., sec. 857), and in lieu of the swampland grant made by the Act of September 28, 1850 (9 Stat. 520), and section 2479 of the Revised Statutes (43 U. S. C., sec. 982), and in lieu of the grant of thirty thousand acres for each Senator and Representative in Congress made by the Act of July 2, 1862, as amended (12 Stat. 503; 7 U. S. C., secs. 301–308), which grants are hereby declared not to extend to the State of Alaska.

(m) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Alaska and the said State shall have the same rights as do existing States thereunder.

SEC. 7. Upon enactment of this Act, it shall be the duty of the President of the United States, not later than July 3, 1958, to certify such fact to the Governor of Alaska. Thereupon the Governor, on or after July 3, 1958, and not later than August 1, 1958, shall issue his proclamation for the elections, as hereinafter provided, for officers of all elective

offices and in the manner provided for by the constitution of the proposed State of Alaska, but the officers so elected shall in any event include two Senators and one Representative in Congress.

SEC. 8. (a) The proclamation of the Governor of Alaska required by section 7 shall provide for holding of a primary election and a general election on dates to be fixed by the Governor of Alaska: *Provided,* That the general election shall not be held later than December 1, 1958, and at such elections the officers required to be elected as provided in section 7 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Alaska may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Alaska for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Alaska may prescribe. The Governor of Alaska shall certify the results of said elections to the President of the United States.

(b) At an election designated by proclamation of the Governor of Alaska, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be sub-

mitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) The boundaries of the State of Alaska shall be as prescribed in the Act of Congress approved _____ (date of approval of this Act) and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(2) All provisions of the Act of Congress approved _____ (date of approval of this Act) reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Alaska, ratified by the people at the election held on April 24, 1956, shall be deemed amended accordingly. In the event the foregoing propositions are not adopted at said election by a majority of the legal votes case on said submission, the provisions of this Act shall thereupon cease to be effective.

The Governor of Alaska is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the

people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Alaska, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Alaska, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 7 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Alaska shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union, all of the officers of said Territory, including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Alaska into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State,

and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

(d) Upon admission of the State of Alaska into the Union as herein provided, all of the Territorial laws then in force in the Territory of Alaska shall be and continue in full force and effect throughout said State except as modified or changed by this Act, or by the constitution of the State, or as thereafter modified or changed by the legislature of the State. All of the laws of the United States shall have the same force and effect within said State as elsewhere within the United States. As used in this paragraph, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Alaska) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union, and the term "laws of the United

States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Alaska at the time of the admission of the State of Alaska into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provisions of this Act.

SEC. 9. The State of Alaska upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided,* That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13) nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U. S. C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 10. (a) The President of the United States is hereby authorized to establish, by Executive order or proclamation, one or more special national defense withdrawals within the exterior boundaries of Alaska, which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President.

(b) Special national defense withdrawals established

under subsection (a) of this section shall be confined to those portions of Alaska that are situated to the north or west of the following line: Beginning at the point where the Porcupine River crosses the international boundary between Alaska and Canada; thence along a line parallel to, and five miles from, the right bank of the main channel of the Porcupine River to its confluence with the Yukon River; thence along a line parallel to, and five miles from, the right bank of the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160 degrees west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along a line parallel to, and five miles from the right bank of the Kuskokwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162 degrees 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 57 degrees 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156 degrees west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50 degrees north.

(c) Effective upon the issuance of such Executive order or proclamation, exclusive jurisdiction over all special national defense withdrawals established under this section is

hereby reserved to the United States, which shall have sole legislative, judicial, and executive power within such withdrawals, except as provided hereinafter. The exclusive jurisdiction so established shall extend to all lands within the exterior boundaries of each such withdrawal, and shall remain in effect with respect to any particular tract or parcel of land only so long as such tract or parcel remains within the exterior boundaries of such a withdrawal. The laws of the State of Alaska shall not apply to areas within any special national defense withdrawal established under this section while such areas remain subject to the exclusive jurisdiction hereby authorized: *Provided, however,* That such exclusive jurisdiction shall not prevent the execution of any process, civil or criminal, of the State of Alaska, upon any person found within said withdrawals: *And provided further,* That such exclusive jurisdiction shall not prohibit the State of Alaska from enacting and enforcing all laws necessary to establish voting districts, and the qualification and procedures for voting in all elections.

(d) During the continuance in effect of any special national defense withdrawal established under this section, or until the Congress otherwise provides, such exclusive jurisdiction shall be exercised within each such withdrawal in accordance with the following provisions of law:

(1) All laws enacted by the Congress that are of general

application to areas under the exclusive jurisdiction of the United States, including, but without limiting the generality of the foregoing, those provisions of title 18, United States Code, that are applicable within the special maritime and territorial jurisdiction of the United States as defined in section 7 of said title, shall apply to all areas within such withdrawals.

(2) In addition, any areas within the withdrawals that are reserved by Act of Congress or by Executive action for a particular military or civilian use of the United States shall be subject to all laws enacted by the Congress that have application to lands withdrawn for that particular use, and any other areas within the withdrawals shall be subject to all laws enacted by the Congress that are of general application to lands withdrawn for defense purposes of the United States.

(3) To the extent consistent with the laws described in paragraphs (1) and (2) of this subsection and with regulations made or other actions taken under their authority, all laws in force within such withdrawals immediately prior to the creation thereof by Eexecutive order or proclamation shall apply within the withdrawals and, for this purpose, are adopted as laws of the United States: *Provided, however,* That the laws of the State or Territory relating to the organi-

zation or powers of municipalities or local political subdivisions, and the laws or ordinances of such municipalities or political subdivisions shall not be adopted as laws of the United States.

(4) All functions vested in the United States commissioners by the laws described in this subsection shall continue to be performed within the withdrawals by such commissioners.

(5) All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporation, district, or other subdivision, and the laws of the State or the laws or ordinances of such municipalities or local political subdivision shall remain in full force and effect notwithstanding any withdrawal made under this section.

(6) All other functions vested in the government of Alaska or in any officer or agency thereof, except judicial functions over which the United States District Court for the District of Alaska is given jurisdiction by this Act or other provisions of law, shall be performed within the withdrawals by such civilian individuals or civilian agencies and in such manner as the President shall from time to time, by Executive order, direct or authorize.

(7) The United States District Court for the District of

Alaska shall have original jurisdiction, without regard to the sum or value of any matter in controversy, over all civil actions arising within such withdrawals under the laws made applicable thereto by this subsection, as well as over all offenses committed within the withdrawals.

(e) Nothing contained in subsection (d) of this section shall be construed as limiting the exclusive jurisdiction established in the United States by subsection (c) of this section or the authority of the Congress to implement such exclusive jurisdiction by appropriate legislation, or as denying to persons now or hereafter residing within any portion of the areas described in subsection (b) of this section the right to vote at all elections held within the political subdivisions as prescribed by the State of Alaska where they respectively reside, or as limiting the jurisdiction conferred on the United States District Court for the District of Alaska by any other provision of law, or as continuing in effect laws relating to the Legislature of the Territory of Alaska. Nothing contained in this section shall be construed as limiting any authority otherwise vested in the Congress or the President.

SEC. 11. (a) Nothing in this Act shall affect the establishment, or the right, ownership, and authority of the United States in Mount McKinley National Park, as now or hereafter constituted; but exclusive jurisdiction, in all cases, shall be exercised by the United States for the national

park, as now or hereafter constituted; saving, however, to the State of Alaska the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing now or hereafter in such area the right to vote at all elections held within the respective political subdivisions of their residence in which the park is situated.

(b) Notwithstanding the admission of the State of Alaska into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are owned by the United States and held for military, naval, Air Force, or Coast Guard purposes, including naval petroleum reserve numbered 4, whether such lands were acquired by cession and transfer to the United States by Russia and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Alaska for the

use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided,* (i) That the State of Alaska shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Alaska, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall rest and remain in the United States only so long as the particular tract or parcel of land involved is owned by the United States and used for military, naval, Air Force, or Coast Guard purposes. The provisions of this subsection shall not apply to lands within such special national defense withdrawal or withdrawals as may be established pursuant to section 10 of this Act until

such lands cease to be subject to the exclusive jurisdiction reserved to the United States by that section.

SEC. 12. Effective upon the admission of Alaska into the Union—

(a) The analysis of chapter 5 of title 28, United States Code, immediately preceding section 81 of such title, is amended by inserting immediately after and underneath item 81 of such analysis, a new item to be designated as item 81A and to read as follows:

"81A. Alaska";

(b) Title 28, United States Code, is amended by inserting immediately after section 81 thereof a new section, to be designated as section 81A, and to read as follows:

"§ 81A. Alaska

"Alaska constitutes one judicial district.

"Court shall be held at Anchorage, Fairbanks, Juneau, and Nome.";

(c) Section 133 of title 28, United States Code, is amended by inserting in the table of districts and judges in such section immediately above the item: "Arizona * * * 2", a new item as follows: "Alaska * * * 1";

(d) The first paragraph of section 373 of title 28, United States Code, as heretofore amended, is further amended by striking out the words: "the District Court for the Territory of Alaska,": *Provided,* That the amendment

made by this subsection shall not affect the rights of any judge who may have retired before it takes effect;

(e) The words "the District Court for the Territory of Alaska," are stricken out wherever they appear in sections 333, 460, 610, 753, 1252, 1291, 1292, and 1346 of title 28, United States Code;

(f) The first paragraph of section 1252 of title 28, United States Code, is further amended by striking out the word "Alaska," from the clause relating to courts of record;

(g) Subsection (2) of section 1294 of title 28, United States Code, is repealed and the later subsections of such section are renumbered accordingly;

(h) Subsection (a) of section 2410 of title 28, United States Code, is amended by striking out the words: "including the District Court for the Territory of Alaska,";

(i) Section 3241 of title 18, United States Code, is amended by striking out the words: "District Court for the Territory of Alaska, the";

(j) Subsection (e) of section 3401 of title 18, United States Code, is amended by striking out the words: "for Alaska or";

(k) Section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska,";

(l) Section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska,";

(m) Section 2072 of title 28, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "and of the District Court for the Territory of Alaska";

(n) Subsection (q) of section 376 of title 28, United States Code, is amended by striking out the words: "the District Court for the Territory of Alaska,": *Provided,* That the amendment made by this subsection shall not affect the rights under such section 376 of any present or former judge of the District Court for the Territory of Alaska or his survivors;

(o) The last paragraph of section 1963 of title 28, United States Code, is repealed;

(p) Section 2201 of title 28, United States Code, is amended by striking out the words: "and the District Court for the Territory of Alaska"; and

(q) Section 4 of the Act of July 28, 1950 (64 Stat. 380; 5 U. S. C., sec. 341b) is amended by striking out the word: "Alaska,".

SEC. 13. No writ, action, indictment, cause, or proceeding pending in the District Court for the Territory of

Alaska on the date when said Territory shall become a State, and no case pending in an appellate court upon appeal from the District Court for the Territory of Alaska at the time said Territory shall become a State, shall abate by the admission of the State of Alaska into the Union, but the same shall be transferred and proceeded with as hereinafter provided.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Alaska in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said courts had been established prior to the accrual of said causes of action or the commission of such offenses; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Alaska.

SEC. 14. All appeals taken from the District Court for the Territory of Alaska to the Supreme Court of

the United States or the United States Court of Appeals for the Ninth Circuit, previous to the admission of Alaska as a State, shall be prosecuted to final determination as though this Act had not been passed. All cases in which final judgment has been rendered in such district court, and in which appeals might be had except for the admission of such State, may still be sued out, taken, and prosecuted to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit under the provisions of then existing law, and there held and determined in like manner; and in either case, the Supreme Court of the United States, or the United States Court of Appeals, in the event of reversal, shall remand the said cause to either the State supreme court or other final appellate court of said State, or the United States district court for said district, as the case may require: *Provided,* That the time allowed by existing law for appeals from the district court for said Territory shall not be enlarged thereby.

SEC. 15. All causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State which are of such nature as to be within the jurisdiction of a district court of the United States shall be transferred to the United States District Court for the District of Alaska for final disposition and enforcement

in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts. All other causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State shall be transferred to the appropriate State court of Alaska. All final judgments and decrees rendered upon such transferred cases in the United States District Court for the District of Alaska may be reviewed by the Supreme Court of the United States or by the United States Court of Appeals for the Ninth Circuit in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts.

SEC. 16. Jurisdiction of all cases pending or determined in the District Court for the Territory of Alaska not transferred to the United States District Court for the District of Alaska shall devolve upon and be exercised by the courts of original jurisdiction created by said State, which shall be deemed to be the successor of the District Court for the Territory of Alaska with respect to cases not so transferred and, as such, shall take and retain custody of all records, dockets, journals, and files of such court pertaining to such cases. The files and papers in all cases so transferred to the United States district court, together with a transcript of all book entries to complete the record in such particular cases

so transferred, shall be in like manner transferred to said district court.

SEC. 17. All cases pending in the District Court for the Territory of Alaska at the time said Territory becomes a State not transferred to the United States District Court for the District of Alaska shall be proceeded with and determined by the courts created by said State with the right to prosecute appeals to the appellate courts created by said State, and also with the same right to prosecute appeals or writs of certiorari from the final determination in said causes made by the court of last resort created by such State to the Supreme Court of the United States, as now provided by law for appeals and writs of certiorari from the court of last resort of a State to the Supreme Court of the United States.

SEC. 18. The provisions of the preceding sections with respect to the termination of the jurisdiction of the District Court for the Territory of Alaska, the continuation of suits, the succession of courts, and the satisfaction of rights of litigants in suits before such courts, shall not be effective until three years after the effective date of this Act, unless the President, by Executive order, shall sooner proclaim that the United States District Court for the District of Alaska,

established in accordance with the provisions of this Act, is prepared to assume the functions imposed upon it. During such period of three years or until such Executive order is issued, the United States District Court for the Territory of Alaska shall continue to function as heretofore. The tenure of the judges, the United States attorneys, marshals, and other officers of the United States District Court for the Territory of Alaska shall terminate at such time as that court shall cease to function as provided in this section.

SEC. 19. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "When the State of Alaska or any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its

district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

SEC. 20. Section 2 of the Act of October 20, 1914 (38 Stat. 742; 48 U. S. C., sec. 433), is hereby repealed.

SEC. 21. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

SEC. 22. Section 101 (a) (36) of the Immigration and Nationality Act (66 Stat. 170, 8 U. S. C., sec. 1101 (a) (36)) is amended by deleting the word "Alaska,".

SEC. 23. The first sentence of section 212 (d) (7) of the Immigration and Nationality Act (66 Stat. 188, 8 U. S. C., sec. 1182 (d) (7)) is amended by deleting the word "Alaska,".

SEC. 24. Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 304 of the Immigration and Nationality Act (66 Stat. 237, 8 U. S. C., sec. 1404).

SEC. 25. The first sentence of section 310 (a) of the Immigration and Nationality Act (66 Stat. 239, 8 U. S. C., sec. 1421 (a)) is amended by deleting the words "District Courts of the United States for the Territories of Hawaii and Alaska" and substituting therefor the words "District Court of the United States for the Territory of Hawaii".

SEC. 26. Section 344 (d) of the Immigration and Nationality Act (66 Stat. 265, 8 U. S. C., sec. 1455 (d)) is amended by deleting the words "in Alaska and".

SEC. 27. The third proviso in section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C., sec. 883), is further amended by striking out the word "excluding" and inserting in lieu thereof the word "including".

SEC. 28. (a) The last sentence of section 9 of the Act entitled "An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes", approved October 20, 1914 (48 U. S. C. 439), is hereby amended to read as follows: "All net profits from operation of Government mines, and all bonuses, royalties, and rentals under leases as herein provided and all other payments received under this Act shall be distributed as follows as soon as practicable after December 31 and June 30 of each year: (1) 90 per centum thereof shall be paid by the Secretary of the Treasury to the State of Alaska for disposi-

tion by the legislature thereof; and (2) 10 per centum shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts."

(b) Section 35 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (30 U. S. C. 191), is hereby amended by inserting immediately before the colon preceding the first proviso thereof the following: ", and of those from Alaska 52½ per centum thereof shall be paid to the State of Alaska for disposition by the legislature thereof".

SEC. 29. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, 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 any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

SEC. 30. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Union Calendar No. 220

85TH CONGRESS
1ST SESSION

H. R. 7999

[Report No. 624]

A BILL

To provide for the admission of the State of Alaska into the Union.

By Mr. O'BRIEN of New York

JUNE 7, 1957

Referred to the Committee on Interior and Insular Affairs

JUNE 25, 1957

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 22, 1958
For actions of May 21, 1958
85th-2d, No. 80

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HIGHLIGHTS: See page 6.

HOUSE - May 21, 1958

1. APPROPRIATIONS. Received the conference report on H. R. 10746, the Interior appropriation bill for 1959, which includes Forest Service items (H. Rept. 1757). (pp. 8253-54, 8306) See table at the end of this Digest for information regarding Forest Service items, and excerpts from the conference report.

2. WOOL. The "Daily Digest" states as follows: "Committee on Agriculture: Subcommittee on Livestock and Feed Grains favorably reported to the full committee a committee print to extend the National Wool Act for 3 years, the provisions thereof to be included in an omnibus farm bill." p. D447

3. STATEHOOD. Agreed, 217 to 172, to a motion by Rep. Aspinall to begin consideration of H. R. 7999, the Alaska statehood bill, after the Speaker overruled a point of order by Rep. Cannon that the bill was not a privileged matter and the motion was out of order. pp. 8254-73

4. POSTAL RATES. Received the conference report on H. R. 5836, the postal rate and pay increase bill (H. Rept. 1760). (pp. 8274-93, 8307) Rep. McCormack announced that the conference report will be considered today, May 22. (p. 8293)

5. TRADE AGREEMENTS. The Ways and Means Committee reported without amendment H. R. 12591, to extend the authority of the President to enter into trade agreements (H. Rept. 1761). p. 8307

6. BUILDING SPACE. The Government Operations Committee ordered reported with amendment S. 2533, to authorize GSA to lease space for Federal agencies. p. D447

7. PERSONNEL. The Government Operations Committee ordered reported H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage. p. D447

8. LANDS. The Interior and Insular Affairs Committee ordered reported H. R. 6074 and H. R. 6075, to provide for the acquisition of lands for the U. S. required for the reservoirs created by the construction of the Randall and Oahe Dams on the Missouri River. p. D448

9. MUTUAL SECURITY. Received from the Manager, Development Loan Fund, letters relative to the establishment of loans in various amounts, pursuant to title II of the Mutual Security Act of 1954, for several foreign countries. p. 8306

SENATE

10. REA. Sen. Humphrey criticized the Secretary's actions under Reorganization Plan No. 2 of 1953 and asserted that they made the REA Administrator a figurehead. He announced that his Reorganization Subcommittee would hold hearings on this matter. He criticized Administration proposals on REA financing and inserted various resolutions from rural electric ass'ns opposing any increase in REA interest rates and articles from Rural Electrification magazine opposing such increases. pp. 8219-25

11. FARM PRICES. Sen. Johnston stated that cotton farmers were in difficulties and that the Administration had not "followed through" on recommendations of the Commission on Increased Industrial Uses, and urged the Senate to vote to repass the freeze measure over the President's veto. pp. 8233-4

12. SEEDS. Passed without amendment S. 1939, to make various amendments to the Federal Seed Act. pp. 8211-12

13. WEED CONTROL. Passed without amendment S. 3861, to provide for the control of noxious weeds on Federal lands. p. 8211

14. LIVESTOCK DISEASES. Passed without amendment S. 3076, to authorize the transportation in the U. S. of live foot-and-mouth disease virus for research purposes. p. 8211

Passed without amendment S. 3478, to insure the maintenance of an adequate supply of anti-hog-cholera serum and hog-cholera virus. pp. 8210-11

15. RICE. Passed as reported H. R. 8490, to make two technical adjustments in the law relating to rice acreage allotments, to provide for reassignment of such allotments when the lands on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties. pp. 8234-5

House of Representatives

WEDNESDAY, MAY 21, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Romans 8: 31: *If God be for us, who can be against us?*

Eternal God, our Father, Thou art the wise Holy One, the supreme source and answer to our deepest longings and loftiest aspirations.

We humbly acknowledge that the forces of evil, which are arrayed against us, are terrible but not too terrible for Thy divine righteousness and power.

Thou alone can'st lift our minds and hearts out of the darkest fears and lead us into the light and liberty of Thy presence and peace.

Inspire us with a greater faith in the coming of the golden age when weary and heavy laden humanity shall find their rest in Thee.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

DEPARTMENT OF INTERIOR APPROPRIATION BILL—CONFERENCE REPORT

Mr. KIRWAN submitted the following conference report and statement on the bill (H. R. 10746) making appropriations for the Department of the Interior and related agencies:

CONFERENCE REPORT (H. REPT. No. 1757)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10746) "making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1959, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 32, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 7, 8, 9, 10, 12, 15, 16, 19, 23, 24, 25, 31, and 34, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$525,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,800,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,190,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$58,139,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$26,000,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,175,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$20,000,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$75,107,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,678,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,720,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$100,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$26,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 14, 18, and 22.

MICHAEL J. KIRWAN,
W. F. NORRELL,
A. D. SIEMINSKI,
DON MAGNUSON,
CLARENCE CANNON,
BEN F. JENSEN,
HAMER H. BUDGE,
JOHN TABER,
Managers on the Part of the House.

CARL HAYDEN,
DENNIS CHAVEZ,
WARREN G. MAGNUSON,
SPESSARD L. HOLLAND,
KARL E. MUNDT,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10746) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1959, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

Departmental offices

Office of Saline Water

Amendment No. 1: Appropriates $825,000 as proposed by the Senate instead of $785,000 as proposed by the House.

Office of Oil and Gas

Amendment No. 2: Appropriates $525,000 instead of $550,000 as proposed by the Senate and $500,000 as proposed by the House.

Office of the Solicitor

Amendment No. 3: Appropriates $2,800,000 instead of $2,825,000 as proposed by the Senate and $2,750,000 as proposed by the House.

Acquisition of Strategic Minerals

Amendment No. 4: Appropriates $3,200,000 as proposed by the Senate to continue the acquisition of asbestos and fluorspar to December 31, 1958, under the provisions of Public Law 733, 84th Congress.

Bureau of Land Management

Amendment No. 5: Inserts language proposed by the Senate to conform with the authorizing legislation.

Amendment No. 6: Appropriates $22,190,000 for management of lands and resources instead of $22,940,000 as proposed by the Senate and $20,940,000 as proposed by the House. Of the increase provided over the House bill $250,000 is for strengthening fire control operations in Alaska and $500,000 is for the weed-control program on public lands including adequate funds to take immediate action to reseed those areas in Idaho that are serving as host plants for the beet leafhopper.

Amendments Nos. 7, 8, and 9: Insert language proposed by the Senate to conform with the authorizing legislation.

Amendment No. 10: Appropriates $4,685,000 for construction as proposed by the Senate instead of $4,435,000 as proposed by the House.

Bureau of Indian Affairs

Amendment No. 11: Appropriates $58,139,000 for education and welfare services instead of $58,809,000 as proposed by the Senate and $57,469,000 as proposed by the House.

Amendment No. 12: Appropriates $18,100,000 for resources management as proposed by the Senate instead of $17,000,000 as proposed by the House.

Amendment No. 13: Appropriates $26,000,000 for construction instead of $40,571,000 as proposed by the Senate and $13,800,000 as proposed by the House. The increase provided over the House bill shall be applied to the items listed in the Senate report.

Amendment No. 14: Reported in disagreement. The managers on the part of the House will offer a motion to insert language making available not to exceed $12,000 for payment to the North Dakota State Water Conservation Commission for the construction of culverts at Zeibaugh Pass, N. Dak. The conferees are in agreement that this amount shall be matched with a like amount by the State to provide a total of $24,000 for the project.

Geological Survey

Amendments Nos. 15 and 16: Appropriate $36,915,000 as proposed by the Senate instead of $36,000,000 as proposed by the House.

Amendment No. 17: Permits purchase of 92 passenger motor vehicles for replacement only as proposed by the House instead of 112 as proposed by the Senate.

Bureau of Mines

Amendment No. 18: Reported in disagreement.

National Park Service

Amendment No. 19: Appropriates $14,632,000 for management and protection as proposed by the Senate instead of $14,150,000 as proposed by the House.

Amendment No. 20: Appropriates $12,175,000 for maintenance and rehabilitation of physical facilities instead of $12,750,000 as proposed by the Senate and $11,600,000 as proposed by the House.

Amendment No. 21: Appropriates $20,000,000 for construction instead of $24,000,000 as proposed by the Senate and $12,400,000 as proposed by the House. The increase provided over the House bill shall be applied to the items listed in the Senate report.

Amendment No. 22: Reported in disagreement.

Fish and Wildlife Service

Bureau of Sport Fisheries and Wildlife

Amendment No. 23: Appropriates $11,616,000 for management and investigations of resources as proposed by the Senate instead of $11,508,000 as proposed by the House.

Amendment No. 24: Appropriates $3,929,350 for construction as proposed by the Senate instead of $1,458,000 as proposed by the House.

Office of Territories

Alaska public works

Amendment No. 25: Appropriates $5,300,000 as proposed by the Senate instead of $4,000,000 as proposed by the House.

TITLE II—RELATED AGENCIES

Department of Agriculture

Forest Service

Amendment No. 26: Appropriates $75,107,000 for forest land management instead of $81,357,000 as proposed by the Senate and $68,857,000 as proposed by the House. The portion of the increase over the House bill allocated to structural improvements shall be applied primarily to facilities for other than employee housing. The increase allowed includes $250,000 for additional forest fire protection in southern California.

Amendment No. 27: Appropriates $15,678,000 for forest research instead of $16,728,000 as proposed by the Senate and $12,128,000 as proposed by the House. Of the increase provided over the House bill $2,500,000 is for the construction of research facilities as itemized in the Senate report. The conferees are in agreement that proper attention should be given to the Dutch elm disease problem in cooperation with the Agricultural Research Service. None of the increase above the House bill is for the Forest Products Laboratory, Madison, Wis.

Amendment No. 28: Appropriates $12,720,000 for State and private forestry cooperation instead of $13,245,000 as proposed by the Senate and $12,195,000 as proposed by the House.

Amendment No. 29: Provides a limitation of $100,000 for the acquisition of sites instead of $150,000 as proposed by the Senate and $50,000 as proposed by the House.

Amendment No. 30: Appropriates $26 million for forest roads and trails instead of $27 million as proposed by the Senate and $23,750,000 as proposed by the House.

Amendment No. 31: Inserts language proposed by the Senate providing that these funds may be used for liquidation of obligations incurred pursuant to the contract authority in the Federal-Aid Highway Acts of 1956 and 1958. It is the intent of the conferees of both Houses that the amount appropriated herein shall be used solely for liquidation of obligations incurred under such contract authority.

Amendment No. 32: Deletes language inserted by the Senate appropriating $500,000 for assistance to States for tree planting under section 401 of the Agricultural Act of 1956.

Amendment No. 33: Deletes language inserted by the Senate appropriating $300,000 for acquisition of lands for the Superior National Forest.

Amendment No. 34: Eliminates, as proposed by the Senate, language limitation on the cost of buildings and improvements.

MICHAEL J. KIRWAN,
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JOHN TABER,
Managers on the Part of the House.

CALL OF THE HOUSE

Mr. JACKSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 61]

Bray	Fenton	Radwan
Buckley	Granahan	Rivers
Burdick	Gregory	Scott, N. C.
Carnahan	Gross	Scott, Pa.
Christopher	Hays, Ark.	Sheppard
Clark	Henderson	Shuford
Colmer	Hillings	Sieminski
Davis, Tenn.	James	Spence
Dent	Jenkins	Steed
Dies	Kearney	Trimble
Dowdy	Knutson	Watts
Durham	Lennon	Willis
Eberharter	Morris	Wilson, Calif.
Engle	Nimtz	
Fascell	Powell	

The SPEAKER. On this rollcall, 385 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ADMISSION OF ALASKA INTO THE UNION

Mr. ASPINALL. Mr. Speaker, by direction of the Committee on Interior and Insular Affairs and pursuant to rule XI, clause 20, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 days, one-half to be controlled by the gentleman from Nebraska [Mr. MILLER] and one-half by the gentleman from New York [Mr. O'BRIEN].

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. ASPINALL] to limit general debate on the bill?

Mr. CANNON. Mr. Speaker, I desire to submit a point of order.

The SPEAKER. Does the gentleman object to the unanimous consent request as to the division of the time?

Mr. MASON. Mr. Speaker, I object.

Mr. SMITH of Virginia. Mr. Speaker, I object.

Mr. CANNON. Mr. Speaker, I want to submit a point of order at this time that the bill is not privileged and, therefore, the motion that the House resolve itself into the Committee of the Whole House on the State of the Union is not in order at this time.

The SPEAKER. The Chair will hear the gentleman.

Mr. CANNON. Mr. Speaker, if this bill, H. R. 7999, is privileged at all, it is privileged under clause 20 of rule XI, authorizing the Committee on Interior and Insular Affairs to bring in a bill for admission of a new State. It must conform in every respect to the rule, or its privilege is destroyed.

But, Mr. Speaker, this bill contains matter that is not privileged and under the very familiar rule with which all of us are thoroughly cognizant, the presence of unprivileged matter in a bill destroys the privilege of the bill. This bill carries provisions which are not privileged and, therefore, the entire bill is unprivileged and the committee has no authority to bring it to the floor at this time or in this manner.

For example, Mr. Speaker, the bill, although reported out by a legislative committee, carries appropriations.

Lines 9 to 17 provide for payment of moneys, which under title 16; United States Code, section 631 (e), would otherwise be covered into the Public Treasury. Lines 3 to 8 of page 8 of the bill provide for payment to "said State" of certain proceeds which otherwise, under title 48, United States Code, section 306, would go into miscellaneous receipts of the Treasury. Section 28 (a) of the bill requires the payment to the Treasury of Alaska of funds which otherwise would be deposited in the Treasury of the United States, title 48, United States Code, sec-

tion 439. And on the last page of the bill lines 7 to 11 require payment of Federal funds to the State of Alaska.

I am certain that no one on this floor will deny that these provisions are wholly without privilege and under the rules of the House have no place in any legislative bill. One unprivileged matter in a privileged bill destroys the privilege of the entire bill. Any one of these unprivileged provisions destroys any privilege the bill might otherwise possess. That is self-evident. This is clearly appropriating language and is, therefore, not in order on a legislative bill.

It will be argued, Mr. Speaker, possibly in the citation which has just been laid before the Speaker that under the rule giving privilege to certain bills reported from the Committee on Interior and Insular Affairs, nonprivileged matters included as necessary to the accomplishment of the purpose for which privilege is given are in order. But note, Mr. Speaker, the significant word "necessary." Any such nonprivileged material, in order to qualify under this decision, must be "necessary"—must be necessary to the accomplishment of the purpose of the bill.

Conversely, under the same rule, Mr. Speaker, matters which are not privileged and which are not necessary to the accomplishment of the purpose destroy the privilege of the bill. And again I emphasize the word "necessary."

Are any of these unprivileged provisions—or all of them—necessary. Are they necessary to the act of admission? Are they essentially accessory? Are all of them—or any one of them—necessary? Are they necessary in order to confer statehood under this bill?

Mr. Speaker no one can successfully contend that any of them are necessary in order to accomplish the purpose of the bill.

Therefore, it follows that being unprivileged—which no one will deny—and not being necessary to accomplish the act—which no one will affirm—they destroy the privilege of this bill and it cannot be brought to the floor by the Committee on Interior and Insular Affairs under the rule cited by the gentleman here this afternoon.

Page after page in this bill can be cited in which there are unprivileged matters and which cannot be admitted under the theory that they are incident to the accomplishment of the purpose; that they are accessory to the purpose which the bill purports to accomplish.

I hope I may have the attention of the Speaker who has looked all along as if he had made up his mind and was not going to change it. I trust he will give attention with an open mind.

Mr. Speaker, I ask you: Who is there who will say here this afternoon that the making of all these appropriations and the many other unprivileged provisions embodied in this reprehensible bill are necessary—necessary, Mr. Speaker—to the purpose of conferring statehood as provided by this bill?

There are many other nonprivileged provisions of the bill that might be cited—although they are incident—which are not necessary to the accomplishment of the objective from which the bill would otherwise derive its privilege; and being unprivileged the rule and the precedents conversely make this bill unprivileged.

This is an iniquitous bill. It is loaded with unprivileged matter—matter wholly unnecessary to the accomplishment of the act of conferring statehood. And it seeks to give away under guise of a privileged bill such vast amounts of property as have never been given away in the history of the admission of any State to the Union. And for that reason, because they are unprivileged and because they are not necessary to accomplishment of the privileged purposes of the bill, this whole bill is unprivileged and this committee has no right to report it to the House at this time.

The SPEAKER. The gentleman from Colorado [Mr. ASPINALL] is recognized.

Mr. ASPINALL. Mr. Speaker, speaking in opposition to the position taken by the gentleman from Missouri [Mr. CANNON], who is known for his great talent in such matters as this, I wish to state first that this bill is brought up at this time under rule 11, clause 20, of the Rules of the House of Representatives. This particular area is of jurisdiction now given to the Committee on Interior and Insular Affairs and not to the Committee on Public Lands. It is under that rule that we proceed today.

The gentleman from Missouri [Mr. CANNON] has made two objections to the bringing up of the bill at this time. One is that this is not an admission bill, and the second is that it contains unprivileged matters.

Mr. Speaker, the objection that the bill is not an admission bill and, therefore, could not qualify under the rule I have cited is not tenable. H. R. 7999 is the last step in the congressional process. No further action by the House will be required. All that is required is an election by which the qualified voters of Alaska agree to accept the boundaries of the State as fixed in H. R. 7999, and consent to the various reservations of rights and powers as set out in the bill. If, as expected, the election is in favor of this proposition, the President will so proclaim.

The pattern set out in the bill in this respect is very similar to that which has been employed in other admission cases. The provision of rule II, with which we are here concerned, was first adopted in 1890.

The best index that we have to its meaning and proper construction is what the Congress was familiar with at the time of its first adoption.

Twenty-nine States were admitted to the Union after its formation and before 1890. Nine of these were in the period 1860 to 1889. Of these 9 only 1, Kansas in 1861, was a simple, complete, outright admission. In all other eight cases, West Virginia, Nebraska, Nevada, Colorado, North Dakota, South Dakota, Montana, and Washington, congressional action was completed in the same way as provided in H. R. 7999 for Alaska, but it was left to the President to proclaim that the conditions attached to the admission had been met by the local electorate or the local legislature.

These nine cases were those with which the Members of the 51st Congress were most familiar when they voted on the adoption of the rule with which we are now concerned. It makes little sense to say that they adopted a rule which did not cover 8 of the 9 admissions that had occurred in the immediately preceding years. It makes no sense to say that the 51st Congress regarded the bills which laid the groundwork for admitting these States as not being admission bills.

This is the background of rule XI, clause 20. We would be doing ourselves and our predecessors an injustice to urge that H. R. 7999 does not come within the privilege granted by it.

In answer to the gentleman's second objection, an examination of the bill will dispel that it contains so-called unprivileged matter which would permit a point of order to be upheld.

Moreover, I call attention to section 4637 in volume 4 of Hinds' Precedents where it is made clear that:

> The rule giving privilege to reports from the Committee on Public Lands (a predecessor of the present Committee on Interior and Insular Affairs) permits the including of matters necessary to accomplishment of the purposes for which privilege is given.

I call attention also to Mr. Speaker Reed's observation in dealing with another bill——

Mr. CANNON. Mr. Speaker, if the gentleman will yield, I hope the gentleman will emphasize the word "necessary"——

Mr. ASPINALL. Mr. Speaker, I refuse to yield.

The SPEAKER. The gentleman from Colorado has not yielded yet.

Mr. ASPINALL. Mr. Speaker, I call attention also Mr. Speaker Reed's observation dealing with another bill reported from the same committee—volume IV, section 4638—that the provision giving privilege to its reports "has always had a liberal construction."

And I point out that our committee is given the same latitude in reporting "bills for the admission of new States" that the Committee on Ways and Means is given with respect to "bills raising revenue."

Mr. Speaker Longworth said with respect to the latter—volume VIII, section 2284:

> If a major feature of a bill reported from the Ways and Means Committee relates to revenue the bill is privileged, and matters accompanying the bill not strictly raising revenue but incidental to its main purpose do not destroy this privilege.

The reason for all this is obvious. The privilege is not to be whittled away by a niggardly approach to it. It has been granted for a purpose and it must be read with that purpose in mind. The purpose is to permit consideration of matters of transcendent importance to be expedited, to prevent them from being bottled up behind matters of less consequence, and to assure that they are not defeated through sheer inability to move the machinery which is an inescapable part of the legislative process for run-of-the-mine bills.

Let us look at H. R. 7999 in the light of the pronouncements I quoted before, in the light of the usual requirements of germaneness and relevancy, and in the light of the standard contents of

bills for the admission of new States to the Union.

To put the matter briefly, H. R. 7999 covers three subjects:

First. Those describing the territorial boundaries of the new States; providing that its constitution shall always be republican in form and consonant with the Constitution of the United States and the Declaration of Independence; and setting out the procedural steps to be followed before the President proclaims its admission to the Union.

Second. Those providing, so to speak, the new State's dowry, and requiring it to disclaim any right, title or interest in any Federal property which is not given to it.

And may I call the Speaker's attention to the fact that the State of Wyoming was admitted under the same privileged rule, although the bill admitting the Territory of Wyoming to statehood provided means of appropriation and provided that 5 percent of the proceeds from the sale of public lands should go to the State. The Wyoming bill appropriated $30,000 to defray the cost of a State constitutional convention.

In other words, the question of appropriation may be a question of degree, but it does not destroy the privileged right that the bill has.

Third. Those that will provide for a smooth transition from the status of Territory to that of State, namely, (a) the continued effectiveness of already enacted laws until they are displaced by other legislation; (b) the nonabatement of pending litigation and causes of action; (c) the continuation in office of officials until new ones are chosen and the holding of the first election of the new State's congressional delegation; (d) the adjustment of certain Federal statutes to the new status of Alaska—for example, the statutes dealing with the judicial system, the Federal Reserve System, and immigration and nationality matters.

Some of these may differ in degree, but they do not differ in kind from the many earlier bills for the admission of States. All of these provisions, I contend, are completely germane to the subject of Alaska as a State.

Mr. Speaker, there are other data and precedents which I might offer for the purpose of showing that many of the various provisions in former bills are included in this bill; that there are, in fact, some new provisions in this bill, but it is simply because of the fact that Alaska is now asking for statehood at a later time when these provisions are germane to any bill proposing statehood.

Mr. TABER. Mr. Speaker, I would like to be heard for a moment on this.

Mr. Speaker, it does not appear that in any of those cases that were cited by the gentleman from Colorado this question that he has raised with reference to the things that might be included was raised or ruled on in a privileged bill of this character.

Mr. Speaker, this bill contains, as the gentleman from Missouri has so ably said, numbers of appropriations. For instance, on page 7, commencing on line 8, there is a direction annually to turn over to the State "70 percent of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea otter skins * * *." The same sort of thing applies to every bit of that operation. The bill itself contains all sorts of matters which are in violation of clause 4, rule 21, of the House, limiting the reporting of appropriations to the Committee on Appropriations. I do not believe that anyone could say that these appropriations could stay in the bill because of the fact that they are being reported in a bill providing for statehood. No incidentals of that character are allowed.

I think perhaps the point of order should be supplemented with the language that "it contains appropriations," and that question, under clause 4, rule 21, can be raised at any time. It seems to me that the point of order that the gentleman from Missouri has made should be sustained.

There are a very considerable number of decisions in section 738 of the manual on privileged questions. The presence of matter not privileged with privileged matter destroys the privileged character of the bill, and there are 7 or 8 different decisions, all of which sustain that position cited at that point.

Mr. Speaker, it seems to me that this point of order should be sustained.

Mr. SMITH of Virginia. Mr. Speaker——

The SPEAKER. Does the gentleman from Virginia desire to be heard?

Mr. SMITH of Virginia. Yes, Mr. Speaker; I would like to be heard on the points of order. In the meantime, Mr. Speaker, I reserve all other points of order against the bill and I should like at this time to make one more point of order directed to the language on page 11, line 10, which reads as follows:

> All grants made or confirmed under this act shall include mineral deposits.

Mr. Speaker, the question which was presented by the gentleman from Missouri [Mr. CANNON] is a very simple question. As a matter of fact, two points of order have been raised and I want to address myself first to the point of order which the gentleman from Missouri raised first; that is, that this bill contains an appropriation, and the language, therefore, is not in order in a legislative bill. The language reads as follows:

> Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 percent of the net proceeds, etc.

That might in some minds raise the question of what constitutes an appropriation. I believe the unfailing criterion is that any language in a bill which orders the payment of money from the Treasury without the requirement of further action by the Congress is undoubtedly an appropriation.

There are, as stated by the gentleman from New York [Mr. TABER], a number of other points in this bill of a similar character. But here is one where the appropriation is direct, where the jurisdiction of the Committee on Appropriations has been clearly invaded by a legislative committee and the payment is directed immediately from the Treasury by the Secretary of the Treasury, and no further action, of course, is required on the part of the Congress; but it is the final action of the Congress in appropriating this money for all time in the future to be paid in annual installments.

Mr. Speaker, I had hoped that the Speaker would rule on that question first. I do not want to belabor the point and take up unnecessary time, because that is so obvious and so incontrovertible that it would seem to me we could dispose of that simple question first. Here is an appropriation. It is subject to a point of order. If that point of order is sustained, as I am sure it has to be sustained, then I should like to discuss with the Speaker the further point of order raised by the gentleman.

I do not know whether the Speaker is ready to rule on that point of order or not, because the other one follows immediately behind it and I am prepared to discuss that, also.

The SPEAKER. Is the gentleman making two points of order?

Mr. SMITH of Virginia. No, sir; the gentleman from Missouri [Mr. CANNON] made two points of order. There are two distinct points of order. One: Is this an appropriation contained in a legislative bill? If it is—and it is—then it is subject to a point of order and it must go out.

The second point of order, Mr. Speaker, is that the presence of nonprivileged matter in a privileged bill destroys not only that language but destroys the privilege of the bill. It does not destroy the bill; the bill goes on the calendar and the bill may be taken up under proper procedure. But it does destroy the privilege.

Mr. Speaker, I am prepared to cite authority concerning which there is not the slightest conflict on this subject. It will take me some little time. I hope the Speaker, if he has any doubt on this question, will bear with me, because I have made a very complete study of that question.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. If I have that privilege, yes.

Mr. MILLER of Nebraska. Does not the gentleman feel that the question of appropriation and some of the other matters relative to a statehood bill are minor matters and are necessarily there because the bill proposes to bring a new State into the Union; and naturally, to do that, it must have some conditions under which it would come into the Union?

Does the gentleman feel those practical matters not privileged must be a part of the bill if we are going to complete the bill successfully?

Mr. SMITH of Virginia. I would be glad to discuss that question.

It is true, as the gentleman from Nebraska so well said, that in this class of cases there must be some leeway. The only exception to the rule that I am laying down is that this point of order would not be sustained as to certain matters which might be essential to the purpose and necessary to carry out the purpose of making a State out of the

Territory of Alaska, and no point is being made as to those things.

For instance, Mr. Speaker, I think this bill necessarily invades the jurisdiction of nearly every standing committee of the House. It was necessary to do so because it was essential to the central purpose of the bill. It invades the jurisdiction of the Committee on Banking and Currency, for instance. On as many as 10 pages of this bill there is reference to various and sundry laws which are amended, so that it might not be necessary to rewrite a great number of laws to make them conform in making Alaska a State.

Those things are essential to the purpose of the bill. But when it comes to paying money out of the United States Treasury to the State of Alaska, that is another thing. It could be just as good a State and just as complete a State without that language as it could be with it. It is not essential to make Alaska a State to do the unprecedented thing that this bill does under the point of order I have just raised, that is, grant to the State of Alaska all of the vast mineral rights of that vast Territory, mineral rights which are vital to the defense of this Nation. Alaska can be a State without grabbing off to itself all of the valuable mineral rights of that great area. That is not essential to it. So that the point is very clear, Mr. Speaker, in the books, both Hinds' and Cannon's Precedents, that only those things which are essential to the central purpose of the act can be in order.

Mr. Speaker, I have brought here with me a very eminent authority on this question, both Hinds' Precedents, and Cannon's Precedents. If the Speaker has any doubt on the question at all I should like to go into it. Let us take for instance section 4633 of volume IV of Hinds' Precedents. This was a case on construction of the rule giving privilege to this committee, which was formerly called the Committee on Public Lands and which had this jurisdiction to report statehood bills. It states:

The insertion of matter not privileged with privileged matter destroys the privileged character of a bill.

So, Mr. Speaker, if an appropriation by the Public Lands Committee is not in order, if those six lines are subject to a point of order, then under that precedent the whole bill is subject to a point of order so far as its privileged, and only so far as its privileged, status is concerned.

Mr. George E. Adams, of Illinois, raised the point of order that the bill contained matter not privileged, and therefore had no privileged character.

The Speaker held: The Chair thinks that is a correct proposition: That a bill which contains two separate matters, one of which is privileged under the rules of the House and the other is not, is subject to the point of order; that is to say, the insertion of matter which was not privileged destroys the privileged character of the other.

I next refer to section 4640 of volume IV of Hinds Precedents.

That was a bill brought in by the Committee on Accounts relative to the contingent fund. It included matter not privileged.

The Chair held that that destroyed the privileged character of the bill.

It is still a good bill. It still can go on the calendar. It can still be taken up when the House so desires, but it does not have the privilege.

Mr. Speaker, there are so many of these citations that I think rather than trespass on the time of the Speaker, I will just read the memorandum that I have on it, and I can go into them further in each case, if it is necessary. But, I do not want to delay the consideration of this matter.

In volume 8 of Cannon's Precedents—Cannon's Precedents by the way are the Precedents written by the distinguished gentleman from Missouri who raised this point of order.

The resolution enlarging the powers and increasing the duties of a standing committee through the employment of a clerk to be paid from the contingent fund was held not to be within the privilege given the Committee on Accounts to report at any time.

Then, the decision goes on to say, and this is repetition, but it runs all through the books and you will not find one single Precedent in any of Hinds' Precedents or Cannon's Precedents that is contrary to what I am reading to you now. It says:

A resolution against which a point of order has been sustained is no longer before the House and amendments therefore are not in order.

Paragraph 2302 of volume 8 of Cannon's Precedents:

A resolution fixing salaries of House employees was held not privileged when reported by the Committee on Accounts.

Volume 8 of Cannon's Precedents, paragraph 2297:

Privilege conferred on bills reported by the Committee on Printing is confined to provisions for printing for the two Houses, and an appropriation for such purpose destroys the privilege of the bill.

In volume 8, paragraph 2300:

Unprivileged matter in a resolution otherwise privileged vitiates the privilege of such resolution.

In Hinds' Precedents IV, paragraph 4622:

In exercising the right to report at any time, committees may not include matters not specified by the rule as within the privilege.

In Hinds' IV, paragraph 4623, we find this language:

The text of a bill containing nonprivileged matter, privilege may not be created by a committee amendment in the nature of a substitute not containing the nonprivileged matter.

In Hinds' IV, paragraph 4624, we find:

The including of matter not privileged destroys the privileged character of a bill.

Mr. Speaker, I listened with great interest here to the distinguished gentleman from Colorado in reply to the point of order made by the gentleman from Missouri. There is nothing in his argument that in anywise is contrary to or in conflict with the authorities I have cited to the Speaker.

May I just conclude with this statement, Mr. Speaker, that this and other items in this bill are clearly appropriations on a legislative bill. As appropriations on a legislative bill, they are subject to a point of order without any question of doubt. I know the zealousness with which the Speaker, who has been Speaker longer than any other man who ever occupied the Chair, as I say, I know his zealousness in preserving the integrity of the rules of the House. To rule that an order for the payment of money out of the Treasury, an appropriation, is in order on a legislative bill strikes the very foundation from under the rules of the House that have governed the House for 150 years. I am sure it must be obvious to the Speaker and to the membership that it is an appropriation and it is therefore subject to a point of order.

Objection has been made to it on that ground, and it simply is not in order. When we have disposed of that point of order, of course the other point of order naturally arises, which is equally well established by all the precedents written by Hinds and by Cannon from the beginning of parliamentary law in this country down to date. They hold that the presence of nonprivileged matter in a privileged bill, while it does not destroy the bill itself it does destroy this privileged status.

Mr. O'BRIEN of New York. Mr. Speaker, I hesitate to inject myself into the discussion which so far has been confined to experts in the parliamentary field, but as the discussion developed there did come down to the nonexperts in this Chamber the fairly obvious fact that all of these attacks by these distinguished gentlemen have not been aimed primarily at the bill itself but at rule 11, clause 20. If the Speaker is to accept the extremely narrow limitation which would be imposed by those gentlemen, it would be impossible in modern times ever to bring a statehood bill to this floor under rule 11, clause 20, because we would have to have a rule, unless we were willing to come to the floor with a meaningless scrabble, without any appropriation, without any provision for the land. So, Mr. Speaker, I contend the attack is not upon the status of the bill itself but upon rule 11, clause 20.

The SPEAKER. Unless some other Members desire to be heard, the Chair is ready to rule.

The Chair was not notified by anyone that a point of order would be made against consideration of this bill; but anticipating that such a point of order would be made, the Chair, in company with the Parliamentarian of the House, has made a research of decisions of Speakers heretofore.

The Chair might say at this point that some of the decisions cited here do not apply to a statehood bill, and if there is a remedy that remedy would be in Committee of the Whole.

The Chair has thoroughly considered this matter, and trusts everyone believes, as the gentleman from Virginia [Mr. SMITH] so kindly said, that this occupant of the chair, after long experience in the House and quite some experience in this position, believes in the integrity of the rules of the House and intends at all times to do his best to preserve and defend them.

Clause 20 of rule 11 provides in part as follows:

The following named committees shall have leave to report at any time: Committee on Interior and Insular Affairs, bills for the admission of a new State.

The admission of a new State into the Union is not the question here.

The question, here presented, is one of procedure.

The history of the rule may be found in volume IV of Hinds' Precedents, section 4621. It is stated in that section that in the revision of the rules of 1890 privileged status was given to certain reports from the Committees on Rules, Territories, and Invalid Pensions.

In the 52d Congress the privilege of the Committee on Territories was dropped, but in the 54th and 55th Congresses the privilege was again restored to the Committee on Territories to report bills providing for the admission of new States. That privilege accorded to the Committee on Territories was continued in the standing rules of the House until 1947 when, under the Legislative Reorganization Act, the jurisdiction of the old Committee on Territories was given to the Committee on Interior and Insular Affairs, and that privilege continues until the present date.

It is interesting to note that the bill providing for the admission of the Territory of Wyoming as a State was reported in 1890 as a privileged bill. No question of order was raised as to its privileged status.

The bill providing for the admission of the Territory of Utah as a State was reported to the 53d Congress by filing with the Clerk, inasmuch as the privileged status given to the Committee on Territories did not exist in the 52d and 53d Congresses.

The bill providing for the admission of the Territory of Idaho as a State was reported during the 51st Congress by delivery to the Clerk, inasmuch as the Committee on Territories at that time did not enjoy the privilege of reporting a bill at any time.

The bill providing for the admission of the Territory of Oklahoma as a State was reported as privileged from the Committee on Territories, and no question of order was raised as to the privileged status.

Bills providing for the admission of the Territories of Arizona and New Mexico as States were reported in the 61st Congress as privileged by the Committee on Territories.

In the 62d Congress the joint resolution providing for the admission of the Territories of Arizona and New Mexico as States was reported as privileged, called up as privileged, and passed under the provisions of the rule giving privileged status to certain committees to report at any time as now provided in clause 20 of rule XI.

It is contended that in the exercising of the right to report at any time committees may not include matters not specified by the rule within the privilege.

Mr. Speakers Carlisle, Reed, and Longworth had on various occasions to pass upon phases of this question, although they did not pass specifically on the question of the privilege of the Committee on Territories with respect to bills providing for the admission of new States.

In 1888, Mr. Speaker Carlisle—Hinds' Precedents, volume IV, section 4637—held that the rule giving privilege to reports from the Committee on Public Lands permits the including of matters necessary to accomplishment of the purpose for which privilege is given.

That would be the reply to a great deal of the argument that has been made as to the germaneness of this matter.

Mr. Speaker Reed, in 1896—Hinds' Precedents, volume IV, section 4638—in passing upon a similar question stated:

The Chair thinks that this provision has always had a liberal construction, and will decide that it is a privileged matter.

Mr. Speaker Longworth, in 1927—Cannon's Precedents, volume VIII, section 2280—in passing upon the privilege of the Committee on Ways and Means to report at any time, stated:

If a major feature of a bill reported from the Ways and Means Committee relates to revenue the bill is privileged.

This bill relates to the admission of a new State into the Union.

And matters accompanying the bill—

Further quoting Mr. Longworth—

not strictly raising revenue but incidental to its main purpose do not destroy this privilege.

The bill before us is one to provide for the admission of the State of Alaska into the Union. Upon a close examination of the bill it will be found that all of the provisions contained therein are necessary for the accomplishment of that objective. It may be argued that some of them are incidental to the main purpose, but as long as they tend toward the accomplishment of that end, such incidental purposes do not destroy the privilege of the Committee on Interior and Insular Affairs to report and call up the pending bill.

It may be said, therefore, that where the major feature—and the Chair hopes the Members will listen to this—that where the major feature of the bill relates to the admission of a new State, lesser provisions incidental thereto do not destroy its privilege when reported by the Committee on Interior and Insular Affairs, and, therefore, for these and many other reasons, the Chair overrules the point of order.

The question is on the motion offered by the gentleman from Colorado that the House resolve itself into the Committee of the Whole.

Mr. SMITH of Virginia. Mr. Speaker, I raise the question of consideration and demand a vote on the question of consideration.

The SPEAKER. The question of consideration, the Chair is informed, cannot be raised against the motion. That is decided on the motion itself. The Members will vote on whether or not they are going to consider this bill, if they ask for a rollcall. The question now is on the motion offered by the gentleman from Colorado.

Mr. SMITH of Virginia. May I submit a parliamentary inquiry, Mr. Speaker?

The SPEAKER. The gentleman may.

Mr. SMITH of Virginia. Under what circumstances can the question of consideration be raised?

The SPEAKER. The Chair tried to say a moment ago that it cannot be raised against the motion to go into the Committee of the Whole, because that is tantamount to consideration, and the House will have an opportunity to vote on that motion.

Mr. SMITH of Virginia. In other words, if we demand a vote on that question, then that will be tantamount to raising the question of consideration?

The SPEAKER. That is correct.

The question is on the motion offered by the gentleman from Colorado.

Mr. HOSMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 217, nays 172, not voting, 40, as follows:

[Roll No. 62]

YEAS—217

Addonizio	Fallon	Mailliard
Albert	Farbstein	Marshall
Allen, Calif.	Fascell	May
Anderson, Mont.	Feighan	Meader
	Fino	Merrow
Anfuso	Flood	Metcalf
Ashley	Fogarty	Miller, Calif.
Aspinall	Forand	Miller, Nebr.
Ayres	Ford	Mills
Bailey	Frelinghuysen	Montoya
Baker	Friedel	Morano
Baldwin	Fulton	Morgan
Baring	Garmatz	Morrison
Barrett	Glenn	Moss
Bass, N. H.	Gordon	Moulder
Bass, Tenn.	Gray	Multer
Beckworth	Green, Oreg.	Natcher
Bennett, Fla.	Green, Pa.	Nimtz
Bentley	Griffin	Norblad
Berry	Griffiths	O'Brien, Ill.
Blatnik	Hagen	O'Brien, N. Y.
Boggs	Hale	O'Hara, Ill.
Boland	Haskell	O'Konski
Bolling	Hays, Ohio	Osmers
Boyle	Healey	Passman
Bray	Hébert	Patterson
Breeding	Heselton	Pelly
Brooks, Tex.	Hill	Perkins
Broomfield	Holifield	Pfost
Brown, Mo.	Holland	Polk
Brownson	Holmes	Porter
Byrd	Holtzman	Price
Byrne, Ill.	Horan	Prouty
Byrne, Pa.	Hyde	Quie
Canfield	Ikard	Rabaut
Carrigg	Jarman	Reece, Tenn.
Celler	Jensen	Reuss
Chamberlain	Johnson	Rhodes, Ariz.
Chelf	Jones, Mo.	Rhodes, Pa.
Chenoweth	Judd	Riehlman
Christopher	Karsten	Robison, N. Y.
Church	Kearns	Robsion, Ky.
Clark	Keating	Rodino
Coad	Kee	Rogers, Colo.
Coffin	Kelly, N. Y.	Rooney
Collier	Keogh	Roosevelt
Corbett	King	Santangelo
Cunningham, Iowa	Kirwan	Saund
	Kluczynski	Saylor
Curtin	Knox	Scott, Pa.
Curtis, Mo.	Krueger	Seely-Brown
Dawson, Ill.	Laird	Sheehan
Dawson, Utah	Lane	Shelley
Dellay	Lankford	Sisk
Dennison	Lesinski	Smith, Calif.
Denton	Libonati	Spence
Diggs	Lipscomb	Staggers
Dingell	Loser	Steed
Dixon	McCarthy	Sullivan
Dollinger	McCormack	Talle
Dooley	McFall	Taylor
Dorn, N. Y.	McGovern	Teague, Calif.
Doyle	Machrowicz	Teague, Tex.
Dwyer	Mack, Ill.	Teller
Eberharter	Mack, Wash.	Tewes
Edmondson	Madden	Thompson, N. J.
Evins	Magnuson	Thompson, Tex.

Thomson, Wyo.	Van Zandt	Wier
Thornberry	Vorys	Wright
Tollefson	Walter	Yates
Udall	Weaver	Young
Ullman	Westland	Zablocki
Vanik	Widnall	Zelenko

NAYS—172

Abbitt	Gary	Mumma
Abernethy	Gathings	Murray
Adair	Gavin	Neal
Alexander	George	Nicholson
Alger	Grant	Norrell
Allen, Ill.	Gubser	O'Hara, Minn.
Andersen, H. Carl	Gwinn	O'Neill
	Haley	Ostertag
Andrews	Halleck	Philbin
Arends	Harden	Pilcher
Ashmore	Hardy	Pillion
Avery	Harris	Poage
Barden	Harrison, Nebr.	Poff
Bates	Harrison, Va.	Preston
Baumhart	Harvey	Rains
Beamer	Hemphill	Ray
Becker	Henderson	Reed
Belcher	Herlong	Rees, Kans.
Bennett, Mich.	Hess	Riley
Betts	Hiestand	Roberts
Blitch	Hoeven	Robeson, Va.
Bolton	Hoffman	Rogers, Fla.
Bonner	Holt	Rogers, Mass.
Bosch	Hosmer	Rogers, Tex.
Boykin	Huddleston	Rutherford
Brooks, La.	Hull	Sadlak
Brown, Ga.	Jackson	St. George
Brown, Ohio	Jennings	Schenck
Broyhill	Johansen	Scherer
Budge	Jonas	Schwengel
Burleson	Jones, Ala.	Scrivner
Bush	Kean	Scudder
Byrnes, Wis.	Kilburn	Selden
Cannon	Kilday	Sikes
Cederberg	Kilgore	Siler
Chiperfield	Kitchin	Simpson, Ill.
Clevenger	Lafore	Simpson, Pa.
Cooley	Landrum	Smith, Kans.
Coudert	Latham	Smith, Miss.
Cramer	LeCompte	Smith, Va.
Cretella	McCulloch	Springer
Cunningham, Nebr.	McDonough	Stauffer
	McGregor	Taber
Curtis, Mass.	McIntire	Thomas
Dague	McIntosh	Tuck
Davis, Ga.	McMillan	Van Pelt
Delaney	McVey	Vinson
Derounian	Macdonald	Wainwright
Devereux	Mahon	Wharton
Donohue	Martin	Whitener
Dorn, S. C.	Mason	Whitten
Elliott	Matthews	Wigglesworth
Everett	Michel	Williams, Miss.
Fisher	Miller, Md.	Williams, N. Y.
Flynt	Miller, N. Y.	Wilson, Ind.
Forrester	Minshall	Winstead
Fountain	Mitchell	Withrow
Frazier	Moore	Younger

NOT VOTING—40

Auchincloss	Gregory	Scott, N. C.
Bow	Gross	Sheppard
Buckley	Hays, Ark.	Shuford
Burdick	Hillings	Sieminski
Carnahan	James	Thompson, La.
Colmer	Jenkins	Trimble
Davis, Tenn.	Kearney	Utt
Dent	Knutson	Vursell
Dies	Lennon	Watts
Dowdy	Morris	Willis
Durham	Patman	Wilson, Calif.
Engle	Powell	Wolverton
Fenton	Radwan	
Granahan	Rivers	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley for, with Mr. Colmer against.

Mr. Bow for, with Mr. Scott of North Carolina against.

Mr. Hillings for, with Mr. Wolverton against.

Mr. Kearney for, with Mr. Auchincloss against.

Mr. Carnahan for, with Mr. Jenkins against.

Mr. Powell for, with Mr. Fenton against.

Mrs. Granahan for, with Mr. Radwan against.

Mr. Sheppard for, with Mr. James against.

Mr. Engle for, with Mr. Dowdy against.

Mr. Burdick for, with Mr. Trimble against.

Mr. Wilson of California for, with Mr. Hays of Arkansas against.

Mrs. Knutson for, with Mr. Dies against.

Mr. Sieminski for, with Mr. Gregory against.

Mr. Dent for, with Mr. Watts against.

Until further notice:

Mr. Lennon with Mr. Vursell.

Mr. Thompson of Louisiana with Mr. Utt.

Mr. Willis with Mr. Gross.

The result of the vote was announced as above recorded.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. O'BRIEN] for 1 hour.

Mr. MORANO. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. O'BRIEN of New York. Gladly.

Mr. MORANO. Mr. Chairman, I heard the Chair recognize the gentleman from New York for 1 hour. Can the Chair tell me how much time is expected to be consumed on this bill?

The CHAIRMAN. That is not within the knowledge of the Chair, and it is not a parliamentary inquiry.

Mr. MORANO. What is the parliamentary situation with respect to time?

The CHAIRMAN. The gentleman from New York has been recognized for 1 hour.

Mr. MORANO. Does that mean that every other Member of the House can be recognized for 1 hour?

The CHAIRMAN. He may use all or part of it. He may use less than an hour if he wishes to.

Mr. MORANO. Can every other Member of the House be recognized for 1 hour, Mr. Chairman?

The CHAIRMAN. That is the situation.

Mr. MILLER of Nebraska. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MILLER of Nebraska. I believe before we went into the Committee of the Whole it was agreed that the gentleman from New York [Mr. O'BRIEN] would control half of the time and the gentleman from Nebraska half of the time.

The CHAIRMAN. Objection was made to that request.

Mr. O'BRIEN of New York. Mr. Chairman, perhaps I can clear up the situation a little bit. It is my understanding that each Member could be recognized for 1 hour, which would mean a total of over 400 hours, but I know that this is a very reasonable body, and I assume that after reasonable debate a majority would vote to limit the time. I would hope that that would be by tomorrow.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. MORANO. The gentleman then expects to move, after reasonable debate, that the debate be terminated?

Mr. O'BRIEN of New York. Yes. I might add that there has been some discussion on both sides on that subject, and with people who are opposed to the legislation.

Mr. MILLER of Nebraska. Mr. Chairman, if the gentleman will yield further, can the gentleman tell me whether that has to be done in the Committee or in the House?

Mr. O'BRIEN of New York. In the House, it is my understanding.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. As I understand the procedure, at the appropriate time someone may make a motion, the gentleman or some member of the committee, that the Committee rise, and then when we go back into the House, the House could then determine and agree on time and go back into the Committee of the Whole again. That is my understanding.

(Mr. O'BRIEN of New York asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I am very grateful as an individual and as a Member of this House that the distinguished House of Representatives voted by a rather substantial margin to hear the arguments for and against statehood for Alaska. I think, Mr. Chairman, that that decision was in the fine tradition of the House. It would have been unthinkable to many of us that we would have refused to hear the arguments for or against such a vital matter as the admission of a new State in the Union.

I would like to say at the outset, Mr. Chairman, that I have been assigned the task of making the first presentation of the arguments for the admission of Alaska to statehood. It is a difficult subject and I should like to cover some of the arguments which already have been made in various places against statehood; and for that reason, and so it may be understood that there is no discourtesy on my part, I do not propose to yield, if any Member feels impelled to ask that I do so, during the next several minutes.

One thing I should like to make very clear. I do not think anyone in this House has a higher regard or a deeper respect for the members of the distinguished Committee on Rules than I have, and the presence of this bill on the floor under its present privileged status was not an impertinent gesture on the part of those who favor statehood for Alaska. It was a gesture, if you will, of last resort. We felt—in fact, we were told rather plainly—that if there was a rule, it might be in August, but there was some question whether or not there would be a rule. We felt, and I think fairly, that when the two major parties of this country——

Mr. MADDEN. Mr. Chairman, will the gentleman yield for the correction of an impression he may have left?

Mr. O'BRIEN of New York. I yield to the gentleman from Indiana.

Mr. MADDEN. In view of the fact that the gentleman has mentioned the Committee on Rules, the inference might have been left that all members of the Committee on Rules were opposed to statehood for Alaska. That is not true. As a member of the Rules Committee I wish it recorded that I am for this legislation.

Mr. O'BRIEN of New York. If that was the impression I left, I regret it and I withdraw it, because I know that there are some members of the Committee on Rules who favor statehood for Alaska. And I might say for the benefit of those who oppose it, my respect and regard for them is not lessened in any degree, especially those who have very firm, very strong feelings on the subject. My only quarrel, if I have one today, is with those Members who might be so indifferent on this major issue that they will be swayed by minor and irrelevant arguments. And I should like to proceed shortly to some of those minor and irrelevant arguments. But I have one further explanation at this point.

Some Members may wonder why the bill H. R. 7999 bears the name of the Member from New York and not that of the distinguished Delegate from Alaska who has worked so long and so hard in this field. I want to tell you that my name on the bill was, in a sense, the gift of the Delegate from Alaska. He requested that I report my bill. I know one of his motives. He wanted the bill to come before the House in the name of a Member from the State with the largest population in the United States so that we could demonstrate that in the large States such as New York, Pennsylvania, California and others, there are Members of this House and citizens of those States who do not look down their noses at the smaller population in Alaska and say, "We want no part of you." I do not know whether it occurred to the Delegate from Alaska or not, but I think there is a little significance in the fact that my home district is Albany, N. Y., which was writing pages of American history 150 years before the shots were fired at Lexington and Concord. Not too long ago we adopted a resolution in this House as a tribute to Benjamin Franklin declaring Albany, N. Y., the birthplace of the Union.

I do not say this as a chamber of commerce member might, but merely to point out that in my district, a part of the Union from the very beginning, we do not accept the concept that this Nation would have been better off if the Thirteen Original States sat like haughty dowagers on their eastern seaboard and regarded the rest of the Nation as a fishing or hunting preserve or, perhaps, a place of exploitation as Alaska has been for so long.

I say to you today that we have more than just another bill before us.

We have in a sense a rendezvous with our future. We are going to decide something here today that is not so important to you and to me, certainly not so important to those of us who have passed midlife, but it is of vital importance to those who will follow us.

I say to you, too, to those who might suggest, "Well, this is not the year, maybe next year, maybe 2 years from now," that Alaska has been listening to that for 42 years. I tell you that it is my conclusion and sincere belief that if we reject Alaskan statehood this year it is dead for a generation, because this year we have a certain amount of extra steam, if you will, behind this measure.

We have editorial support from 679 newspapers in my district and in yours. We have the support of 12 out of 13 of the residents of the United States who have expressed views on the subject. Members of this House who have followed the practice of sending questionnaires to their constituents have been surprised in many instances to discover very overwhelming favor for statehood for Alaska. In my own district it is 8 to 1. I might say that was demonstrated not by my questionnaire but because a local newspaper published the questionnaire from the distinguished gentleman from New York [Mr. OSTERTAG]. He wanted to know. I do not know what the result in his district was but I know what it was in mine.

On that same questionnaire there was this question:

Do you favor a reduction in Federal taxes by reducing nonmilitary expenditures?

Three to one favored that, a substantial margin, but far short of the 8 to 1 who favored statehood for Alaska.

I daresay that in the districts of 75 percent of the Members of this House the people want statehood for Alaska.

One of the problems is, they want it but they do not get angry enough about it. We are able to stand up and say, "Oh, yes, my district favors it, but I am against it." That is fine. I think Members should be independent. I think you are entitled to say to the public, if you want to, "You do not know what you are talking about. Papa knows best." But let us fit this public approval into the mosaic, if you will. If we reject public opinion as uninformed, then we must necessarily turn to those who are informed.

In this House you give the responsibility for the Territories to our committee. We do not claim to be experts, but we do claim to be practiced, we do claim to know the facts, and our committee 24 to 6 reported out this bill you have before you.

The Secretary of the Interior favors this bill, and I think that flies in the face of the idea that a Federal official never wants to disgorge any authority once given to him. The Secretary of the Interior knows the conditions in Alaska.

The Chairman of the Joint Chiefs of Staff, and that is important because we have a large military establishment in Alaska, testified that statehood not only would not hamper our military effort in Alaska but would aid it by granting stability in the area where the military operates so largely.

I realize that some of the most effective and powerful men in this House do not agree that Alaska should be a State. I know their arguments. I have heard them. But I should like to suggest that the history of statehood in this country is a sordid chapter in the sense of deals, and compromises.

Now we have a chance, just once, to say to a single Territory, "On your own merits, without regard to what happens to any other Territory anywhere else, you are admitted because it is for the good of the United States."

I say from reading the record of the past, that those distinguished gentlemen who will follow me in opposition are in distinguished company, indeed. I often read, as all of us do, the writings on the wall in back of me in the Chamber here. I do not know whether Daniel Webster would have chosen the quotation which you see here in this Chamber as the one quotation of all the things that he said. But, I am rather happy that this one has been chosen because in this quotation he said,

Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.

If Daniel Webster were in this Chamber today, I am very sure he would not want to be remembered for his statment that we should not push into the West and that the Republic itself might topple and fall if we had anything to do with those wild men west of the Missouri. Well, in that territory to which Daniel Webster was opposed, we have some of the greatest States in the entire Nation today. I say to the modern day Daniel Websters, and I sincerely believe they belong in that category, make very sure, if you are quoted one day on the walls of this Chamber, that you will not be quoted as saying that Alaska has no future in our national scheme because I predict that if you give Alaska statehood within a quarter of a century there will be a minimum of 10 million people in that great land. A very good friend of mine in this House, one of the principal opponents of statehood advanced the rather novel idea that because, as he says, there are a lot of Communist in Hawaii, Alaska should not be a State. That is a very difficult argument to answer unless you fall back upon your old training in school and employ the principle of reductio ad absurdum. You might say that all Germans west and east are Communists because some Germans in East Germany are under Communist control. You might say that because there are Communist dominated countries in Europe, therefore, England and Ireland and all the rest of the countries are Communists also. I am rather happy that the gentleman has raised this question because so far as Alaska is concerned, and the testimony will show it, in this great land under the frowning eyes of the Russians themselves, a land which extends to Siberia, there are fewer Communists than anywhere in the United States. Only yesterday I spoke to a former United States Attorney from Alaska and he told me that in spite of the special care because of our great

military installations there that there had not been one single case of attempted sabotage of our military installations. Ten suspected Reds in all of Alaska—1 to every 20,000 and, yet, the distinguished gentleman from New York, which has 1 Communist for every 1,600 people, would have you believe that because there is a certain labor leader in Hawaii, Alaska is communistic. We have separated the Alaskan and Hawaiian bills deliberately.

They should not swing upon one another. Each is entitled to a decision on its own merits. I know someone will say before this debate is over, "Where is Hawaii? This is discrimination. This is politics." But I defy any Member of this House, including members of our committee, to show where in one instance I have played politics on this issue. They know that, but they want to mention Hawaii for this reason: Once you inject Hawaii in the debate, then you get the response, "Won't we one day be asked to admit Puerto Rico, the Virgin Islands, then Jupiter and Saturn and Mars?" forgetting that the same House which is making the decision on Alaskan statehood this week holds the key to any future attempt by any area anywhere to come into the Union. We are deciding only on Alaska. I am not opposed to Hawaii. I shall do all in my power, if Alaska is given statehood, to bring the Hawaiian bill before this House for fair and full consideration. We see what happened 3 years ago when we had a shotgun wedding in this House; when Hawaii and Alaska were picked up by the seat of the pants and thrown into one bill. No one ever talked about Alaska. All we had were pictures of alleged Communists in Hawaii.

Mr. SMITH of Virginia. Mr. Chairman, the gentleman is making a very fine exposition of this bill and I think there should be a quorum present to hear him. I make the point of order that there is no quorum present.

The CHAIRMAN (Mr. THORNBERRY). The Chair will count. [After counting.] Sixty-six Members are present; not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 63]

Auchincloss	Gregory	Nimtz
Bass, Tenn.	Gross	Powell
Buckley	Gubser	Radwan
Burdick	Hays, Ark.	Rivers
Carnahan	Hillings	Scott, N. C.
Carrigg	James	Sheppard
Celler	Jenkins	Shuford
Colmer	Kearney	Sieminski
Davis, Tenn.	Keating	Spence
Dent	Knutson	Springer
Dies	LeCompte	Teague, Tex.
Dowdy	Lennon	Trimble
Durham	Michel	Vinson
Engle	Miller, Calif.	Vursell
Fenton	Morris	Willis
Granahan	Moulder	Wolverton

Accordingly the Committee rose; and the Speaker having assumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7999, and finding itself without a quorum, he had directed the roll to be called, when 378 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. O'BRIEN of New York. Mr. Chairman, I am grateful to the gentleman from Virginia for the temporary respite and particularly because I was about to discuss a matter which I know to be of very grave concern to him. I know the distinguished gentleman from Virginia is opposed to this bill, but I think it would be a very bad mistake to assume that because the gentleman is opposed to the bill that some of the matters he raises in opposition are not matters of grave concern. I know that the gentleman is and has been concerned about what have been described as giveaways. I would like to point out, if I may, that when we are considering statehood for Alaska, we have to throw away our ordinary concepts of geography. We are talking about a territory one-fifth the size of the United States, a territory, if the distinguished Members from the State of Texas will forgive me, which is twice the size of Texas and everybody knows that Texas is big indeed. So when we talk about land grants we cannot talk in terms of 1 million or 5 million or even 10 million acres. We are all aware that if you drop a million acres into the middle of Rhode Island, it would be quite a hunk of ground. In Texas, it would probably be a ranch and in Alaska, it would be a garden patch. Especially, when we figure the land must be selected from land which will not serve any purpose to the new state. We have in this bill, as I recall, a land grant of approximately 184 million acres.

That is a staggering figure, but I suggest that we consider it in percentage terms. It means that the new State will still have control of less than one-half of its own land and that of the more than 50 percent which will be retained by the Federal Government, there is included some of the richest oil land in Alaska. Furthermore, and I can speak only for myself, when we arrive at a point where the bill is open to amendment, I shall cheerfully accept personally an amendment which would reduce the acreage to 101 million or 102 million. That would be substantially less than one-third of the land in Alaska turned over to the new State. You might say what about these minerals and what about this loot that might be given away if we give the new State power to select mineral lands. It is my considered judgment that these mineral lands will have more protection when we give them to the State of Alaska than they have now because the Federal Government presently leases those mineral lands and also grants patents for those lands. The new State of Alaska under its own constitution is forbidden to grant patents. May I say that if there is a giveaway, with which I do not agree, it is already taking place because 90 percent of the revenue that the Federal Government presently collects from mineral leases in Alaska is turned back to the Territory of Alaska. My advice to the new State would be not to select mineral lands—to select other land and if I may emphasize just a little bit more what I had in mind about the great expanse of territory and the necessity of using percentages figures, some years ago we passed a bill in the House giving 100,000 acres of land to the University of Alaska to help support that great institution. The latest advice I have is that from those 100,000 acres, and that is a lot of acres, they have not received enough revenue to equip their basketball team. So when you talk about a million acres in Alaska, you have to consider the millions of acres which are not given to the new State.

You have got to consider the millions which are retained by the Federal Government, and you must consider that those retained acres include the richest oil land. It has always been my impression, though not spelled out in law, that land in an incorporated territory, in an embryonic State, is actually held by the Federal Government in trust for the future State. So in that sense it is not a question of Uncle Sam tossing a lot of minerals and a lot of oil to an unscrupulous leadership in a new State.

I think the question comes up: Can Alaska, with 212,000 people, support statehood? In the considered judgment of the committee who listened to all the witnesses, it can and will. And with the provisions we have in this bill dealing with the land tax base, with the seal fisheries, and so forth, the additional cost of statehood over and above the present cost of Territorial government will be approximately $2 million a year. I am not belittling $2 million, but I assert that it is within the means of the people of Alaska. I know some people up there oppose it. I know the suggestion will be made that the people of Alaska way down underneath do not want statehood. We have had polls which indicate that they do not want it. But every time they have gone to the voting place on any question dealing with statehood, the vote has been for statehood, up to and including the most recent primary in Alaska, where there was a candidate who favored the commonwealth. In Alaska you can cross party lines in a primary. There was no contest on the Democratic side, so the Democrats could easily, if they opposed statehood, have gone over the line and voted for this commonwealth candidate who was a Republican, a gentleman who favored a commonwealth—a commonwealth is a tempting status—and they polled only 10 percent of the entire vote cast in the Alaska primary. But we are willing again to compromise. If it is the sense of this House that we have an amendment providing for a plebescite when the statehood bill comes to the voters of Alaska, we are willing to go along with it, because we have no desire to jam statehood down the throats of any people. Nor do we accept at face value the "aginners," because away back in the Revolutionary War there were some people who did not believe this country could get along as a separate nation. The Tories were not entirely disloyal. They felt that they were sound in their judgment, but they were opposed to independence. We have Tories in every State and in every Territory—peo-

ple who just love the status quo, who think that maybe it will cost them a little more to be a State, and they think that the price is too high here for the great honor, the great privilege of being a full citizen of the United States, qualified to vote for President and Vice President and their own Governor.

Now I would like to go into the question of what this means to all of us. I think that we could very well today forget this talk of colonialism, forget that Alaska has been hanging fire in the limbo of an unincorporated Territory for 90 years, forget the aspirations and hopes of the people there; and think selfishly, if you will, of our own districts and the rest of the Nation. I tell you that I believe, as far as my district is concerned, statehood is a must.

Small population? Every State that has come into the Union has added to the wealth and population of my State, and I feel that this great Territory properly developed will pour its benefits out over every one of the 48 States of the Nation. I think we will save money in the long run; I think we will reduce the cost of our Military Establishment in Alaska.

There are those who say that Alaska is too far away, that it is a Never-Never Land, a fabulous place up north which has polar bears and Eskimos. Unfortunately, some of the things about our modern civilization are already in Alaska, neon lights and other things which interfere with the intrinsic beauty of the place.

Here is a Territory which is not a forgotten outpost, which has its own university, which devotes half of its budget to education. It is composed of people from your State, your city, my State and my city. These people are loyal Americans in every sense of the word, and the only difference between them and us is that they have preserved some of the pioneering spirit of which we speak so highly in this country. The men and women of Alaska are our kinfolk; they are the pioneers of 1958. We talked with them, we talked with them in every part of that enormous land. In 1955 we went into tiny fishing villages; we went into the modern cities of Anchorage and Fairbanks, and even went to Point Barrow up in Eskimoland.

When we talk about people it is the concern of this House. I can describe what they are in no better way than to paraphrase an editorial which had to do not with statehood for Alaska but the recent celebration of the 100th anniversary of the statehood of Minnesota. The editorial told of all the material things in Minnesota, but then it added, and I shall use "Alaska" instead of "Minnesota" in reading this:

> Alaska is people. They represent the finest part of the pioneer tradition of which we are so proud. They were ready and eager to face a climate that is sometimes less than benign, to work a soil that could be responsive. They wanted to make a new world in something of the pattern of the old one. They brought with them a dignity, fidelity, and industry that did not brook compromise.

Then the editorial continued, and I think this is significant to us who come from other parts of the country:

Each one of us may have his own little part of the country to which he is especially devoted. There is no reason to be ashamed of these local prides and loyalties, but there is reason to be gratified by the splendor of regions other than our own; and because we are so proud to be Americans, it is good to know that Alaska and its people may be a part of us.

I think we all have been disturbed from time to time, those of us who live in congested areas, by the fact that we are living in this country, many parts of it, upon our capital, as it were. In some areas of this country water must be used over again because of the shortage. In another generation, perhaps more specifically by the time my eldest grandson is old enough to serve in this distinguished body, we are told that we will have 70 million more people in the United States. I suggest that it is a responsibility of our generation to make very sure that the gates to expansion and opportunity are not closed. I suggest that many of those 70 million, our children and our grandchildren, will find that opportunity in the great new State of Alaska.

May I suggest this, too. We have been alarmed, some of us, recently by the reception given to our Vice President in South America. And, as I read of the stones and the filth which were cast not upon RICHARD NIXON the individual but upon every man and woman in this country whom he represented there, I thought of a people far to the north of South America, a people who do not have to be bribed or given foreign aid or cajoled, people who are loyal to us now. And I thought of how true were the words of Shakespeare when he suggested that "The friends thou hast, and their adoption, tried, grapple them to thys soul with hoops of steel."

I have one final thought. I have not covered all of the arguments against this bill or all of the arguments for it, because others more able than I will follow. But, I was handed a few days ago an old copy of a wire service story. I will not read it, but I will simply tell you that it quoted Molotov, wherever he is now, Outer Mongolia, as saying that the Communists in Russia never agreed to the sale of Alaska to the United States, implying that they still have a claim, perhaps to be asserted sometime in the future.

CALL OF THE HOUSE

Mr. ROGERS of Texas. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-six Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 64]

Anderson, Mont.	Clark	Engle
Auchincloss	Coffin	Evins
Bailey	Colmer	Fenton
Bentley	Davis, Tenn.	Gray
Blatnik	Dawson, Utah	Gregory
Brooks, La.	Dellay	Gross
Buckley	Dent	Gubser
Burdick	Dies	Haskell
Carnahan	Dingell	Hays, Ark.
Celler	Dowdy	Hillings
Christopher	Durham	James
Clevenger	Eberharter	Jenkins
Kearney	Powell	Spence
Kilburn	Radwan	Springer
Knutson	Rivers	Steed
LeCompte	Scott, N. C.	Teague, Tex.
Lennon	Sheppard	Thomas
Lesinski	Shuford	Trimble
Michel	Sieminski	Vinson
Morris	Smith, Kans.	Watts
Moulder	Smith, Miss.	Willis

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, finding itself without a quorum he directed the roll to be called, when 366 Members responded to their names, disclosing a quorum to be present, and he submitted herewith a list of the absentees for printing in the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New York [Mr. O'BRIEN] is recognized.

Mr. O'BRIEN of New York. Mr. Chairman, I was very close to the concluding point when the gentleman made the point of order of no quorum. The interval did permit me to think of one final argument which has been advanced against statehood for Alaska. I think perhaps deep down in our minds it is the prevailing objection, perhaps the most important to many Members. Very simply put, it is this: Should 212,000 people have 2 representatives in the United States Senate when a State such as New York, with 16 million people, has the same number? I know that is difficult to answer. If we assume that there should be geographical representation in the United States Senate, if we accept that, then we are turning back the clock 171 years. We are also saying directly or indirectly: "We from New York, why should not we have nine Senators? Why should not many of the smaller States have only one, or none, if you will?" Yet, when we look at what some of these smaller States have produced in our United States Senate we are very happy about the geographical representation.

I know that I, as a resident of a small State, would resent rather deeply the suggestion, directly or indirectly, that I had two representatives in the United States Senate because we made a mistake somewhere along the line. That is a reflection upon the membership in the House; it is a reflection on some of these distinguished and most able ladies and gentlemen from smaller States.

You know, as well as I, that many States came into being with populations smaller than that which Alaska now has. If you will look at the record of population totals you will discover a very significant thing, and that is the tremendous growth in population in each of those States following admission to statehood. For example, to select one, Ohio: Population at time of admission, 80,000; population at succeeding census, 230,000. Indiana: At time of admission, 63,000; population at succeeding census, 147,000.

I could recite others, but they all fall into the same pattern, and I am convinced that if you suffer this small popu-

lation in Alaska to have 2 spokesmen in the United States Senate, within a very few years those same 2 Senators will be representing millions of people, because the potential in Alaska is as great as or greater than it was in these other States.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. HOSMER. In order that the figures that the gentleman gave may be in proper perspective, to wit, those with regard to Indiana and Ohio, I would like to say that at the time those States were admitted into the Union, and from a column that does no show in the report, Indiana's population at that time was 1.5269 percent of the total United States population. At the time of Ohio's admission her population represented 3.187 percent of the population of the United States. At the present time the population of Alaska represents only .0853 percent of the total population of the United States.

So under those circumstances there is a considerabl difference when you compare sizes of population at the time of admission than there is when you use the bare unweighted numbers.

I thank the gentleman for yielding.

Mr. O'BRIEN of New York. I thank the gentleman for his contribution.

The gentleman will recall that I was discussing only the growth which followed admission to statehood to support the contention of our committee that statehood has never been a failure in the United States. But if the gentleman wants to press the point percentagewise, then when we get into that field where he compares his State of 14 million with some of the smaller States I wonder if he would have in mind the desirability of taking from those States one or both of their Senators and giving them to the great State of California? I know it would not be constitutionally possible, but surely the thought must be there when you are applying a population argument to the Territory of Alaska.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. On the question of contiguous territory, at the time California and Oregon were admitted to the Union there was a tremendous area separating California and Oregon from the other States of the Union. They were not contiguous to the States of the Union at that time.

Mr. O'BRIEN of New York. The gentleman is so very, very correct.

Mr. Chairman, I would like to reply to the statement by the majority leader. I think that is one of the subjects that I did not touch upon because another Member will handle it. But, when we use the word "contiguous," surely it must be a relative term. Surely, with a territory which in these modern days is close enough with modern transportation to permit this individual to listen to a world series game on the radio in a hotel in Juneau, Alaska, and then on the next afternoon to see the second game of that series on television in my hometown in Albany, N. Y., you will have to admit that Alaska today is much closer to the rest of the United States than even some of our Midwestern States were at the time of their admission. I stated or intended to state that for 20 years the Soviet Government has been feeding to the Russian people the deliberate lie that the Czar had no right to sell Alaska to the United States; that actually the money, the $7.2 million, was only a reimbursement to Russia for the expenses incurred by the Czar in sending Russian fleets to San Francisco and New York at a time during the Civil War. Well, we know that we are never going to concede that argument. But, I suggest, added to all the other arguments which have been or will be advanced, that it might be a fine gesture by the United States to meet this challenge from the Kremlin once and for all, and the simplest way to do it is to plant right on the Siberian border in Alaska the American flag with 49 stars.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. Gladly.

Mr. ASPINALL. I just wish to compliment and congratulate my good personal friend and colleague on the committee and of this great body for his presentation here today. It is my opinion that he stands today as the No. 1 man in the study of Alaskan matters and Alaska's quest for statehood. He has been doing an admirable job.

Mr. O'BRIEN of New York. I am indeed very grateful.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the Delegate from Alaska.

Mr. BARTLETT. I would like to say that my subcommittee chairman, the gentleman from New York, has made an eloquent as well as a powerful speech in behalf of Alaska statehood. He has completely persuaded me, by the way. I want him to know that all of the Alaskans, meaning most of them, who are for statehood, particularly appreciate what he is doing for us now and what he has done for us before. Now, the gentleman said awhile ago "Protect your Alaska." Is it not true that during the hearings over which you presided some 600,000 words of testimony were taken down and later reduced to printed form?

Mr. O'BRIEN of New York. Yes; the gentleman is correct. We did take 600,000 words of testimony. We covered I do not know how many thousands of miles, and we covered the whole subject of Alaska so thoroughly that we could think of but one description for the title which emerged, and that was "Alaska, 1955."

Mr. BARTLETT. Mr. Chairman, let me ask the gentleman this, if I may. Did he have opportunity on that trip to talk to, and be talked to by, the people who were against statehood as well as those resident in the Territory who were for statehood?

Mr. O'BRIEN of New York. I would like to say to the distinguished Delegate that we sought out people who were opposed to statehood because it was too easy to find people who supported it. We had to look for opponents, and even the opponents, our record will show, conceded that the vast majority of the people in Alaska disagreed with their views.

Mr. BARTLETT. I thank the gentleman.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman.

Mr. PILLION. The gentleman, I am sure, is aware of the fact that the Constitution does not permit any State to be deprived of its two Senators; perhaps it is one section of the Constitution that is unamendable. The gentleman is aware of that?

Mr. O'BRIEN of New York. Yes.

Mr. PILLION. The gentleman is aware of the clause that provides for the possibility of one State having less than two Senators; in other words, a State may consent to have less than two Senators. So that the framers of our Constitution did have in mind the possibility that there might be less than two Senators, and that portion of the Constitution also is unamendable. The gentleman is aware of that?

Mr. O'BRIEN of New York. I concede that the Constitution does not permit any State, having 2 Senators, to lose 1 of them. I merely wanted to suggest, when I raised that point, that if we were logical, we would be quarreling with the fact that somewhere along the line we did not provide 9 Senators for our State, perhaps 7 for California, and 7 or 8 for Pennsylvania, which would leave some of our States in very bad shape, indeed. I do not concede the gentleman's point that there is a provision in the Constitution permitting a State to have less than two Senators, although I know the gentleman's arguments in that direction, and I know he will explore them fully when he takes his place in the well. All I can say is that I violently disagree with the idea of admitting half a State or of giving a Territory half of statehood. It is all or nothing, and I am very calmly confident that if the time ever came when the two Senators from Alaska, representing whatever number of people they represented, were voting on a great national issue, they would vote in the public interest. And I am very sure that there is just as great a possibility of Alaska producing another Borah as did Idaho, or of producing another MANSFIELD, as has Montana.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman.

Mr. SAYLOR. Mr. Chairman, I would like to take this opportunity to congratulate the man who has, in my opinion, done more to promote the cause of statehood for Alaska than any other one person who is a member of the Committee on Interior and Insular Affairs, the Subcommittee on Territories. I think the gentleman from New York has been a very able leader and has been a true advocate of statehood. I know that he has endeared himself not only to the people of Alaska but to all people of the United States who are interested in look-

ing at statehood for Alaska as a national problem and not on a small, selfish basis as are some of the opponents, in my opinion.

Mr. O'BRIEN of New York. I thank the gentleman.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman.

Mr. PELLY. I have a question which has nothing to do with the pros or cons of statehood, but for the purpose of information. What will happen during the period when Alaska becomes a State, as far as a limitation on the number of Representatives in the House is concerned? Would they have representation or would they not?

Mr. O'BRIEN of New York. I am glad the gentleman raised that point. The bill provides that until after the next census, the membership of the House would be increased by one; and after the next census the figure would go back to 435.

I have had people suggest, "Well, maybe that might be my seat." With the changes that are going to take place around the country after the next census, I think it is straining at a gnat if we are worrying about what seat will go out as a result of admitting Alaska to the Union. I may say to the gentleman that I have a very strong suspicion as to whose seat it will be. I think it might very well be that of the gentleman from New York, who is now speaking.

Mr. PELLY. Will the gentleman explain as to the other body? Would there be any temporary changes in the other body?

Mr. O'BRIEN of New York. No; because the representation in the Senate has nothing to do with population. There would be two Senators for the State or, as the gentleman from New York has suggested, and if he is correct, maybe one.

Mr. ENGLE. Mr. Chairman, Alaska was promised statehood when it was annexed in 1867.

The promise was clear and explicit.

It is found in article III of the treaty with Russia signed March 30, 1867, by Secretary of State William H. Seward and ratified by the United States Senate.

Article III reads as follows:

> The inhabitants of the ceded Territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years; but if they should prefer to remain in the ceded Territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country.

The essence of that pledge is contained in the words "the inhabitants shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States."

There is only one way in which those inhabitants of Alaska can be admitted "to the enjoyment of all the rights, advantages, and immunities of citizens of the United States." That way is to admit Alaska to statehood. There is no other way.

For it is clear that only by statehood will the people of Alaska be able to enjoy—

The right to vote for President and Vice President, which they cannot do now;

The right to be represented in the Congress by two United States Senators and a Representative with a vote, which they do not have now; and

The right to be freed from a variety of restrictions including those imposed upon them by the Organic Act of 1912 and by the act of Congress of July 30, 1886, which prescribed various prohibitions for American Territories, still sufficient in number to be subsequently formed into 10 States.

The pledge made in the Treaty of Cession, 91 years ago, conveys a solemn obligation. A treaty was then and still is the highest law of the land.

The actions of Congress subsequent to ratification of the treaty give further substance—if such substance were needed—to Alaska's right to statehood. That right to statehood inheres in the ratification of the treaty also by the House of Representatives in the following year, 1868, when the House authorized and appropriated the $7,200,000 purchase price. It inheres in the extension to Alaska of the laws relating to customs, commerce, and navigation, and the establishment of a collection district in the newly acquired Territory.

By these acts—the United States Supreme Court decided in the so-called "Insular Cases" early in this century—Alaska was incorporated into the Union in 1868. As an incorporated Territory it became an "inchoate State." As such it cannot by any act of Congress be alienated, given independence or any other political status, as can be done and has been done with unincorporated territories or insular possessions. These never paid Federal taxes, while Alaska pays all Federal taxes and under the uniformity clause of the Constitution cannot be relieved of them. Taxation without representation should, obviously, be terminated. The destiny of Alaska, an incorporated Territory—taken, literally, into the body of the Union—can only be statehood. However, those important Supreme Court decisions in the Insular Cases, while buttressing Alaska's right to statehood beyond peradventure, are not needed to strengthen the explicit commitment of the treaty with Russia made 91 years ago.

The only questions then to be answered to determine the time of Alaska's admission to the equality of statehood are whether the Territory has met and can meet the tests of political maturity and economic sufficiency.

Or, to put it in another way: First, are Alaskans capable of self-government? And, second, are their resources sufficient to support a State?

I am deeply convinced—as a member of the committee dealing with our Territories for 14 years, and as its chairman in the last 2 Congresses, which has given me ample opportunity to become familiar with this important issue—that Alaska is fully qualified on both counts.

Let us look at the first question. Are Alaskans politically mature? They ought to be after 90 years of incorporation, the longest duration of pupilage in our history. Let us take a look at that history.

Our fellow citizens who went west to become Alaskans went of their own free will. They went, in part, in quest of greater opportunity and greater freedom. They went, inspired, in part, by the love of adventure which lies deep in every American heart. They went westward into the unknown, open and emptier spaces of our land as generations of Americans had before them. And they went beyond their predecessors. Settling America's farthest west and farthest north they wrote the final chapter in the greatest epic of all history—the American epic. Yet, it was final only in the sense that they had reached land's end and could go no further.

But if theirs was a concluding chapter in the westward course, it was but the beginning of a great new episode, a still greater adventure—and one of national import. For those pioneers who braved every hardship, who conquered the wilderness, have set themselves in those northernmost latitudes and westernmost meridians of our continent to establish a great and worthy outpost of American life. Overcoming great natural obstacles and still greater distantly manmade handicaps, they have laid the foundation of a robust society whose destiny it is to be not merely a bulwark of defense for the Western Hemisphere but a citadel of democracy and freedom.

How timely their purpose in this hour of world crisis.

And how appropriate their role in what was once Russian-America and lies within sight of Siberia. Siberia, which to the free world has always signified exile, imprisonment, and death, and never more so than under the tyranny of the Soviet police state.

The Alaskans were and are well qualified to carry out their purpose. They brought with them their traditions of self-government. Imbued with the pioneer spirit, self-reliant, energized by the frontier, hardy in body and independent in spirit, they are the rugged individualists of the type who from earliest days have helped mold America.

Handicapped by 45 years' delay after the treaty before receiving any workable self-government—the longest period of Federal neglect of a Territory in our history—they made the best of the limited form of government given them by the Organic Act of 1912.

A second 45 years have now passed since that first Territorial legislature convened in Juneau in 1913. Its membership of 24—its numbers determined by Congress—was a typical cross-section of an American legislative body of that day. Eighteen of its members were born in the States. The remaining 6 had their birthplaces in 6 countries whose ideas of freedom and self-government are akin to ours—England, Ireland, Canada, Norway, Sweden, Switzerland.

How did they perform? And how have their successors performed in the 22 biennial sessions since then?

In those 45 years the successive Territorial legislatures have gradually set up and now maintain a complete structure of Territorial government. It renders all the services needed in Alaska—the services performed by any State excepting those few which Congress, in the Organic Act of 1912, specifically prohibited.

Before evaluating the present structure of Alaskan government, it might be well to note that those legislators were pioneers in thought as well as in action. They had been elected by male suffrage only. Their first act—Act No. 1 of the First Alaska Legislature—was to enfranchise women. They wasted no time in anticipating by 7 years for Alaska what the 19th amendment would do for the entire Nation.

The forward look has characterized many of Alaska's legislative acts since that time. And what better evidence of political maturity.

The first and second Territorial legislatures provided what was probably the first old-age pension adopted by any legislature, thus anticipating locally, in a token and modest way, the national social security legislation of 20 years later.

Serving well in both world wars—exceeding its quotas both of men in uniform and war bonds—Alaska was the first political entity after World War II to enact veterans' legislation. In a special session called for the purpose early in 1946 the legislature passed an admirable act which enables returning servicemen to reincorporate themselves in civilian life by providing either a cash bonus, dependent on length of service, or a loan to enable them to buy a home, a farm, a fishing boat, or to set up a business. Financed by a temporary sales tax which ceased when a sufficient fund had been collected, the service to Alaska veterans continues through the repayments of principal and interest, and has been extended to Korean war veterans.

Federal and State Governments have been wrestling with the billboard issue, and Congress recently enacted some provisions which still remain to be tested and implemented. Alaska solved that problem 9 years ago by a legislative act banning billboards from all highways.

In anticipation of statehood and gravely concerned about the depletion of the Pacific salmon under Federal bureau management, the 1949 legislature established its own department of fisheries in order to be prepared for the full conservation responsibilities under statehood.

Anticipating the discovery of oil—which took place more than 2 years later—the 1955 legislature enacted far-reaching oil and gas conservation and regulation measures, drawing on the experience of California, Texas, Oklahoma, and other oil-producing States.

Anticipation of problems, rather than attempting to cope with them after they have arisen—the essence of good government—has been a frequent Alaskan legislative characteristic. Nowhere has this been more clearly shown than in the field which Alaskans deem of foremost importance—education.

Alaskans early forestalled the problem of teacher shortage which has troubled nearly every State, by paying its teachers salaries that exceeded those in the States, thereby showing a true appreciation of the men and women to whom they entrusted the training of their children. Each successive Alaska Legislature has increased teachers' wages. Nor is that all. Each school district has the authority to add to the pay provided in the Territorial scale, and often does. The result is that Alaska's public schools rank high.

Alaskans were the first to grasp the great strategic importance of Alaska to the Nation. From the earliest days of his arrival here, in 1933, Alaska's former Delegate, the late Anthony J. Dimond, whom some of the older Members will remember appreciatively, pleaded for Alaska defenses. He pleaded in committee, on the floor, and in the War and Navy Departments. Four years before Pearl Harbor he prophesied in this body that the Japanese would attack without warning. Unfortunately his vision and wisdom were not heeded. Despite his unceasing efforts, Uncle Sam's Military Establishment in Alaska up to 1940 consisted of 1 obsolete infantry post surviving from the gold rush days, as useless in modern warfare as our western forts dating from the Indian wars. Had Tony Dimond's warning been heeded, Alaska would not have been the only American area invaded. Had the Alaskans' counsels on this national issue been accepted by Congress, our people would have been spared the cost and casualties of the Aleutian campaign to expel the Asiatic enemy from our continent.

Finally I should cite as an example of political maturity the recent action of Alaskans to hasten statehood. Impatient at the delay in the fulfillment of treaty and party platform pledges, their 1955 legislature appropriated $300,000 for a convention which would draw up a constitution for the State of Alaska. After a spirited election 55 delegates—the same number that met in Philadelphia in 1787 to draft the Constitution of the United States—met for 75 days at the University of Alaska. There they drafted a constitution which political scientists assert compares favorably with any similar document. The people ratified it at an election in April 1956. At the same election they approved an ordinance authorizing the election of 2 United States Senators and a Representative to go to Washington and knock at the door of Congress for admission. In this procedure they followed the stirring example of Tennessee, whose people, impatient because the first three Congresses had not granted them statehood, called a constitutional convention in 1796, elected 2 Senators and sent them to the National Capital to demand Tennessee's admission. A similar procedure was followed next by Michigan, then by Iowa, and by my own State of California. California, even less patient than Tennessee, jumped right over the period of territorial tutelage into statehood. Three other States, Minnesota, Oregon, and Kansas, have followed the same procedure, but none have exhibited the 90-year Job-like patience of Alaska.

Yes, Alaskans are mature. Indeed, they bring far more experience to their prospective government than was available in many earlier Territories at the time they became States. I am confident they will contribute greatly to our national counsels, bringing first-hand knowledge of a vast and important area, the only terrain under the American flag which extends both into the Arctic and into the Eastern hemisphere.

There remains the question whether Alaska can support statehood. Alaska can.

Alaska's present revenue structure is based principally on an income tax designed on a percentage of the Federal income tax. It thus permits flexibility, the percentage being altered by each legislature according to need. It obviates for the taxpayers the headache of having to figure out two different income tax returns; it makes for ease of checking, since the territorial tax department has access to the Federal returns; it saves thereby collection costs. It is a wonder to me that States which have State income taxes have not adopted Alaska's formula.

Other taxes are a per case tax on salmon based on the value of pack, business license taxes, and a variety of excises on liquor and tobacco as well as a head tax on every adult receiving income in the Territory. There is a 5-percent gas tax earmarked for highways. There is neither a territorial property tax nor a territorial sales tax. These are left to the lesser political units—municipalities and school districts—but they remain as aces in the hole should more revenue be needed to support statehood.

Alaska has no indebtedness. Alaska has no counties and hence no county taxes. Alaska now conducts, as stated previously, all the needed services of government except those which Congress has specifically prohibited. These, which will be added under statehood, and the estimated annual costs of operating them are, in round figures, as follows:

Courts, $2 million; fisheries and wildlife management, $2 million; Governor's office and legislature, $500,000, totaling an additional $4½ million a year.

But against these additional liabilities there are substantial offsets.

Part of the cost of managing the fisheries and wildlife is already being expended by the territorial department of fish and game with a $400,000 annual appropriation.

Approximately $1,500,000 annually will be forthcoming from 70 percent of the net revenues of the Pribilof Islands Seal fisheries. This has for 47 years been wholly a Federal operation in which, though an Alaskan resource, Alaska has not shared. The statehood bill properly provides for such sharing.

Fines, fees, and forfeitures of the court system, revenues derived from the State lands, and miscellaneous receipts make

up an amount estimated at $500,000 annually.

Last year, Congress, in anticipation of statehood, and in lieu of participation in the Federal reclamation program, awarded Alaska 90 percent of gross receipts from the oil, gas, and coal leases on the public domain. Oil was struck last summer on the Kenai Peninsula, and since then oil leases at the present rate of 25 cents an acre have been filed on 25 million acres, which though only one-fifteenth of Alaska's area and a small part of its potential oil lands, already presents an accrual of approximately $2 million a year. Moreover the filing is continuing.

With the establishment of a second pulp mill—another year 'round industry—at Sitka, which will go into operation in 1960, national forest receipts now running to about $150,000 annually, will be doubled.

Alaska was never included in the Federal aid highway program during its first 40 years, from 1916 to 1956. Alaska had to depend on its own revenues and on annual Federal appropriations which were never substantial except during a 5-year period when a few highways required by our defense program were constructed. Alaska was finally included, in 1956, in the old Federal highway aid program, but not in the thruway program, although paying all the new taxes to support it in the States.

However, the formula for Alaska's participation in the old highway aid program was changed to reduce the area on which the allotment was based, to one-third of Alaska's actual area. In return for this considerable reduction Alaska is to be permitted to use the funds for maintenance as well as for new construction. Alaska's matching share will be about $1,500,000, which can be more than met by Alaska's gas tax which now produces $3,500,000 a year or $2,000,000 more than required for Federal matching.

Thus it will be seen that the safely anticipated revenues closely approximate the added costs of statehood. To meet any additional costs, the State of Alaska can, if it wishes, levy a property tax and a sales tax. They supply an ample margin for additional income. But Alaskans' expectations, which I consider warranted, are that the greatly increased development brought about by statehood will substantially augment the existing sources of revenue.

The many positive advantages of granting statehood to Alaska I shall leave to others to develop. I will rest my case for statehood on these three undeniable facts:

First. We have solemnly pledged statehood for Alaska, and good faith at long last requires the fulfillment of the variout pledges we have made.

Second. Alaskans have fully demonstrated their capacity for self-government.

Third. Alaska has the revenue and the resources to support statehood.

The time to admit Alaska as the 49th State is here and now.

Mr. PILLION. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from New York is recognized for 1 hour or any part thereof.

Mr. PILLION. Mr. Chairman, it is a matter of great regret to find myself in opposition to the amiable and distinguished gentleman from New York who has so ably presented and expounded the case for statehood here today.

This bill is of vital importance to the future course of this Nation's history. It strikes at the vitals of our constitutional structure.

Essentially, statehood involves the question of what constitutes an equitable apportionment of political power. All governments, good or bad, merely represent different systems for the distribution, the separation, and the execution of power.

The civilian population of Alaska is 160,000. The combined vote of the Republican and Democratic Parties in the last, 1956, election was only 28,266.

This bill would grant to this handful of Alaskan citizens, first, the power to select and be represented by 2 Senators in the United States Senate; second, the power to select and be represented by 1 Member in the House of Representatives; third, the power to select and be represented by 3 electoral voters in the choice of a President.

This grant of power to Alaska is not a newly created power. This sovereign power now rests in the people of the 48 States. Statehood will deprive the people of the 48 States of their present representative power in the House, in the United States Senate, and in the election of a President.

Before making this decision, we ought to ask ourselves:

Does this bill conform to the spirit and the intent of our Constitution?

Will this bill tend to perfect this Union?

Will this bill promote the general welfare of the Nation's people?

Statehood would grant 2 United States Senators to 160,000 people residing in Alaska. They would possess the power of representation for their interests, in the ratio of 1 Senator for each 80,000 people.

Alaska's 2 Senators and its excessive power, for example, would potentially nullify the will of California's 14 million people, of Illinois' 10 million people, of Georgia's 4 million people, and of the voters of each of the other 48 States.

The voters, in Alaska, would have three electoral votes. An average of 1 electoral vote for each 50,000 inhabitants. The people of the 48 States average 1 electoral vote for each 300,000 population.

This is not the effective political equality for each citizen that we believe in.

The framers of our Constitution founded a Republic. They attempted to combine the best features of both, the Federal and National, types of government.

The powers granted to the Federal Government were limited. Residual sovereign power was reserved to the States and its peole. The plan of two Senators for each State government conformed to the Federal nature of our Union. The Senators were envisioned to act as protectors of States rights against encroachment by the Federal Government. The selection of United States Senators by the State legislatures was coupled with the design of accountability to the State governments rather than to the people of the States.

The 17th amendment to our Constitution was ratified on April 8, 1913. This basic change in the mode of the selection of Senators destroyed the rationale for the distribution of two seats to each State. It is interesting to note that no State has been admitted to the Union since the adoption of the 17th amendment.

Mr. HOSMER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 65]

Anderson, Mont.	Denton	Lesinski
Auchincloss	Dies	Morris
Bass, Tenn.	Dingell	Powell
Bentley	Dowdy	Rivers
Buckley	Durham	Robeson, Va.
Burdick	Eberharter	Scott, N. C.
Carnahan	Engle	Scrivner
Celler	Fenton	Sheppard
Chiperfield	Gordon	Shuford
Christopher	Gregory	Sieminski
Clark	Gross	Smith, Kans.
Coffin	Gubser	Springer
Colmer	Hays, Ark.	Steed
Davis, Ga.	Jenkins	Teague, Tex.
Davis, Tenn.	Kearney	Trimble
Dawson, Ill.	Knutson	Vinson
Dent	LeCompte	Watts
	Lennon	Willis

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7999), and finding itself without a quorum, he had directed the roll to be called, when 379 Members responded to their names, a quorum, and he submitted the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. PILLION. Mr. Chairman, the Senators, today, are accountable only to their constituents. They are, no longer, responsible for preserving the powers of their States. Their prime interest must lie in expanding national power to satisfy their areas with Federal funds.

The Senate, today, is a second popular legislative body. Its election continues, however, to be based upon the theory of an equality among States of a Federal Republic instead of equality among citizens of a national democracy.

The 12th amendment upheld the right of political parties to require Presidential electors to pledge support for the party's nominee for President. The President, for practical purposes, is a popularly elected President.

He, no longer, exclusively represents the Nation, independent of political pressures.

As the recognized head of a political party, the President is called upon to compromise the national welfare, with

sectional and local political practicalities.

The 16th amendment provides a source of unlimited taxing power to our National Government. It has encouraged the assumption of powers wholly beyond the original concept of our Constitution.

There is no measurement of naked political power. However, expenditures and taxes are a fair estimate of the exercise of political power.

The people of this country pay a total tax of more than $100 billion per year. The National Government takes more than 75 percent of this. The remaining 25 percent goes toward the support of our State, local, and school governments.

We have, step by step, evolved from a Federal Republic into a national democracy.

Twenty-five States, with a population of 31 million people, constituting 18 percent of the Nation's population, control 50 votes and have the majority power in our Senate.

This imbalance of political power is a prime factor in our huge Federal bureaucracy, its wastages, and the consequent burdensome Federal taxes. Every question in Congress, and even in the executive department, is tinted with practical politics.

Our Constitution was not shaped for our present form of government. The imbalances of power, the removal of restrictions upon national power, are fatal weaknesses in our present constitutional structure. We function as a national democracy under rules that were designed for a federal republic.

The grant of 2 United States Senators and 3 electoral votes to Alaska's 28,000 voters is repugnant to the proper apportionment of representation in a national democracy. It violates the spirit and intent of our Constitution. It is incompatible with the ideal of political equality for our citizens.

The equitable measurement of representation for a dominant national government is that of representation in proportion to population. It is the only protection of a majority against a preponderant power of a minority.

Statehood by increasing the power of the minority will tend to break down our two-party system. It leads to coalitions based on sectional interests.

Statehood will accentuate the separation between political power and the voting citizens. It encourages legislation by political expediency instead of sound principle.

This bill will not make a more perfect Union of our States. It will not promote the general welfare.

It can only produce future injustices and further weaken the Nation's welfare.

Can the constituents of the individual Members of this House rely upon the Senators and the Representatives of Alaska to protect and advance their interests?

Are we willing, do we have the moral right, to take the basic voting rights away from our constituents and transfer them in an excessive and disproportionate degree, to this small group of citizens?

Mr. Chairman, it is most disturbing to read the incessant flow of slogans and flammatory statements coming from the overzealous advocates of statehood.

"Patriotism," "right to vote," "colonialism," "second-class citizens," "taxation without representation," "the promise of statehood," "discrimination."

These are charges that we hear repeatedly. If true, they would be a reflection upon the integrity and the wisdom of this Congress. Particularly, upon the Committee on Interior and Insular Affairs. I will attempt to shed a little light on these charges.

This publicity emanates from the Alaska and the Hawaii Statehood Commissions. These two public bodies have spent more than $1 million in the last 10 years of taxpayers' funds to lobby this Congress for statehood. They are, by far, the biggest spending lobbies in this country.

The propriety of a territorial or State government, using vast public funds to publicize and promote a purely political objective, is most questionable.

The election by Alaska of three Tennessee plan Congressmen was not only presumptuous but it is also a brazen attempt to coerce this Congress.

The Alaska Statehood Commission has published this claim:

"In two World Wars and in Korea, they have fought, in number exceeding the national per capita average."

My figures only include World War II inductees. In that war, according to the Library of Congress, there were only 3,482 draftees from Alaska. This is about 50 percent of the ratio of the national contribution to the armed services.

We certainly cannot justify the claims that one segment of our Nation is more brave or more patriotic than any other. This issue is irrelevant to the political question of statehood. Certainly, Alaska should not be denied statehood, despite the poor mathematical showing in World War II.

COLONIALISM

The proponents of statehood advocate statehood claiming that it would avoid the stigma of colonialism.

The question of statehood is solely and wholly a domestic problem. It is an admission of abject weakness to allow foreign opinion to decide the conduct of our internal affairs.

We should not fear to disappoint our foreign enemies. Our friends need no explanations.

PRECEDENT

The advocates of statehood rely upon the use of precedent to lend validity to their claims.

Actually, legislative bodies do not recognize precedent. That is a principle applicable only to the judiciary.

The Tennessee plan for the admission of States originated with the Northwest Ordinance. This ordinance provided for the admission of States upon attaining a population of 60,000 people. But, at that time, the population of the country was only 3,600,000.

When Tennessee was admitted, it had a population of 105,000, or one-fiftieth of the Nation's 5,300,000 people.

According to this ratio, Alaska ought to have a population of over 3 million before it could qualify for statehood.

It is claimed that Alaska has an inchoate status of statehood because of a pronouncement by the Supreme Court that it is an incorporated territory.

This is another fictional doctrine of the Supreme Court. The problem of statehood is exclusively a political one. This is another attempted intrusion by the Supreme Court into legislative functions.

GOVERNORS' CONFERENCE

The impact of publicity favoring statehood is well illustrated by this recital of the official actions of the Governors' Conferences.

Resolutions favoring statehood for Alaska and Hawaii were adopted at the annual Governors' Conferences, successively from 1947 to 1952.

In 1953 a memorandum was sent to each Governor of the 48 States indicating the loss of representative power for each State. Since 1952, no resolution has been adopted by the Governors' Conferences recommending statehood for either Alaska or Hawaii.

PROMISE OF STATEHOOD

The supporters of statehood claim that there has been either an expressed or implied promise of statehood.

Actually, no one could possibly make a valid promise, expressed or implied, on behalf of the Congress and the President. These assertions are merely self-serving wishful delusions.

POLITICAL POWER OF TERRITORIES

Alaska, today, possesses general legislative power to enact laws relating to its property, affairs and government. Its powers are similar to the powers of our sovereign States.

Although Congress has reserved the right to disapprove territorial legislation no law passed by either Alaska or Hawaii has ever been disapproved by Congress.

There are two differences, both relatively minor, in the functioning of the Alaskan territorial government and that of our State governments.

The Governor of Alaska is appointed by the President instead of being elected by the people of the Territory.

The regulation of fishing is retained by the Federal Government.

Alaska does not appear to seriously want either an elected Governor nor additional power to regulate its fishing rights.

Alaska has not presented a comprehensive program for additional powers. The proponents of statehood have concentrated upon their drive for power in Congress.

In fact, Alaska is most ably represented by its distinguished Delegate. Most Members of this House are limited to serving on one major standing committee. The distinguished Delegate from Alaska enjoys the unique advantage of membership on four committees, Agriculture, Armed Services, Interior and Insular Affairs and Merchant Marine and Fisheries.

No Member of this House has the opportunity of serving on this imposing list of committees.

The record of the distinguished Delegate from Alaska indicates exceptional successful service on behalf of the Ter-

ritory. His constituents are not second class citizens.

I am positive that any time the people of Alaska decide to seriously present corrective legislation for their exaggerated ills, they will find a sympathetic and receptive committee and Congress.

A small clique of Alaskan residents strenuously claim the right to vote.

Let us examine the complexion of its population:

The civilian population of Alaska is 160,000, this excludes about 55,000 members of the armed services.

There are approximately 20,000 dependents of members of the armed services.

There are 16,000 noncitizen Federal employees and about 16,000 noncitizen dependents of Federal employees.

There are about 20,000 transient and seasonal employees.

The permanent citizen population is less than 90,000 people.

Out of this population, 35,000 are Aleutian, Eskimo and Indian natives. These people do not want statehood.

Certainly, the great influx of its present population was aware of the political status of this Territory.

They certainly cannot claim that their "right to vote" is being unjustly withheld. These recent arrivals are the most vociferous in their drive for political power.

THE ECONOMY OF ALASKA

The advocates of statehood paint a most fanciful picture of the promised land if Alaska is only given statehood.

It is most disheartening to see the political and business leadership of this great land delude themselves and the people with this political panacea.

The development of Alaska is not dependent upon statehood. The wealth of Alaska or of any other land is not contained in her lands or lakes or forests.

The wealth of any land lies in the hearts, the minds, and the muscle of her people.

The drive for statehood is a political diversion that keeps Alaska from seriously examining into the causes of her economic sickness.

The income of Alaska for the year 1956 was distributed as follows:

Mining, income was	$24,000,000
Forestry, income was	34,000,000
Fishing, income was	78,000,000
Farming and miscellaneous	8,000,000
Private-nongovernmental income totaled	144,000,000
Defense and Government spending	356,000,000
Total of all income	500,000,000

Private business totaled less than one-third of her income. More than two-thirds of her income was derived from Government spending.

The Federal Government spent more than $122 million in fiscal 1958 for purely civilian purposes. Military construction amounts to about $100 million a year in addition to the regular defense spending.

This civilian Federal aid and Federal defense spending amounts to $2.50 for every $1 of private-enterprise income.

Alaska is a glaring example of the failure of the welfare state. Its total Federal taxes are only $45 million a year. It receives in Federal nonmilitary handouts about three times what it pays into the Federal Treasury.

It seeks more political power in order to squeeze more Federal feeds out of Washington.

Alaska is long on politics and short on economics. It suffers from both political and economic illnesses. Alaska has an artificial economy. It is a land of scarcity of goods and an overabundance of political oratory.

The political atmosphere in Alaska is hostile to the creation of wealth and job opportunities. It has one of the highest tax rates of any State.

The cost of living in Alaska is fantastically inflated. This is partly caused by unionized monopolistic high wages, and a lack of economic productivity.

There is relatively little savings or profit for capital investment for the creation of productive wealth and jobs.

The labor force in Alaska varies from about 30,000 in the winter to about 50,000 in the summer. About 21,000 of these, or one-half of the peak labor force are union members. Only one-fourth of the labor force in the 48 States are union members.

Of course, the high laboring wages in Alaska are rationalized by the theory that Uncle Sam pays the bill, so the sky is the limit. The citizens of Alaska fail to see that these high wages also retard sound economic development by small business and entrepreneurs who cannot complete with Uncle Sam.

Outside capital refuses to come into Alaska because of its high tax rates, its immature politics, and its hostile radical unionism.

Yes, there is discrimination in Alaska. However, the discrimination is in favor of the Alaskan people and is a discrimination against the taxpayers of the 48 States.

JONES ACT

The Alaskan people have made political capital out of the Jones Act. They claim that they are being discriminated against. They say that there is a monopoly to fix high transportation charges.

Actually, Alaska is in the same position as every other port. Foreign ships cannot carry cargo between United States ports which includes Alaska.

The only exception to this law is that Canadian railroads can be used to ship between two American points, such as Detroit to Seattle. But, Canadian railroads cannot be used to ship between Detroit and Alaska.

Canadian ships do carry cargo to the ports of Hyder, Haines, and Skagway. There are three lines carrying cargo to the ports of Whittier, Seward, and Anchorage. There is plenty of competition for this business.

The Jones Act is not the bugaboo that the Alaskan people would have us believe. I cannot believe that the Merchant Marine Committee would be so unsympathetic that they would not recommend legislation to relieve the people of Alaska if they could present a reasonable case.

Let us examine the mismanagement of Alaska's unemployment compensation laws.

Alaska has the dubious distinction of being the only state or territory whose unemployment compensation funds are insolvent.

Alaska borrowed $2,630,000 from the Federal Government in January 1957. It borrowed another $2,635,000 in February 1958. It appears almost certain that Alaska will again be forced to borrow another $2 or $3 million before the end of the year. None of these funds have been repaid as yet. The prospects for repayment are not very promising.

The unemployment payroll deductions are 3 percent. The only other State with that rate is Rhode Island. Alaska also levies 5 percent on employees. Only two other States levy a tax on employees for unemployment compensation.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from California.

Mr. HOSMER. This deficit in the unemployment fund, as I understand, amounts to over $5 million.

Mr. PILLION. Yes. As of right now it is over $5 million.

Mr. HOSMER. Would that be an obligation of the new State?

Mr. PILLION. Yes, it would, at the end of about 4 years. But, they will have to borrow again. They are broke now or very close to it. They are down to about a $200,000 reserve.

Mr. HOSMER. That amounts to a pretty fair share of the annual tax collection, then, I take it.

Mr. PILLION. It shows the political way in which they handle unemployment funds, not based on an actuarial basis but a political situation.

CALL OF THE HOUSE

Mr. MURRAY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-seven Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 66]

Albert	Durham	Morris
Arends	Eberharter	Moulder
Ashley	Engle	Norblad
Auchincloss	Farbstein	Powell
Bailey	Fenton	Radwan
Barden	Gordon	Rains
Bass, Tenn.	Gregory	Rivers
Bentley	Gross	Robeson, Va.
Breeding	Gubser	Scott, N. C.
Buckley	Haskell	Scrivner
Burdick	Hays, Ark.	Sheppard
Byrnes, Wis.	Hays, Ohio	Shuford
Carnahan	Hillings	Sieminski
Celler	James	Siler
Christopher	Jenkins	Smith, Kans.
Clark	Jensen	Spence
Coffin	Kearney	Steed
Colmer	Kilburn	Trimble
Davis, Tenn.	Kluczynski	Vinson
Dawson, Ill.	Knutson	Vursell
Dent	LeCompte	Watts
Dies	Lennon	Wharton
Dowdy	Magnuson	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7999) to provide for the admission

of the State of Alaska into the Union, finding itself without a quorum, he caused the roll to be called, when 351 Members responded to their names, disclosing a quorum to be present, and he submitted herewith a list of the absentees for printing in the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New York [Mr. PILLION] is recognized.

Mr. PILLION. Mr. Chairman, just previous to this rollcall I had stated that the total payroll deductions for unemployment tax in Alaska amounted to 3 percent from the employers and one-half percent from the employees.

The average payroll deduction in the 48 States is only 1.4 percent.

The average weekly wage in Alaska is $138. Their unemployment compensation benefits range from $45 to $70 per week.

This maximum unemployment benefit of $70 per week is higher than the average weekly wages in 17 of our States.

This is a partial answer to Alaska's high cost of living, the failure to attract business capital, and her other economic and political troubles.

It is claimed by the proponents of statehood that Alaska's economy is depressed by the mismanagement of public lands by the Department of the Interior.

Congress has already passed a law giving Alaska 2 sections—Nos. 16 and 36—out of each township. Surveys have been made upon 230,000 acres which are now being held in trust for Alaska.

Oil leases are being signed at the rate of 5,000 a year. Alaska is entitled to 90 percent of all royalties which amount to 37½ percent. The backlog here is about 5,000 applications.

The Small Tract Act allows individuals to purchase up to 5 acres at an appraised value of about $10 per acre for the construction of homes. There is no backlog in this program.

There is no hold up or backlog on mining leases. A prospector can file on a location or a mine anywhere.

Any person can homestead 160 acres for himself and 160 acres for his wife, by living there 2 years. There is no backlog in this program.

The Territory of Alaska has never presented any detailed or specific complaints or recommendations for any improvement in the administration of the public lands of Alaska.

Her general, vague, unsupported, unverified charges are merely a diversionary tactic in their battle for the political power of statehood.

Mr. Chairman, statehood for Alaska will not solve the problem of representation in Congress for all of our citizens. It will only open the door to and create a series of additional insoluable situations.

If Alaska with a civilian population of 160,000 is granted statehood, what justification can there be for denying statehood to these other areas:

First. Hawaii with a population of 500,000 citizens where Mr. Bridges and the Communist-controlled I. L. W. U. will certainly influence or control the selection of 2 United States Senators and 2 Representatives.

Second. The District of Columbia with 830,000 citizens. If the right to vote is our only test, then how can we deny these people 2 Senators and 3 or 4 Representatives in Congress. The inhabitants, here, are citizens too.

Third. The Commonwealth of Puerto Rico has 2,500,000 citizens. By the way, this island, I am informed, is a hotbed of communism. What reason do we have to deny these people statehood with 2 United States Senators and 8 to 10 United States Representatives.

Fourth. The Pacific Island of Guam has a total citizenship of 65,000. They have their own Territorial legislature. They have repeatedly passed resolutions asking that a Delegate be sent to our Congress.

That is the first demand toward statehood with 2 U. S. Senators and 1 Representative.

Fifth. The Virgin Islands, with 30,000 citizens is also seeking a Delegate to our Congress.

If we grant statehood to Alaska, we should also be prepared to met these additional demands. To grant statehood to Alaska, and deny statehood to these other citizens will only aggravate our problems, and justly intensify the pressures for statehood and representation in Congress for these other citizens.

Mr. Chairman, Alaska's difficulties are primarily economic, and not political. She must seek to reorient her economy if she wants to cure her ills. Statehood is only a political diversion.

For the 48 States, statehood would be a tragic political misadventure. It is not the proper or the wise solution to this problem.

This bill ought to be recommitted for the good of both the citizens of Alaska and the citizens of the 48 States.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield.

Mr. MILLER of Nebraska. I notice the gentleman referred to Guam, the Virgin Islands, and Puerto Rico as possible new States. Does the gentleman feel that we have made any commitments at all to Alaska and Hawaii relative to statehood?

Mr. PILLION. None whatever; no one can make a commitment on behalf of this Congress or the President.

Mr. MILLER of Nebraska. Does the gentleman recognize that Franklin Roosevelt, and Harry Truman, and Dwight D. Eisenhower have all recommended statehood for Alaska?

Mr. PILLION. They are all fine gentlemen, but it is rather far afield when the power to grant statehood lies wholly within the House and the Senate, and no one can bind the Members of this Congress in a matter such as that.

Mr. MILLER of Nebraska. I agree with the gentleman. Does the gentleman also realize that both political parties for 12 years at their conventions adopted resolutions in which they favored statehood for Alaska?

Mr. PILLION. It is an unfortunate situation that political platforms are drawn up in the heat of campaigns or just before an election for the purpose, as the gentleman knows, of attracting votes. It would be much better if our political parties drew up their platforms at a time when they were not seeking votes and could consider these matters objectively and not for the sole purpose of attracting votes.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield further?

Mr. PILLION. I yield.

Mr. MILLER of Nebraska. Does the gentleman realize that all Gallup polls taken in the last 10 years have shown overwhelmingly, in all sections of the country, that the people themselves feel that Alaska is entitled to statehood?

Mr. PILLION. Well, unfortunately, the Gallup polls do not always reflect the mature judgment of the people who are polled. I happened to take a poll in my district on the question of whether the people in the district wanted to delay statehood. There were 110,000 questionnaires sent out, and the returns, surprisingly, were 2½ to 1 in favor of delaying statehood until communism was eradicated from Hawaii and there would be no chance of Mr. Bridges and Mr. Foster and Khrushchev having 2 representatives in the United States Senate and 2 in this House.

Mr. MILLER of Nebraska. I sent a questionnaire to the fourth district in Nebraska, also, some 80,000. There were some 20 questions on the questionnaire. One of them was, "Do you favor immediate statehood for Alaska?" Seventy-eight percent of the votes returned, a large group of them, said "Yes."

Mr. PILLION. Well, the difference, I think, lies in the fact that year after year I have told the constituents of my district about the Communist situation in Hawaii, what Mr. Bridges has done there, the control he has over the territorial legislature, and have told them recently of the Governor of the Territory of Hawaii extending an offer of a public office to Jack Hall, the convicted Communist lieutenant of Harry Bridges, a key figure in the international Communist conspiracy. And he was tendered a public office by the Republican Governor in the Territory of Hawaii. It indicates the strength, the political influence, of the Communist Party in Hawaii. Of course, after the people know the facts, both sides, you do not find them so eager for statehood; you do not find them voting 4 or 5 to 1 for statehood. Of course, the Hawaii Statehood Commission, as I stated here before, has spent $1 million or more in the past 10 years publicizing only the fine music, the delectation of visitors, the rhythm of the Hawaiian music, all of which is very nice but has nothing to do with the political problem of statehood.

Mr. MILLER of Nebraska. In our report on page 34 in reporting this bill it says:

> The Constitution itself provides that Congress shall decide when and how new States shall be admitted. * * * In a long series of cases, the Supreme Court of the United States has held that an unincorporated Territory is "an inchoate State," the ultimate destiny of which is statehood.

Mr. PILLION. As I stated in my statement here, I feel that the question of statehood is purely a political one, exclusively within the jurisdiction of the

Congress, and any pronouncement such as was read by the distinguished gentleman from Nebraska is an attempted intrusion on the part of the Supreme Court to tell this Congress what to do and what not to do. And it is time the Supreme Court limited itself to its proper function and not attempt to establish political policy for the United States.

Mr. MILLER of Nebraska. Of course, you and I live in a country where honest and sincere men and women, may, can, and do differ in their thinking, their political thinking.

Mr. PILLION. Surely.

Mr. MILLER of Nebraska. We would not have it any other way.

Mr. PILLION. Naturally.

Mr. MILLER of Nebraska. That is natural. And the gentleman made a scholarly address as to his position on Alaska. To me it is almost convincing.

Mr. PILLION. I am sorry about that word "almost."

Mr. MILLER of Nebraska. But I am trying to point out that all the Gallup polls and our Presidents have all recommended statehood. Perhaps they also may be right. At least we ought to give those who support statehood the right to an expression of opinion.

Mr. PILLION. I certainly concede the sincerity of the motives of the persons who favor statehood. I have no quarrel whatever with those persons who do.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield.

Mr. SAYLOR. I would like to ask the gentleman whether or not he believes in States rights?

Mr. PILLION. Yes; of course.

Mr. SAYLOR. If the gentleman believes in States rights, why does he make such a point of the fact that the unemployment-compensation fund being raised by employers and employees in Alaska is not the same as it is in New York State or in Pennsylvania? That is a matter for the people in Alaska to determine; is it not? What business is it of this Congress?

Mr. PILLION. Will the gentleman permit me to explain that?

Mr. SAYLOR. Yes.

Mr. PILLION. It would, of course, not be any of our business if they ran a solvent insurance fund, but when they go broke, when they go bankrupt, and call upon the citizens of the gentleman's State and the citizens of the other States, the taxpayers, to lend them money, which money I do not think will ever be repaid, because repayments do not start for 4 years, and they have a rate at which they pay out the funds and a rate at which they collect the funds, that do not meet, that do not match, that is what makes it different. If we lend them $2½ million each year for the next 4 years, they will owe us $10 million. I can see no prospect of Alaska, under our law, repaying the $10 million. It is just another means by which they receive moneys that they are not entitled to.

Mr. SAYLOR. Mr. Chairman, I would like to comment on that, because, looking at the CONGRESSIONAL RECORD, I found that the gentleman from New York just a week or so ago voted that his State and other States of the Union could do just what he is complaining about Alaska doing—that is, borrow funds.

Mr. PILLION. They are solvent. That is why they can borrow.

Mr. SAYLOR. If they were solvent, they would not have to call upon the Federal Government for funds, would they?

Mr. PILLION. In fact, New York State has something like $900 million in her unemployment fund.

Mr. SAYLOR. I would like to ask another question. I know of no Member of this House of Representatives or of the other body in favor of communism, wherever it may be found. But the argument the gentleman just made is that we should not admit Alaska or Hawaii to statehood until communism has been stamped out; is that so?

Mr. PILLION. That is very much so. I think it would be a great tragedy to permit Hawaii to come in and to permit Harry Bridges to select 2 Senators for the Senate and 2 Members for the House.

Mr. SAYLOR. J. Edgar Hoover just made the statement a short time ago that there are more Communists in New York City, and in the State of New York, than in all the rest of the country put together. Is the gentleman in favor of carrying his argument to its logical conclusion, of excluding the State of New York, its 43 Members of this House and 2 United States Senators, from representation in this Congress, until the people of New York stamp out communism?

Mr. PILLION. The number of Communists has no meaning in this problem. It is the power that they wield. If one of them were the head of the security forces in the country, that would be as significant as having 1,000 card-bearing members of the party who did not have the power. There they have the power and they use it. That is the important thing. They are using it in Hawaii to the fullest extent. They consolidated their strength in the labor-union field. They consolidated their strength in the political field, where the ILWU is stronger than either the Republican or the Democratic Party in Hawaii. They control the politics of Hawaii. That is what is important.

Mr. SAYLOR. Am I correct, then, that the House at the present time is considering H. R. 7999, a bill to provide for the admission of Alaska as a State into the Union? Is that the bill that we are considering at the present time?

Mr. PILLION. That is correct.

Mr. SAYLOR. Then the gentleman's argument seems to be that because Harry Bridges has some effect, in the gentleman's opinion, in Hawaii, Alaska should not be made a State. I should like to find out the logic of the gentleman's position.

Mr. PILLION. A few years ago, as the gentleman will remember, Hawaii was the Territory that should have statehood. It was the Territory that qualified in every respect, not Alaska. Alaska was in the background. The strategy of the proponents of statehood for both Alaska and Hawaii is to let Alaska run interference for Hawaii, so that Alaska can come in. The issue of Communists is not important there. But once Alaska is in, the stampede will be on to give Hawaii statehood next. If you grant statehood to 160,000 people in Alaska, what justification could there be for denying statehood to 500,000 people in Hawaii?

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from California.

Mr. HOSMER. The distinguished gentleman from New York who preceded the gentleman made some reference to the so-called shoehorn argument that Alaska's statehood would act as a shoehorn to achieve Hawaiian statehood. Is that the item to which the gentleman is speaking at this moment?

Mr. PILLION. There is no question about it. Alaska is just running interference for the idea of bringing in Hawaii immediately thereafter.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from Georgia.

Mr. FORRESTER. I was interested in the gentleman's observation that Hawaii would be the next on the list. May I ask the gentleman if he happens to have on his desk a pamphlet similar to the one I have on my desk, which states that Puerto Rico also wants us to consider statehood for it?

Mr. PILLION. Guam and the Virgin Islands—they are all in there. They all want representation in our Congress. Once we go along with statehood for Alaska, following the 17th amendment we have a principle now we can stand on until we can adjust our situation with regard to representation for these peoples. Once we grant statehood for Alaska then, of course, the others will say they, too, are entitled to two Senators in the United States Senate.

Mr. FORRESTER. I did want the gentleman to know I did have that pamphlet, and that Puerto Rico is now figuring to ask for statehood also.

Mr. PILLION. I thank the gentleman.

Mr. BEAMER. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from Indiana.

Mr. BEAMER. I think the gentleman is to be congratulated on his very forthright statement, and I wish to compliment him. I was going to ask the other gentleman from New York [Mr. O'BRIEN] a question, but perhaps the gentleman now on the floor can answer it. There are many questions that I think should be answered about this specific bill. I hope item by item it will be discussed by members of the committee.

On page 11, at the bottom of the page, subsection (j), and continuing onto page 12, there is indication that any funds that will be used for school purposes shall be prohibited from use for parochial schools. Is that in the gentleman's opinion going to be discriminatory against Catholics or any other people who are religiously and diligently trying to educate the people of this country?

Mr. PILLION. I do not know. I really do not know about that.

Mr. BEAMER. I think it is something that should be answered.

Mr. PILLION. The gentleman from New York [Mr. O'BRIEN] perhaps can answer it.

Mr. O'BRIEN of New York. Is the gentleman suggesting that a bill that I am supporting here is written so as to be antagonistic to any religious group?

Mr. BEAMER. I am merely asking the question. I was wondering if it might be so implied. I do not know.

Mr. O'BRIEN of New York. No. The committee considered the separation of church and state, in which I very firmly believe, and that is in the bill.

Mr. BEAMER. Suppose, then, we have some Federal-aid-to-education proposal as we have had in the past. Are we going to eliminate any parochial schools from such aid which might go to Alaska in the event it becomes a State, or any other present Territory becomes a State? I think we should project that into the future and determine whether or not we are answering all the questions in relation to this particular issue.

Mr. BARTLETT. If the gentleman will yield, my recollection is that that provision to which the gentleman from Indiana alludes is exactly the same as is found in other enabling bills for States.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from California.

Mr. HOSMER. I was interested in the gentleman's colloquy with the other gentleman from New York with respect to the Constitution in relation to having so many Senators or less. Because of that, let me ask the gentleman this question:

It is about a matter that is being talked about, that some of the larger States, if this condition is made, that the people there might have to go to the device of dividing their States into two or more States in order to regain their proportion of representation in the other body. Under our Constitution, would it be possible for some of our existing States to divide in order to secure or in order to resecure for themselves representation in the other body to which they are now entitled?

Mr. PILLION. As I understand it, the only State might be Texas, but as a practical proposition it would be a rather difficult situation.

Mr. HOSMER. As I understand it, in about 1860 a resolution was passed by my own State of California to divide into two States and enabling legislation was passed here in the Congress, which I think is still on the books, although the California law was taken off the books some 20 or 25 years later.

Mr. PILLION. I regret to say I am not enough of a constitutional authority to give the gentleman a definite answer.

Mr. EDMONDSON. Mr. Chairman, I rise in support of the bill.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. ASPINALL. I have asked the gentleman to yield simply to advise the members of the committee that the gentleman from Oklahoma who is now going to address us will take 5 or 10 minutes of time and not more than that, and then it will be the intention of the gentleman from Colorado to move that the Committee rise. I understand there are many Members who have important engagements.

(Mr. EDMONDSON asked and was given permission to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Chairman, there are more eyes upon this House today, across the world, than there have been on any matter before us this year.

They are not only the eyes of our American people, who have indicated by every poll on the question that they favor, overwhelmingly, Statehood for Alaska.

They are also the eyes of free men in all parts of the world—who look to see if America still stands for what we stood in 1776.

LET US END COLONIALISM IN ALASKA

No American should ever forget that this Nation of ours was the first colony in history to free itself from colonial rule.

The decision made, our fathers proclaimed to the world the principles which guided them, and us, ever since. These principles include the equality of men, the inalienability of their rights, their consent to be governed. Another principle which had lighted the torch of revolution over a year earlier, was "no taxation without representation." These principles have guided us to national greatness.

Today, we are flouting those basic principles and have been for some time. I refer to Alaska. By the standards our fathers set, and by a long train of other abuses similar to those against which they revolted, Alaska is a colony. This is an unwelcome, hardly credible fact. Today, we have the opportunity to rectify it by giving to Alaska—as we have 35 times to other areas since our Union was founded—the equality of Statehood, and government by consent, and representation in their taxation. Unless we do this, the taxation Alaskans have borne for 45 years will continue to be taxation without representation, which our pioneering forefathers correctly identified as tyranny.

There are various ways of defining a colony. We can draw such a definition from our own colonial experience. A colony is a dependent area in which the important political decisions are made somewhere else. When those decisions also adversely affect the colony's inhabitants—especially if for the benefit of residents of the superior or colonial power—then the latter is guilty of colonialism. The use of political power to create economic advantage for nonresidents of the colony is the quintessence of colonialism. That is happening in Alaska today.

Forty-two years ago Congress passed the Federal-Aid Highway Act—a highly important and beneficial piece of legislation. Alaska was excluded from it—except in the national forests—although Hawaii and even Puerto Rico—which pays no Federal taxes whatever—were included. Instead, Alaska got an occasional, wholly inadequate handout, in annual special appropriations, which were appreciable for only a few years, when national defense required them. Congressmen with votes deliberately excluded Alaska—which had no vote—from participation. Even in the case of the national forest highways, the Congress, for some years, reduced Alaska's share under the established formula, depriving Alaska of some $7 million—which was not returned to the Federal Treasury but divided among the States with national forests, whose Congressmen had the votes to switch this sum to their States. Every Alaskan was shortchanged thereby for the benefit of stateside constituencies. This was a plain and unvarnished act of colonialism.

Another more recent example: The Interstate Highway bill, enacted in 1956, contained some new and additional taxes on trucks, trailers, tires, and gas. Alaska was excluded from the benefits of this great supplementary highway program, but included in the taxation, despite the wholly reasonable plea of Alaska's voteless Delegate that Alaska should be either included in both, or excluded from both. Today, in consequence, whenever an Alaskan goes to his gas station and says, "Fill 'er up," he is paying a cent a gallon to build the super highways in every State of the Union from Alabama to Wyoming, but not in Alaska. That is colonialism.

Under the same act, he is paying an additional 3 cents a pound on tires—likewise for throughways not in Alaska. There is a striking analogy between that 3 cents a pound on tires that Alaskans must pay, and the 3-pence-a-pound tax on tea which caused our colonial forefathers to dump it into Boston Harbor. It was colonialism then in the Thirteen Colonies. It is colonialism now in the Alaska colony. Alaska has since been included in the old Federal Aid Highway Act, though on a reduced formula. But the years of Alaska's exclusion from participation have left it with a negligible highway system—3,500 miles, in an area one-fifth as large as the 48 States.

Thirty-eight years ago, Congress passed what is officially known as the Merchant Marine Act of 1920. In Alaska, it is known as the Jones Act, after its sponsor, the late Senator Wesley L. Jones, of the State of Washington. The act continued for shippers of freight across the country and the oceans beyond, the beneficial alternative for use of either domestic or foreign carriers—foreign meaning principally Canadian. But in section 27 of the act were inserted the words "excluding Alaska," which meant that of all areas—foreign and domestic—Alaskan conisgnors or consignees of shipments were denied the benefits of these provisions. The purpose of this discriminatory language was to benefit, instead, some of Senator Jones' constituents engaged in the shipping, transfer, and wharfage business in his home city of Seattle. This it did, but at the expense—the heavy expense—of Alaskans. Budding Alaskan enterprises, which had been shipping their manufactures through the port of Vancouver and over Canadian railways, were compelled by

the act to ship through Seattle, tripling their costs and putting them out of business.

Subject ever since to the Seattle steamship monopoly, with rates specially high for Alaska only, in the transfer charges from railway to dock, for wharfage, and then for ocean freight to and from the Alaskan community of origin or destination, Alaska's cost of living has soared, until it is the highest under the flag. If anyone questions that this imposition by Congressional Act wa not a flagrant example of colonialism, let him wait a moment to hear that fact judicially confirmed.

For the Alaska Territorial Legislature, meeting the following year, and highly indignant at this discrimination, ordered the Territorial attorney general to take the matter to court. The legislators believed that the discriminatory language of the Jones Act was a violation of the commerce clause in the Constitution, which, in section 9, limits the powers of Congress, and in the sixth paragraph declares:

> No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

Ultimately, the case came before the United States Court. Alaska's attorney general argued that the Jones Act had deprived Alaskans of the enjoyment of all the rights, advantages, and immunities of citizens of the United States, guaranteed them by the treaty of cession with Russia, and that furthermore, the Constitution had been specifically extended to Alaska in section 3 of the Organic Act of 1912. To Alaskans, it looked as if Senator Jones had overreached himself in his desire to benefit his constituents at the expense of Alaskans, and they waited, with hopeful confidence, that the highest Court in the land would do them justice.

The case for the Government and against Alaska was presented by the Solicitor General of the United States, a distinguished Philadelphia lawyer, James M. Beck. Let us note well the words of his concluding argument:

> If the Fathers had anticipated the control of the United States over the far-distant Philippine Islands, would they, whose concern was the reserved rights of the States, have considered for a moment, a project that any special privilege which the interests of the United States might require for the ports of entry of the several States should by compulsion be extended to the ports of the colonial dependencies.

What the United States Department of Justice was arguing was that any special privilege which the interests of the United States might require, should prevail over any rights claimed for the people of a colonial dependency. The colonial dependency in this case was Alaska. Colonialism could not have been avowed more frankly than it was by the executive branch of the Federal Government, defending the action of the legislative branch before the judicial branch.

And the Supreme Court agreed with that view. Mr. Justice McReynolds, rendering the opinion for the Court, said, "the act does give preference to ports of the States over those of the Territory," but that the Court could "find nothing in the Constitution itself or its history which impels the conclusion that it was intended to deprive Congress of the power so to act"—*Alaska* v. *Troy* (358 U. S. 101, February 27, 1922).

So the highest Court of the land, now housed in a beautiful edifice, over whose portals is deeply chiseled in marble the legend "Equal Justice Under Law," decided that it is legal and constitutional to discriminate against a Territory. Can anyone, any longer, assert that justice is equal for the residents of the colonial dependency, Alaska? Do we need still further proof that Alaska is a colony, and its inhabitants victims of colonialism?

For 38 years, ever since the passage of the Jones Act, Alaska's voteless Delegates have introduced bills to remove from it the discriminatory words "excluding Alaska." In vain. Those interests that enjoy the "special privilege," to which the Solicitor General of the United States made reference, have the votes to retain it. It has cost—and continues to cost—the people of Alaska millions of dollars annually for the benefit of these vested interests in Seattle, who had the political power to write this discrimination into the law, and the political power to keep it there. That is colonialism, as crude—if not cruder—than any against which our forefathers poured out their blood and treasure.

But that still is not all. The astronomical Alaskan costs of living are further raised by another manmade, stateside discrimination of long standing. We have seen colonialism at work to the disadvantage of the colonials in the Alaska dependency in two important fields of transportation—highways and steamships. We shall now see it in a third field—railways.

About half a century ago, the railways of the United States started developing so-called export-import tariffs, by which the rail part of the haul for overseas shipments was reduced. The areas to which these beneficial, lower rates were extended, were gradually increased until they included every country bordering on the Pacific Ocean, except Alaska. Thus, the tariff on the rail haul from any point in the United States to the port of exit, Seattle, is substantially higher—sometimes over 100 percent—if the tag on the shipment indicates that its ultimate destination is in Alaska. For the same article, originating in the same factory, shipped in the same way, even in the same car—in other words, for the identical service—the charge to Alaskans is higher than if the tag shows the shipment is destined for Hawaii, Japan, Australia, the West Coast of Mexico, Central or South America, or even Communist China. Alaskans began, 10 years ago, to protest to the railroads against this exclusive discrimination. They got nowhere. Five years ago, they were encouraged by enlisting the support of the General Services Administration. Its concern was aroused not so much for Alaskans in general, but because the Federal Government itself was being charged the higher rate on supplies and materials destined for the military bases in Alaska. The General Services Administration was likewise unable to persuade the railroads to give Alaska the same treatment accorded all other areas in the Pacific. The General Services Administration then started a formal proceeding before the Interstate Commerce Commission. Docket No. 31755, entitled "United States of America against Great Northern Railway Company et al."—the "al" being nearly all the other railways—was decided last June 6. It need surprise no one that it was decided adversely to Alaska.

So again we have a situation where interests in the United States—in this case, the railways—levy discriminatory rates against the residents of the colonial dependency Alaska.

Statehood would put an end to the discrimination in the Jones Act. That much is implicit in the Supreme Court's decision. It might not automatically secure for Alaska the export-import tariffs enjoyed by every other area in the Pacific. But give to the new State of Alaska an Alaska Congressional Delegation, with votes, and all of us know that discrimination would not long endure.

Surveys by the U. S. Civil Service Commission, made public last January, show that the cost of living was 41.7 percent higher in Juneau than in Washington, 56.7 percent higher in Anchorage, and 66 percent higher in Fairbanks. These figures are already obsolete, for since they were issued the Seattle Steamship monopoly has demanded—and secured, over the protests of Alaskans—another 15 percent increase in freight rates.

These are only a few of the instances of colonialism visited on Alaska.

Another flagrant example is in the salmon fisheries, once Alaska's greatest natural resource, and the Nation's greatest fishery resource. Alaska was the one and only Territory denied the right to manage its fisheries and wildlife. The canned salmon industry, headquartered in the Puget Sound area, has fought every Alaska attempt to increase the limited amount of self-government afforded by the Organic Act of 1912. They were sufficiently influential to keep the control of the fisheries in a Federal bureau—where they wanted it. For 45 years, ever since their first legislature, Alaskans have pleaded with Congress to transfer the fisheries to Territorial control and to prevent thereby the depletion which they foresaw and which has now taken place, with tragic consequences for the Alaskan fishermen, and the Alaskan public generally. From a high of over 8 million cases in the middle 1930's, the pack has dropped to less than 3 million cases in each of the last 3 years. So serious was the decline, that the Eisenhower administration felt obliged—for 3 successive years—to declare the fishing communities to be disaster areas.

The Alaskans' principal grievance is directed against a device—the fish trap—a large structure anchored in the path of the salmon, which catches them in large quantities—too large for conservation. The fish traps have been abolished in the other Pacific salmon areas, Brit-

ish Columbia, Washington, and Oregon, where the people control the resource. The fish-trap ownership is concentrated chiefly in a few absentee companies. The 23 successive legislatures memorials, directed at Congress, have requested the abolition of the traps. Bills introduced in each Congress by Alaska's voteless Delegate, have made the same request. Finally, in a desperate effort to be heard, the people of Alaska, on a referendum in 1948, voted 19,712 to 2,624—a ratio of over 7 to 1—for trap abolition. All of this was in vain, however, and there has been no congressional action.

The Federal agency supposed to regulate the salmon fishery—for the last 18 years the Fish and Wildlife Service of the Department of the Interior—despite its manifest failure to check the steady decline in the resource and carry out its prescribed conservation function, does not object to retention of the traps. Thus, in a conflict between the few stateside fish-trap beneficiaries, and virtually the entire population of Alaska, the Federal agency throws its full weight and authority on the side of the special privilege in the colonial power, and overrides the far greater interest of Alaskans. That is colonialism. But let no one doubt that the entire American people are not also the victims in the loss of tax revenue, in the cost of disaster relief, and in the destruction of a once great national resource.

These are by no means all of the examples of colonialism which have hampered the development of Alaska, and which should have long since have been ended. It would take hours to relate them all.

Is it not regrettable that at a time when colonialism is agitating the world as never before in its history, and is so clearly on its way out—except within the orbit of Russian imperialism—the United States has missed this great opportunity to be true to its traditions and give mankind a clear example, by action, of what our Nation has so long stood for?

Is it not a paradox that while we have failed to take this obvious course, Great Britain appears to have appreciated the world tide, and has been rapidly granting her form of self-government to her former colonies? Consider the list of new governments which have been granted independence either within or without the British Commonwealth: India, in 1947, Pakistan and Burma in 1948, Ceylon in 1955, and Sudan in 1956, Ghana and Malaya in 1957, and the West Indies Federation in 1958.

It is high time that we Americans put an emphatic and decisive stop to colonialism—which we now practice in unfair and oppressive form against the pioneering Americans of Alaska—and provide by action here for admission of Alaska as our 49th State.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to my distinguished friend from Virginia.

Mr. SMITH of Virginia. The gentleman has founded his remarks on the idea of colonialism. Of course, we have Puerto Rico and something over 2 million people as opposed to some 80,000 in Alaska. I would like to know if the gentleman proposes to give statehood to Puerto Rico, to the Virgin Islands, to Hawaii, to Guam, and to any other outlying Territories on the ground that otherwise we are guilty of what the gentleman thinks is such a terrible thing as colonialism.

Mr. EDMONDSON. I will say to my good friend that I do not think we can establish in the case of these other areas a case for colonialism that is clearly established in our treatment of Alaska. I do not believe, until you have that kind of case established, that you can make a case for justice and equity in these other places as you can in Alaska.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the distinguished gentleman from New York.

Mr. O'BRIEN of New York. Would the gentleman not agree that at least 70 percent of the people in Puerto Rico do not want statehood; that if we are discussing colonialism in relative terms, they have more self-government than the incorporated Territory of Alaska because they elect their own governor and they keep their own taxes? Alaska, which is an incorporated Territory, the highest status next to statehood, has less self-government than Puerto Rico.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I think the gentleman has made a very nice speech, particularly to readjust these freight rates. But I think he has been in something of a semantic shuffle on the matter of colonialism. I would not like to see this record go with that unchallenged. Colonialism as it is known as a word throughout the world today is something entirely different from the situation that we have in Alaska. It is the domination by one nation of a people of a different land, of supposedly a lesser economic and social development. The gentleman relates this to the people of the United States who rebelled in 1776 and if he does, he relates it to something that was entirely different, because it was 151 years before 1776 that the people came to this continent and started the creation of a new and separate culture, government, and environment.

Mr. EDMONDSON. Mr. Chairman, I disagree with my friend, and I do not yield further, for a speech.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from New York.

Mr. PILLION. Can the gentleman tell us how much tonnage would be shipped to Alaska that is not being shipped now because of the Jones Act discrimination?

Mr. EDMONDSON. I have no information on that point. I can only presume, in answer to that question, that if freight rates were lower there would be an increase in freight shipments to that area.

Mr. PILLION. Freight rates, of course, do not enter into this. As far as the bill eliminating the Jones Act discrimination is concerned, to which the gentleman referred, is there any idea how much would be shipped up to Alaska?

Mr. EDMONDSON. I am sorry I cannot supply that information to the gentleman, but I think it is a fair assumption that a lowering of freight rates would bring about greater business interests in that area, greater population, and greater traffic in freight.

Mr. ASPINALL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills, a joint resolution, and concurrent resolutions of the House of the following titles:

H. R. 1342. An act for the relief of Mrs. Helen Harvey;

H. R. 1466. An act for the relief of Dr. Thomas B. Meade;

H. R. 2763. An act for the relief of Hong-to Dew;

H. R. 4215. An act amending sections 22 and 24 of the Organic Act of Guam;

H. R. 4445. An act for the relief of the estate of Mr. Shirley B. Stebbins;

H. R. 6176. An act for the relief of Fouad George Baroody;

H. R. 6528. An act for the relief of Mrs. Lyman C. Murphey;

H. R. 6731. An act for the relief of Harry Slatkin;

H. R. 7203. An act for the relief of Dwight J. Brohard;

H. R. 7645. An act to provide for the release of restrictions and reservations contained in instrument conveying certain land by the United States to the State of Wisconsin;

H. R. 8039. An act for the relief of Edward L. Munroe;

H. R. 8071. An act to authorize the Secretary of the Army to convey an easement over certain property of the United States located in Princess Anne County, Va., known as the Fort Story Military Reservation, to the Norfolk Southern Railway Co. in exchange for other lands and easements of said company;

H. R. 8433. An act for the relief of Capt. Laurence D. Talbot (retired);

H. R. 8448. An act for the relief of Willie C. Williams;

H. R. 9012. An act for the relief of Alexander Grossman;

H. R. 9109. An act for the relief of John A. Tierney;

H. R. 9362. An act to provide for the conveyance of certain real property of the United States to Post 924, Veterans of Foreign Wars of the United States;

H. R. 9395. An act for the relief of Cornelia V. Lane;

H. R. 9490. An act for the relief of Sidney A. Coven;

H. R. 9514. An act for the relief of Valleydale Packers, Inc.;

H. R. 9738. An act to authorize the Secretary of the Navy to convey to the city of Macon, Ga., a parcel of land in the said city of Macon containing 5.39 acres, more or less;

H. R. 9775. An act for the relief of William J. McGarry;

H. R. 9991. An act for the relief of Felix Garcia;

H. R. 9992. An act for the relief of James R. Martin and others;

H. J. Res. 586. Joint resolution to authorize the designation of the week beginning on October 13, 1958, as National Olympic Week;

H. Con. Res. 17. Concurrent resolution authorizing the printing of additional copies of House Document No. 232, 84th Congress; and

H. Con. Res. 228. Concurrent resolution auorizing the printing as a House document of the pamphlet entitled "Our American Government. What is it? How Does It Function?"

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5836) entitled "An act to readjust postal rates and to establish a congressional policy for the determination of postal rates, and for other purposes."

POSTAL RATE READJUSTMENT

Mr. MURRAY submitted the following conference report and statement on the bill (H. R. 5836) to readjust postal rates and to establish a congressional policy for the determination of postal rates, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 1760)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5836) entitled "An act to readjust postal rates and to establish a congressional policy for the determination of postal rates, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I—POSTAL POLICY

"Short title

"SEC. 101. This title may be cited as the 'Postal Policy Act of 1958.'

"Findings

"SEC. 102. The Congress hereby finds that—

"(1) the postal establishment was created to unite more closely the American people, to promote the general welfare, and to advance the national economy;

"(2) the postal establishment has been extended and enlarged through the years into a nationwide network of services and facilities for the communication of intelligence, the dissemination of information, the advancement of education and culture, and the distribution of articles of commerce and industry. Furthermore, the Congress has encouraged the use of these broadening services and facilities through reasonable and, in many cases, special postal rates;

"(3) the development and expansion of these several elements of postal service, under the authorization by the Congress, have been the impelling force in the origin and growth of many and varied business, commercial, and industrial enterprises which contribute materially to the national economy and the public welfare and which depend upon the continuance of these elements of postal service;

"(4) historically and as a matter of public policy there have evolved, in the operations of the postal establishment authorized by the Congress, certain recognized and accepted relationships among the several classes of mail. It is clear, from the continued expansion of the postal service and from the continued encouragement by the Congress of the most widespread use thereof, that the postal establishment performs many functions and offers its facilities to many users on a basis which can only be justified as being in the interest of the national welfare;

"(5) while the postal establishment, as all other Government agencies, should be operated in an efficient manner, it clearly is not a business enterprise conducted for profit or for raising general funds, and it would be an unfair burden upon any particular user or class of users of the mails to compel them to bear the expenses incurred by reason of special rate considerations granted or facilities provided to other users of the mails, or to underwrite those expenses incurred by the postal establishment for services of a nonpostal nature; and

"(6) the public interest and the increasing complexity of the social and economic fabric of the Nation require an immediate, clear, and affirmative declaration of congressional policy with respect to the activities of the postal establishment including those of a public service nature as the basis for the creation and maintenance of a sound and equitable postal-rate structure which will assure efficient service, produce adequate postal revenues, and stand the test of time.

"Declaration of policy

"SEC. 103. (a) The Congress hereby emphasizes, reaffirms, and restates its function under the Constitution of the United States of forming postal policy.

"(b) It is hereby declared to be the policy of the Congress, as set forth in this title—

"(1) that the post office is a public service;

"(2) to provide a more stable basis for the postal-rate structure through the establishment of general principles, standards, and related requirements with respect to the determination and allocation of postal revenues and expenses; and

"(3) in accordance with these general principles, standards, and related requirements, to provide a means by which the postal-rate structure may be fixed and adjusted by action of the Congress, from time to time, as the public interest may require, in the light of periodic reviews of the postal-rate structure, periodic studies and surveys of expenses and revenues, and periodic reports, required to be made by the Postmaster General as provided by section 105 of this title.

"(c) The general principles, standards, and related requirements referred to in subsection (b) of this section are as follows:

"(1) In the determination and adjustment of the postal-rate structure, due consideration should be given to—

"(A) the preservation of the inherent advantages of the postal service in the promotion of social, cultural, intellectual, and commercial intercourse among the people of the United States;

"(B) the development and maintenance of a postal service adapted to the present needs, and adaptable to the future needs, of the people of the United States;

"(C) the promotion of adequate, economical, and efficient postal service at reasonable and equitable rates and fees;

"(D) the effect of postal services and the impact of postal rates and fees on users of the mails;

"(E) the requirements of the postal establishment with respect to the manner and form of preparation and presentation of mailings by the users of the various classes of mail service;

"(F) the value of mail;

"(G) the value of time of delivery of mail; and

"(H) the quality and character of the service rendered in terms of priority, secrecy, security, speed of transmission, use of facilities and manpower, and other pertinent service factors.

"(2) The acceptance, transportation, and delivery of first-class mail constitutes a preferred service of the postal establishment and, therefore, the postage for first-class mail should be sufficient to cover (A) the entire amount of the expenses allocated to first-class mail in accordance with this title and (B) an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating thereto.

"(3) Those services, elements of service, and facilities rendered and provided by the postal establishment in accordance with law, including services having public service aspects, which, in whole or in part, are held and considered by the Congress from time to time to be public services for the purposes of this title shall be administered on the following basis:

"(A) the sum of such public service items as determined by the Congress should be assumed directly by the Federal Government and paid directly out of the general fund of the Treasury and should not constitute direct charges in the form of rates and fees upon any user or class of users of such public services, or of the mails generally; and

"(B) nothing contained in any provision of this title should be construed as indicating any intention on the part of the Congress (i) that such public services, or any of them, should be limited or restricted or (ii) to derogate in any way from the need and desirability thereof in the public interest.

"(4) Postal rates and fees shall be adjusted from time to time as may be required to produce the amount of revenue approximately equal to the total cost of operating the postal establishment less the amount deemed to be attributable to the performance of public services under section 104 (b) of this title.

"Identification of and appropriations for public services

"SEC. 104. (a) The following shall be considered to be public services for the purposes of this title— .

"(1) the total loss resulting from the transmission of matter in the mails free of postage or at reduced rates of postage as provided by statute, including the following:

"(A) paragraph (3) of subsection (a) of section 202 of the Act of February 28, 1925 (39 U. S. C. 283 (3)) relating to reduced rates of postage on newspapers or periodicals of certain nonprofit organizations;

"(B) sections 5 and 6 of the Act of March 3, 1877 (39 U. S. C. 321), relating to official mail matter of the Pan American Union sent free through the mails;

"(C) section 25 of the Act of March 3, 1879, as amended (39 U. S. C. 286), and subsection (b) of section 2 of the Act of October 30, 1951 (39 U. S. C. 289a (b)), relating to free-in-county mailing privileges;

"(D) the Act of April 27, 1904 (33 Stat. 313), the last paragraph under the heading 'Office of the Third Assistant Postmaster General' contained in the first section of the Act of August 24, 1912 (37 Stat. 551), and the Joint Resolution of June 7, 1924 (43 Stat. 668; Pub. Res., No. 33, Sixty-eighth Congress), as contained in the Act of October 14, 1941 (55 Stat. 737; Public Law 270, Seventy-seventh Congress), and as further amended by the Act of September 7, 1949

13. PERSONNEL. The Government Operations Committee reported without amendment H. R. 11133, to amend the Administrative Expenses Act so as to provide for the payment of travel costs for certain Federal personnel appointments to areas in which the CSC has determined there is a manpower shortage (H. Rept. 1764). p. 8405

14. SURPLUS PROPERTY. The Government Operations Committee reported with amendment S. 2224, to amend the procedures on advertised and negotiated disposals of surplus property (H. Rept. 1763). p. 8405

15. POSTAL RATES. Agreed, 381 to 0, to the conference report on H. R. 5836, the postal rate and pay increase bill. This bill will now be sent to the President. pp. 8360-66, 8405

16. STATEHOOD. Continued debate on H. R. 7999, the Alaska statehood bill. Agreed to close debate on the bill at not later than 5 o'clock Mon., May 26. pp. 8366-95

17. FARM PRICES. Rep. Marshall discussed farm prices and income, and stated "there appears to be an intensified campaign in the slick news magazines to convince consumers that farmers are benefiting from the record high cost of living." pp. 8398-99

18. PUBLIC LAW 480. Rep. Dingell urged the use of foreign currencies derived from the sale of surplus agricultural commodities for the purchase, translation, and cataloging foreign scholarly works, and inserting several letters he had received favoring his proposal. pp. 8400-02

19. TEXTILE IMPORTS. Rep. Rogers criticized the continued importation of cotton velveteen from Japan. p. 8403

20. METAL STABILIZATION PAYMENTS. Both Houses received from Interior a draft bill "to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines by providing for stabilization payments to producers of ores or concentrates of these commodities"; to Interior and Insular Affairs Committees. pp. 8405, 8310

21. FOREIGN AFFAIRS. Received from the Foreign Affairs Committee a report of the Special Study Mission to Canada (H. Rept. 1766). p. 8405

ITEMS IN APPENDIX

22. COTTON. Sen. Johnson inserted an editorial stating that J. H. West, president of the Texas FarmBureau, has been selected as 1 of 3 men to represent the U. S. at an international cotton meeting in London next month. p. A4722

23. ELECTRIFICATION. Sen. Proxmire inserted an editorial honoring TVA on the anniversary of its 25th year of service. pp. A4724-5

Extension of remarks of Sen. Proxmire expressing concern over proposed legislation "to change the REA's basic program" which farm leaders regard as a threat to its continued success and inserting an editorial, "Anti-REA Drive Hots Up." pp. A4728-9

Extension of remarks of Rep. Roberts inserting articles describing the development of the Coosa-Alabama river system. pp. A4743, A4749-50

Sen. Yarborough inserted an editorial on the value of McGee Bend dam to the people of Texas. p. A4750

24. FOREIGN TRADE. Rep. Madden inserted an editorial urging enactment of the bill to extend the Reciprocal Trade Agreements Act exactly as reported. p. A4727

Rep. May inserted an editorial urging passage of the Reciprocal Trade Agreements Act extension. p. A4735

Rep. Harrison, Va., inserted an editorial urging Congress not to go too far in protecting U. S. industries hit by foreign competition because of the danger of upsetting our foreign trade balance. p. A4742

Rep. Dorn inserted an editorial supporting Sen. Russell's views on restrictions of imports. p. A4753

25. FEDERAL-STATE RELATIONS. Extension of remarks of Rep. May commending the studies of the Fountain Subcommittee on Intergovernmental Relations and inserting an editorial, "The States Could Regain Some Financial Powers." p. A4730

Extension of remarks of Rep. Cramer criticizing actions of the Governors' Conference in regard to assuming certain Federal programs and attempts to request Federal action against the recession. He inserted a list of the Administration's steps taken against the recession and a tabulation of State action on the National Interstate Highway system. pp. A4762-4

26. FOREIGN AID. Extension of remarks of Rep. Judd supporting the foreign aid program. pp. A4743-6

BILLS INTRODUCED

27. LANDS. S. 3881, by Sen. Anderson, to amend the Atomic Energy Act of 1954, as amended, to provide for the release of source material reservations contained in conveyances of public and acquired lands; to Atomic Energy Joint Committee.

H. R. 12649, by Rep. Burns, Hawaii, to amend the Hawaiian Organic Act, and to approve amendments of the Hawaiian land laws in regard to sales, leasing, and exchange of public lands; to Interior and Insular Affairs Committee.

28. MARKETING. S. 3883, by Sen. Humphrey, to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities; to Agriculture and Forestry Committee.

29. PERSONNEL. S. 3888, by Sen. Clark, to provide for an effective system of personnel administration for the executive branch of the Government; to Post Office and Civil Service Committee.

H. R. 12652, by Rep. Reuss, to amend the Civil Service Retirement Act to authorize the disclosure of certain retirement information; to Post Office and Civil Service Committee.

30. FOREIGN AID. H. R. 12629, by Rep. Dingell, to amend title IV of the Mutual Security Act of 1954 to provide for certain overseas programs relating to scientific and other significant works; to Foreign Affairs Committee. Remarks of author. pp. 8400-2

31. HOLIDAY. H. R. 12634, by Rep. May, declaring October 12 to be a legal holiday; to Judiciary Committee. Remarks of author. p. A4741

32. HOUSING. H. R. 12637, by Rep. O'Hara, Ill., to provide for direct Federal loans to meet the housing needs of moderate-income families, to provide liberalized credit to reduce the cost of housing for such families; to Banking and Currency Committee.

unless it can be demonstrated that justification for the pay increase has developed since January 1 of this year which did not exist then—or even last year.

Of course politics has been played with this issue—and neither side of this House has had a monopoly on the politics. I see no reason why employees of the postal service—for whom we are all so sympathetic today—should be penalized because for political or other arbitrary reasons some were not so sympathetic a year ago.

The pay increase in this conference report is, in substance, identical with the proposal I offered in the House Committee on Post Office and Civil Service earlier this year, and which was rejected by the committee. I am happy that this schedule, including the clear recognition that the hardships of inflated living costs are most severe on those in the lower income groups, has been incorporated in the legislation.

Again I express the hope that the House will overwhelmingly approve the conference report and that it will speedily become law.

Mr. MURRAY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

Mr. RHODES of Pennsylvania. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. A motion to recommit is not in order on this conference report, because the Senate has already acted. This takes away that right.

Mr. RHODES of Pennsylvania. Mr. Speaker, the conference report fails to establish the necessary basic principle in postal rate legislation contained in the House version of H. R. 5836.

I refer to section 104 (d) of the House bill which was adopted as an amendment on August 13, 1957, by a 171–147 teller vote—CONGRESSIONAL RECORD, pages 13267–13269. The purpose of this amendment was simply to place a $100,000 limitation on the second-class postal subsidies for any single user of this type of mail.

For that reason I hoped to offer a motion to recommit with instructions to include this subsidy limitation in this bill. Under the present parliamentary situation this is not possible.

As I have pointed out on numerous occasions, the losses to the Post Office Department in handling second-class mail have amounted to more than $2.5 billion during the past 11 years. The subsidy to the 10 largest circulation magazines in 1 year alone totals more than $32 million. The modest increases in second-class mail rates provided in the conference report will not even begin to reduce the size of this subsidy to the big publishers. On the contrary, with ever-increasing circulation it will most likely result in an even greater deficit despite the 3 annual 10-percent rate increases. Moreover, the effective date of January 1, 1959, will provide an additional $12.5 million windfall for the publishers.

Mr. Speaker, a version of the subsidy-limitation amendment was also offered in the Senate on February 27, 1958, cosponsored by the Senator from Pennsylvania [Mr. CLARK] and the Senator from Wisconsin [Mr. PROXMIRE]. While the amendment was rejected 33 to 57 on a rollcall vote, I think that it should be pointed out Congress has made no clear-cut decision on the principle of second-class postal subsidy limitation. Adding together the House and Senate votes for and against the 2 subsidy-limitation amendments we see that 204 Members voted for the principle and exactly 204 Members voted against. One amendment was adopted, one was rejected. The conference committee has eliminated the amendment despite the evenly divided votes of those present and voting on the two occasions when it has been presented. In view of the action of the House conferees in dropping this section from the bill, I feel that the Members of the House should be given the opportunity to conclusively act on the principle of subsidy limitation.

During the past several months we have witnessed a propaganda campaign of gigantic proportions, carried on by the magazine publishers lobby against the subsidy-limitation amendment. They have filled the record with distortions and half-truths.

The fact is that the Post Office Department does not consider second-class publishers, subsidy-limitation administratively unworkable. On a nationwide television program the Postmaster General declared that this amendment is not impossible to administer.

The fact is that the subsidy-limitation amendment would not, as has been claimed, vest any life-or-death power over competing publications in the hands of the Postmaster General.

The fact is that subsidy limitation is not an attempt to penalize certain magazines with large circulation. It merely establishes a cutoff point to prevent the continued exorbitant losses to the Department in the handling of this type of mail.

The fact is that most magazine publishers can well afford to pay a fair share of the cost of handling the publications. Financial data which I placed in the RECORD last year shows that most of them are making record profits. Moreover, the aditional postage costs resulting from such an amendment could easily be offset by slight increases in their subscription rates. Most publishers have raised their rates in the past 3 months in anticipation of increased second-class rates.

Mr. Speaker, I strongly favor the pay raises for postal workers contained in this bill. They are long overdue. I regret that postal rate and postal pay legislation have been combined because I feel that the two are not related. I want it clearly understood that my only objection to this conference report is based on the continued multimillion dollar subsidies to well-established, profit-making private publishing businesses, not because of the pay raises for postal workers contained in the bill.

I do not believe we should burden the American public with a 4-cent first-class rate unless some type of limitation is placed on these gigantic subsidy handouts to large magazine publishers. After adoption of my publishers subsidy-limitation amendment by the House last year, I voted for the bill on final passage because I felt that a 4-cent first-class rate was then made fair and equitable. A 4-cent first-class rate cannot, in my opinion, be justified without limiting these unwarranted subsidies.

The SPEAKER. The question is on the conference report.

Mr. MURRAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were: Yeas 381, nays 0, not voting 48, as follows:

[Roll No. 67]

YEAS—381

Abbitt	Cretella	Hill
Abernethy	Cunningham, Iowa	Hoeven
Adair	Cunningham, Nebr.	Hoffman
Addonizio	Curtin	Holland
Albert	Curtis, Mass.	Holmes
Alexander	Curtis, Mo.	Holt
Alger	Dague	Holtzman
Allen, Ill.	Davis, Ga.	Horan
Anderson, H. Carl	Davis, Tenn.	Hosmer
Anderson, Mont.	Dawson, Utah	Huddleston
Andrews	Delaney	Hyde
Anfuso	Dennison	Ikard
Arends	Denton	Jackson
Ashley	Derounian	Jarman
Ashmore	Devereux	Jennings
Aspinall	Diggs	Jensen
Avery	Dingell	Johansen
Ayres	Dixon	Johnson
Bailey	Dollinger	Jonas
Baker	Donohue	Jones, Ala.
Baldwin	Dooley	Jones, Mo.
Barden	Dorn, N. Y.	Judd
Baring	Dorn, S. C.	Karsten
Barrett	Doyle	Kean
Bass, N. H.	Dwyer	Kearns
Bates	Eberharter	Keating
Baumhart	Edmondson	Kee
Beamer	Elliott	Kelly, N. Y.
Becker	Everett	Keogh
Beckworth	Evins	Kilburn
Bennett, Fla.	Fallon	Kilday
Bennett, Mich.	Farbstein	Kilgore
Bentley	Fascell	King
Berry	Feighan	Kirwan
Betts	Fenton	Kitchin
Blatnik	Fino	Knox
Blitch	Flood	Krueger
Boggs	Flynt	Lafore
Boland	Fogarty	Laird
Bolling	Forand	Landrum
Bolton	Ford	Lane
Bosch	Forrester	Lankford
Bow	Fountain	Latham
Boykin	Frazier	LeCompte
Boyle	Frelinghuysen	Lesinski
Bray	Friedel	Libonati
Breeding	Fulton	Lipscomb
Brooks, Tex.	Garmatz	Loser
Broomfield	Gary	McCormack
Brown, Ga.	Gathings	McCulloch
Brown, Mo.	Gavin	McDonough
Brown, Ohio	George	McFall
Brownson	Glenn	McGovern
Broyhill	Gordon	McGregor
Budge	Gray	McIntire
Burleson	Green, Oreg.	McIntosh
Bush	Green, Pa.	McMillan
Byrd	Griffin	McVey
Byrne, Ill.	Griffiths	Macdonald
Byrne, Pa.	Gubser	Machrowicz
Canfield	Gwinn	Mack, Ill.
Cannon	Hagen	Mack, Wash.
Carrigg	Hale	Madden
Cederberg	Haley	Magnuson
Celler	Halleck	Mahon
Chamberlain	Harden	Mailliard
Chelf	Hardy	Marshall
Chenoweth	Harris	Martin
Chiperfield	Harrison, Nebr.	Mason
Christopher	Harrison, Va.	Matthews
Church	Harvey	May
Clark	Hays, Ohio	Meader
Clevenger	Healey	Merrow
Coad	Hébert	Metcalf
Coffin	Hemphill	Michel
Collier	Henderson	Miller, Calif.
Cooley	Herlong	Miller, Md.
Corbett	Heselton	Miller, Nebr.
Coudert	Hess	Miller, N. Y.
Cramer	Hiestand	Mills
		Minshall
		Mitchell

Montoya	Reuss	Taylor
Moore	Rhodes, Ariz.	Teague, Calif.
Morano	Rhodes, Pa.	Teague, Tex.
Morgan	Riehlman	Teller
Morrison	Rivers	Tewes
Moss	Roberts	Thomas
Moulder	Robison, N. Y.	Thompson, N. J.
Multer	Robsion, Ky.	Thompson, Tex.
Mumma	Rodino	Thomson, Wyo.
Murray	Rogers, Col.	Thornberry
Natcher	Rogers, Fla.	Tollefson
Neal	Rogers, Mass.	Tuck
Nicholson	Rogers, Tex.	Udall
Nimtz	Rooney	Ullman
Norblad	Roosevelt	Utt
Norrell	Rutherford	Vanik
O'Brien, Ill.	Sadlak	Van Pelt
O'Brien, N. Y.	Santangelo	Van Zandt
O'Hara, Ill.	St. George	Vinson
O'Hara, Minn.	Saund	Vorys
O'Konski	Saylor	Vursell
O'Neill	Schenck	Wainwright
Osmers	Scherer	Walter
Ostertag	Schwengel	Weaver
Passman	Scott, Pa.	Westland
Patman	Scrivner	Wharton
Patterson	Scudder	Whitener
Pelly	Seely-Brown	Whitten
Perkins	Selden	Widnall
Pfost	Sheehan	Wier
Philbin	Shelley	Wigglesworth
Pilcher	Sikes	Williams, Miss.
Pillion	Simpson, Ill.	Williams, N. Y.
Poage	Simpson, Pa.	Willis
Poff	Sisk	Wilson, Calif.
Polk	Smith, Calif.	Wilson, Ind.
Porter	Smith, Kans.	Winstead
Preston	Smith, Miss.	Withrow
Price	Smith, Va.	Wolverton
Prouty	Spence	Wright
Quie	Springer	Yates
Rabaut	Staggers	Young
Rains	Stauffer	Younger
Ray	Steed	Zablocki
Reece, Tenn.	Sullivan	Zelenko
Reed	Taber	
Rees, Kans.	Talle	

NOT VOTING—48

Allen, Calif.	Durham	Knutson
Auchincloss	Engle	Lennon
Bass, Tenn.	Fisher	McCarthy
Belcher	Granahan	Morris
Bonner	Grant	Powell
Brooks, La.	Gregory	Radwan
Buckley	Gross	Riley
Burdick	Haskell	Robeson, Va.
Byrnes, Wis.	Hays, Ark.	Scott, N. C.
Carnahan	Hillings	Sheppard
Colmer	Holifield	Shuford
Dawson, Ill.	Hull	Sieminski
Dellay	James	Siler
Dent	Jenkins	Thompson, La.
Dies	Kearney	Trimble
Dowdy	Kluczynski	Watts

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Colmer with Mr. Allen of California.

Mr. Buckley with Mr. Kearney.

Mr. Hull with Mr. Auchincloss.

Mr. Scott of North Carolina with Mr. Gross.

Mr. Lennon with Mr. Haskell.

Mr. Durham with Mr. James.

Mr. Robeson with Mr. Siler.

Mr. Dawson of Illinois with Mr. Burdick.

Mr. Engle with Mr. Radwan.

Mrs. Granahan with Mr. Byrnes of Wisconsin.

Mr. McCarthy with Mr. Belcher.

Mr. Dent with Mr. Jenkins.

Mr. Brooks of Louisiana with Mr. Hillings.

The result of the vote was annuonced as above recorded.

A motion to reconsider was laid on the table.

CORRECTION OF ROLLCALL

Mr. KILBURN. Mr. Speaker, on rollcall No. 65, I am not listed as among those who failed to answer to their names. I was absent and did not answer to my name, and I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection, the RECORD and Journal will be corrected accordingly.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carroll, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 90. Concurrent resolution authorizing the purchase of floral wreaths to be placed in the rotunda of the Capitol for the ceremonies in connection with the Unknown Soldiers.

CORRECTION OF THE RECORD

Mr. POLK. Mr. Speaker, I ask unanimous consent to correct the permanent RECORD. In an extension of remarks which I inserted in the RECORD on May 21, 1958, page A4685, the second sentence should read:

Mr. Speaker, the Chicago Daily Drovers Journal is one of the oldest and most respected journals in the livestock industry. In the April 14, 1958, issue of the Drovers Journal there appeared an editorial on the controversial livestock checkoff legislation currently under consideration by the House Agriculture Committee.

No matter on which side of this controversy one finds himself, this editorial is worth reading, for it expresses the views of a very important spokesman for the livestock industry in the Middle West.

Under leave to extend my remarks, I am including the Drovers Journal editorial entitled "Meat Promotion Up Again."

I ask unanimous consent that the permanent RECORD be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to correct the permanent RECORD. In my remarks on May 15, page 7960, the last column, under the heading, "Correction of Rollcalls," the RECORD shows "rollcalls Nos. 47 and 48." It should have been "rollcalls Nos. 27 and 28."

I ask unanimous consent, Mr. Speaker, that the permanent RECORD be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ADMISSION OF THE STATE OF ALASKA INTO THE UNION

Mr. ASPINALL. Mr. Speaker, by direction of the Committee on Interior and Insular Affairs, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union; and pending that I ask unanimous consent that further general debate be limited to the balance of today, all of tomorrow, and until 2 p. m. on Monday, May 26; one-half of the time to be controlled by the gentleman from Nebraska [Mr. MILLER] and one-half by the gentleman from New York [Mr. O'BRIEN].

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. SMITH of Virginia. Mr. Speaker, reserving the right to object, there is great interest in this bill, and there are a great many Members who would like to be heard. I wish the gentleman would not make that request today. We will try to get along the best we can. I hope the gentleman will not insist on the unanimous-consent request at this time.

Mr. ASPINALL. The gentleman from Colorado does not insist on his request. He understands the position of the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Speaker, I am compelled to object.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 7999, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

Mr. SAYLOR. Mr. Chairman, I seek recognition.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 1 hour or any part thereof.

(Mr. SAYLOR asked and was given permission to revise and extend his remarks.)

Mr. SAYLOR. Mr. Chairman, 97 years ago, on February 22, 1861, a new American flag was raised over Independence Hall in the city of Philadelphia. That flag was new because it had in it an additional star for the 34th State to enter our Union. Kansas had become a State on January 29, 1861. Significant enough, Kansas had only been an organized Territory for 7 short years, since May 30, 1854.

As he raised that new flag with 34 stars, one of the greatest Americans of all times, President-elect Abraham Lincoln said:

I think we may promise ourselves that not only the new star placed upon that flag shall be permitted to remain there to our permanent posterity, for years to come, but additional ones shall from time to time be placed there until we shall number, as it is anticipated by the great historian, 500 millions of happy and prosperous people.

Mr. Chairman, Alaska became a Territory only 6 years after that prophetic statement by Abraham Lincoln. It has been an organized Territory since 1912, longer than any other Territory in the history of this country; yet we are still engaged in trying to pass a bill to admit the Territory of Alaska to the sisterhood of States.

The question of statehood for Alaska has been before the Congress for 40 years, since 1916 when Alaska's great and foresighted Delegate, Judge James Wickersham, introduced the first statehood bill. At no time has this matter been of greater urgency than today when this thoroughly American Territory humbly but insistently knocks at the door of the Union. Simple justice demands that we

respond to Alaska's petitions and admit her into the Union as a State.

Over the years the committees of the Congress have minutely examined the proposal to grant statehood to our northernmost Territory. They have compiled hundreds upon hundreds of pages of testimony and evidence which demonstrate beyond question that Alaska is ready for and should be granted statehood.

Through these years, the committees have held hearings not only in Washington, D. C., but in the Territory itself where the private citizen, the man with small means, the homesteader, the miner, the fisherman, and the businessman, had full opportunity to be heard. Witness after witness has asked that Alaska be admitted into the Union as a State. Among Alaskans, witnesses opposing statehood were in the minority.

The arguments against statehood are few. Some say that Alaska's population is too small, but it is larger today than that of several of our States when they were admitted to the Union. Each year since 1950 has seen more and more permanent civilian residents in the Territory. Statehood can be expected to result in a rapid growth of Alaska's population and industry.

Others say that Alaska is not contiguous. Noncontiguity was no obstacle when in 1867 Alaska was purchased. It has not since been an obstacle to the thousands of Americans who have gone to Alaska to build their homes, establish industries, and to create a new State for our Union.

Noncontiguity is not a new argument. It was used against the admission of California and against the admission of Oregon. Both were then noncontiguous to the existing States. Had the proponents of those views prevailed, those States would have waited many years before being admitted into the Union where they contribute so richly to our national fiber.

So, too, with Alaska. With today's great advances in transportation and communication, our world is rapidly shrinking. The arduous and hazardous journey of a century ago is but a day's or a few hours' trip. Why should we pale at the thought of a few hundred miles of water when our great and foresighted predecessors did not pale at hundreds of miles of little-known lands inhabited by few but hostile Indians.

Still others argue that Alaska is too dependent on the Federal Government. They point to Federal expenditures in the Territory, without regard to their purpose or to their necessity from the standpoint of the Nation as a whole.

Alaska participates in most of the grant-in-aid programs which have been authorized by the Congress. Alaska must contribute its share in those programs. In fiscal year 1957 the Territory received less than $10 million from the Federal Government. Forty-six of the States received more; only 2 received less. This is no Federal subsidy which would disqualify Alaska from statehood.

The largest Federal expenditure in Alaska is for defense purposes, for the construction of military bases and for their operation and maintenance. For the past few years Alaska defense construction has cost approximately $100 million a year. It is a substantial figure and contributes greatly to Alaska's economic life. But this money is not spent because Alaska is a Territory. It is not something handed to the Territory because we feel we should subsidize Alaska. This defense program exists because Alaska occupies a highly strategic position in our national defense. The mere act of statehood will not increase or diminish the need.

But, if Alaskans are financially dependent upon the Federal Government, a major cause is the iron control over Alaska exercised by the Federal Government. Ninety-nine percent of Alaska's land is held by the Federal Government and the choice areas, more than 95 million acres, have been reserved for Federal agencies. Control over the Territory's valuable natural resources is not in the hands of Alaskans who must derive their livelihood from local resources, but in the hands of the Federal Government in Washington.

In every case in the past, statehood has been followed by a rapid growth in population and industrial development. Alaska has a vast potential of natural resources; these resources have been and will be of high importance to our Nation. Their development will be facilitated by statehood, thereby broadening Alaska's economic base and reducing such dependence as there may be on Federal expenditures.

Alaska has met every test put to prospective States by the Congress. Of this there is no question. Alaska has been and is contributing her full share to our great Nation. Justice demands favorable action on the statehood legislation now before this body.

I have heard some very significant statements made here on the floor of the House with regard to the Supreme Court of the United States expressing the hope that someday we would get back to the place where that Court commanded the respect in which it was once held. I would call to the attention of those opposing statehood that in the days when the Supreme Court occupied the position they feel it once held, and some of us are of the opinion that it still occupies that exalted position, the Supreme Court stated that once the Houses of Congress makes a Territory, an incorporated Territory, it is an embryonic State, and that the only thing that remains for admission to statehood is for the incorporated Territory to comply with all of the requirements that Congress may lay down for statehood.

I can say to the members of this committee that the Territory of Alaska has met every requirement that has ever been laid down by the Houses of Congress for the admission of any Territory to statehood since the Original Thirteen Colonies.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield.

Mr. ROGERS of Texas. Would the gentleman please document those requirements for me?

Mr. SAYLOR. I think if the gentleman will look at my revised remarks in tomorrow's RECORD he will find them there.

Mr. ROGERS of Texas. I prefer to have them documented today, if possible.

Mr. SAYLOR. Mr. Chairman, the arguments against statehood are few. Some say that Alaska's population is too small. But, it is much larger today than that of several of our States when they were admitted into the Union. Each year since 1950, has seen more and more permanent residents in the Territory. Statehood can be expected to result in a rapid growth of Alaska's population. And, I make that statement because, if you will examine the arguments that have been made by the opponents of other Territories being admitted into the sisterhood of States, they have uniformly played down the size of the population in each one of these Territories, and yet, shortly after admission into statehood, each one of those Territories following the Original Thirteen States has grown.

Now, it is interesting at this point, I believe, to look at the Thirteen Original Colonies that became the United States of America. We are prone to think that New York, today the State with the largest population, Pennsylvania the State with the second largest population, were the first two States, in that order, at the time the Thirteen Colonies became the original United States. If you will examine the record, you will find that that is not the case; that the State with the largest population in the Original Thirteen was Virginia; that the State with the second largest population was Pennsylvania; that the State with the third largest population was Massachusetts; that the State with the fourth largest population was North Carolina; and that the State with the fifth largest population was New York. Just slightly ahead of Maryland the State with the sixth largest population.

Now, our Founding Fathers realized that there would be inequities between the large States and the small States, so they made sure that the small States would not be discriminated against, and they provided that each State, regardless of its size, would have two Senators. We have followed that policy in the admission of the other 35 States into the Union, so that in the United States Senate, regardless of its size, whether it be large in population or large in area, whether it have only 1 or 2 industries or whether it be a State with diversified industries, each State should have 2 Senators. The State of New York has grown and prospered, and some of those who were Senators from that great State were out in the forefront fighting to see to it that the other 35 States were admitted into the Union, and they did not worry that 1 State, with a small population, might have equal voting rights in the Senate.

Mr. HALEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-nine Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 68]

Adair	Dies	Knutson
Allen, Calif.	Dowdy	Lennon
Auchincloss	Durham	McCarthy
Bass, Tenn.	Edmondson	McCulloch
Belcher	Engle	Morris
Blatnik	Fisher	Powell
Bonner	Granahan	Radwan
Brooks, La.	Grant	Riley
Buckley	Gregory	Robeson, Va.
Burdick	Gross	Saund
Byrnes, Wis.	Gubser	Scott, N. C.
Carnahan	Haskell	Sheppard
Celler	Hays, Ark.	Shuford
Clark	Hillings	Sieminski
Colmer	Holifield	Siler
Curtis, Mass.	James	Taylor
Dawson, Ill.	Jenkins	Trimble
Dellay	Kearney	Utt
Dent	Kluczynski	Watts

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 7999, and finding itself without a quorum, he had directed the roll to be called, when 364 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. SAYLOR] has the floor.

Mr. SAYLOR. Mr. Chairman, before the roll call I commented on the fact that in the admission of the 35 States to the Union since the Original Thirteen Colonies became the United States of America, the Senators and the Members of Congress from the great State of New York had been in the forefront in leading the fight for the admission of those other States. But we need not look back to history because yesterday, in this House, a majority of the members of the delegation from New York voted to consider this bill. I have here a letter from the present Governor of the State of New York. It is addressed to the chairman of the Subcommittee on Territories and Insular Affairs, the gentleman from New York [Mr. O'BRIEN]. I would like to read this letter because I think it expresses the views of some people in authority in the great State of New York. It is dated May 9, 1958.

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, May 9, 1958.

The Honorable LEO W. O'BRIEN,
House Office Building,
Washington, D. C.

DEAR LEO: Writing from our Capitol in Albany, in the heart of your 30th New York Congressional District, I want to express my great pleasure that the Alaska statehood bill, H. R. 7999, carries your name. It is of genuine importance to all the American people that it be enacted by a rousing majority at this session of the Congress.

As a young boy I visited Alaska with my father and from that moment have had the keenest interest in the immense possibilities of its future. It is self-evident that many of these possibilities will not be realized until Alaska attains the mature status of statehood and joins its sister States as an equal partner in our national life. Statehood for Alaska is overdue. To delay it further would be gravely unwise as well as seriously unjust. It is in the interest of all Americans that statehood be granted immediately. It is the emphatic wish of the great majority of Americans that it should be. The rights of the people of Alaska as well as the wishes of the American public should no longer be thwarted.

I wish you every success in your effort which partakes in the highest degree of that selfless concern to do the right thing by the American Nation and people, which is the mark of true patriotism.

Sincerely,

AVERELL HARRIMAN.

A few days ago each one of the Members of the House received a letter from the gentleman from Virginia [Mr. SMITH]. That letter makes two points which are, in my opinion, meant to smear the cause of statehood with a giveaway label. This is a red herring out of the creel of an avowed opponent of statehood, and I believe should be recognized as a red herring and treated as such.

First, we are told that granting land to the new State of Alaska is a giveaway. Certainly every State outside the original 13 States has received grants of land upon admission into the Union. Almost 100 percent of the lands in the original States were retained either in private ownership or in the name of the State—we may skip that minor fact for the moment.

But, we do have an agreed principle, applicable to 35 States prior to Alaska: Each new State deserves land grants. The haggling, as usual, is about the amount, not the principle that Alaska deserves some grants.

The United States now owns 99 percent of the lands in Alaska. No other State has ever been in such circumstance upon admission into the Union. The bill before this House would grant 182,800,000 acres to Alaska—and the United States would still own over 50 percent of the area in Alaska. I think it should be pointed out that approximately 95 million acres are already withdrawn—set aside for Federal purposes in Alaska. And more, necessary, large withdrawals are contemplated at this very minute—one comprising 9,000 square miles in the Arctic.

With over a fourth of Alaska withdrawn, and with many acres unsuitable for development, the 182,800,000 acres mentioned in H. R. 7999 is more than likely unrealistic. I doubt that the State could, in 25 years select that many suitable acres. And it would cost approximately $120 million to complete a rectangular survey of 182 million acres in Alaska—that is, to survey and subdivide this area into sections. One hundred and eighty-two million acres equals about 7,960 townships—there are 72 miles to a township, including 12 miles of township boundaries. The cost is about $200 per mile or $15,000 per township. It would cost less, about $20 million, to survey the same area in township units only.

So—to make it a grant of 50 million acres—or 250 million—the plain fact is that Alaska cannot get any of this land until it is surveyed. And the land selected must be "vacant, unappropriated, and unreserved." I would hope and pray that whatever is granted to Alaska will be surveyed promptly.

Now, about the amount of land. In every other State, a greater percentage of the land was in private ownership at the time it was admitted into the Union than now exists in Alaska. The Alaska grant should recognize that Alaska has neither an agricultural or industrial base for its economy. It needs lands in private ownership—it needs lands to stimulate development.

In the case of Florida, the land granted to that State as of June 30, 1957, constituted 69.7 percent of the total land area. Louisiana had 39.6 percent, Arkansas 35.4 percent, Michigan 33.3 percent, Minnesota, 32.1 percent

Now we who favor statehood for Alaska are not adamant about the amount of land granted to the new State. We do think it should be a sufficient amount to enable the State to have enough to build its economy on a firm base. It should at least own as much land as the Federal Government has seen fit to reserve for Federal purposes. Surely no Member of this Congress wants this House to believe that he believes in the all-powerful feudal Federal landlord—the benevolent bureaucracy—doling out bits of land upon which the State might build universities, county seats, playgrounds, schools, or sell to establish private industry within the State. Those who are at the present time favoring that attitude come in here on other occasions and claim that they are strong advocates of States rights. The inconsistency of their position, I think, is apparent.

Now, that same letter addressed to all Members mentioned a gimmick. The author says that in giving Alaska the right to select mineral lands, we are doing something never before done for any State. The Alaskans will watch, says the author of that letter, the mineral discoveries for 25 years and make selections where valuable minerals are discovered. Now, surely not only the author of that letter, but all Members of Congress should have Public Law 88 of the 85th Congress before them, the Congress in which we are now sitting as Members. That bill passed on the Consent Calendar, and enacted into law, gives to Alaska, mark you, 90 percent of the revenues from mineral developments in Alaska without assuming any management responsibilities and without any administrative costs. Why in heaven's name anyone could impugn improper motives to the members of the Committee on Interior and Insular Affairs who wrote this bill, giving the State of Alaska the right to select minerals when the Territory already receives 90 percent of the income from the minerals is beyond my comprehension.

As I said before, I think that we have in this letter the spectacle of the red herring and the big exaggeration combined. Reflect, if you will, a moment, and you will realize that we have already made the giveaway, if that is the way you

want to consider what we did with Alaska. But to those of us who believe in giving to that Territory the right to receive the income from minerals that are located in that Territory, it is not a giveaway, because the folks who live in Alaska are American citizens. It is no more a giveaway than the legislation which the people who are in favor of States rights stood here in the well of the House a few sessions ago and saw to it that we pass a bill returning the tidelands to the States.

Unless the author of that letter wants us to believe that these minerals have value beyond their potential income-producing capacity, it is impossible to imagine what objection there may be to permitting the State to select the lands, when it gets 90 percent of the revenue already, without selecting them.

Mr. Chairman, permit me to make one further comment on this issue. Because of an act of 1927 the present States can now select mineral lands. Oklahoma has received mineral rights in her original grants and Alaska will not receive the usual school sections under this bill. The quantity grants are made in lieu of specific grants for school and other purposes.

Also, although Alaska is given the right to select mineral lands under this bill the State will be required to hold title to these minerals forever. She must reserve no minerals to the State or forfeit the land back to the United States.

On public domain lands, Federal policy pursuant to law permits a miner to get title to the land and the hard rock minerals. Nothing more need be said. We are considering a bill which imposes more stringent conditions on Alaska than we are going to impose upon the Federal lands which will remain in Federal ownership in the State of Alaska.

The following is a tabulation of the acreage granted to the States and Territories as of June 30, 1953:

Acreage granted to States and Territories, as of June 30, 1953 [1]

State	For common schools	For other schools	For other institutions	For railroads	For wagon roads	For canals and rivers	For miscellaneous improvements (not specified)	For swamp reclamation	For other purposes	Total
Alabama	911,627	383,785	181	2,747,479		[2] 400,016	97,469	441,289	[3] 24,660	5,006,506
Alaska	[4] 21,009,209	[4] 438,250								[4] 21,447,459
Arizona	8,093,156	849,197	500,000						[5] 1,101,400	10,543,753
Arkansas	933,778	196,080		2,563,721			500,000	7,686,575	[6] 56,680	11,936,834
California	5,534,293	196,080					500,000	2,192,678	[7] 400,768	8,823,819
Colorado	3,685,618	138,040	32,000				500,000		[8] 115,946	4,471,604
Connecticut		180,000								180,000
Delaware		90,000								90,000
Florida	975,307	182,160		2,218,705			500,000	20,325,013	[9] 5,120	24,206,305
Georgia		270,000								270,000
Idaho	2,963,698	386,686	[10] 250,000						[11] 654,064	4,254,448
Illinois	996,320	526,080		2,595,133		[2] 324,283	209,086	1,460,164	[12] 123,589	6,234,655
Indiana	668,578	436,080			170,580	[2] 1,480,409		1,259,231	[13] 25,600	4,040,478
Iowa	1,000,679	286,080		4,706,945		[2] 321,342	500,000	1,196,392	[14] 49,824	8,061,262
Kansas	2,907,520	151,269	127	4,176,329			500,000		[15] 59,423	7,794,668
Kentucky		330,000	24,606							354,606
Louisiana	807,271	256,292		373,057			500,000	9,493,456		11,430,076
Maine		210,000								210,000
Maryland		210,000								210,000
Massachusetts		360,000								360,000
Michigan	1,021,867	286,080		3,134,058	221,013	[2] 1,251,236	500,000	5,680,310	[16] 49,280	12,143,844
Minnesota	2,874,951	212,160		[17] 8,047,469			500,000	4,706,503	[18] 80,880	[19] 16,421,963
Mississippi	824,213	348,240		1,075,345			500,000	3,347,860	[9] 1,253	6,096,911
Missouri	1,221,813	376,080		1,837,968			500,000	3,432,481	[20] 48,640	7,416,982
Montana	5,198,258	388,721	100,000	[19]					[21] 276,359	[19] 5,963,338
Nebraska	2,730,951	136,080	32,000				500,000		[22] 59,680	3,458,711
Nevada	2,061,967	136,080	12,800				500,000		[23] 14,379	2,725,226
New Hampshire		150,000								150,000
New Jersey		210,000								210,000
New Mexico	8,711,324	1,346,546	750,000			[2] 100,000			[24] 1,886,789	12,794,659
New York		990,000								990,000
North Carolina		270,000								270,000
North Dakota	2,495,396	336,080	[1] 250,000	[19]					[25] 82,076	[19] 3,163,552
Ohio	724,266	699,120			80,774	[2] 1,204,114		26,372	[26] 24,216	2,758,862
Oklahoma	1,375,000	1,050,000	[1] 670,760							3,095,760
Oregon	3,399,360	136,165			[27] 2,583,890		500,000	286,108	[28] 127,324	[29] 7,032,847
Pennsylvania		780,000								780,000
Rhode Island		120,000								120,000
South Carolina		180,000								180,000
South Dakota	2,733,084	366,080	[10] 250,640						[30] 85,569	3,435,373
Tennessee		300,000								300,000
Texas		180,000								180,000
Utah	5,844,196	556,141	500,160						[31] 601,240	7,501,737
Vermont		150,000								150,000
Virginia		300,000								300,000
Washington	2,376,391	336,080	[10] 200,000	[19]					[32] 132,000	[19] 3,044,471
West Virginia		150,000								150,000
Wisconsin	982,329	332,160		3,652,322	302,931	[2] 1,022,349	500,000	3,360,786	[33] 26,400	10,179,277
Wyoming	3,470,000	136,080	[10] 420,000						[34] 316,341	4,342,520
Total	[4] 98,532,429	[35] 17,033,972	[36] 3,933,274	37,128,531	[29] 3,359,188	[37] 6,103,749	7,806,555	64,895,218	[10] 6,429,590	[38] 245,282,506

[1] For additional information concerning these grants, see the Report of the Director, 1947, Statistical Appendix, pp. 118–135; 1948, p. 59; 1949, p. 59; 1950, p. 58; 1951, p. 61, 1952, p. 61.

[2] See footnote 37.

[3] Salt springs, 23,040; seat of government, 1,620.

[4] Except for 102,500 acres granted to the Territory for university purposes, the lands in Alaska are reserved pending statehood.

[5] Park and other purposes, 1,400; payment of bonds, 1,000,000; public buildings, 100,000.

[6] Public buildings, 10,600; salt springs, 46,080.

[7] Public buildings, 6,400; parks, 394,368.

[8] Biological station, 160; public buildings, 32,000; salt springs, 46,080; Carey Acts, 37,706.

[9] Seat of government.

[10] See footnote 36.

[11] Fish and game, 232; hot springs, 187; park, 6,751; public buildings, 32,000; Carey Acts, 614,894.

[12] Salt springs, 121,099; seat of government, 2,560.

[13] Salt springs, 23,040; seat of government, 2,560.

[14] Park, 544; public buildings, 3,200; salt springs, 46,080.

[15] Bridge, 3,922; game preserve, 3,021; public buildings, 6,400; salt springs, 46,080.

[16] Public buildings, 3,200; salt springs, 46,080.

[17] Includes not more than 65,000 acres of lands in Montana, North Dakota, and Washington which were selected by a grantee of the State of Minnesota.

[18] Forestry, 20,000; military purposes, 8; park, 8,392; public buildings, 6,400; salt springs, 46,080.

[19] See footnote 17.

[20] Salt springs, 46,080; seat of government, 2,560.

[21] Militia camp, 640; park, 1,439; public buildings, 182,000; Carey Acts, 92,280.

[22] Agricultural experiments, 800; public buildings, 12,800; salt springs, 46,080.

[23] Public buildings, 12,800; Carey Acts, 1,579.

[24] Payment of bonds, 1,000,000; public buildings, 132,000; reimbursement of local governments, 250,000; reservoirs, 500,000; not specified, 46; Carey Acts, 4,743.

[25] Historical Society, 76; public buildings, 82,000.

[26] Salt springs.

[27] Includes about 93,000 acres, title to which was reconveyed to the United States pursuant to the act of Feb. 26, 1919 (40 Stat. 1197).

[28] Parks, 1,402; public buildings, 6,400; salt springs, 46,080; Carey Acts 73,442.

[29] See footnote 27.

[30] Military camp, 640; missionary work, 160; parks, 2,769; public buildings, 82,000.

[31] Public buildings, 64,000; reservoirs, 500,000; Carey Acts, 37,240.

[32] Public buildings.

[33] Forestry, 20,000; public buildings, 6,400.

[34] Fish hatchery, 5,480; public buildings, 107,000; salt springs, 640; Carey Acts, 203,311.

[35] See footnotes 4 and 36.

[36] Includes acreage of grants for "educational and charitable" purposes, as follows: Idaho, 150,000; North Dakota, 170,000; South Dakota, 170,000; and Washington, 200,000; includes 669,000 acres granted to Oklahoma for "charitable, penal, and public building" purposes, and 290,000 acres granted to Wyoming for "charitable, penal, educational" and other institutions.

[37] Grants for river improvement projects, 1,505,080 acres, as follows: Alabama, 400,016; Iowa, 321,342; New Mexico, 100,000; and Wisconsin, 683,722. Grants for canals, 4,598,669 acres.

[38] See footnotes 4 and 27.

Source: U. S. Bureau of Land Management, Report of the Director, 1953, Statistical Appendix, Washington, D. C., table 115, pp. 132–133.

Mr. MURRAY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 69]

Auchincloss	Eberharter	McCarthy
Ayres	Edmondson	Machrowicz
Bass, Tenn.	Engle	Morris
Belcher	Granahan	Osmers
Blatnik	Grant	Powell
Bonner	Gregory	Radwan
Brooks, La.	Gross	Riley
Buckley	Gubser	Robeson, Va.
Burdick	Haskell	St. George
Byrnes, Wis.	Hays, Ark.	Scott, N. C.
Carnahan	Hillings	Sheppard
Celler	Holifield	Shuford
Chamberlain	Horan	Sieminski
Christopher	James	Siler
Clark	Jenkins	Smith, Miss.
Collier	Kearney	Spence
Colmer	Keating	Trimble
Dawson, Ill.	Kluczynski	Van Pelt
Dent	Knutson	Watts
Dies	Lankford	Withrow
Dowdy	Lennon	
Durham	Lesinski	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7999, to provide for the admission of the State of Alaska into the Union, and finding itself without a quorum, he had directed the roll to be called, when 363 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. SAYLOR. Mr. Chairman, few items of legislation under consideration by the Congress have inspired the national interest to the extent as has statehood for the Territory of Alaska. Interest in our northernmost Territory, long known only to a handful, has increased by leaps and bounds since World War II when Alaska's strategic importance and her natural resources focused attention on this great land.

Each year more and more settlers and businessmen have moved to Alaska to carve out a new life in the highest tradition of our Nation. Almost overnight Alaska's communities, such as Anchorage and Fairbanks, have been converted from small frontier towns to modern cosmopolitan cities. Alaska is pulsing with a new and vibrant life.

During the last 8 years, Alaska's civilian population has increased by a phenomenal 53 percent. For the most part, these new residents are young and confident in their future and that of now their Territory, but their expectant State of Alaska. They are people who have had the typical pioneering American background and drive, wanting to find for themselves a new home. They have gone to Alaska, and they are confident of themselves and confident in the future that Alaska holds for them.

They are very much in favor of statehood because they come from every State in the Union, and they have been thoroughly imbued with our American social, political, and economic philosophy. They are interested in having created a new State, and they want a new star to be added to our flag, and this new State, the 49th to be added to our Union.

At long last the wisdom and foresight of Secretary of State William H. Seward, is bearing fruit. The vast and little-known land that he urged the United States to purchase for a ridiculous few cents an acre has proved over and over again to be a valuable, an indispensable, asset to our Nation. If for no other reason, Alaska deserves to participate fully in our political life through statehood in order to complete its destiny. It has long been awaiting statehood—over 90 years have elapsed since Secretary Seward's farsighted action.

Since 1947 committees of the Congress have held long and detailed hearings on the question of Alaskan statehood. They have consistently, since 1948, recommended that statehood be granted Alaska. In so doing, they have found that Alaska has met each of the traditional tests imposed on Territories seeking statehood. Alaskans are imbued with and are sympathetic toward the principles of democracy as exemplified in the American form of Government. And, the proposed new State of Alaska has sufficient population and resources to support State government and to carry its share of the Federal Government.

Never has Alaskans' devotion to American democratic principles of government been doubted.

A question has been raised, however, as to whether a majority of the electorate desires statehood. This can be answered by votes which have been cast. In a 1946 referendum, the people of Alaska voted 9,630 to 6,822 in favor of statehood. In 1955 Alaskans voted for delegates to a convention to draft a proposed constitution for the new State. In April 1956 the draft constitution was overwhelmingly ratified by the voters. Every action of the Alaskan electorate in 1946, 1955, and 1956 was to speed the day when Alaska will be admitted into the Union as a State.

In April of this year the Territory held its primary elections. Both the present Delegate to Congress, an avowed statehood proponent, and the Republican pro-statehood candidate, were supported convincingly. An antistatehood candidate was ignominiously defeated. The evidence is clear that Republican and Democrats alike in Alaska agree that the Territory should become a State.

Has Alaska sufficient population and resources to meet the cost of State government? The answer can only be "Yes." The Territory has more population than many of the States when they were admitted into the Union. As their population increased after statehood, so will Alaska's. From Alaska's vast mountain ranges, her forests, her mineral deposits and agricultural lands, and her fisheries, already flow revenue more than sufficient to meet the cost of State government.

Despite the limitations of the Territory's 1912 Organic Act, Alaska has created most of the governmental agencies found in the States, and these agencies now perform most of the services performed in the States. In other words, Alaska's Territorial government now functions almost as a State government would. Estimates of the additional cost of statehood vary but all indications are that Alaska will be able to match the increased expense with greater revenue based upon an expanded economy.

Interest in Alaska statehood is not confined to the Territory. Throughout the United States, opinion is growing that a 49th star should be added to the flag through the grant of statehood to Alaska. This opinion is shared in all sections.

More than a decade ago, the Gallup poll, one of the leading indexes of public opinion, showed that 64 percent of the American people were in favor of Alaskan statehood, while only 12 percent were opposed—a record of 5 to 1 in favor of statehood. In March of this year 73 percent of the American people were in favor of Alaskan statehood, while opposition dwindled to 6 percent. Thus, in 1946 opinion was 5 to 1 in favor of statehood, while today opinion is 12 to 1 in favor of admitting Alaska into the Union as a State.

The American people are aware that with every State added to the Union our Nation has increased in strength and wealth. They are aware that the addition of Alaska will further increase our stature. The will of the people must be served, and statehood cannot much longer be delayed. To the 85th Congress belongs the honor of granting statehood to our great northernmost Territory of Alaska.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield.

Mr. UDALL. In line with the observation the gentleman from Pennsylvania is making, I wish to recall that when my own State, the last State to be admitted to the Union, came in—I know the gentleman has read some of the speeches in the Senate that were delivered—some of those who spoke said there was very little out there in that desert country, that it was inhabited by rocks, rattlesnakes, and, I think, a few Mexicans. In view of the developments that have taken place since then, particularly modern air conditioning, reclamation, and so forth, the State of Arizona today is the second fastest growing State in the Union. Does not the gentleman feel that some of the predictions we have heard that there would not be growth or development might prove to be false?

Mr. SAYLOR. I am satisfied that the predictions that were made for Arizona will never happen, and what has happened to Arizona is only proof of the fact that those who sponsored statehood for Arizona were really looking forward to the great interests of our country.

I might say that in looking over the debates of some of the other State admissions, it is interesting to note that, for example, when the Territory of Minnesota was being debated as to whether or not it would become a State, there were those who stood in the well of this House and on the floor of the Senate

and said that if Minnesota was ever admitted to statehood, all that you would ever do would be to permit a few timber barons to go into that great Territory, strip it of all its wealth, and then leave it for the Indians and the beavers. I know that those folks who come from Minnesota today look with pride on their great State.

I know that when I read the debates on the admission on the great State of Mississippi to the Union, I was particularly intrigued with the remarks of a man who has been known as a famous Senator, Daniel Webster, and this was his prediction with regard to that State, that if the people of the United States ever admitted those red-legged wildmen from the bayous of Mississippi to statehood, it would not be safe for the fair womanhood of New England to walk the streets in daylight, let alone the dark, and that if they overrode his objections, he would immediately return to New England and proposed that New England secede from the United States and form a new country. Yet, as I look at the men who represent the great State of Mississippi in this House and in the Senate, I am satisfied that the folks in New England still walk the streets in the daylight without fear and that Mississippi, together with the other States, has contributed greatly to the welfare of this country.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from California.

Mr. HOSMER. In order that the situation of the three States just mentioned by the gentleman may be considered in context, at the time Arizona was admitted she had 0.221 of the total United States population, Minnesota had 0.547, Mississippi had 0.7827. Alaska at the present time has only about 0.0853 of 1 percent of the population of the United States.

Mr. SAYLOR. I thank the gentleman for his observation, and I am satisfied if Alaska had 10 million people, he would still be opposed to it. However, the figures used by the gentleman are very misleading and self-serving. What he should do is to submit the population of each State upon its admission and also the total population of the United States.

Mr. HOSMER. That is incorrect.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New York.

Mr. PILLION. Is it not true that conditions today are somewhat different from the conditions that existed when these States were admitted, in that the 17th amendment has now been adopted and that there have been no States admitted into this Union since the adoption of the 17th amendment, which so drastically changed the method for the selection of our United States Senate, wherein the Senators today are no longer elected by State governments but are elected by the people of the States? And that therefore is their responsibility and their accountability are no longer to the State governments but subject to the public pressures of the people whom they represent and to whom they are accountable; that we are no longer a Federal type of government and that the Senate today no longer seeks to preserve the rights of the States but instead is subject to the wishes and the requirements of their various localities and the constituents whom the individual Senators represent.

That makes a tremendous difference in the reason for having two Senators for each State.

Mr. SAYLOR. The answer to that is, that in the opinion of the gentleman from New York [Mr. PILLION] that is a condition. It is true there have been no States admitted since we changed the constitutional manner in which Senators are now chosen. But that has no bearing whatsoever, and I am satisfied that it is just another hook on which to hang a piece of clothing in an attempt to disguise the real reasons for being against statehood.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, I should like to ask this question. I notice that statistics were used a moment ago of percentage of population represented by these States when they came in. Do those figures apply to the population in those days or do they apply to the population today? Would the gentleman clear that up for the record and indicate the number of residents in Alaska compared to the number of people in the States that recently came in? Would not that bring the discussion more into line so that we could understand the problem?

Mr. SAYLOR. That is correct. I think the figures the gentleman read were the percentages at the time the States came in.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. Is it not true that the House of Representatives just 8 years ago voted statehood for Alaska, when it had 100,000 people, and now balks at granting statehood for Alaska when it has 212,000 people?

Mr. SAYLOR. That is quite correct.

Yesterday there were some comments made as to whether or not Alaska is financially able to support statehood. I should like to address the balance of my remarks to an affirmative answer to that question. In my opinion, Alaska is financially able to support statehood. Alaska's growth, especially in the last 15 years of its history, has been tremendous.

In fiscal year 1942, when the Territory had a population of approximately 72,500, the Governor's annual report to the Secretary of the Interior indicates that annual receipts were $3,797,863.23 and disbursements were $3,648,433.38, with a net cash balance of $1,310,015.31 as of June 30, 1942. However, the 23d Territorial Legislature, representing an estimated population of 212,000 persons, convened in Juneau on January 28, 1957, for a regular 60-day session and appropriated $36,248,818.38 for the general fund and $580,527.95 for the highway fund for the biennium ending June 29, 1959. Thus, assuming that the appropriation for fiscal 1958 would be one-half of the biennial figure, or $18,124,409.19, it is significant to note that while the population has increased 2.9 times in 15 years ,the financial expenses have increased at a ratio of approximately 4.8 times during the same period.

While the foregoing may be a normal economic result of population growth, the remarkable thing is that, until Public Law 516, 84th Congress, was passed, the Territory was prohibited, by its organic act of 1912, from incurring any indebtedness. And, while the aforementioned law does allow the Territory to borrow on its credit for public improvements, in an amount not to exceed $20 million in bonds outstanding at any one time, the Territory has not as yet chosen to do so.

Alaska's vigorous young Governor, Mike Stepovich, stated in his inaugural address, on June 8, 1957, that he was going to have the tax structure of the Territory examined. Shortly thereafter, he appointed a bipartisan group composed of 2 Territorial senators and 2 Territorial representatives, as his advisory committee for that purpose. While the committee has not yet completed its work, I have learned that on Tuesday, March 11, 1958, Governor Stepovich released an interim report prepared by the committee stating that there is a possibility of a substantial surplus in the Territory's general fund. This, indeed, is especially encouraging.

The advisory committee reported that after 8 months of the current biennium, 31.8 percent of the revenues that should be collected during the 2-year period have been collected, and that the raw-fish tax on the 1957 pack would bring the amount over the desired 33⅓ percent figure. In addition to noting that at the present time the Territory's budget is in balance, the committee stated that the substantial surplus should result from oil-lease revenue returned to the Territory from the Federal Government. This came about from the enactment of Public Law 85–50 of the present 85th Congress which provides that 90 percent of the receipts from the lease and royalty money paid in for oil and gas leases shall go to the Territory of Alaska. Since the discovery of oil on the Kenai Peninsula last summer, I understand that the Anchorage office of the Department of Interior's Bureau of Land Management has done more leasing business in the past half year or so than in the 7 years preceding. As a result, the Territory in February received more than $1,800,000 from oil-lease income for the last 6 months of 1957. The committee anticipates that by July 1, 1958, the Territory will have received in excess of $4 million from these leases. While the committee recognizes that two contingencies might require an alteration in their prediction, they are optimistic that they will remain relatively in the same status as they have in the past few years. These contingencies are: First, the size of the 1958 fish pack, which cannot be predicted; and, second, the possibility of a decrease in the net-in-

come tax which is dependent upon government construction in western Alaska.

Does this not then indicate that the Territory of Alaska is financially able to care for itself? My opponents would say, however, "You have merely shown that the Territory can care for itself as a Territory. What will happen and how will it fare if it becomes a State?" My answer to that is that it will fare very well and that it will support itself satisfactorily.

While it would be somewhat presumptuous to say what the additional expenses of statehood actually will be, it would seem that obvious increases would result from the introduction of a judicial system and from an enlarged legislature. The Governor's office, with its increased duties, would also have increased expenses. Other apparent extra expenses would result from the construction of administrative office buildings, and from the development of a State land department. The highway program could also very well increase annual expenditures, especially if the present 10 to 1 matching ratio used in the Federal Aid Highway Act is modified by the Statehood Bill.

Undoubtedly, there are other items of expense that might accompany the advent of statehood. However, a certain amount of this total added expense would be offset by fines collected from the State court system, by sports and commercial fish and wildlife licenses, by a transfer of a portion of the proceeds from the Pribiloff Seal Fisheries to the new State as is now proposed in the present statehood bills, by forest leases from Alaska's expanding timber industry, and by Alaska receiving 90 percent of the revenue from oil and gas leases pursuant to the recent enactment I mentioned previously. In addition, while Alaska's current income is largely derived from a territorial income tax, a business license tax, a tax on fisheries and mines, a liquor and gasoline tax, and from oil and gas leases, nevertheless, it should be remembered that all methods of increasing the sovereignty's revenue have not been exhausted. Thus, as Alaska grows as a State under a new American flag, so too will its tax base broaden in keeping with its expanding economy. In that regard it is interesting to note that, in 1957, Alaska had a higher, per capita general revenue than did 39 of the existing States. Surely then, Alaska will be able to flourish under the banner of statehood.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield.

Mr. SMITH of Virginia. I was temporarily detained outside of the Chamber and did not hear the gentleman's excellent approach to the mineral-lease part. I understand he took some issue with a letter I had written to the membership some days ago on this subject. Does the gentleman question the accuracy of anything stated in that letter?

Mr. SAYLOR. I certainly do.

Mr. SMITH of Virginia. Will the gentleman kindly state what that is?

Mr. SAYLOR. I stated that before. I am sorry the gentleman was not here while I was speaking with regard to that letter. I saw him in the back of the Chamber. I called his attention to the fact that he said it was a giveaway, and I called attention to the fact that he must have been here and voted for a law under whose provisions we have already given to the Territory of Alaska 90 percent of the income from mineral leases, and that this bill which we now have before us is more stringent than the present mining laws.

Mr. SMITH of Virginia. The gentleman does not question the accuracy; he just says that I said it was a giveaway.

Mr. SAYLOR. I certainly have. I questioned the accuracy of it.

Mr. SMITH of Virginia. Does the gentleman question the accuracy of this statement?

Mr. SAYLOR. I refuse to yield any further. I made the statement while the gentleman was here.

Mr. SMITH of Virginia. I rather expected the gentleman would when we got down to it.

Mr. JACKSON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 70]

Alger	Evins	Meader
Allen, Calif.	Frelinghuysen	Miller, Calif.
Auchincloss	Granahan	Morris
Bass, Tenn.	Grant	O'Brien, Ill.
Bates	Gray	Powell
Belcher	Gregory	Prouty
Blatnik	Gross	Radwan
Bonner	Gubser	Rains
Breeding	Haskell	Riley
Brooks, La.	Hays, Ark.	Robeson, Va.
Buckley	Hillings	Scott, N.C.
Burdick	Holifield	Scrivner
Byrnes, Wis.	James	Sheppard
Carnahan	Jenkins	Shuford
Celler	Johnson	Sieminski
Christopher	Kearney	Siler
Clark	Kearns	Smith, Miss.
Collier	Keating	Spence
Colmer	Kluczynski	Teague, Tex.
Dawson, Ill.	Knutson	Trimble
Dent	Krueger	Van Pelt
Dies	Laird	Vursell
Dowdy	Lennon	Watts
Durham	Lesinski	Westland
Eberharter	Libonati	Withrow
Edmondson	Machrowicz	
Engle	Magnuson	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, and finding itself without a quorum, he had directed the roll to be called, when 350 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. SAYLOR. Mr. Chairman, some people have raised the question as to what has been required of the 35 States to be admitted to the Union.

The following are the provisions establishing the method of Federal approval of State constitutions as contained in the enabling acts of States admitted to the Union from 1791 to 1910:

1–2. NEW MEXICO-ARIZONA (INITIAL ACT)

(a) *The act of June 16, 1906 (34 Stat. 267, 278, 280–281)*

(NOTE.—The act of June 16, 1906, constituted enabling legislation for the people of Oklahoma and the Indian Territory, and enabling legislation for the people of New Mexico and of Arizona. Merger of the 2 Territories into 1 State turned on approval by the people of such merger; the merger having been rejected, subsequent enabling legislation, in 1910—as extracted hereafter—provided for individual statehood for the 2 Territories.)

"SEC. 23. That the inhabitants of all that part of the United States now constituting the Territory of Arizona and New Mexico, as at present described, may become the State of Arizona, as hereinafter provided."

* * * * *

"SEC. 26. And if the constitution and government of said proposed State are republican in form, and if the provisions in this act have been complied with in the formation thereof, it shall be the duty of the President of the United States, within 20 days from the receipt of the certificate of the result of said election and the statement of the votes cast thereon and a copy of said constitution articles, propositions and ordinances from said board, to issue his proclamation announcing the result of said election, and thereupon the proposed State shall be deemed admitted by Congress into the Union, under and by virtue of this act, under the name of Arizona, on an equal footing with the original States, from and after the date of said proclamation. * * *."

NEW MEXICO (SUBSEQUENT ACT)

(b) *The Act of June 20, 1910 (36 Stat. 557 and 560)*

"SECTION 1. That the qualified electors of the Territory of New Mexico are hereby authorized to vote for and choose delegates to form a constitutional convention for said Territory for the purpose of framing a constitution for the proposed State of New Mexico. * * *."

* * * * *

"SEC. 4. That when said constitution and such provisions thereof as have been separately submitted shall have been duly ratified by the people of New Mexico as aforesaid, a certified copy of the same shall be submitted to the President of the United States and to Congress for approval, together with the statement of the votes cast thereon and upon any provisions thereof which were separately submitted to and voted upon by the people. And if Congress and the President approve said constitution and the said separate provisions thereof, or, if the President approves the same and Congress fails to disapprove the same during the next regular session thereof, then * * * the Governor * * * shall * * * issue his proclamation for the election of State and county officers, * * *."

"SEC. 5. * * * when said election * * * shall be held and returns thereof made * * * the Governor * * * shall certify the result of said election * * * to the President of the United States, who thereupon shall immediately issue his proclamation announcing the result of said election so ascertained, and upon the issuance of said proclamation by the President of the United States the proposed State of New Mexico shall be deemed admitted by Congress into the Union, by virtue of this act, on an equal footing with the other States. * * *."

(C) ARIZONA (SUBSEQUENT ACT)

The Act of June 20, 1910 (36 Stat. 557, 568, 571, 572)

* * * * *

"SEC. 19. That the qualified electors of the Territory of Arizona are hereby authorized to

vote for and choose delegates to form a constitutional convention for said Territory for the purpose of framing a constitution for the proposed State of Arizona."

* * * * *

"SEC. 22. That when said constitution and such provisions thereof as have been separately submitted shall be been duly ratified by the people of Arizona as aforesaid, a certified copy of the same shall be submitted to the President of the United States and to Congress for approval, together with the statement of the votes cast thereon and upon any provisions thereof which were separately submitted to and voted upon by the people. And if Congress and the President approve said constitution and the said separate provisions thereof, or, if the President approves the same and Congress fails to disapprove the same during the next regular session thereof, then * * * the Governor * * * shall * * * issue his proclamation for the election of State and county officers, * * * ."

"SEC. 23. * * * when said election * * * shall be held and returns thereof made * * * the Governor * * * shall certify the result of said election * * * to the President of the United States, who thereupon shall immediately issue his proclamation announcing the result of said election so ascertained and upon the issuance of said proclamation by the President of the United States the proposed State of Arizona shall be deemed admitted by Congress into the Union, by virtue of this act, on an equal footing with the other States * * *."

3. OKLAHOMA

The act of June 16, 1906 (34 Stat. 267, 271)

"SECTION 1. That the inhabitants of all that part of the area of the United States now constituting the Territory of Oklahoma and the Indian Territory, as at present described, may adopt a constitution and become the State of Oklahoma, as hereinafter provided: * * * ."

* * * * *

"SEC. 4. * * *. And if the constitution and government of said proposed State are republican in form, and if the provisions in this act have been complied with in the formation thereof, it shall be the duty of the President of the United States, within 20 days from the receipt of the certificate of the result of said election and the statement of votes cast thereon and a copy of said constitution, articles, propositions, and ordinances, to issue his proclamation announcing the result of said election; and thereupon the proposed State of Oklahoma shall be deemed admitted by Congress into the Union, under and by virtue of this Act, on an equal footing with the original States. * * *."

4. UTAH

The act of July 16, 1894 (28 Stat. 107 and 109)

"SEC. 1. That the inhabitants of all that part of the area of the United States now constituting the Territory of Utah, as at present described, may become the State of Utah, as hereinafter provided."

* * * * *

"SEC. 4. * * *. And if the constitution and government of said proposed State are republican in form, and if all the provisions of this act have been complied with in the formation thereof, it shall be the duty of the President of the United States to issue his proclamation announcing the result of said election, and thereupon the proposed State of Utah shall be deemed admitted by Congress into the Union, under and by virtue of this Act, on an equal footing with the original States, from and after the date of said proclamation."

5. IDAHO

The act of July 3, 1890 (26 Stat. 215)

(From preamble)

"Whereas the people of the Territory of Idaho did, on the fourth day of July 1889, by convention of delegates called and assembled for that purpose, form for themselves a constitution, which constitution was ratified and adopted by the people of said Territory at an election held therefor on the first Tuesday in November 1899, which constitution is republican in form and is in conformity with the Constitution of the United States; and

"Whereas said convention of the people of said Territory have asked the admission of said Territory into the Union of States on an equal footing with the original States in all respects whatever: Therefore

"SECTION 1. The State of Idaho is hereby declared admitted into the Union on an equal footing with the original States in all respects whatever; and that the constitution which the people of Idaho have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed."

* * * * *

6. WYOMING

The act of July 10, 1890 (26 Stat. 222)

(From preamble)

"Whereas the people of the Territory of Wyoming did, on the 30th day of September 1889, by a convention of delegates called and assembled for that purpose, form for themselves a constitution, which constitution was ratified and adopted by the people of said Territory at an election held thereof on the first Tuesday in November 1899, which constitution is republican in form and is in conformity with the Constitution of the United States; and

"Whereas said convention of the people of said Territory have asked the admission of said Territory into the Union of States on an equal footing with the original States in all respects whatever: Therefore

"SECTION 1. The State of Wyoming is hereby declared to be a State of the United States of America, and is hereby declared admitted into the Union on an equal footing with the original States in all respects whatever; and that the constiution which the people of Wyoming have formed for themselves be. and the same is hereby accepted, ratified, and confirmed."

7–10. NORTH DAKOTA, SOUTH DAKOTA, MONTANA, AND WASHINGTON

The act of February 22, 1889 (25 Stat. 676 and 679)

"SECTION 1. That the inhabitants of all that part of the area of the United States now constituting the Territories of Dakota, Montana, and Washington, as at present described, may become the States of North Dakota, South Dakota, Montana, and Washington, respectively, as hereinafter provided.

* * * * *

"SEC. 8. * * * and if the constitutions and governments of said proposed States are republican in form, and if all the provisions of this act have been complied with in the formation thereof, it shall be the duty of the President of the United States to issue his proclamation announcing the result of the election in each, and thereupon the proposed States which have adopted constitutions and formed State governments as herein provided shall be deemed admitted by Congress into the Union under and by virtue of this act on an equal footing with the original States from and after the date of said proclamation."

11. COLORADO

The act of March 3, 1875 (18 Stat. 474 and 475)

"SECTION 1. That the inhabitants of the Territory of Colorado included in the boundaries hereinafter described be, and they are hereby authorized to form for themselves, out of said Territory, a State government, with the name of the State of Colorado; which State, when formed, shall be admitted into the Union upon an equal footing with the original States in all respects whatsoever, as hereinafter provided."

* * * * *

"SEC. 5. That in case the constitution and State government shall be formed for the people of said Territory of Colorado, in compliance with the provisions of this act * * *; and if a majority of legal votes shall be cast for said constitution in said proposed State, the said acting governor shall certify the same to the President of the United States, together with a copy of said constitution and ordinances; whereupon it shall be the duty of President of the United States to issue his proclamation declaring the State admitted into the Union on an equal footing with the original States, without any further action whatever on the part of Congress."

12. NEVADA

(a) The act of April 19, 1864 (13 Stat. 47, 48–49)

"SECTION 1. That the inhabitants of that portion of the Territory of Nevada included in the boundaries hereinafter designated be, and they are hereby, authorized to form for themselves, out of said Territory, a State government, with the name aforesaid, which said State, when formed, shall be admitted into the Union upon an equal footing with the original States, in all respects whatsoever."

* * * * *

"SEC. 5. And be it further enacted, that in case a constitution and State government shall be formed for the people of said Territory of Nevada, in compliance with the provisions of this act * * * and if a majority of legal votes shall be cast for said constitution in said proposed State, the said acting governor shall certify the same to the President of the United States, together with a copy of said constitution and ordinances; whereupon it shall be the duty of the President of the United States to issue his proclamation declaring the State admitted into the Union on an equal footing with the original States, without any further action whatever on the part of Congress."

13. NEBRASKA

The act of April 19, 1864 (13 Stat. 47, 48–49)

"SECTION 1. That the inhabitants of that portion of the Territory of Nebraska included in the boundaries hereinafter designated be, and they are hereby, authorized to form for themselves a constitution and State government, with the name aforesaid, which State, when so formed, shall be admitted to the Union as hereinafter provided."

* * * * *

"SEC. 5. And be it further enacted, that in case a constitution and State government shall be formed for the people of said Territory of Nebraska in compliance with the provisions of this act * * * and if a majority of legal votes shall be cast for said constitution in said proposed State, the said acting governor shall certify the same to the President of the United States, together with a copy of said constitution and ordinances; whereupon it shall be the duty of the President of the United States to issue his proclamation declaring the State admitted into the Union on an equal footing with the original States, without any further action whatever on the part of Congress."

NOTE.—President Andrew Johnson returned to the Senate unsigned and with his objections thereto the original Nebraska enabling acts; thereupon the Senate on February 8, 1867 passed, two-thirds of the Senate agreeing, thereto, an Admission Act for

the State of Nebraska; on February 9, 1867, the House, in turn, two-thirds of the Members agreeing, passed the—

(b) *Act of February 9, 1867 (14 Stat. 391)*

"SECTION 1. That the Constitution and State government which the people of Nebraska have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed, and that the said State of Nebraska shall be, and is hereby declared to be, one of the United States of America, and is hereby admitted into the Union upon an equal footing with the original States in all respects whatsoever."

* * * * *

"SEC. 3. *And be it further enacted,* That this act shall not take effect except upon the fundamental condition that within the State of Nebraska there shall be no denial of the elective franchise, or of any other right, to any person, by reason of race or color, excepting Indians not taxed; and upon the further fundamental condition that the legislature of said State, by a solemn public act, shall declare the assent of said State to the said fundamental condition and shall transmit to the President of the United States an authentic copy of said act; upon receipt thereof thhe President, by proclamation, shall forthwith announce the fact, whereupon said fundamental condition shall be held as a part of the organic law of the State; and thereupon, and without any further proceeding on the part of Congress, the admission of said State into the Union shall be considered as complete. Said State legislature shall be convened by the territorrial governor within 30 days after the passage of this act, to act upon the condition submitted herein."

14. WEST VIRGINIA

The act of December 13, 1862 (12 Stat. 633–634)

(From preamble)

"Whereas the people inhabitating that portion of Virginia known as West Virginia, did, * * * frame for themselves the constitution * * * and whereas * * * the said constitution was approved and adopted * * * and whereas the Legislature of Virginia * * * did give its consent to the formation of a new State within the jurisdiction of the said State of Virginia, to be known by the name of West Virginia * * * and whereas both the convention and the legislature aforesaid have requested that the new State should be admitted into the Union, and the constitution aforesaid being republican in form, Congress doth hereby consent that the said 48 counties may be formed into a separate and independent State. Therefore—

"SECTION 1. The State of West Virginia be, and is hereby, declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever * * *: *Provided,* Always that this act shall not take effect until after the proclamation of the President of the United States hereinafter provided for.

* * * * *

[NOTE.—The second paragraph of this Admission Act contained the language of a proposed change in the Constitution of the State of West Virginia having to do with the status of slaves and the children of slaves.]

"SEC. 2. *Be it further enacted,* That whenever the people of West Virginia shall, through their said convention, * * * ratify the change aforesaid, * * * it shall be lawful for the President of the United States to issue a proclamation stating the fact, and thereupon this act shall take effect and be in force from and after 60 days from the date of said proclamation."

[NOTE.—On April 20, 1863, President Abraham Lincoln, in pursuance of the authority vested in him by the act of December 31, 1862, upon finding "proof of a compliance with that condition" described in the 1862 act did declare the 1862 act effective and in force from and after 60 days from April 20, 1863.]

15. KANSAS

The act of January 29, 1861 (12 Stat. 126–127)

(From preamble)

"Whereas the people of the Territory of Kansas * * * did form for themselves a constitution and State government, republican in form, which was ratified and adopted by the people * * * and the said convention has, in their name and behalf, asked the Congress of the United States to admit the said Territory into the Union as a State on an equal footing with the other States: Therefore

"SECTION 1. The State of Kansas shall be, and is hereby declared to be, one of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects.

* * * * *

16. OREGON

The act of February 14, 1859 (11 Stat. 683)

(From preamble)

"Whereas the people of Oregon have framed, ratified, and adopted a constitution of State government which is republican in form, and in conformity with the Constitution of the United States, and have applied for admission into the Union on an equal footing with the other States: Therefore—

"SECTION 1. Oregon be, and she is hereby, received into the Union on an equal footing with the other States in all respects whatever, with the following boundaries * * *."

17. MINNESOTA

(a) *The act of February 26, 1857 (11 Stat. 166)*

"SECTION 1. The inhabitants of that portion of the Territory of Minnesota which is embraced within the following limitation, * * * be and they are hereby authorized to form for themselves a Constitution and a State Government, by the name of the State of Minnesota, and to come into the Union on an equal footing with the original States, according to the Federal Constitution."

* * * * *

(b) *The act of May 11, 1858 (11 Stat. 285)*

(From preamble)

"Whereas * * * the people of said Territory (Minnesota) did, * * * form for themselves a constitution and State Government, which is republican in form, and was ratified and adopted by the people * * * for that purpose: therefore

"SECTION 1. The State of Minnesota shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever."

18. CALIFORNIA

The act of September 9, 1850 (9 Stat. 452–453)

(From preamble)

Whereas the people of California have prepared a constitution and asked admission into the Union, which constitution was submitted to Congress by the President of the United States, by message dated February thirteen, eighteen hundred and fifty, and which, on due examination, is found to be republican in its form of government.

"SECTION 1. The State of California shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever."

* * * * *

"SEC. 3. * * * *Provided,* That nothing herein contained shall be construed as recognizing or rejecting the propositions tendered by the people of California as articles of compact in the ordinance adopted by the convention which formed the constitution of that State.

19. WISCONSIN

(a) *The act of August 6, 1846 (9 Stat. 56)*

"SEC. 1. The people of the Territory of Wisconsin be, and they are hereby authorized to form a constitution and State government, for the purpose of being admitted into the Union on an equal footing with the original States in all respects whatsoever, by name of the State of Wisconsin, with the following boundaries, * * *."

(b) *The act of May 29, 1848 (9 Stat. 233)*

(From preamble)

Whereas the people of the territory of Wisconsin did, * * * form for themselves a constitution and State government, which said constitution is republican, and said convention having asked the admission of said Territory into the Union as a State, on an equal footing with the original State:

"SEC. 1. The State of Wisconsin be, and is hereby, admitted to be one of the United States of America, and is hereby admitted into the Union on an equal footing with the original States in all respects whatever * * *."

20–21. FLORIDA AND IOWA

(a) *The act of March 3, 1845 (5 Stat. 742–743)*

(From preamble)

Whereas the people of the Territory of Iowa did, * * * form for themselves a constitution and State government; and whereas, the people of the Territory of Florida did, in like manner, * * * form for themselves a constitution and State government, both of which said constitutions are republican; and said conventions having asked the admission of their respective Territories into the Union as States, on equal footing with the original States;

"SECTION 1. The States of Iowa and Florida be, and the same are hereby, declared to be States of the United States of America, and are hereby admitted into the Union on equal footing with the original States in all respects whatsoever."

* * * * *

"SEC. 7. * * * *Provided,* That the ordinance of the convention that formed the constitution of Iowa, and which is appended to the said constitution, shall not be deemed or taken to have any effect or validity, or to be recognized as in any manner obligatory upon the Government of the United States."

IOWA

(Subsequent act)

(b) *The act of December 28, 1846 (9 Stat. 117)*

(From preamble)

"Whereas the people of the Territory of Iowa did, * * * form for themselves a constitution and State government—which constitution is republican in its character and features—and said convention has asked admission of said Territory into the Union as a State, on an equal footing with the original States * * *: Therefore—

"SECTION 1. The State of Iowa shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatsoever."

22. TEXAS

(a) *Act of March 1, 1845 (5 Stat. 797–798)*

(Joint resolution for annexing Texas to the United States)

"SECTION 1. Congress doth consent that the Territory properly included within, and rightfully belonging to the Republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of government to be adopted by

the people of said republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union."

"SEC. 2. *And Be It Further Resolved,* That the foregoing consent of Congress is given upon the following conditions, and with the following guaranties, to wit: First, * * * and the constitution thereof, with the proper evidence of its adoption by the people of said Republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress for its final action on or before the first day of January 1846. * * * Third. New States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the Territory thereof, which shall be entitled to admission under the provisions of the Federal constitution. * * *"

"SEC. 3. *And Be It Further Resolved,* That if the President of the United States shall in his judgment and discretion deem it most advisable, instead of submitting the foregoing resolution to the Republic of Texas, as an overture on the part of the United States for admission, to negotiate with that Republic; then be it

"*Resolved,* That a State, to be formed out of the present Republic of Texas, * * * shall be admitted into the Union by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining of Texan territory to the United States shall be agreed upon by the Governments of Texas and the United States: And, that the sum of $100,000 be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree upon the terms of admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted by the two Houses of Congress, as the President may direct."

(b) *The act of December 29, 1845 (9 Stat. 108)*

(From preamble of joint resolution)

"Whereas the Congress of the United States * * * did consent that the territory properly included within, and rightfully belonging to, the Republic of Texas, might be erected into a new State, to be called 'The State of Texas,' with a republican form of government, to be adopted by the people of said republic, * * * with the consent of the existing government, in order that the same might be admitted as one of the States of the Union; * * * and whereas the people of the said Republic of Texas, * * * did adopt a constitution, and erect a new State with a republican form of government * * * and whereas the said constitution, with the proper evidence of its adoption by the people of the Republic of Texas has been transmitted to the President of the United States and laid before Congress, in conformity to the provisions of said joint resolution: Therefore—

"SECTION 1. The State of Texas shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the Original States in all respects whatever."

23. MICHIGAN

(a) *The act of June 15, 1836 (5 Stat. 49–50)*

* * * * *

"SEC. 2. *And be it further enacted,* That the constitution and State government which the people of Michigan have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed; and that the said State of Michigan shall be, and is hereby, declared to be one of the United States of America, and is hereby admitted into the Union upon an equal footing with the Original States in all respects whatsoever * * *."

[NOTE.—There is omitted here quotation of language in a proviso of section 2 which constitutes an express condition precedent to admission of recognition by the proposed State of the boundaries as described therein.]

"SEC. 3. *And be it further enacted,* That, as a compliance with the fundamental condition of admission contained in the last preceding section of this act, the boundaries of the said State of Michigan, as in that section described, declared, and established, shall receive the assent of a convention of delegates elected by the people of the said State, for the sole purpose of giving the assent herein required; and as soon as the assent herein required shall be given, the President of the United States shall announce the same by proclamation; and thereupon, and without any further proceedings on the part of Congress, the admission of the said State into the Union as one of the United States of America, on an equal footing with the Original States in all respects whatever shall be considered as complete, * * *."

(b) *The act of January 26, 1837 (5 Stat. 144)*

(From preamble)

"Whereas, in pursuance of the act of Congress of June 18, 1836. * * * a convention of delegates. * * * did, on the 15th of December 1836 assent to the provisions of said act, therefore:

"SECTION 1. The State of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever."

24. ARKANSAS

The act of June 15, 1836 (5 Stat. 50, 51–52)

(From preamble)

"Whereas, the people of the Territory of Arkansas, did, * * * form for themselves a constitution and State government, which constitution and State government, so formed is republican: * * * and the said convention have in their behalf, asked the Congress of the United States to admit the said Territory into the Union as a State, on an equal footing with the original States:

"SECTION 1. The State of Arkansas shall be one, and is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever * * *." ever * * *."

* * * * *

"SEC. 8. *And be it further enacted,* * * * nothing in this act shall be construed as an assent by Congress to all or to any of the propositions contained in the ordinance of the said convention of the people of Arkansas, * * *."

25. MISSOURI

(a) *The act of March 6, 1820 (3 Stat. 545, 546–547, 548)*

"SECTION 1. The inhabitants of that portion of the Missouri territory included within the boundaries hereinafter designated, be, and they are hereby, authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union, upon an equal footing with the original States, in all respects whatsoever."

* * * * *

"SEC. 4. *And be it further enacted,* * * * and (the convention) shall then form * * * a constitution and State government: *Provided,* That the same, whenever formed, shall be republican and not repugnant to the Constitution of the United States; * * * ."

* * * * *

"SEC. 7. *And be it further enacted,* That in case a constitution and State government shall be formed for the people of said Territory of Missouri, the said convention or representative, as soon thereafter as may be, shall cause a true and attested copy of such constitution, or frame of State government, as shall be formed or provided, to be transmitted to Congress."

* * * * *

(b) *The act of March 2, 1821 (3 Stat. 645)*

"*Resolved* * * * that Missouri shall be admitted into this Union on an equal footing with the original States, in all respects whatever, upon the fundamental condition, that the 4th clause of the 26th section of the third article of the constitution submitted on the part of said State to Congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizens, or either of the States in this Union, shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the Constitution of the United States: *Provided,* That the legislature of said State by a solemn public act, shall declare the assent of said State of the said fundamental condition, and shall transmit to the President of the United States, on or before the fourth Monday in November next, an authentic copy of the said act; upon the receipt whereof, the President, by proclamation, shall announce the fact; whereupon, and without any further proceeding on the part of Congress, the admission of the said State into this Union shall be considered as complete."

26. MAINE

The act of March 3, 1820 (3 Stat. 544)

(From preamble)

"Whereas by an act of the State of Massachusetts, passed on the 19th day of June, in the year 1819, entitled 'an act relating to the separation of the district of Maine from Massachusetts proper, and forming the same into a separate and independent State, the people of that part of Massachusetts heretofore known as the district of Maine, did, with the consent of the legislature of said State of Massachusetts, form themselves into an independent State, and did establish a consitution for the government of the same, agreeably to the provisions of said act—Therefore,

"SECTION 1. That from and after the 15th day of March, in the year 1820, the State of Maine is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever."

27. ALABAMA

(a) *The act of March 2, 1819 (3 Stat. 489–492)*

"SECTION 1. The inhabitants of the territory of Alabama be, and they are hereby, authorized to form for themselves a constitution and State government, and to assume such name as they may deem proper; and that the said territory when formed into a State, shall be admitted into the Union, upon the same footing with the original States, in all respects whatever."

* * * * *

"SEC. 9. *And be it further enacted,* that, in case the said convention shall form a constitution and State government for the people of the territory of Alabama, the said convention, as soon thereafter as may be, shall cause a true and attested copy of such constitution or frame of government as shall be formed or provided, to be transmitted to Congress, for its approbation."

(b) *The act of December 14, 1819 (3 Stat. 608)*

(From preamble of resolution of admission)

"Whereas * * * the people of the Alabama territory * * * did * * * form for themselves a constitution and State government, which constitution and State government, so formed, is republican, and in conformity to the principles of the articles of the compact between the original States and

the people and States in the territory northwest of the river Ohio, passed on the 13th day of July 1787, as far as the same have been extended to the said territory, by the articles of agreement betwen the United States and the State of Georgia:—

"*Resolved* * * * the State of Alabama shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever."

28. ILLINOIS

The act of April 18, 1818 (3 Stat. 428–430)

"SECTION 1. The inhabitants of the territory of Illinois be, and they are hereby, authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed shall be admitted into the Union upon the same footing with the original States, in all respects whatever."

* * * * *

"SEC. 4. *And be it further enacted,* * * * said representatives * * * shall then form for the people of said Territory a constitution and State government: *Provided,* That the same, whenever formed, shall be republican and not repugnant to the ordinance of the 13th of July, 1787, between the original States and the people and States of the Territory northwest of the river Ohio; excepting so much of said articles as relate to the boundaries of the State therein to be formed: *And provided also,* That it shall appear * * * that there are, within the proposed State, not less than 40,000 inhabitants."

29. MISSISSIPPI

(*a*) *The act of March 1, 1817 (3 Stat. 348–349)*

"SECTION 1. The inhabitants of the western part of the Mississippi Territory be, and they hereby are, authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union upon the same footing with the original States, in all respects whatever."

* * * * *

"SEC. 4. * * * members of the (constitutional) convention * * * when met, shall first determine, * * * whether it be or be not expedient * * * to form a constitution * * * and if it be determined to be expedient, the convention shall be, and hereby are, authorized to form a constitution and State government: *Provided,* That the same, when formed, shall be republican, and not repugnant to the principles of the ordinance of the 13th of July, 1787, between the people and States of the territory northwest of the river Ohio, so far as the same has been extended to the said territory by the articles of agreement between the United States and the State of Georgia, or of the Constitution of the United States: * * *."

(*b*) *The act of December 10, 1817 (43 Stat. 474, 473)*

(From preamble of resolution)

Whereas * * * the people of the western part of the Mississippi Territory * * * did * * * form for themselves a constitution and State government, which constitution and State government so formed, is republican, and in conformity to the principles of the articles of compact between the original States and the people and States in the territory northwest of the river Ohio, passed on the 13th day of July, 1787.

"*Resolved* * * * the State of Mississippi shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever."

30. INDIANA

(*a*) *The act of April 19, 1816 (3 Stat. 289–290)*

"SECTION 1. The inhabitants of the territory of Indiana be, and they are hereby authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the union upon the same footing with the original States, in all respects whatever."

* * * * *

"SEC. 4. * * * members of the (constitutional) convention * * * when met, shall first determine, * * * whether it be, or be not expedient, at that time, to form a constitution and State government * * * *Provided,* That the same, whenever formed, shall be republican, and not repugnant to those articles of the ordinance of the 13th of July, 1787, which are declared to be irrevocable between the original States, and the people and States of the territory northwest of the river Ohio; excepting so much of said articles as relate to the boundaries of the States therein to be formed."

* * * * *

(*b*) *The act of December 11, 1816 (3 Stat.) 399–400*

(From preamble of resolution)

"Whereas * * * the people of said territory did * * * form for themselves a constitution and State government, which constitution and State government, so formed, is republican, and in conformity with the principles of the articles of compact between the original States and the people and States in the territory northwest of the river Ohio, passed on the 13th day of July, 1787.

"SECTION 1. *Resolved,* The State of Indiana shall be one, and is hereby declared to be one, of the United States of America, and admitted into the union on an equal footing with the original States, in all respects whatever."

31. LOUISIANA

The act of February 20, 1811 (2 Stat. 641–643)

"SECTION 1. The inhabitants of that part of the territory or country ceded under the name of Louisiana, by the treaty made at Paris on the 13th day of April, 1803, between the United States and France * * * be, and they are hereby authorized to form for themselves a constitution and State government and to assume such name as they deem proper, under the provisions and upon the conditions hereinafter mentioned."

* * * * *

"SEC. 4. *And be it further enacted,* That in case the (constitutional) convention shall declare its assent, in behalf of the people of said Territory, to the adoption of the Constitution of the United States, and shall form a constitution and state government for the people of said Territory of Orleans, the said convention, as soon thereafter as may be, is hereby required to cause to be transmitted to Congress the instrument, by which its assent to the Constitution of the United States is thus given and declared, and also a true and attested copy of such constitution or frame of State government, as shall be formed and provided by said convention, and if the same shall not be disapproved by Congress, at their next session after the receipt thereof, the said State shall be admitted into the Union, upon the same footing with the original States."

* * * * *

"SEC. 3. * * * members of the (constitutional) convention * * * when met, shall first determine * * * whether it be expedient or not, at that time, to form a constitution and State government, for the people of said Territory: *Provided,* That the constitution to be formed, in virtue of the authority herein given, shall be republican, and consistent with the Constitution of the United States; that it shall contain the fundamental principles of civil and religious liberty * * *;" (further stipulated requirements as to language, habeas corpus, etc.).

32. OHIO

(*a*) *The act of April 30, 1802 (2 Stat. 173–174)*

"SECTION 1. The inhabitants of the eastern division of the Territory northwest of the river Ohio, be, and they are hereby authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper, and the said State, when formed, shall be admitted into the Union, upon the same footing with the original States, in all respects whatever."

* * * * *

"SEC. 5. *And be it further enacted,* That the members of the (constitutional) convention * * * shall form for the people of said State, a constitution and State government; *provided* the same shall be republican, and not repugnant to the ordinance of the 13th of July 1787, between the original States and the people and States of the territory northwest of the river Ohio."

* * * * *

(*b*) *The act of February 19, 1803 (2 Stat. 201)*

(From preamble of the act

"Whereas, the people of the eastern division of the territory northwest of the river Ohio, did (on November 29, 1802) * * * form for themselves a constitution and State government, and did give to the said State the name of the 'State of Ohio' * * * whereby the said State has become one of the United States of America; * * *."

* * * * *

"SECTION 1. All the laws of the United States which are not locally inapplicable, shall have the same force and effect with the said State of Ohio, as elsewhere within the United States."

(*c*) *The act of August 7, 1953 (67 Stat. 407)*

"Whereas, in pursuance of an act of Congress, passed on the 30th day of April 1802, entitled 'An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, and for other purposes,' the people of the said territory did, on the 29th day of November 1802, by a convention called for that purpose, form for themselves a constitution and State government, which constitution and State government, so formed is republican, and in conformity to the principles of the articles of compact between the original States and the people and States in the territory northwest of the river Ohio, passed on the 13th day of July 1787: "Therefore, be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Ohio, shall be one, and is hereby declared to be one, of the United States of America, and is admitted into the Union on an equal footing with the original States, in all respects whatever.

"SEC. 2. This joint resolution shall take effect as of March 1, 1803."

33. TENNESSEE

The act of June 1, 1796 (1 Stat. 491–492)

(From preamble)

"Whereas by the acceptance of the deed of cession of the site of North Carolina, Congress are bound to lay out into one or more States, the Territory thereby ceded to the United States:

"*Be it enacted, etc.:* The whole of the territory ceded to the United States by the State of North Carolina, shall be one State, and the same is hereby declared to be one of the United States of America, on an equal foot-

ing with the original States, in all respects whatever, by the name and title of the State of Tennessee. That until the next general census, the said State of Tennessee shall be entitled to one Representative in the House of Representatives of the United States; and in all other respects, as far as they may be applicable, the laws of the United States shall extend to, and have force in the State of Tennessee, in the same manner, as if that State had originally been one of the United States."

34. VERMONT

The act of February 18, 1791 (1 Stat. 191)

(In its entirety)

The State of Vermont having petitioned the Congress to be admitted a member of the United States, *Be it enacted (etc.)*

"On the 4th day of March, 1791, the said State, by the name and style of 'The State of Vermont,' shall be received and admitted into the Union, as a new and entire member of the United States of America."

35. KENTUCKY

(*The act of February 4, 1791 (Stat. 189)*)

(From preamble of act)

"Whereas the legislature of the commonwealth of Virginia, by an act entitled 'An act concerning the erection of the district of Kentucky into an independent State,' passed the 18th day of December, 1789, have consented, that the district of Kentucky, within the jurisdiction of the said commonwealth, and according to its actual boundaries at the time of passing the act aforesaid, should be formed into a new State: And whereas a convention of delegates, chosen by the people of the said district of Kentucky, have petitioned Congress to consent, that, on the 1st day of June, 1792, the said district should be formed into a new State, and received into the Union, by the name of 'The State of Kentucky.'

"SECTION 1. The Congress doth consent, that the said district of Kentucky, within the jurisdiction of commonwealth of Virginia * * * shall, upon the 1st day of June, 1792, be formed into a new State, separate from and independent of, said commonwealth of Virginia.

"SEC. 2. And be it further enacted and declared, that upon the aforesaid 1st day of June, 1792, the said new State, by the name and style of the State of Kentucky, shall be received and admitted into this Union, as a new and entire member of the United States of America."

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, there is an abundance of clearly evident justification for admitting Alaska to the Union of States, while there are but few if any, truly valid arguments against such a course.

The same arguments which are being used in opposing the admission of Alaska to the Union were made against admitting many of our great States. However, it soon became evident that the admission of these States to the Union made us a stronger member of the world of nations.

It is not my intention at this time to discuss the details of Alaska's plea for statehood. In my own opinion the merits have already been established and, I trust, well known by a majority of the Members of this House.

As my colleagues know, I am from one of the southernmost States of the Union, the State of Louisiana. I believe that 90 percent of those whom I have the honor to represent in the Congress would support my petition to the cause for statehood for Alaska.

Mr. Chairman, inasmuch as I am fresh from a meeting of the Foreign Operations Subcommittee on Appropriations now handling our leaders' request for funds for some 70 of the other 86 nations of the world, I think it is appropriate to mention at this time the assistance we have rendered in helping to create new nations. Is it not true that the record is abundantly clear that this great country of yours and mine has helped to create and bring into being a total of 22 new nations since the end of World War II?

In this year's budget there are requests for tens of millions of dollars for the support of these nations which we are pledged to support with our life and resources.

Mr. Chairman, can we, in good conscience, continue to help bring into being new and fully independent nations, whose people enjoy first-class citizenship, and decline to do less for our own patriotic fellow Americans in Alaska?

A majority of the American people know that Alaskans are Americans, subject to the laws of our land, taxation, and conscription, yet they are without the same class of citizenship that we enjoy in the 48 States. By denying statehood to Alaska, whose people so well deserve the status afforded Americans by the Constitution, we have surely been showing a poor example of our own democracy at work to the remainder of the free world, and especially to the new nations which we have been instrumental in creating and are presently supporting politically, economically, and militarily.

But beyond this, is it not of vital importance to us here in America that we act with justice toward our own fellow Americans in Alaska?

Mr. Chairman, why should not people of the other nations of the world, including leaders as well as the masses, have a right to question our sincerity, our aim, and our doctrine when the record is so abundantly clear that we have not acted with the same justice toward our own fellow Americans in Alaska as toward citizens of other nations?

It has been my honor to represent the Fifth Congressional District of Louisiana in the Congress for 12 years, and I have steadfastly supported statehood for Alaska, and I have confidence that, at this time, the Congress in its wisdom will grant statehood to Alaska, and such an act on the part of the Congress would lessen the suspicion toward this country by many other nations of the world that we are insincere in that the record is clear that we promised to make available our resources or military might to help give them privileges that we deny our fellow Americans in Alaska. It would appear that we should either be consistent with the type of doctrine that we advocate and that, if we cannot be consistent by bringing Alaska into the Union of States, then it would be wise, no doubt, to change our foreign policy—because certainly the two positions presently in force—one treatment to foreign nations; one to our Americans in Alaska—certainly conflict one with the other.

In conclusion, Mr. Chairman, I have been in Alaska many, many times. They are fine, loyal, sincere Americans who deserve immediate statehood.

Mr. Chairman, I want to thank the gentleman from Pennsylvania [Mr. SAYLOR] for yielding, to give me this opportunity to express my personal views.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the Delegate from Alaska.

Mr. BARTLETT. Mr. Chairman, I should like to thank the gentleman from Louisiana [Mr. PASSMAN] for his most effective remarks and to congratulate my friend from Pennsylvania [Mr. SAYLOR] for his hard-hitting, factual speech.

I hope every Member of this House who did not have the opportunity to hear it will read it in tomorrow's RECORD, because no one can read what he has had to say can be longer impressed with these allegations and accusations of giveaway in the bill now before us.

In that connection, may I ask the gentleman just one question. I ask him this because I know he has not been a blind partisan of Alaska statehood. He has insisted always that facts be developed before he would take a position.

There are reports going around that actually in Alaska there is a considerable Communist influence. Would the gentleman care to comment on that?

Mr. SAYLOR. I would be happy to comment on that. The reports I have gotten from the Federal Bureau of Investigation are that as far as the Territory of Alaska is concerned, its reputation in regard to communism is better than any 1 of the 48 States.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Is not a rumor rather than an outright statement being made so that Members can hear it? It is just a rumor being circulated around to affect the passage of the bill.

Mr. SAYLOR. That is correct.

Mr. Chairman, statehood is not, should not, and cannot be a partisan issue.

Never before has the cause of statehood for these two great Territories aroused so much public interest. National TV programs have devoted time to exploring the issues involved, national magazines and newspapers from all corners of the Nation have editorialized on the subject. We should have responded to the wishes of the people long ago. The time has passed for high-sounding speeches—we want action.

On March 29 I asked the Members of this body, "How long does it take the Congress to respond to the will of the people?" A recent Gallup poll showed that the people of this Nation want Alaska admitted as a State by a margin of 12 to 1. What more do we need?

You ask who is in favor of statehood. I have been authorized by the Secretary of the Interior, the Honorable Fred Seaton, to say to the Members of the House

that yesterday he had a conference with the President, and President Eisenhower said that he was in favor of H. R. 7999, a bill providing for the admission of Alaska to statehood, in its present form. The Secretary of the Interior is for it, the speaker of the House of Representatives is for it, and both parties have pledged statehood for Alaska in their platforms. The American people, I think, are ahead of Congress.

In closing, let me make this statement: Seventy-three percent of the persons questioned in a recent Gallup poll favored immediate statehood for Alaska. A pledge of statehood is in the political platforms of both parties. The President of the United States and Secretary of the Interior Seaton have spoken earnestly in behalf of statehood. The people of Alaska have voted overwhelmingly for statehood in approving their constitution. Here is a clear instance in which Congress has lagged far behind public opinion.

No new arguments are necessary to justify Alaskan statehood. On grounds of preparation, population, and ability to manage its own affairs, Alaska qualifies fully. Admission of Alaska to the Union would result in no lasting partisan gain to either party; but a successful joint effort would redound greatly to the credit of both parties and to the citizens of the United States in their dealings at home and abroad.

Let the world see that as Americans we practice what we ask others to do.

To grant to all our citizens in incorporated Territories equal rights under our Constitution.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from Colorado.

Mr. ASPINALL. I wish to take this opportunity to join with the Delegate from Alaska in congratulating our good friend, the gentleman from Pennsylvania [Mr. SAYLOR] for his work in behalf of statehood for Alaska. As I know the record of the gentleman from Pennsylvania [Mr. SAYLOR] on the question of statehood, it is as follows: Ever since the gentleman came from his congressional district in the State of Pennsylvania to the Congress, he has been one of the most consistent friends Alaska has had, and I might also say that Hawaii has had in their quest for statehood. He has gone about it a little bit differently than many of us have done because he, like the gentleman from New York [Mr. O'BRIEN] has spent hours, weeks, and months studying the problems. He certainly knows the subject of which he speaks, and I compliment him on the work that he has done in behalf of statehood for Alaska.

Mr. SAYLOR. I thank the gentleman.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. PILLION. I, too, would like to add my compliments to the gentleman for his very fine statement on this subject. There has been some talk and considerable controversy concerning the question of discrimination in the field of transportation against the Territory of Alaska. I have here a figure showing that the taxpayers of this country have invested in the Alaskan railway a net amount of $130 million. Is there any other State or territory or area of this country that has the benefit of a railroad in which the investment is made solely by the people of this country?

Mr. SAYLOR. I am not able to answer the gentleman's question affirmatively or negatively as to railroads, but I might point this out to the gentleman that this year we have appropriated over $500 million to CAA alone. There is probably no other section under the American flag that has produced so much revenue for the coffers of the Treasury of the United States as has the Territory of Alaska. It was referred to when the original purchase was made as Seward's folly, but it has since developed not to be a matter of folly, but a monument to the real wisdom of that great Secretary of State. I want to say in dollars and cents the Territory of Alaska has produced untold millions of dollars, and if the United States puts back a few dollars into this Territory, we are only returning a little bit of the money that we have taken out of that great Territory.

Mr. PILLION. Will the gentleman yield for a further question?

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. PILLION. The annual return to the Federal Government from Alaska is in the neighborhood of $45 million a year, and year after year, outside of the defense expenditures, the payments and Federal aid going to Alaska have amounted to more than $100 million a year; is that not true?

Mr. SAYLOR. No; that is not correct. I am sorry to have to disagree with the gentleman.

Mr. PILLION. In connection with the Alcan Highway which was constructed at a cost of about $95 million without any contributions by Alaska. Is there any other area that has received such treatment?

Mr. SAYLOR. The Alcan Highway was built for military purposes and as a matter of national defense of this country. Certainly, I would not expect anybody to try to charge to the Territory of Alaska the cost of a highway that was built for our national defense and principally across our neighbor to the north of us, Canada.

Mr. PILLION. I thank the gentleman.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman.

Mr. PRICE. I commend the gentleman from Pennsylvania for his very enlightening and forceful statement in support of this legislation. I am in full accord with the statement he has made. I support this legislation and hope the House will adopt the bill.

Mr. Chairman, it can be conceded, I suggest, that the people of Alaska have done everything in their power to prove that they are fit for full citizenship and that their Territory is fit for full statehood in the sistership of the States of our Union. Our problem is to take the generous, affirmative step that only we in the Congress can take—the affirmative action that will admit Alaska.

We cannot seriously believe that the distance from Alaska to the main body of our continental mainland is so great, her land area so remote, that she does not properly fit in. A century and a half ago it was farther, in time from New York to Philadelphia, infinitely farther from Boston to Charleston, than from Alaska to Washington today. Alaska is closer to our heartland than the trans-Appalachian States were to the seaboard States when the first Thirteen granted statehood to Territories of the Middle West. She is closer than California and Oregon, before the transcontinental railroads, at the time those Pacific Coast States were admitted.

A special problem, obviously, exists in regard to the defense of both Alaska and the Nation because of the Territory's location. But when could it be argued that an area became less defensible when her people were admitted to full partnership with other Americans? The bill before us protects the national interest adequately by providing that referendums on lands and reservation must be approved by Alaska's people before statehood can become effective.

There is no partisan issue here, Mr. Chairman. Both party platforms in 1956 urged the Congress to grant statehood. Our people have expressed themselves in public-opinion polls as overwhelmingly in favor of statehood.

Alaska has served an apprenticeship of 91 years. As her spokesmen point out, this is more than twice the average waiting period served in a dependent status by the present States. She has been an organized Territory for 45 years—again more than twice the period of tutelage for the present States.

Her present population of nearly 220,000 is larger than the population of 15 States when they became full members in our Union. She has achieved this growth despite distant control and frequently onerous circumstances that have deprived her of the chance to show what her people could do on their own to attract new population.

Alaska has shown a remarkable capacity to operate stable instruments of government. Her tax system supports the functions of the Territorial Government. She has the social security programs, the educational systems, the mining and development and conservation programs familiar for responsible governments.

Alaska's people have served and died in America's wars, with the bravery and loyalty shown by other Americans. Her per capita contribution of manpower has been above the national average. Alaskans pay all Federal taxes although they do not share proportionately in all the benefits these taxes support in the 48 States. Alaskans have drafted a constitution, by election of delagates and by ratification of the people, that shows her earnestness in seeking to qualify for statehood. They are ready to elect duly chosen members of the Congress when statehood becomes a fact.

Alaska now pays a penalty for the lack of status as a State. She has no control over her fisheries and minerals, her timber and her water power, comparable to that exercised by the States. The land laws that stimulated settlement of the Midwest have been a deterrent to Alaska. She is not equitably represented in our National Government through the privilege of participating in the presidential elections, through spokesmen in the Congress. She cannot elect her own governor.

Alaska has done her part, Mr. Chairman. Now it is time for us to do ours. It should be this 85th Congress, and not some later one, which takes the constructive forward step of voting admittance of Alaska to the Union.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from New Jersey.

Mr. CANFIELD. Is it not historically true that millions and millions of dollars in land grants were given to the railroads years ago when the States in the Midwest and the western part of this country were being opened up?

Mr. SAYLOR. That is true.

Mr. CANFIELD. And how many millions of dollars were given no one knows today; is that not correct?

Mr. SAYLOR. That is correct. No one has any idea of the amount of money given to the railroads when the Congress was interested in opening up the great western areas of our country. No one knows how much money this country gave away to the railroads and the country has prospered because we did that.

(Mr. COLLIER (at the request of Mr. SAYLOR) was given permission to extend his remarks at this point.)

Mr. COLLIER. Mr. Chairman, frankly, most of the thoughts I have on this bill were so ably and thoroughly expressed by my subcommittee chairman [Mr. O'BRIEN] and the gentleman from Oklahoma [Mr. EDMONDSON] and the distinguished gentleman from Pennsylvania [Mr. SAYLOR] that I actually could not use more than 5 minutes without being entirely repetitious.

What is more, I do not think there is a great deal to be added one way or the other.

Perhaps if we were to vote on this bill in the next 5 minutes, the outcome would be little different than it would if every Member took the full time to which he is entitled.

During the long committee hearings on this bill and a rehash of the issue involved over the years, we have all been exposed to nearly every angle.

Certainly every argument of the opponents have been explored and there have been reams of facts and figures of every nature including revenue, population problems and the social and political aspects of it.

I do not infer that many of these points are not effective arguments, nor do I question their merit.

But in the final analysis when the smoke clears away, the basic issue is human rights.

That both parties had this rarely disputed statehood plank in its platform is of less importance than the effect the action of this House will have upon millions of people across the face of the globe.

Here is a vast area, as the size of States go, in the center of our northernmost perimeter of defense, an area with a tremendous potential in both human and natural resources.

It is a stepchild which we as a nation are normally obliged to adopt.

The gentleman from Oklahoma yesterday recalled that the original colonists engaged in a revolution 182 years ago as a protest against taxation without representation.

I am not prepared to believe that taxation without representation is less reprehensible today than it was at that time.

If anything, the words should ring more clearly and strongly now.

For all practical purposes the people of Alaska are citizens of the United States.

They are taxpayers of the United States as you and I.

They are expected to abide by the laws of the United States and to serve in the Armed Forces to defend our country against all enemies and they are second-class citizens only because their delegate has only a voice in this House without a vote to back it up.

And in the other body they have neither voice nor vote.

No population deficiency makes this situation morally right.

As for any conflict over resources, we must remember that when the people of any State do well, or enjoy the benefits of those resources, the United States as a whole is the beneficiary, too.

Here, I believe, is an opportunity to show in deed the spirit of America which we have failed to sell through costly and frequently unproductive foreign aid projects.

(Mr. BENTLEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BENTLEY. Mr. Chairman, I expect to vote for the passage of legislation which would enable Alaska to become a State of the Union. This represents a change in my thinking since only a few years ago I voted against similar legislation in the House. Further study of this matter, however, has convinced me that my position was incorrect at that time.

Statehood for both Hawaii and Alaska is strongly supported throughout my congressional district. In my annual congressional poll for 1956 the question was asked whether Hawaii and Alaska should both be admitted as States and 70.6 percent of those replying answered in the affirmative. Only 9.9 percent were opposed and 19.5 percent had no opinion. It is also well to recall that the 1956 Republican platform adopted at San Francisco stated unanimously: "We pledge immediate statehood for Alaska recognizing the fact that adequate provision for defense requirements must be made * * *." On the basis that Alaska is now ready for statehood and that taxation without representation is historically unfair and un-American, mail from my district has run about 3 to 1 in favor of Alaskan statehood.

In this connection, Mr. Chairman, it is interesting to recall that the practice followed by the citizens of Alaska in writing their own State constitution and electing certain provisional officers under it, was the same procedure used by other States in seeking admission to the Union, including my own State of Michigan. At that time, the population of Michigan was roughly 200,000, which is slightly smaller than the presently estimated population of Alaska.

The historic tests for admission to statehood are usually these: (1) That the people of the proposed State are supporters and adherents of democracy and our American way of life; (2) that a majority of the voting population desire statehood; and (3) that the new State's population and resources are such as to be able to support State government and not to be a financial burden on the Federal Government. Without going into detail, Mr. Chairman, information has been furnished me that convinces me that Alaska qualifies for statehood in all three respects. I am, therefore, happy to support this legislation for Alaskan statehood at this time and hope that similar legislation concerning Hawaii will be approved in the near future.

Mr. GWINN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-one Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 71]

Allen, Calif.	Edmondson	Magnuson
Auchincloss	Engle	Morris
Barden	Evins	O'Hara, Minn.
Bass, Tenn.	Farbstein	Powell
Bates	Fino	Prouty
Belcher	Fisher	Radwan
Blatnik	Granahan	Riley
Bonner	Grant	Robeson, Va.
Boykin	Gregory	Scott, N. C.
Brooks, La.	Gross	Sheppard
Buckley	Gubser	Shuford
Burdick	Haskell	Sieminski
Byrnes, Wis.	Hays, Ark.	Siler
Carnahan	Holifield	Smith, Miss.
Christopher	Jarman	Spence
Clark	Jenkins	Steed
Collier	Kearney	Teller
Colmer	Kluczynski	Tollefson
Coudert	Knox	Trimble
Curtis, Mass.	Knutson	Van Pelt
Dawson, Ill.	Krueger	Watts
Dellay	Laird	Westland
Dent	Lennon	Willis
Dies	Lesinski	Withrow
Dowdy	Libonati	Zelenko
Durham	McCarthy	
Eberharter	Machrowicz	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7999, and finding itself without a quorum, he had directed the roll to be called, when 336 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ROGERS of Texas. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman is recognized for 1 hour.

Mr. ROGERS of Texas. Mr. Chairman, I want to preface my remarks this afternoon by saying that I do not come here to engage in attacking any personalities. I have known many people from Alaska, I have known many people from Hawaii and many other territorial possessions of this country. I am sure there are Communists in those places, but it has never been my misfortune to meet one of them. The folks I have met have all been good people. I want it distinctly understood that whatever I may say here this afternoon is not intended as an aspersion on any individual who is a patriotic American citizen residing in any of the Territories.

I want to pay especial tribute to the Delegate, the gentleman from Alaska [Mr. BARTLETT], for the fine service he has rendered in this Congress in representing that great Territory, the fine work he has done on the committee. I have watched him with great diligence many times, and he has come through every time in splendid fashion. He is a fine gentleman, and certainly a scholar on legislative matters having to do with the Territory he represents here in the Nation's Congress.

I also want to pay tribute to my good friend, JOHN BURNS, who represents the Territory of Hawaii. It may be said that Hawaii is not before the House this afternoon, but we will take up that question just a little later. At present I want to pay tribute to JOHN BURNS because he has done a wonderful job for Hawaii. I have watched him on the committee and it has been my pleasure to serve with him. He has done an outstanding job, and I am sure the people of Hawaii are proud of him.

I also want to pay tribute to another good friend of mine from Alaska in the person of ex-Governor Gruening, who has done such an outstanding job in working for this particular piece of legislation. He is one of the most patient men I have ever known. He is a grand fellow and a man who tries to reason. He wrote a wonderful book on Alaska and I hope everyone gets a chance to read it.

These are all fine people, and the other people I have known in Alaska and Hawaii are fine people. They have done good jobs in what they have set out to do. But we are not here this afternoon, nor were we here yesterday nor will we be here next week to change the political situation in which this country stands because some person is a nice fellow. If that had been the purpose of this Congress there would have been many changes made in the past in our political history.

I want to try this afternoon to clarify some situations that I think are terribly confused. In the first place, there seems to be a general opinion that when a person introduces a bill in the National Congress for admission of a Territory to statehood the premise from which you should begin is that that bill should pass without any opposition, that no one should say anything about it, and that it should not even be questioned. That no person should be required to prove what is in the bill he is asking this Congress to pass. They simply take the position that the bill has been introduced, therefore it is a good bill and it ought to pass.

I want to go into it a little bit further in what I have to say as to the attitude of so many people taking the position that the premise from which you start is that Alaska or Hawaii or whatever Territory is before this House should be admitted to statehood unless some people can dig up some facts that would prove it should not be admitted to statehood. I think that is the wrong procedure. I think that the people who advocate statehood should make the case by not only a preponderance of the evidence but by evidence beyond a reasonable doubt, because we are tampering with the political welfare of the country, and I use "political" in its true sense, in the science-of-government sense, not in the political party sense. I think the people who are interested in the political welfare of this country should weigh these matters very carefully. I want to say before I go on that the people who have supported Alaskan statehood and those who have supported Hawaiian statehood are people for whom I have the deepest respect. We argued and fought in committee about this. We had some good times and we had some bad times in committee, but I have the deepest respect for all the people and I am not here to cast aspersions on any Member of this body. I think they are all devoted to what they are trying to do. I think they are all dedicated to the welfare of this Nation. They are doing what they think is right and I hope what I have to say this afternoon will cause some of them to read further than I think they have read so far.

The first thing I want to do is to find out from where we start. First, there has been speech after speech made on the floor of this House in which they have quoted every authority in the world from the President of the United States to the statements made in the political platforms of the parties. They have gone to the Supreme Court. They have gone every place else for authority as to why Alaska should be admitted as a State. I want a little later on to ask some of the ardent proponents of statehood, and they are ardent, to give me the reasons, some of the basic reasons which as yet I have not heard why Alaska should be admitted as a State. But first I want to treat this situation to find out who it is that has the responsibility of saying whether or not Alaska becomes a State. My very dear friend and very able chairman of the House Committee on Interior and Insular Affairs in the CONGRESSIONAL RECORD of yesterday placed this statement:

> Mr. ENGLE. Mr. Chairman, Alaska was promised statehood when it was annexed in 1867.
>
> The promise was clear and explicit.
>
> It is found in article III of the treaty with Russia signed March 30, 1867, by Secretary of State William H. Seward and ratified by the United States Senate.
>
> Article III reads as follows:
>
> "The inhabitants of the ceded Territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years; but if they should prefer to remain in the ceded Territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country."
>
> The essence of that pledge is contained in the word "the inhabitants shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States."

Mind you, that was a treaty that was ratified by the United States Senate. Now you do not have to be here long in the House of Representatives before you find out that we do not have very much to do with treaties. In fact, we do not have anything to do with treaties unless we can adopt some method of passing a statute which might circumvent something we did not like in a treaty. That is questionable procedure. I would not like to see it come before the present Supreme Court because I am afraid that the treaty itself would supersede anything that this House did. But be that as it may, let us go back to the Constitution and find out who is charged with the responsibility of admitting a State to the Union. The Constitution of United States does not specify what conditions must be met to qualify a territory for statehood. Article IV, section 3 states simply:

> New States may be admitted by the Congress into the Union.

The Supreme Court can talk all it wants to about admitting States to the Union, but the fact is that the responsibility for admitting a State or refusing a State admission to the United States of America rests on the shoulders of this body right here, and we cannot discharge it by saying something that the Supreme Court said or something that the other body said in ratifying a treaty that was entered into by a Secretary of State. The obligation is ours, and it is our duty to stand up to it, to face it, and to know and understand what we are doing when we pass a bill of this kind.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. HOFFMAN. Assuming that the Supreme Court would say that treaty supersedes any statute that we pass, just how would the Court go about admitting a State?

Mr. ROGERS of Texas. Would the gentleman state that again, please?

Mr. HOFFMAN. Assuming that the Supreme Court said that a treaty superseded any statute or was superior to any statute which the Congress passed, how would the Court go about getting a territory in?

Mr. ROGERS of Texas. I think the answer would simply be that it could almost be done by Presidential directive. That is the reason I am afraid to let it go to the Court, because if it so decided, then a treaty should be entered into permitting a State to come in, and then if

the other body ratified that treaty I do not know how we would get them out.

Mr. HOFFMAN. But with what nation could we enter into a treaty which would make necessary that territory to become a State?

Mr. ROGERS of Texas. It would be with the nation from which we acquired the territory itself, as far as I know.

Mr. HOFFMAN. You mean a treaty with the territory?

Mr. ROGERS of Texas. No, the nation from which we get the territory.

Mr. HOFFMAN. No, no.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. O'BRIEN of New York. I have been trying to follow the gentleman as carefully as possible. Is it his contention that we should ignore Supreme Court decisions and other matters, including treaties, and that we should rest solely upon the right of Congress to admit or not admit new States? Is that correct?

Mr. ROGERS of Texas. Yes, insofar as statehood is concerned I do not think we can discharge our obligation by permitting other people to make these decisions for us. This is an obligation that rests squarely on our shoulders, and there is no provision that whatever precedent might have been established under other fact situations by other persons or organizations are supposed to be binding upon us.

Mr. O'BRIEN of New York. I agree very thoroughly with the gentleman. I do not believe any treaty which has been made or any court decision which has been made compels us to admit any territory to statehood. I believe the gentleman is correct when he says that the decision rests entirely with Congress, and that is the decision we are attempting to reach here as readily as possible.

Mr. ROGERS of Texas. I am sure the gentleman agrees with me that since it does rest upon our shoulders every Member of this House ought to thoroughly understand what we are doing before we change the political situation that this country is in.

Mr. O'BRIEN of New York. I believe that the House should thoroughly understand. That is why I was hoping that we would have more opportunity to debate this great question than we have had so far.

Mr. ROGERS of Texas. Well, I am sorry. Has the gentleman been denied time for debate?

Mr. O'BRIEN of New York. I have not been denied time, but I note that we have spent a great deal of time on matters other than the consideration of the bill.

Mr. ROGERS of Texas. I will confine myself to the bill as much as possible.

I now yield to the gentleman from Michigan.

Mr. HOFFMAN. Let us assume the ridiculous situation that we entered into a treaty with Mexico providing in that treaty that Alaska should be given statehood. Would the gentleman contend that it should be admitted as a State and that if Congress did not do it, the Supreme Court could issue a mandatory injunction requiring us to vote affirmatively to admit Alaska?

Mr. ROGERS of Texas. I am sorry; I did not understand the gentleman's question a minute ago. If we entered into a treaty with another country and that treaty contained such a provision and the Supreme Court passing upon it should say that the treaty was superior, then it would be an obligation.

If you follow that sort of thinking we would be obligated to pass an act simply because the Secretary of State said that is what ought to be done.

Mr. HOFFMAN. Then assuming that we did not do it, would not enact proper legislation, could the Supreme Court by a mandatory injunction require us to act?

Mr. ROGERS of Texas. I am sorry, sir, but I could not speak for the Supreme Court. I thought I had spoken in keeping with their thinking several times before, but they changed on me in the middle of the stream. I would be glad to refer your question to the Supreme Court for a proper answer.

But let us go on to the argument of those who have said that we are pledged to bring Alaska in. I do not think that anyone in this country or anywhere else has the right or the power to pledge a committee or Members of this Congress except the people that the Member represents in his home district.

We are told, and it came up on the floor of this House the last time this bill was being debated; I believe it was the Alaskan-Hawaiian bill which was being debated—as to what the great political parties had said in their platforms. It is true they did tell us that they were for statehood for these Territories, and I want to read to you what they said, because at that time the question was asked why that was not a pledge. I think at that time I said in effect that party platforms like other political matters were sometimes written to get votes. I was castigated in the press for saying that—being realistic, I might say, about it.

They said: "Oh, no; there is nothing political about this." That may be true. Maybe it was not put in the platforms to get votes; maybe it was put in the platforms to keep from losing certain votes. I do not know whether it was or not, but I want to read what those platforms said.

The 1956 platform of the Democratic Party said—

> We condemn the Republican administration for its utter disregard for the rights to statehood of both Alaska and Hawaii. These territories have contributed greatly to our national economy and cultural life, and are vital to our defense. They are a part of America and should be recognized as such.
>
> We of the Democratic Party, therefore, pledge immediate statehood for these two Territories. We commend these Territories for the action their people have taken in the adoption of constitutions which will become effective forthwith when they are admitted to the Union.

Now, there is not anything wishy-washy about that statement at all. I think it is a hard and clear statement. Of course it does have a little political tinge to it; and I think the Republican one did too, even though it was not quite as straightforward.

The 1956 Republican platform said:

> We pledge immediate statehood for Alaska, recognizing the fact that adequate provision for defense requirements must be made.

Now, you see, they conditioned that on the defense aspect of it, and there is not anyone in this Chamber who does not know that defense sometimes constitutes very good political speech material.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. In just a moment. Reading further:

> We pledge immediate statehood for Hawaii.

Without any qualification.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. What I wanted to ask the gentleman, the bill presently before us takes into consideration the defense needs of Alaska.

Mr. ROGERS of Texas. Yes. As I understand, it does.

Mr. PILLION. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Texas. I will be happy to.

Mr. PILLION. The gentleman will recall General Twining's testimony before the committee in which he said that they were having no trouble or difficulty at present in the administration of the defense effort in Alaska and that statehood would not in any way help that defense effort.

Mr. ROGERS of Texas. Well, may I say to the gentleman from New York, who made such a wonderful presentation prior to mine, the defense situation to me—and I believe it was testified to in the hearings—is a matter that is not primarily concerned with statehood. As a matter of fact, I think a much better case can be made out for the defense of this country if you take a territory in a territorial status rather than in a statehood status, especially against the enemy with which we are faced at the present time.

Mr. PILLION. In connection with the defense effort, is the gentleman acquainted with the great concern of the military in the event of a war as to their ability to function in Hawaii in view of the fact that Harry Bridges controls the ILWU union, with a membership of 23,000, the sheriff's department, the transportation workers, and many of our public officials who are members of the United Public Workers Union, which is closely associated with Harry Bridges and his particular Communist apparatus and that in the event of war these unions could very materially obstruct our defense effort? I suppose the gentleman will recall that very recently Mr. Harry Bridges made the remark that in the event of war with the Soviet, he would not be disposed to not strike and have his union members strike in the Territory of Hawaii.

Mr. ROGERS of Texas. I will say this to the gentleman, that the question he has posed is one of the questions that is in my mind and remains in my mind with relation to both statehood for Alaska and Hawaii. So long as that question is in my mind, it would be most difficult for me to conscientiously vote for a situation that could produce another situation that might be detrimental to the welfare of this country.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. May I suggest, in view of the fact that the testimony before our committee was injected into this debate, that it would be most desirable to have the membership know what General Twining did say. I have the material here before me. He was asked the direct question by Mr. BARTLETT:

Now, General Twining, you testified on this subject in 1950, on the subject of Alaska statehood, before the Senate committee, and you were asked by Senator ANDERSON of New Mexico if you thought statehood would be advantageous.

You said: "Yes; I believe statehood for Alaska would help the military."

May I ask you, General Twining, if that is your thought today?

General TWINING. I believe it would; yes.

Mr. ROGERS of Texas. Well, let me say this. At the time that testimony was given, was it not the McKay Line that he had in mind; certain Federal installations?

Mr. O'BRIEN of New York. Well, he might have had many things in mind, but he was not testifying specifically upon the so-called McKay Line. He was testifying on the whole subject of statehood for Alaska, and he said specifically, categorically, any way you want to phrase it, that it would help the military. And that is one of the most vital military outposts that the United States has and a very loyal people all around it, in spite of Harry Bridges in Hawaii.

Mr. ROGERS of Texas. I have great respect for the gentleman from New York and his opinion, but I think if he would review the record, he would find that at the time General Twining was testifying his testimony was somewhat tempered by some recommendations that had been made by the administration, that would have given the Defense Department some opportunity or advantage up there that I doubt they should have had.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Illinois.

Mr. MASON. Going back to the two platforms from which the gentleman quoted, it runs through my mind that the platform of the so-called Republican Party was written, dominated, and controlled by modern Republicans, which does not bind me because I am not one. And the platform for the Democratic Party was written by northern New Deal Democrats mainly. And I do not see how that could bind a real Jeffersonian Democrat. So I do not feel bound by either platform.

Mr. ROGERS of Texas. Mr. Chairman, I will say this to the gentleman, I do not know who wrote the platforms and, as I said before, I am not going to condemn anyone. I was not consulted about them, but if I had been I would have objected to that language being included.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from New York.

Mr. PILLION. I would like to read these two sentences from page 120 of the hearings:

Mr. PILLION. If there are no particular difficulties at the present time, would statehood be of any particular advantage then to the military in the administration of its duties and responsibilities in that area?

General TWINING. No particular advantages as far as military operations per se are concerned.

I thank the gentleman.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. General Twining is being quoted rather freely and somewhat out of context. I think the RECORD should show what he said at the very outset of his testimony when he was testifying on statehood. He said:

As students of the history of bills favoring statehood for Alaska are aware, I testified in 1950 that I, personally, was in favor of statehood. At that time I was commander in chief of the Alaskan Command and I spoke only on the general proposition of statehood, as distinct from the specific provisions of any Alaskan bill, as such. My personal views that statehood should be granted when the time was ripe have never changed. I am happy, therefore, to be able to say in my official capacity, in this month of March 1957, that, in my opinion, the time is ripe for Alaska to become a State.

Mr. ROGERS of Texas. If the gentleman will bear with me, that is exactly the point that I am making. As we agreed before, this is a matter that should be thoroughly understood by every Member of this House. We all have great respect for General Twining who has made such a fine military record in this country. Under those circumstances, the conflict in the testimony that has been brought out produces the very result I was talking about, or it should produce that result; that is, that this bill certainly needs to be studied, the testimony should be studied by all Members of this House in order to understand exactly where we are and where we are going, because I am afraid that as much as many of them think they do know, they really do not.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Texas. I yield further.

Mr. O'BRIEN of New York. Would the gentleman suggest that we study it for another 42 years?

Mr. ROGERS of Texas. No; 22 would suit me.

Mr. O'BRIEN of New York. I thank the gentleman.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman.

Mr. DINGELL. Mr. Chairman, I would like to ask my dear friend from Texas this question. I must say that I have read the bill very carefully and looked for the word "Hawaii" in this bill. I have heard a great deal of debate on this floor about Hawaii in connection with this bill. I was wondering if the gentleman, or any other Member of this body, would explain just what the significance of Hawaii is in the question of the consideration of a bill for statehood for Alaska, when the word "Hawaii" does not appear anywhere in the bill.

Mr. ROGERS of Texas. I am very happy to treat that. I was intending to in just a moment. My good friend has anticipated that situation.

I like to face these things realistically. Of course we know that the reason Alaska and Hawaii were not tied together is that there were some people who were afraid it would defeat both Territories. I know there is no politics tied to this thing, yet you wait from 1 year to the next and you wonder which side of the political fence each Territory might be on. So what has been done is this: The Alaskan bill has been brought up before this House as a separate bill. If anyone in this House is naive enough to think that Hawaii is not next I wish he would stand up and tell me why, because there has not been one argument in this entire debate, there was not one argument presented in the Committee on Interior and Insular Affairs in support—or not in support, to tear down the arguments against statehood. There was not anything in supoprt of it. The arguments that were in support of statehood were arguments actually to tear down arguments against statehood. There was not one of those arguments that you could not use to support the admission to statehood of any Territory of the United States of America, including the trust islands; and if you pass this bill and do not admit them, you are guilty of discrimination.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Florida.

Mr. MATTHEWS. I want to thank the gentleman for the splendid statement he is making. He has brought up a matter that I think gives me my chief concern about this bill. As I understand it, for the first time in the history of America it is proposed that we take in a State that is separated from America not just by land but by a foreign country. For the first time in America we are going across Canada. This idea about how close we are from the standpoint of jet airplanes, this idea that the other States in the Union were not contiguous, I do not think is particularly relevant. We are going across a foreign country to take in a State.

Then does the gentleman believe that would establish a precedent, so that in another year or perhaps later on this year the fine people of Hawaii might say, "You have established your precedent. We are 4,000 miles, or however many miles we are, out in the Pacific,

but now that you have established this precedent you should grant us statehood." Does the gentleman believe that?

Mr. ROGERS of Texas. I think the gentleman from Florida has made an excellent contribution to this debate. I think he has brought out a point that I intend to treat later, but it is a point that is one of the essentials that ought to be considered. It ought to be considered and evaluated every way in the world before any move is made to move from the shores of the United States of America in taking in another State.

Mr. MATTHEWS. Would the gentleman say this might establish a precedent not only for the addition of Hawaii but Puerto Rico, Guam, and the Virgin Islands?

May I just say one other thing: We had a colleague here a couple of years ago who very frankly said he would be for Puerto Rico because it was the impulse of history. I just wonder if the gentleman thinks this might not create a precedent for many of us to have these waves of the future, these impulses of history, and perhaps be a little careless in getting more States into the Union.

Mr. ROGERS of Texas. It would be most difficult to deny statehood to any Territory of this country; as a matter of fact, it would be difficult to deny statehood to any place thereafter once you broke that barrier.

Mr. MATTHEWS. I thank the gentleman.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentlewoman from Georgia.

Mrs. BLITCH. I wonder if the gentleman would mind if I went back a little bit into the colloquy he had a few minutes ago with the gentleman from Illinois [Mr. MASON], who referred to the fact that the platforms of both national parties had included planks for Alaskan and Hawaiian statehood. I appreciate the gentleman yielding to me so that I may state for the RECORD that I was a delegate to the Democratic National Convention, and also served on the platform and resolutions committee. When this particular subject was brought up at any time during our discussions and came to a vote, my vote was always registered as "no". May I add that when the platform of the platform and resolutions committee was adopted by the Democratic National Convention, I also voted against the whole platform. I just want that to be in the RECORD for the information of my colleagues in the House.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. WHITENER. In connection with the remarks of the gentleman from Michigan and the gentleman from Florida [Mr. MATTHEWS] I would like to call to their attention some of the thoughts expressed by one of the greatest thinkers, I believe, in American history when this matter was before the Congress some years back. He wrote several letters, one of which will be found on page 3833 of the CONGRESSIONAL RECORD of April 23, 1947. Along the same line there is a letter which I would like to quote in part, written by him on July 15, 1947, to the editor of the New York Times. I speak of Dr. Nicholas Murray Butler who certainly is not one whose thinking could not be accepted by most of us. He said in part as follows:

> I am greatly distressed at the progress being made in Congress toward the admission of Hawaii to statehood and the like action contemplated, first, for Alaska, and then, for Puerto Rico.
>
> It is my judgment that to admit one or more of these distant Territories to statehood would be the beginning of the end of our historic United States of America. We should soon be pressed to admit the Philippine Islands, Cuba, and possibly even Australia.
>
> We now have a solid and compact territorial nation bounded by the two great oceans, by Canada, and by Mexico. This should remain so for all time.
>
> It would be grotesque to put territory lying between two and three thousand miles away on the same planes in our Federal Government as Massachusetts, or New York, or Illinois, or California, or Texas, or Virginia.
>
> My own suggestion is that we should set up these three outlying Territories as independent nations by definite diplomatic action. Their independence should have only two conditions: First, their relations with foreign powers should be subject to the approval of the President of the United States and the Senate. This would prevent any foreign power from using them to our disadvantage. Second, litigants in any of these three Territories should have the right of appeal to the Supreme Court of the United States. Such action would tend to build up a uniform system of public and civil law in this part of the world. * * *
>
> I earnestly believe it is not too late to prevent this dreadful mistake from being made.

I would like to point out to my friend, the gentleman from Michigan [Mr. DINGELL] that the only difference in the situation now and when this letter was written by that great scholar, Dr. Butler, is that they have now moved Alaska into the batter's box and they have Hawaii on deck, whereas before they had Hawaii in the batter's box and Alaska on deck.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. O'BRIEN of New York. I followed with a great deal of interest the quotation from that distinguished scholar. I am forced to the conclusion that the gentleman accepts the idea that we should, call it an independent nation if you will, establish a foreign nation out of what is now American soil right next to Siberia. With all due respect to Dr. Nicholas Murray Butler, I think that is the worst thing that could happen to the United States.

Mr. ROGERS of Texas. I am sorry I do not get the connection about establishing a foreign nation because I think Alaska has been a very patriotic Territory. I think the people there have followed along with the United States in a wonderful fashion. I am very proud of Alaska and very proud of the people up there.

Mr. O'BRIEN of New York. I know the gentleman is, but the suggestion which was just made to the gentleman was that an independent nation was created. That would make foreigners out of Americans. There would be no other description of it.

Mr. ROGERS of Texas. Well, that might be true. Of course we are in that same situation as far as Canada is concerned.

Mr. O'BRIEN of New York. But you want to spread that up to the borders of Siberia.

Mr. ROGERS of Texas. Oh, no. That was Dr. Butler talking.

Mr. O'BRIEN of New York. I was doing my best to answer Dr. Butler.

Mr. ROGERS of Texas. I have great respect for Dr. Butler, but I do not agree with him on every minute point. That is one we would need to discuss.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. HOSMER. I think the colloquy regarding Dr. Butler has wandered afield from that by which it can be viewed. I do not think he was talking about establishing any foreign nation as such, but I think perhaps he had in mind where noncontiguous territories have been regarded as part and parcel of the mainland, and we all know that that experiment has failed very miserably. I think that is the concept of political science that Dr. Butler has in mind, and I think it points up to us whenever we enter this area of noncontiguity that, historically speaking, wherever it has been experimented with in the past it has failed. As a consequence, I believe that one of our major concerns in this legislation is with that exact point.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. DINGELL. Referring to the comment of the gentleman from Florida [Mr. MATTHEWS], had his criterion been applied, for example, to the State of California, the State of California might not have been admitted to the United States, or might have been admitted to the United States much later, because then the United States was separated by what was reported to be about 1,500 or 2,000 miles from the then Republic of Mexico.

Mr. ROGERS of Texas. I want to commend the gentleman. His thinking is right along the line of that of the majority leader [Mr. MCCORMACK], but with which I do not agree.

Mr. DINGELL. If I may also ask the gentleman to yield further, I would like to point out that each piece of legislation ought to stand on its own merits. The question of the admission of a State to this Union ought to stand on its own merits the same as any other piece of legislation.

Mr. ROGERS of Texas. That is exactly correct. And while we are on that, we have a bill that is before the House, and when the Members all understand it, they will find that there are about 20 pieces of legislation, and I am very conservative when I say that.

The gentleman from Pennsylvania made the remark a minute ago that our great President said he was for this bill, and that it ought to be passed just like it is. I was encouraged to find out that our great President knew what was in the bill, but alarmed that he was for it as written. The committee expects to make several changes in it.

Mr. DINGELL. I would like to avoid commenting on what the President knows about this bill. I think we ought to legislate here with regard to Alaska and not with regard to what our prejudices may be on the subject of Hawaii or Puerto Rico. I happen to think that the people of Puerto Rico are in a good position and they do not want to come into the Union as a State. They are getting some pretty tremendous tax advantages out of their present situation.

Mr. ROGERS of Texas. The gentleman has much more knowledge than I do about that subject, because it has been my impression there are a lot of territories that would like to become a State. But I appreciate the gentleman's information and I will consider it in voting on this legislation.

Mr. BARTLETT. I wonder if we might go back to the treaty of cession which the gentleman mentioned. He referred to the language in somewhat these words:

> The inhabitants of the ceded territory shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States—

And so forth. Do I understand the gentleman correctly to say that this body did not have an opportunity to pass on that?

Mr. ROGERS of Texas. Will the gentleman repeat his question?

Mr. BARTLETT. Did I understand the gentleman correctly? Did the gentleman say that this body, this House of Representatives, never had any opportunity to pass upon that language in any form?

Mr. ROGERS of Texas. On that treaty; we did not pass on that treaty. The treaty was cited by our distinguished chairman as one of the reasons why we should, just as the Gallup polls have been cited by other Members.

Mr. BARTLETT. Actually, however, history records the fact that this very treaty for a very curious reason was passed upon by the House of Representatives; it did not have to be, in a constitutional sense, but the treaty was brought before the House.

Mr. ROGERS of Texas. I cannot take notice of the extracurricular activities of a body back in those days which may not have been apprised of what the Constitution provided and did not realize that they were not supposed to handle treaties.

Mr. BARTLETT. I dislike to have the gentleman use such statement, because Russia might think, it being so long ago, that we were not entitled to Alaska. The House appropriated money, of course, for the payment for Alaska.

Mr. ROGERS of Texas. I am sure that if Russia attempted to take Alaska, that Alaskans and people all over the United States would rush to her defense. I would be glad to enlist my services now for her defense in time of war.

Mr. BARTLETT. And should the time ever come that any country tried to invade Texas, Alaska would go down to help her.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. SMITH of Virginia. I had wanted to ask the gentleman a question or two. I do not know what there has been in the gentleman's speech that is so controversial, but he has certainly aroused more interest in this bill than I have seen in the 2 days the debate has thus far proceeded.

I understood the gentleman from Michigan to question whether we ought even to think about these other outlying territories. As a matter of fact, we know that Hawaii was on the list before Alaska, and if we look at things practically, we know that the next thing will be Hawaii, and it will come in this Congress if this bill passes. Now, that will take three Members out of the present representation in the House. Then comes Puerto Rico. Puerto Rico has something over 2 million inhabitants against Alaska's—I say 80,000 bona fide citizens. How can you consistently refuse statehood to Puerto Rico? The conversation to the effect that Puerto Rico does not want statehood does not make much impression on me. I am sure they would like to have statehood, and I do not see how you are going to avoid it or how you are going to get around 2 or 3 more Congressmen being displaced from the present representation. I have worried a good deal about that until I questioned the gentleman from New York, my good friend here, in the Rules Committee about that the other day. He said: "Oh, I will give Alaska my seat in Congress." So that took care of that situation.

Then comes along Hawaii and I think the gentleman from Louisiana [Mr. PASSMAN] said he would give his seat up to one of these offshore Territories. So that only left one fellow to be worried about, because there would be three; we have two already taken care of. I wonder if the gentleman from Michigan would now agree to give his seat to the third one so that the rest of us may cease to worry about whether our State is going to be reduced in representation?

Then I wonder whether the States that these gentlemen represent and who are so generous are going to be equally generous and willing to give up their representation in the Congress of the United States. Has the gentleman any information on that subject?

Mr. ROGERS of Texas. If the gentleman will permit me, they have not confided in me as to what their future intentions are. But I will say that I have a sneaking suspicion—and I have deep respect for all of them—that they are not in danger of losing their seats in this body.

Mr. SMITH of Virginia. I have a similar suspicion. May I ask the gentleman another question?

Mr. ROGERS of Texas. Certainly.

Mr. SMITH of Virginia. The gentleman from Pennsylvania, my good friend [Mr. SAYLOR]—and I hope he is here, because he made some allusion in his remarks about a letter I had written to the Members of the House on the 6th of May.

So, I asked him if he would not yield to me, because I wanted to see whether he questioned the accuracy of the statements in that letter. And he said he did, because I had said this was the greatest give-away in the history of the country. And that is the only thing he apparently challenged. Maybe he was right about that because, when you consider the many billions of dollars that we gave away in foreign aid, it may be that that is somewhat larger than this give-away we are making in this bill. But I wanted to question him further as to some of the statements made there and that I called the attention of the House to, and I would like to make it a matter of record now. I made certain statements in that letter. The gentleman from Pennsylvania declined to be questioned on the remarks he made about that letter. Now, I challenge him or anyone else to challenge any statement of fact contained in that letter. Now, here is what I alleged in that letter. I said that there have been explorations in Alaska that disclosed that, of the 33 strategic metals that we need for the defense of this Nation, 31 of them have been discovered in Alaska. I said that, for the first time in the history of statehood in this Nation, that in this bill for statehood we have not reserved to the people of the United States, to whom it belongs, all of the mineral resources in the land that we give to the new State.

Mr. ROGERS of Texas. Would the gentleman permit me to interject at this point?

Mr. SMITH of Virginia. Yes.

Mr. ROGERS of Texas. If this bill, as it is written, passes, it is entirely possible that a present law will be repealed because there is a savings clause in the last feature that repeals all laws in conflict with it. There is a statute on the books right now that prohibits this Government from transferring lands to States without reserving mineral interests. And this bill could repeal that.

Mr. SMITH of Virginia. The gentleman is correct. So this is the first bill that does not specifically reserve. And I have photostatic copies in my file—and I expect to speak on it on Monday—of every statute constituting a State since the Civil War, and they have all reserved. For the first time in the history of this country, this bill specifically grants to the State the mineral rights in every piece of property that they take. Now, then, this bill gives to the State of Alaska one-half of that great Territory, lands that belong to all the people of the United States. One hundred eighty-two million—not thousands, but 182,800,000 acres of land that belongs to your constituents and mine are given to the State of Alaska, and we also give them all of the mineral rights under all of those acres. Now, that is not all. I do not know who wrote this bill, but somebody did a pretty

sharp job on it. For the first time in the history of any legislation for statehood, if you will look at the bill, you will find that the State of Alaska is given the right, not for 1 year or 2 years, but for 25 years, to make a selection of those lands, and it is given the right to spot them all over the Territory of Alaska, in areas not less than five-thousand-and-some-hundred acres. Now, what does that mean? That means that for 25 years any of these 33 strategic materials that are discovered in paying quantities the State of Alaska can jump on them, like a chicken on a June bug, and grab up and take unto itself every bit of minerals by making this selection in small spots here and yonder that may be developed in that State. I want to know if there is any Member of this House, Democrat or Republican, who is prepared to go home and tell his people that we have given away property that belongs to them, to this little group of folks up in Alaska, property that has been carried at great expense to the taxpayers of this country for 100 years. Are you prepared to go home and tell your people, "Here, we have given it away"?

I thank the gentleman.

Mr. ROGERS of Texas. Mr. Chairman, I thank the gentleman for his splendid contribution.

Mr. Chairman, the gentleman from Florida a minute ago made reference to the situation that has been referred to in past discussions of statehood bills as the noncontinguity theory. Of course, that theory was pooh-poohed by many who were strong supporters of statehood for these Territories. The arguments that are advanced in support of statehood are not arguments or reasons why Territories should be admitted as States to the Union; they are nothing in the world but charges and answers to what was said by the opponents of these bills. In other words, they are reasons why statehood should not be denied to these people. Let us follow that out to its logical conclusion. It would apply to Alaska, Hawaii, Puerto Rico, and to every Territory that we own or in which we have an interest, including the Trust Territories. I venture to say there are a number of people within the sound of my voice who are not familiar with the situation of the Trust Territories and do not realize that there are over 2,000 islands in the Pacific that cover an area about the size of the United States of America, that come within the term Trust Territories. If you are going to say to the people of Alaska, "You are entitled to come in," how are you going to deny statehood to the smallest island that we have, regardless of who lives on it or how many people live on it? There is not any sensible answer. If you say, "You cannot come in," but you take in Alaska or Hawaii, then you are begging the question. You are not being honest with yourself when you do it.

People say this: "Well, the noncontiguity theory is no good." But it is probably the most important factor in this whole situation.

The question was asked by the gentleman from Michigan [Mr. DINGELL] a minute ago concerning the situation when California was taken in. Here is something that must be understood. The territory between the United States of America and California, when California was admitted, was owned by the United States of America. It was property that was owned by us. The contiguity situation alone then would have been sufficient in my mind to have justified statehood for the Territories. But without that contiguity, the Territory should not be admitted. Now you may ask why. I am going to tell you why, briefly. And I wish I had more time to go into this matter. But, to state it as briefly and simply as I can, it is this. Today land and inland waters are the boundary lines between sovereign powers. When you cross a boundary line, you move into the jurisdiction of a foreign nation, and you either violate it, if it is an enemy nation, or you must get permission to cross even if it is a friendly nation. This would be the first time in the history of this country that we would have granted statehood to a Territory that is situated so that you could not get to it without going outside of the exclusive jurisdiction of the United States of America. In order to get to Alaska you must get permission to cross a foreign nation, Canada, or you must cross the high seas.

I implore each of you to weigh this bill and every feature in it, with the greatest scrutiny and care. It's passage could be the beginning of the end of the Republic as we know it.

The CHAIRMAN. The time of the gentleman from Texas [Mr. ROGERS] has expired.

(Mr. ROGERS of Texas asked and was given permission to revise and extend his remarks.)

Mr. CANFIELD. Mr. Chairman, I rise to speak for Alaskan statehood.

The CHAIRMAN. The gentleman is recognized for 1 hour or any part thereof.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. CANFIELD. Yes; I shall be glad to yield for that purpose.

Mr. MILLER of Nebraska. Mr. Chairman, if permissible, I should like to pose a parliamentary inquiry as to the situation tomorrow. I understand we do meet tomorrow, but if there are going to be any quorum calls perhaps the Committee will rise. I wonder if there is any agreement that has been made with the other side. Some of our Members want to get away, to get to New York or to get to their offices and do some work there. May I inquire what the parliamentary situation may be concerning tomorrow and Monday?

The CHAIRMAN. The Chair regrets that he is not in a position to anticipate what may happen tomorrow. The gentleman might direct his question to the acting chairman of the Committee on Interior and Insular Affairs.

Mr. MILLER of Nebraska. As the loyal opposition, I will do that.

Mr. ASPINALL. There is an understanding at the present time that as soon as the Committee of the Whole rises this evening I shall submit a unanimous-consent request that general debate be continued tomorrow and through Monday, closing at 5 o'clock Monday evening, the time to be controlled by the gentleman from Nebraska [Mr. MILLER] and the gentleman from New York [Mr. O'BRIEN]; that tomorrow we shall proceed to debate the bill under general debate, and if we find ourselves without a quorum, because so many of our people have already promised to go away, we shall respect their position and protect them in their rights.

Mr. MARTIN. If the gentleman will yield, do I correctly understand that the Members who are going to handle the time on Monday are both in favor of the legislation?

Mr. ASPINALL. As I understand it, the gentleman is correct. However, we have an understanding that the time will be divided absolutely equally between those in favor of and those in opposition to the legislation.

Mr. MARTIN. Does the gentleman from Nebraska share in that understanding?

Mr. MILLER of Nebraska. I think that is a proper agreement; yes.

Mr. ASPINALL. The gentleman from Nebraska has already promised the acting chairman that he will do that.

Mr. MARTIN. The gentleman will do the same on his side?

Mr. ASPINALL. The gentleman from New York has already made that promise.

Mr. O'BRIEN of New York. Certainly, that would be very definitely understood.

Mr. CANFIELD. Mr. Chairman, I have a duty to perform in this House today and I intend to perform that duty. I represent about 368,000 people in my district in New Jersey. I am prepared to go back to those people and tell them that in this year of 1958 I voted for Alaskan statehood, even as I did in this House in 1950, when the bill was approved by a majority of the membership.

Historically the House has passed the Alaskan statehood bill on 1 occasion, the Senate on 2 occasions. The Senate once recommitted the bill by a margin of 1 vote, the vote being 45 to 44.

Mr. Chairman, yesterday between quorum calls speakers on this bill literally drummed into our ears the idea that voting for Alaskan statehood was repugnant to our American way of life. I do not agree with any such premise. I hold there are many, many American people—yes, people important in American life who disagree. Who does favor Alaskan statehood? The list of those who favor Alaskan statehood, and they should be recapped at this time in the debate, is very impressive. This list starts with the President of the United States, Dwight D. Eisenhower. Alaskan statehood is also favored by his predecessor in office, Harry S. Truman, who urged statehood for Alaska in his first state of the Union message in January, 1946, and repeatedly thereafter.

There is Secretary of the Interior, Fred A. Seaton, the Federal departmental official who—above all others—has responsibilities in and to the Territory of Alaska. Some of these he will

relinquish if Alaska, as she hopes it will, becomes a State. I might add that his two immediate predecessors, Secretary of the Interior Oscar L. Chapman and his predecessor in turn, Secretary Julius A. Krug, both warmly supported statehood for Alaska.

Mr. Chairman, I might digress here to say that only yesterday 88 students from my congressional district came to my offices on Capitol Hill. I posed to them this question: How do you students now feel regarding Alaskan statehood which you will hear debated on the very floor of the House of Representatives this afternoon? All 88 were unanimous in speaking out their wishes that the bill be passed.

Mr. Chairman, there is Gen. Nathan F. Twining, former Chairman of the Joint Chiefs of Staff, whose name has been brought into debate this afternoon, whose service from 1947 to 1950 as Commander in Chief of the Alaskan Command made him intimately familiar with the Territory. And it is worth repeating one of his predecessors as Chief of Staff of the Air Force, the late Gen. H. H. "Hap" Arnold, was likewise a strong supporter of statehood for Alaska.

Mr. Chairman, while we are citing five-star supporters of statehood for Alaska, let us include two more—General of the Army Douglas MacArthur and Fleet Admiral Chester W. Nimitz. To these I could also add the name of late Rear Adm. Richard E. Byrd, the famous explorer.

Many important national organizations representing the most diverse interests with memberships totaling many millions of Americans have in recent years endorsed statehood for Alaska. These include the United States Chamber of Commerce, an organization of our foremost businessmen. Likewise, the Junior Chamber of Commerce of the United States—the Jaycees who represent the up and coming youth among the businessmen of America. They, too, strongly endorse statehood for Alaska.

Mr. Chairman, organized labor in our country is as favorable to statehood for Alaska as is organized business. Among those who have endorsed statehood for Alaska are the American Federation of Labor and the Congress of Industrial Organizations—the AFL–CIO. Another great group representing organized labor are the railway brotherhoods—16 in number. They, too, have endorsed statehood for Alaska.

The patriotic societies—the men who served our country in war—are strongly in favor of statehood for Alaska. Alaskan statehood has been endorsed by the Veterans of Foreign Wars, by the American Legion, by the AMVETS, and by the Catholic War Veterans.

Great women's organizations have also endorsed Alaskan statehood.

Few women's organizations stand higher in public esteem, or have a wider distribution of membership than the General Federation of Women's Clubs—with some 5 million active members. They have strongly endorsed statehood for Alaska. Another women's organization which also has, is the Dames of the Loyal Legion.

Statehood has also been endorsed by such diverse organizations as the National Grange, the Association of State Attorneys General, the Congress of Home Missions—representing some 30 Protestant denominations.

Several years ago, the Catholic Bishop of Alaska, the Right Reverend Francis D. Gleeson, authorized the two priests of longest residence in Alaska, to testify at a statehood hearing, which both did—strongly in its favor. The senior of these, the Reverend G. Edgar Gallant, is now vicar general of the Diocese of Juneau, which includes the southern part of Alaska.

Service clubs, the Kiwanis International and the Lions International—and fraternal organizations such as the Loyal Order of Moose, have endorsed statehood for Alaska.

Indeed, no national organization of importance which interested itself in Alaska, has declined to endorse its statehood cause.

The press of the Nation is preponderately for statehood.

The House of Representatives enacted an Alaska statehood bill 8 years ago, on March 5, 1950.

Our House passed the Alaska statehood bill before the decennial census of 1950 was taken. The estimated population at that time was 100,000. That population has more than doubled since.

If the House could enact statehood legislation then, why not now?

Much else has happened since 1950 to make statehood for Alaska even more valid and more urgent than it was 8 years ago.

Since the passage of the Alaska statehood bill by the House in 1950, both the Democratic and Republican platform planks have pledged immediate statehood. It is in both parties' 1956 platforms. That was not the case in 1950.

Since the passage of the Alaska statehood bill by the House in 1950, Alaska's economy has leaped forward with—

First. The establishment of a 500-ton pulp mill in Ketchikan in 1954, the first major utilization of Alaska's vast timber resources.

Second. The construction of a second pulp mill at Sitka, with a 300-ton capacity. Negotiations for two more are in process.

Third. The striking of oil in Alaska and the filing, in the 10 months since that strike, of oil leases on over 30 million acres of Alaska lands.

Since the House enacted the Alaska statehood bill in 1950, the people of Alaska have unmistakably shown their intense desire for statehood by holding a constitutional convention, drafting an excellent constitution, ratifying that constitution by an election of the people, and further adopting the so-called Alaska-Tennessee plan—following the precedents set by Tennessee, Michigan, Iowa, California, Minnesota, Oregon, and Kansas—and electing two Senators and a Representative to come to Washington and plead the cause of statehood.

Since the House voted an Alaska Statehood bill in 1950, 8 years have elapsed, extending Alaska's period of pupilage to 91 years—the longest duration of territorialism in our history.

Since the House voted an Alaska Statehood bill in 1950, international tension has greatly increased. Colonialism has become an acute worldwide issue, furnishing a potent reason for America to show the world that it practices what it preaches.

Oh, what disillusioning news it would be to the free world, to the whole world, to hear that the House of Representatives in our great Nation's Capital in this year of 1958, yes, in the month of May, turned down a bill providing for Alaska statehood.

But to return to the long list of those who favor statehood for Alaska.

The most important of those supporters is the American people.

In the last 3 years, a score of polls have been taken in various congressional districts by their Representatives. They have all favored statehood—some by overwhelming majorities.

And, finally and quite significantly the Gallup polls taken on the issue of statehood for Alaska, reported—as recently as last March—a vote of 75 percent in favor to 6 percent opposed, or over 12 to 1 for statehood for Alaska.

Yes, the American people want statehood for Alaska.

Just what are we waiting for?

I now yield to my valiant friend from New York [Mr. DOOLEY] who once established a record, an intercollegiate record that has never been beaten, throwing a successful pass for 67 yards, on the football gridiron, this for old Dartmouth.

Mr. DOOLEY. I thank the gentleman for his gracious but very embarrassing introduction.

Mr. CANFIELD. I want the gentleman to throw a pass now for statehood.

Mr. DOOLEY. Mr. Chairman, I rise to speak in favor of statehood for Alaska. The subject—one of the most important and significant we have yet been called on to face in the 85th Congress, has been thoroughly explored. The admission of a Territory into the Union of States, however, is a momentous event, such that it cannot be dealt with cursorily or casually, but must be weighed carefully on the scales of propriety, equity, and commonsense.

It was Ernest Gruening, Senator-elect from Alaska, who in his testimony before the Committee on Insular Affairs, pointed out that approximately 90 years ago the United States made a specific pledge as to the future of the Territory of Alaska when this Government proclaimed in the treaty of cession signed with Russia, that "the inhabitants of the ceded Territory, according to their choice, shall be admitted to the enjoyment of all rights, advantages, and immunities of citizens of the United States, and shall be protected in the full enjoyment of their liberty and sovereignty."

Instead of fulfilling that promise, it is an irrefutable fact that for decades our Government's relationship with Alaska constituted a deplorable succession of shabby dealings, pitiable neglect, and unforgivable apathy to the status of that Territory and the well-being of its residents.

Alaska, to my mind, deserves statehood if any Territory ever did. Pur-

chased in 1867 for the price of 2 cents per acre, Alaska today embraces 375 million acres of land, the mineral worth of which has never been closely evaluated.

But, what is more important, Alaska gives great promise for future importance, more so than most of the 35 Territories admitted to the original Union of States. I say this not only because of Alaska's natural wealth—its minerals, its timber, and its fish—but because it is our great outpost of the northern frontier, the nearest point of our country to the North Pole—the focal point for future air assaults.

The gentleman from New York, Mr. LEO O'BRIEN, delineated for the Members of this body only yesterday the various reasons why Alaska should be granted statehood. He did so eloquently and well. I do not wish to try to embellish his fine and trenchant statement.

Permit me to add, however, that, in addition to the great promise Alaska has of developing into a huge and resourceful area, its military importance cannot be overestimated. Only 54 miles of sea separate Alaska from Siberia. The international boundary, as a matter of fact, runs directly through the waters of Little Diomede Island and Big Diomede Island—which is Russian—in the Bering Strait. And I might recall that Alaska is the only part of the American Continent which suffered actual enemy occupation during World War II.

It is important—even vital—that we bind this Territory to our country by ties of statehood. We do not want Alaska thought of by the rest of the world as a half-American segment isolated and neglected, a partly disowned and wholly disenchantered area which other countries might continue to eye eagerly. Let us nail it down once and for all as a State.

There is definite reluctance on the part of the gentleman from New York to inject into these remarks any mention of Hawaii. Yesterday, however, the distinguished gentleman from New York, my colleague [Mr. PILLION], stated in effect, and I do not quote him verbatim, that Hawaii is under the control of Harry Bridges—the Communist labor leader.

In other words, we should, according to the gentleman to whom I have reference, but for whom I have proper respect, not give consideration to a Territory made up of 500,000 people, because 1 notorious Communist is active in their midst.

It was my privilege to visit Hawaii last fall and it can be said in all fairness that the influence of communism on the islands is generally exaggerated. Most of the dock workers lend lip service to Bridges to retain their jobs.

The islands—a valuable bastion of naval and air strength in the Pacific—the only sizable haven for our ships of the fleet between the Pacific coast and Asia, is filled with people who are loyal Americans.

True, there is a heavy segment of people of Japanese origin, 34 percent to be exact, but they are for the most part good Americans.

When the Nisei regiment which was annihilated in Europe was being reformed, 2,600 men were asked for—some 9,000 voluntered for Uncle Sam—knowing full well they were signing their own death warrants. The people of the islands are proud of their American affiliations, but chagrined—like the people of Alaska—from having had to suffer in the role of second-class citizens for over half a century. The best antidote for Communist inroads in Hawaii is statehood—not apathy and condemnation.

The Representative from New York chided the advocates of Alaskan statehood by pointing out that such statehood wolud utimately pave the way for statehood for Hawaii. I ask would that be tragic. Politically, it might be painful to some who do not want the status quo disturbed—who do not want to take the risk of Senators of alien origin entering the high council chambers of our country.

Such an attitude is provincial and unwarranted.

Newspaper polls reflect that sentiment for Alaskan statehood is 12 to 1.

If this great body is to do justice to a group of Americans who have too long been disenfranchised, if we are to bow to the demands of the times, and acknowledge the weight of public acceptance and public sufferance, we will quickly vote Alaska into the Union.

None of the 35 Territories admitted to the Union over the last 100 years has failed to meet the expectations of statehood since its admission. Neither will Alaska.

Mr. CANFIELD. I thank the gentleman from New York.

Mr. Chairman, some years ago Izvestia or some other prominent newspaper printed in the Soviet Union reportedly carried comment to the effect that the United States of America acquired the Territory of Alaska by fraud and that it should be returned to the Soviet Union. I am having Dr. Griffith of the Legislative Reference Service in the Congressional Library seek a record of that statement. But, I am sure the Delegate from Alaska, the distinguished gentleman now representing the Territory here on the floor this afternoon, recalls that some years ago a statement of that kind was made.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to my friend from Ohio.

Mr. BOW. Mr. Chairman, I wonder if the gentleman would agree with me that the answer to those who say that Alaska cannot afford statehood is that if statehood is granted to Alaska, the heavy hand of bureaucracy and control by the Department of the Interior would be lifted from them and that then Alaska will go forward and will have great development; that private enterprise and private money will come into develop another great State in this Union?

Mr. CANFIELD. That is the sincere belief of all who favor statehood for Alaska and most certainly that is my strong belief.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. And I might say that the history of every State that was admitted to the Union is exactly along the lines indicated by the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I thank the gentleman; and I want to say to my friend, the gentleman from New Jersey [Mr. CANFIELD] that I agree with what he has said and that it is my intention to support this bill for statehood for Alaska.

Mr. CANFIELD. I thank the gentleman. I know something about his fairness, his desire to assist others who rightly seek help. He is a crusader for justice.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Utah.

(Mr. DAWSON of Utah asked and was given permission to revise and extend his remarks.)

Mr. DAWSON of Utah. Mr. Chairman, I want to commend the gentleman for his statement. I should like to point out to the Committee that on this question of the amount of land that is to be given to the new States, we must take into consideration the fact that we have a great undeveloped Territory up there that is going to need all of the help that it can get. And we are all concerned in seeing to it that a new State gets off to a good start.

Mr. Chairman, it is my pleasure to lend my wholehearted support to the proposition of granting Alaska her hard-won and well-earned statehood. Many of our Western States—Utah among them—are not so many years removed from their own battles to cast off the bonds of territorial status and take their destined place in our great democracy.

Like Alaska, those Territories were faced with the acid test of growing sufficiently to merit statehood under conditions which seemed inspired specifically to discourage that growth. History has shown that the growth may be slow but it is mighty tough, and flourishes in the open sunlight of statehood.

Alaska has met that test. Now is the time to let her begin realizing her true potential.

But if Alaska is to be given the duties and responsibilities of statehood, she must also be given a visible means of support. That 99 percent of Alaska still lies within the public domain speaks for itself of how Federal ownership inhibits the development of natural riches—riches which, incidentally, would benefit all of the United States, not just the State of Alaska. It is to Alaska's everlasting credit and our own never-ending wonderment that she has been able to come as far as she has in Territorial status.

To provide the new State with this base for a going and growing economy, H. R. 7999 proposes—in the well-established tradition which has accompanied all of our westward expansion—to grant some of the public lands to the State to be used and developed by her people.

Mr. Chairman, it is to these public-land features of the bill that I wish to address myself today.

There has been criticism that the land grants are too generous. As the bill now reads, they would total 182,800,000 acres. While even that figure represents only half the public domain in Alaska, I can agree that it is perhaps overly generous, and at the appropriate time an amendment will be offered to reduce the total to 103,350,000 acres. That was the amount asked for in the statehood bills originally introduced into this session of the Congress.

A hundred million acres of land admittedly is still a lot of real estate—it is about the size of the State of California—but we must remember that we are dealing here with a vast area which would make, staggering as the thought may be, two of Texas with enough left over for Florida.

In fact, that 103-million acres would amount to only 28 percent of Alaska, leaving some 70 percent of the total area still under the control of the Federal Government. That happens to be about the same ratio of Federal ownership currently experienced in my own State of Utah, and we in Utah are prepared to testify that it is as much tax-exempt land as the traffic and the taxpayers will bear.

In addition to the virtually complete Federal ownership of present-day Alaska, there are other circumstances necessitating a larger grant than has been the case in admission of other States.

For one thing, in the interests of national defense it is proposed to draw a line through the middle of the State, north and west of which the Federal Government may at any time make massive defense withdrawals and in that area Alaska can choose no lands without the approval of the President or his designated representative. About 45 percent of Alaska lies within that defense area, pretty well limiting Alaska's land selections to the remaining 55 percent.

Further, over 92-million acres—both in and out of the defense area—already have been withdrawn by the Federal Government, and these include much of the most valuable resources. They include, for example, nearly 21-million acres of the best forest lands and nearly 49-million acres of oil and gas reserves.

While Alaska is a land of great potential wealth, we cannot drop the emphasis upon the "potential". By reasons of climate and geography, the development must be, if steady, slow and hard. To make the statehood grants meaningful—to accomplish their purpose of giving the State something to grow and to nurture on—the bill offers the new State a chance to select lands of value instead of barren tundras.

If these terms seem generous in comparison with what other States have received, it is for just one good and sufficient reason: They must be more generous if Alaska is to take and retain her place among the States. But that is no argument against Alaskan statehood, because it is a situation which will hold as true 90 years from now unless statehood is granted, as it did 90 years ago. The important point is that Alaska has demonstrated she is ready, if given fair opportunity, to take her place.

These terms to which I refer include the right to select lands known or believed to be mineral in character, and—for the first five years of statehood only—to select lands which may already be under Federal lease for oil, gas, or coal development. All grants include the mineral rights, but these rights must be retained by the state if the lands pass into private ownership. In other words, the mineral rights will always belong to the people of Alaska, and never to private individuals.

It can also be observed that of 29 States containing public lands, only 10 were admitted to the Union with mineral reservations of any kind in their enabling acts.

For the development and expansion of communities, Alaska would be allowed to choose 400,000 acres of vacant and unappropriated national forest lands and another 400,000 acres of vacant, unappropriated and unreserved lands adjacent to established communities or in areas suitable for communities or recreational areas. I intend, incidentally, to amend the time limit for selection from 50 to 25 years.

The bulk of the grant—102,550,000 acres if my amendment is adopted—must be selected from vacant, unappropriated and unreserved public lands within 25 years after statehood. On all of these grants, existing claims, entries, and locations would be fully protected.

As to that lion's share of lands which would remain under Federal control, Alaska would receive—for the support of its public schools—5 percent of the net proceeds from the sale of any land by the Federal Government.

Additionally, Alaska would receive 90 percent of the proceeds from the operation of Government coal mines and from the production of coal, phosphates, oil, oil shale, and sodium from the public domain. Reflecting Alaska's exclusion from the Reclamation Act of 1902, these are the same provisions which this Congress approved—by consent—for the Territory of Alaska last year in Public Law 85–88.

The bill also repeals a 1914 law which withdrew certain coal lands, and thus makes them available to selection and development.

If these provisions are, as charged, a "giveaway of our natural resources", to whom are they being given? They are being given to the people of Alaska, citizens of the United States. How much are they being given? They are being given a little more than one-fourth and somewhat less than one-third of the land which is their home and their livelihood, and which must be opened up if Alaska or any other part of the United States are to reap the benefits of the bargain purchase we made 91 years ago.

These provisions are the foundation upon which Alaska can and will build to the enormous benefit of the national economy shared by her sister states. We cannot make Alaska a "full and equal" state in name and then deny her the wherewithal to realize that status in fact.

Mr. CANFIELD. I am sure the gentleman from Utah has visited Alaska even as has the gentleman who is in the well of the House, and I am glad to have his contribution.

Mr. DAWSON of Utah. Mr. Chairman, I will say that I have been to Alaska on two occasions on statehood hearings. We went to every part of Alaska in considering this problem, and I have had occasion to talk with many people up there as well as in Hawaii. I am thoroughly convinced that statehood is the only solution to the problem that those people are now facing.

Mr. CANFIELD. That is my deep feeling, too.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, first I wish to thank my colleague, the gentleman from New Jersey [Mr. CANFIELD], for his kindness in yielding to me because, under the rule under which we are now operating, such action gives the opportunity to some of us who have not been recognized, to say a few words on this subject.

Mr. CANFIELD. Mr. Chairman, may I say to my friend that because of his unique background, not only in the House but in life as a whole, I am very anxious to hear his presentation today. Frankly, I do not know whether he is going to speak for or against statehood for Alaska, but I shall doff my hat to him on what he has to offer.

Mr. HOLIFIELD. Mr. Chairman, I thank the gentleman. He has always been very courteous to me during the 15 years we have served together in the House.

Mr. Chairman, I wanted to comment for just a moment on the point that the gentleman from Utah, Mr. DAWSON, just brought up. That is as to the type of land in Alaska. It is true that there is land in Alaska which can be lived upon, but I believe the gentleman from Utah will also agree with me—I, too, have flown over the millions of acres in Alaska—that many of these millions of acres are composed of tundra, or inaccessible mountain ranges, which swell the total in terms of acreage; but in terms of habitable and tillable land it would actually not be a true representation.

Mr. DAWSON of Utah. I would say that is absolutely correct. You need only to go up there to see what the situation is to realize that you cannot possibly compare the situation in Alaska to the situation in this country.

Mr. HOLIFIELD. I think this is very important. I believe my colleague will agree that when we talk about 180 million acres of land and giving these people a period of time in order to select the land which is suitable for human habitation and development, we realize that there is a tremendous area of this land which cannot be used for that purpose.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from New York.

Mr. PILLION. Is it not true that if Alaska is given 182 million acres of land, approximately one-half of the total area,

actually that will represent 100 percent of the valuable lands because so much of the lands up there are tundra and wasteland; so that when you are giving them one-half of the acreage and permit them 25 years to make their choice, in some instances 50 years to make their choice, you are in effect giving to Alaska 100 percent of the valuable lands in Alaska.

Mr. HOLIFIELD. I would say that if that be true, I see nothing wrong in our treating the States of our Union equally. When we took in California, when we took in the other different States of the Union, of course we gave to the people of those great States the resources of those States, but we did not thereby lose them from the Union. They became a part of the Union and they were developed and became items of strength in our Union. So it is a great deal different from giving your wife part of your sustenance and keeping it in the family and giving it away to a stranger to be squandered. In anything we do to strengthen Alaska I hope we do not feel that we are losing Alaska. We are merely cementing Alaska to us with the strong bonds of statehood. We are insuring that the people will have the interest and the opportunity to develop those resources, to strengthen the Union, as each State we have added has strengthened the Union.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. O'BRIEN of New York. May I commend the gentleman from California for his statement. A new State does need sinews.

Mr. HOLIFIELD. That is right.

Mr. O'BRIEN of New York. It is just like giving a bride a dowry, we are not contemplating supporting her and her husband and the children and grandchildren in perpetuity.

The gentleman from New York overlooked one important factor in this matter. He said they will choose the best land in Alaska. We provide right in this legislation that they may not choose any of the land which is withdrawn by the Federal Government, which includes the most valuable oil land in Alaska. Further, we expect an amendment will be offered next week to reduce the land grants by 80 million acres. Personally, I think that is unfortunate, but I believe the committee will accept that amendment. So instead of getting nearly 50 percent of their land, which they should have, they will get about 27 percent of their land. They will not be able to choose from these rich oil lands withdrawn by the Federal Government.

I would suggest to the gentleman and to the other ladies and gentlemen of the House that when you hear talk here about giveaways you think not of your own State but of a vast Territory which has many mountains and other useless places. Think of the fact that to survey a given land as you gave it to other States it would take 12,000 years, and if you attempted to hasten it it would cost a minimum of $120 million. I am sure the gentleman from New York is fully aware of these facts.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished delegate from Alaska.

Mr. BARTLETT. I thank the gentleman.

I merely want to add a postscript to what my chairman, the gentleman from New York [Mr. O'BRIEN] has said, and that is that the Federal Government has already reserved for its own uses in Alaska some of the very best land there, the tremendous acreage of 92 million acres. The State of Alaska is going to get second choice no matter how many acres are given to it in any statehood bill. The Federal Government has taken the best already.

Mr. HOLIFIELD. As a matter of fact, under the Federal laws we allow the citizens of the United States to homestead lands. This has been a traditional procedure. When the lands are opened up in Alaska the same rights of citizenship will accrue there to the people who want to go to Alaska to live there that have accrued in other States of the Union.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. McCORMACK. We must keep in mind that there were only Thirteen Original States in the Union. Every one of the other 35 States had to be admitted into the Union. As we look back through our past history, we find that the same arguments were made against the admission of many of the 35 additional States as we hear being made here today against the admission of Alaska. The same arguments were made against the admission of Utah, Wyoming and Montana and many of the other States as are being made against Alaska today. It is hard for me to understand how anyone coming from a State other than one of the Original Thirteen States can forget and overlook the history of their own State when it was admitted to the Union.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. HOLIFIELD. Mr. Chairman, if my colleagues will bear with me, I would like to develop a few thoughts that I believe are of value for the RECORD.

PUBLIC OPINION AND ALASKA STATEHOOD

We are frequently asked, How responsive should an elective body be to public opinion?

Should a Representative always follow the wishes of his constituents?

These questions arise occasionally in the minds of our membership. We all know that because we have discussed the problem with some of our colleagues.

Every Member properly reserves the right to follow the dictates of his conscience. At times, he may be in disagreement with the sentiment of his constituency, and so vote.

Yet I think few of my colleagues will dissent from the view that unless a Representative has a deep conviction, that his vote must be cast on one side of an issue regardless of his constituents' wishes, or unless he believes that his constituency is badly misled and mistaken, he is bound to be powerfully influenced by public sentiment in his district. Especially will this be so if this sentiment at home is clearly not the result of some unusual happening, some spectacular event, some national or local crisis which will cause a sudden swing of opinion into attitudes that may be altered when passion or alarm subside. If public opinion on a given issue is persistently held, grows in strength, and is not due to obvious misconceptions, then certainly few of us would maintain that such opinion was not a potent or even a determining factor in our legislative decisions.

Which brings me to point out that on few public issues has there been so widespread, so general, a sentiment, as that which favors the admission of Alaska to statehood.

That striking fact is proved by a dozen and a half legislative polls taken in as many congressional districts over the last 4 years. They show:

First, that public sentiment in the United States strongly favors statehood for Alaska.

Second, that the sentiment is universal, and it is found in every section—east, west, north, south, and in between.

The next poll, taken early in 1957, was in south central Texas, in the 21st district, represented by O. CLARK FISHER, of San Angelo.

Third, that that sentiment has grown steadily, reaching new highs.

Fourth, that statehood is not only favored, but favored by very substantial majorities. Few of us are so fortunate as to be elected in our districts by the majorities which they give statehood for Alaska.

I have recorded in my remarks today the results of 18 polls which have been published in the CONGRESSIONAL RECORD. I may, inadvertently, have omitted some. If so, the omission is unintentional. I have sought to make the record complete, and if there are published polls on Alaskan statehood that I have overlooked, I shall be happy to have them called to my attention. Eleven of these 18 polls were taken by Republicans, 7 by Democrats.

The first poll I have recorded was taken in 1954 in the 11th Massachusetts District, ably represented by THOMAS P. O'NEILL, JR. The poll showed 69 percent favoring statehood, 17 percent opposed, a ratio of slightly better than 4 to 1. In giving these proportions, I am excluding those who say they have no opinion.

The next poll, in chronological order, was taken in the First Iowa District, represented at that time by our former colleague, THOMAS E. MARTIN, now the junior Senator from the Hawkeye State. The vote there was 81 percent for statehood, 18 percent opposed—a majority of 4½ to 1.

In western Nebraska, in the State's fourth district, our colleague, A. L. MILLER, took a poll in the spring of 1955. Result: 78 percent, yes; 22 percent, no, or—just 3½ to 1 for statehood.

In June 1955 our friend THOMAS L. ASHLEY took a poll in his Ninth Ohio District—an urban and industrial area in the northwestern part of the Buckeye State. There, 73 percent favored statehood, 22 percent opposed—a ratio of well over 3 to 1.

The following year, 1956, produced another Ohio poll in the opposite part—the southeastern end of the State, in the rural and agricultural area represented by JOHN E. HENDERSON. His constituents voted 86.4 percent for statehood. He did not report the remaining 13.6 percent, as to whether they were opposed or had no opinion.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. ROGERS of Texas. The gentleman is talking in percentages. Does he have the numbers?

Mr. HOLIFIELD. I do not have them here. They are in the RECORD. I think the percentages are indicative, because they are all over the Nation. The Gallup Poll percentages are taken the same way.

Mr. ROGERS of Texas. As I observed in my remarks, if the Gallup Poll was indicative, Tom Dewey would be President.

Mr. HOLIFIELD. When there are differences of 4 or 5 percent, the gentleman's remark is well taken, but when you are talking in percentages of 4 to 1, I think no man who understands polls would say that that type of poll is not indicative of general sentiment in his district.

Mr. ROGERS of Texas. I was really seeking information.

Mr. CANFIELD. Was the gentleman not referring to the Literary Digest Poll? After that poll the Literary Digest became extinct.

Mr. ROGERS of Texas. I thought that was another transaction. I was thinking about 1948, to be honest.

Mr. HOLIFIELD. I would like to put in a few more of these polls.

There, the vote was yes, 67 percent; no, 17 percent—a shade under 4 to 1. Another Texas poll in the 16th District, the most westerly Texas district, represented by J. T. RUTHERFORD, showed 79 percent, yes; 21 percent, no—not far from 4 to 1. A third Texas poll in JIM WRIGHT'S district—the 12th—which is chiefly the fine city of Fort Worth, showed 80 percent for statehood, 10 percent against—or a vote of 8 to 1. Thus, 3 Texas districts—2 of them favoring Alaskan statehood by just under 4 to 1, one of them by 8 to 1—would indicate that Texans do not balk at the idea of admitting a State larger than the Lone Star State. In fact, they welcome it. Good old, little Texas.

In the Empire State—in a district both urban and suburban, in northwestern New York—WILLIAM E. MILLER found that in his 40th District, 74 percent favored statehood, 13 percent did not—a ratio of 5½ to 1.

In the Show Me State, MORGAN MOULDER showed that in the heart of the Nation—his 11th Missouri District, in the center of the State—79.6 percent favored statehood, 10.1 percent did not—or just under 8 to 1.

In West Virginia's 4th District, WILL E. NEAL learned that 71 percent of his constituents favored statehood and 21 percent did not—a majority of over 3 to 1.

In Ohio, our third poll in the Buckeye State, WILLIAM E. MINSHALL—representing the 23d District—found 82 percent favoring statehood, 10 percent opposed—over 8 to 1. Is it not striking how closely those 3 Ohio polls parallel the 3 Texas polls, representing in both States, both urban and rural constituencies?

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Cape Cod who is always so fair and forthright.

Mr. NICHOLSON. I thank the gentleman.

Mr. CANFIELD. The gentleman knows how I like to go to Cape Cod in the summer each year and talk to people who love him so much.

Mr. NICHOLSON. And I love them, too.

On this question of the Gallup poll, when they ask you a question, what is the question? Is it, "Do you favor Alaska becoming a State?" or do they say, "Are you in favor of admitting Alaska with all the things we will have to do to take care of them?" Do they ask those questions, or is it just "Do you favor taking Alaska and Hawaii and Puerto Rico and the Virgin Islands in as States?"

Mr. HOLIFIELD. If I may answer, my answer to that would be that I am not questioning the type of question which my colleagues answered, although I may comment on 1 or 2 of the questions in a few minutes and show you a surprising result. I hope the gentleman from New York [Mr. PILLION] is on the floor when I get to that particular poll, because I know he will be interested in it.

Now, we cross south, below the Mason-Dixon line, into the Old Dominion State. There, in BURR HARRISON'S 7th District, the people who elected him voted 69 percent for statehood, 20 percent against—approximately 3½ to 1.

Next, we sound out the voters in the Prairie State. But the voters in EMMET BYRNE'S 3d Illinois District are scarcely prairie dwellers. They live in the heart of the great Midwest metropolis, Chicago. There, 80 percent favored statehood for Alaska, 12 percent opposed—a ratio of over 6½ to 1.

We now come to the present year, 1958. In the Wolverine State, ROBERT P. GRIFFIN found that 84 percent of those polled in his 9th Michigan District favored statehood, 7.1 percent opposed, a shade under 12 to 1.

Back in New York, in the 39th District, HAROLD C. OSTERTAG found that 85 percent favored statehood, 9 percent opposed—or over 9 to 1.

Two more polls, taken this year, belong in a special category, because the question regarding statehood was not a simple recording of voters' opinion, but appeared to be in the category of what are known as leading questions:

In the 18th California District, 1 of the 12 congressional districts in Los Angeles County, CRAIG HOSMER'S poll asked:

> Do you believe that because of present world conditions we should wait before granting statehood to Alaska and Hawaii.

I leave for your own judgment as to whether or not that would be, in the parlance of legal interrogation, known as a leading question.

Well, 61 percent of CRAIG HOSMER'S constituents said "No"—we should not wait, but go right ahead with statehood, and 27 percent said "Yes," we should wait—over 2 to 1 for proceeding immediately to grant statehood, despite their Representative's hint that waiting might be preferable.

Finally, one of the most interesting exhibits of voter sentiment is found in New York's 42d District. It is represented by our friend JOHN R. PILLION. He has devoted his all-out efforts to fighting statehood for Alaska and Hawaii—by press release, public address, radio, television, in committee, and on the floor of the House—for three whole Congresses. If any Member of Congress deserves the title of "Mr. Antistatehood," it is JOHN R. PILLION. If constituents of any Congressman are indoctrinated with antistatehood arguments, they would certainly be his. Recently, he sent out a questionnaire. To say that it was slanted, would do his talents an injustice. To say that it was loaded, would come closer to accuracy. He did not poll his constituents on Alaska and Hawaii separately. He combined the two Territories, with the question:

> Do you favor statehood for the Territories of Hawaii and Alaska now?

And followed this with the further questions:

> Or would you prefer to delay statehood until—
>
> (a) Communist influences in Hawaiian politics is eradicated; and
>
> (b) Legislation is enacted which would apportion membership in the United States Senate on some equitable population basis for States hereafter admitted; or
>
> (c) Require Alaska and Hawaii to consent to less than two United States Senators—

And so forth. If the constituents of any Congressman are indoctrinated with antistatehood argument, they certainly will be his. Recently he sent out a questionnaire. I would not say it was slanted, because if I did it would be belittling his talents. To say that it was loaded might come closer to accuracy, and I am going to read it to you in a minute.

In addition, Representative PILLION accompanied the questionnaire with a memorandum of issues relating to the questions.

Nevertheless, JOHN PILLION'S constituents answered the question, "Do you favor statehood for Hawaii and Alaska now?" with 4,339 votes "yes" and 3,867 "no."

Representative PILLION'S district, the 42d, is contiguous to MILLER'S 40th and OSTERTAG'S 39th, which, as they recorded, gave ratios of 5½ to 1 and 9 to 1, respectively, for Alaskan statehood.

An interesting thing occurs here, because Representative PILLION'S district,

the 42d, is contiguous to Representative MILLER's 40th and Mr. OSTERTAG's 39th, which, as they recorded a simple question, gave answers 5½ to 1 in favor of statehood and 9 to 1; and I would challenge my friend to send out a straight question to his constituents. I guarantee the difference between yes and no would be more sharply defined.

The fact is that no poll taken in the last 3 years anywhere in the United States shows any constituency not favoring statehood, and none—except HOSMER's and PILLION's—by less than 3 to 1, and most of them higher.

These favorable pro-Alaskan statehood polls were taken throughout the Union, in States touching the Atlantic and Pacific Oceans, the Canadian, and Mexican borders, indeed, "from the mountains to the prairies, from the oceans white with foam," in rural and urban areas, in Democratic and Republican districts. Everywhere, the people wanted Alaska to be a State.

And finally is the overall, and overwhelming evidence of the Gallup polls, which show how the nationwide sentiment for Alaskan statehood has grown. From 5 to 1 in 1946, to 7 to 1 in 1956, to 9 to 1 in 1957, and this year, as recently as last March, to 12 to 1. Twelve to one. Now. On what other public issues do we get as close to unanimity?

The American people have spoken. They have spoken over a period of years. This is no fleeting emotion on their part. This is a call, a clarion call, welling up from the hearts of Americans, from the deep consciousness of their destiny, an expression of yearning to add one more great chapter to the American story, one more verse to the American epic. Their chorus of approval for Alaskan statehood has swelled to a mighty symphony.

Even if I did not believe wholeheartedly in statehood for Alaska, I would vote for statehood as an act of simple justice after 91 years of strangling territorialism; as an overdue fulfillment of treaty pledges and platform commitments; as of great value to our whole people in opening up a new frontier of opportunity in a time of recession; as an extension of democracy to our Nation's farthest North and farthest West; as an evidence that our Nation is still young, still on the march, still imbued with the pioneer spirit; as a validation of that most basic of American principles—the principle of government by consent of the governed; as an act that will contrast Russia's enslavement of her satellites with America's conferment of equality on a dependency, especially one that once belonged to Russia, and which lies within naked-eye view of the Soviet police state; as an evidence to all mankind that America practices what it preaches, even if I did not believe—as I do—in any of these valid reasons for conferring statehood on Alaska, I would unhesitatingly rise to the compelling call of American public opinion, and vote to make Alaska the 49th State.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from New York.

Mr. PILLION. The gentleman perhaps is acquainted with Dr. Miller's poll taken in Alaska?

Mr. HOLIFIELD. Taken in Alaska?

Mr. PILLION. Yes. It is in the RECORD of July 1, 1957. He asked this question, which is not slanted in any way: "Do you favor immediate statehood for Alaska?" And, the answer from Alaska was, "Yes, 522; no, 1,394." In other words, a ratio of more than 2 to 1 against statehood right in Alaska.

Could the gentleman tell me whether one-half or one-quarter percent of the people who were polled in the various polls that were cited by the gentleman from California ever read any one of these statehood bills or ever read the debates or the articles pro and con and really studied these things? The gentleman must know that these are not mature judgments, such as we are called upon to render here; that the polls are mere impulsive first-hand opinions, and that is all they are. So, certainly the gentleman would not recommend that we act in this House according to polls. The people are entitled to more than merely a reflection of first-hand opinions, and we in this House, rather than taking those opinions, should study the matter and give it very serious and sober consideration before we pass judgment on a matter as important as statehood.

Mr. HOLIFIELD. I would just briefly say that I do not have the time to answer the gentleman's question.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. Just on one of these many polls that have been taken. I might point out there is a big difference between a poll in Alaska and the polls mentioned by the gentleman from California. These polls were addressed to specific individuals in their districts asking for guidance on important public problems, one of which was statehood. The one in Alaska was a newspaper poll, and I know how I would feel on a newspaper poll if I were a Federal employee who might lose his job or a military officer or an individual who thought he would lose the 25 percent pay differential. There were several hundred affirmative votes on statehood for Alaska that I did not put in the committee record because I did not think that was the way to find out what the public was thinking about.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Florida, who looks like a friend of Alaska.

Mr. BENNETT of Florida. Mr. Chairman, the most compelling reason for statehood for Alaska is the strength that this will give our national defense. However, I wish to address my remarks to remarks of some of my colleagues who raise the point that they think Alaska has not enough population to justify statehood.

If the policy of not admitting States with fewer people than those already in the Union had prevailed from the beginning, we should still be a nation of 13 States.

The United States would still be a thin fringe of States along the Atlantic seaboard.

But our predecessors in Congress, fortunately, did not pursue that policy, and the United States has become a great nation, continental in size, extending from the Atlantic to the Pacific. I doubt whether anyone present regrets that this is so, or would seek to undo it, if he could. Our Nation grew in strength, power, and greatness as we admitted new States to the Union.

Actually, Alaska has more population today, with some 210,000, than had two-thirds of the States admitted after the Original Thirteen at the time of their admission. The estimated population of Florida, my home State, at the time of admission was 72,000.

Alaska will have far more population, and rapidly, when it achieves statehood.

Those of us who have observed the restrictive policies pursued toward Alaska, for some of which our own Congress has been responsible, some of which have arisen from bureaucratic practices, will realize as I do how difficult it is for Alaska to grow in population under its present Territorial status.

The way to get more population to Alaska—and quickly—is by conferring upon its people the equality and sovereignty of statehood.

It has been argued by some that while this was a practice that we approved of in the past, we must not extend it into the future. They argue that if we pursue this policy we shall soon have a more disproportionate representation in the Senate than we have now. Conceivably—if there were a prospect of admitting another dozen or two dozen States—there might be a basis for this fear. But a realistic appraisal of the situation will make clear that by no stretch of imagination is there any probability of even any serious request for statehood for any in excess of two additional States.

According to traditional practice, in order to become a State, an area must first become an incorporated Territory. We have only two incorporated Territories. We need never have any more. I don't know whether we ever will have. In the case of Alaska, I can confidently predict—from my knowledge of its resources and its vast potentials—that it will not remain long a "small" State, meaning "small" in terms of population.

Alaska with statehood, will become the American equivalent of Scandinavia. Theodore Roosevelt pointed that out over half a century ago. Across the world, in corresponding latitudes, with the same climates, and with natural resources not as great as those of Alaska, the 3 Scandinavian countries and Finland, in an area about three-quarters of Alaska's, have a population of 18 million people, supported by a thriving economy.

What is the reason, then, that these countries, lying between the latitudes of the 54th and 72d parallels—as does Alaska—have this vast population, while

Alaska has not? There are several reasons.

In the first place, they have government by consent of the governed. Despite the fact that three of them have kings, they are democracies. Their ideas of freedom are the same as ours. They possess the basic political ingredient which made our Nation great. Alaskans do not have government by consent of the governed. Statehood will give it to them.

Second, the Scandinavians have been at it for 2,000 years. Alaska has been under the flag for 91 years, but during that time—regrettable as it may be to confess it—Federal policies have been so restrictive that Alaska could not develop.

Third, the Scandinavian countries and Finland, have been, and are close to the greatest centers of population—Berlin, Hamburg, Amsterdam, Antwerp, Brussels, London, Paris, St. Petersburg—now Leningrad—which have furnished, and continue to furnish them markets for their exports. Alaska, on the other hand, has been remote. Its nearest areas on the Continent have been sparsely settled. The air age, the jet age, is transforming all that.

Give Alaska statehood and I prophecy within 5 years it will have half a million people, a million at the end of the first decade, and will continue to grow. The way to meet the small population argument is to vote for statehood.

(Mr. BENNETT of Florida asked and was given permission to revise and extend his remarks.)

Mr. CANFIELD. Mr. Chairman, I thank the gentleman from Florida for his contribution.

(Mr. HOLIFIELD asked and was given permission to revise and extend his remarks.)

Mr. CANFIELD. Mr. Chairman, former Gov. Alfred E. Driscoll, of New Jersey, worked in the Territory of Alaska as a lad. He fell in live with the Territory and is a great champion of its cause for statehood today. I have a letter from the Governor of very recent date in which he says in part:

> For many years I have earnestly sought statehood for Alaska. I recognize there are some interests on the west coast that, for personal reasons, have opposed statehood. On the other hand, if we are to maintain a real leadership, we must practice what we preach—and this, in my judgment, includes fair play for our Territories.
>
> Over the years the United States has achieved an unparalleled record of giving freedom to people who, through the chances of war or fate, found themselves within our protective custody. If we had wished to be a colonial power, Cuba and the Philippines would have offered us tremendous opportunities.
>
> With such a record, it is hard for me to understand why we have been so slow to fulfill the hopes of the Alaskans and Hawaiians. The inhabitants of these Territories have earned their right to full citizenship in our Republic. Indeed, they have served a longer apprenticeship than was served by the inhabitants of many of the Western States prior to their admission to the Union.

(Mr. ROOSEVELT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROOSEVELT. Mr. Chairman, by adding another star to our flag, we strengthen our heritage of liberty and freedom.

I am stirred by a reading of the various sections of Alaska's Constitution which guarantee the right of its citizens. Appropriately, they are included in the very first article.

They reaffirm those principles of human dignity that are being challenged as never before in the history of freedom by the tyranny of Communist totalitarianism.

I repeat, admitting into our Union a State dedicated to those principles strengthens our own heritage of liberty. Moreover, in this grave hour of history we need to command all such possible resources of spirit, as well as material, for our arsenal of defense if we are to experience the victory which should be ours.

"Eternal vigilance is the price of liberty" cannot be repeated often enough if we are to be constantly reminded of the wisdom of that slogan of a free society.

We need to guard against all corrosions to our liberty. A vigilance must always be exercised in combatting it. Maintaining liberty requires nothing less.

There is no question in my mind after a reading of Alaska's Constitution that this wisdom will be hers in the years to come.

This record on the admission of Alaska will be, I hope, a basic document of Alaska's history as well as our own. I think it more than appropriate, therefore, to discuss candidly some of our own failings so that Alaska might take heed in preserving from corrosiveness her own noble traditions in the decades to come.

This record on the admission of Alaska should include comment on some of our practices which do not reflect exactly the traditions expressed so eloquently in article 1 of Alaska's Constitution—to be found on page 49 of House Report No. 624 of this Congress.

The Bible suggests:

> Pride goeth before destruction, and a haughty spirit before a fall.

I feel impelled to comment on the significance of section 7, article 1, of Alaska's Constitution which reads, as does our Federal fifth amendment:

> No person shall be deprived of life, liberty, or property, without due process of law.

Then, the section goes on to guarantee that—

> The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed.

This is a magnificent formulation of a protection which I hope we can establish fully in our law to protect citizens in their rights against encroachments by legislative investigation.

I take heart in Alaska's recognizing the necessity for formulating a guaranty against this threat to freedom.

It should be stated that as blunt and clumsy an instrument as it is, the investigative power is a necessary part of our lawmaking process. We need not dwell long on the proposition that Congress could not perform effectively its basic appropriation and lawmaking functions without the power to investigate.

Indeed, I think it will become an even more important aspect of lawmaking in the years to come. We will not be able to legislate in a growingly complex society without exercising first the power to investigate exhaustively.

I think that we need not dwell likewise on the further proposition that effective use of the investigative power necessitates compelling citizens to testify. This, in turn, involves imposing criminal penalty if such a subpenaed witness refuses to testify.

And so section 192 of title 2 of the United States Code reads that:

> Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House * * * willfully makes default, or who, having appeared, refuses to answer any question to the question under inquiry.

The courts have held in language which I believe is deeply rooted in our American tradition of individual liberty, that such power has definite limits.

In Watkins against United States the Supreme Court held in its central holding that a "person is entitled to have knowledge of the subject to which the interrogation is deemed pertinent with the same degree of explicitness and clarity that the due-process clause requires in the expression of any element of a criminal offense."

Certainly no one can dispute the proposition that if a person is going to be indicted for criminal contempt because of his refusal to answer a question put by a congressional committee, he should be accorded the same basis for predicting the consequences of his conduct as he does with respect to every other criminal conduct.

Let me say that the ability to predict the criminal consequence of one's act is perhaps the essential difference between life in a free society and life in a Communist society.

The Court sustained this principle in Watkins against United States. And I cannot see how any thoughtful American could disagree with this result.

I think we in the House recognize that the Watkins case does not provide a remedy specific enough to curb the chief abuses involved in the Congressional investigative process by its central holding.

The question which we have to face is whether it is ever possible to determine the pertinence of a question with the clarity constitutionally required of a criminal statute.

I think Mr. Justice Clark did raise this problem in his dissent:

> Such a requirement has never been thought applicable to investigations, and is wholly out of place * * * . The Congress does not have the facts at the time of the investigation for it is the facts that are being sought. In a criminal trial the investigation has been completed and all of the facts are at hand. * * * In the conduct of such a proceeding it is impossible to be as explicit and exact as in a criminal prosecution.

The majority, however, faced the problem in a more affirmative manner.

Mr. Chief Justice Warren's discussion of the factors involved in the Watkins case itself in determining pertinence suggests the difficulty in according the witness, before he refuses to answer a question the same degree of predictability available to him in a law defining a criminal offense. He discussed such factors as the prohibition against governmental intrusion afforded by the first amendment, the lack of power in Congress to expose for exposure's sake, and the scope of the committee's authorization from Congress.

These limits to governmental power which are often blurred, and have to be studied in the light of a whole and complicated record before they can be made specific. Thus, the question remains whether a witness should have to risk criminal penalty in making this kind of difficult judgment, on the spur of the moment.

I think in all candor we should admit that more extensive cral remarks made by the chairman of a congressional investigating committee outlining the exact purview of a particular hearing—as suggested by the Court—will help less than most people imagine in establishing for the witness the constitutionality guaranteed sense of predictability.

It is not difficult for a committee to establish an apparently logical pertinence of a question to a legislative purpose, so as to put the witness in considerable quandry before deciding to challenge the committee in its right to ask the question.

The present criminal statute penalizing a witness for refusing to answer any question pertinent to an inquiry was passed in 1857. Before this came into existence, a recalcitrant witness was tried before the full House and might be ordered to answer a specific question.

In this procedure, as a matter of fact, the witness had an ample opportunity to be informed of the pertinence of that question, and did not risk criminal punishment. This has not been true since 1857. The recalcitrant witness has had to face a criminal prosecution, during which pertinence as well as propriety of the question is determined, and avoidance of criminal punishment rests on the accuracy of his original judgment.

The Watkins decision does suggest that in time the courts will hammer out a rule of reason in defining constitutional limits to congressional investigative power, but a witness should be able to determine, before criminal prosecution, what would be the consequences of his decision to challenge a committee's right to ask a question without himself having to apply a rule of reason to a complicated situation.

In this connection, I would like to take note of H. R. 259, introduced by my distinguished colleague on the opposite aisle, the gentleman from New York [Mr. KEATING], which has been approved by the House Judiciary Committee.

The bill would authorize congressional committees to apply to a Federal District Court to pass upon the propriety of a question which a witness has refused to answer; if the court found the question proper, it would order the witness to answer.

Under the procedure of the bill, a witness may have the opportunity to raise all defenses—first amendment, lack of authorization, impertinence, and so forth—and obtain a judicial determination of the committee's right to ask the question before facing a criminal prosecution. This type of legislation should be more fully studied. It suggests what might prove to be one of the most significant safeguards yet proposed against investigative abuse.

Future legislatures of the State of Alaska may well examine closely the work and procedures of the House Un-American Activities Committee.

I would like to have it clearly understood that my thinking is based upon my own independent soul searching of this problem which was largely prompted by the Supreme Court's decision in Watkins against United States when it was handed down almost a year ago on June 17, 1957.

I think the time is due for some hard-headed thinking on some of the questions regarding the status of the House Un-American Activities Committee which has been posed by the courts.

And I would like to reiterate my feeling that including these remarks in the record on Alaska's admission is the appropriate time. It is to be hoped, for instance, that the Alaskan legislature in implementing article I of its constitution, will never fall into the error of giving a mandate to an investigating committee, which reads as follows, to investigate "the extent, character, and objects of un-American activities in the United States" and "the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our constitution"—mandate to the House Un-American Activities Committee.

In view of the central holding on the Watkins case, I ask my colleagues how in the world can a witness resolve for himself whether a question put by the committee is authorized in view of the vagueness of the authorization which spills over into constitutional doubt.

I think Chief Justice Warren's comment in this connection is appropriate:

> It would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of "Un-American"? What is that single, solitary "principle of the form of government as guaranteed by our Constitution."

And then the Chief Justice goes on:

> It is, of course, not the function of this Court to prescribe rigid rules for the Congress to follow in drafting resolutions establishing investigating committees. That is a matter peculiarly within the realm of the legislature, and its decisions will be accepted by the courts up to the point where their own duty to enforce the constitutionally protected rights of the individual is affected. An excessively broad charter, like that of the House Un-American Activities Committee, places the courts in an untenable position if they are to strike a balance between the public need for a particular interrogation and the right of citizens to carry on their affairs free from unnecessary governmental interference. It is impossible in such a situation to ascertain whether any legislative purpose justifies the disclosures sought, and, if so, the importance of that information to the Congress in furtherance of its legislative function. The reason no court can make this critical judgment is that the House of Representatives itself has never made it. Only the legislative assembly initiating an investigation can assay the relative necessity of specific disclosures.

It seems to me that the judiciary has a right, and duty as a matter of fact, to tell the legislative branch, "If you want us to process a criminal prosecution for contempt of Congress, we need a basis for determining pertinency, as an element of criminal conduct. We do not have it in the mandate of the House Un-American Activities Committee. It is too vaguely written."

On July 1, 1957, my esteemed friend and colleague from California [Mr. DOYLE] introduced House Resolution 307, providing for change in the mandate and name of the House Un-American Activities Committee, attempting to cure the vagueness discussed in the Watkins decision. As far as I can discover no action or consideration has been given by the Rules Committee to which the resolution was referred.

However, I regret that in reading the provision of the resolution I do not find the solution. It authorizes investigations into "the extent, character, and objects of subversive activities and propaganda in the United States" and to investigate "the origin, extent, character, and control and objects of any subversive movement in the United States and to destroy the representative form of government provided for in the United States Constitution, by its use of deceitful infiltration of other groups; conspiracy, treachery, sabotage, espionage, terrorism, subversion, and any subversive activity and propaganda."

It seems to me with all due respect to my dear friend from California the term "propaganda" covers speech, writing, and association, all of which involve conduct protected by the first amendment. Since this is an area about which we cannot legislate, we are precluded from investigating.

While some of the objectives of a subversive movement, in the last part of the language I quoted, are specified, several of the standards of judgment are so subjective that they are bound to restrict free speech and association. Such imprecise wording may not meet the limits suggested by the Supreme Court in its Watkins decision.

I do not believe that we should abolish the function of investigating matters legitimately related to the area of internal security about which we could legislate. I believe to do so would be in dereliction of our duty.

However, in so doing, we have to meet the problem suggested in the United State Court of Appeals dissent of Chief Justice Edgerton in Barenblatt against United States, decided on January 16, 1958, which I believe to be expressive of the Supreme Court ruling in the Watkins case.

I understand Watkins to hold that the Committee on Un-American Activities had no authority to compel testimony because it had no definite assignment from Congress. The Supreme Court said: "When first amendment rights are threatened, the dele-

gation of power to the committee must be clearly revealed in its charter."

In short, I do not think we can possibly continue in the 86th Congress with the mandate of the present House Un-American Activities Committee. I think we have no other choice but to repeal the mandate given to the committee since 1938, and rewrite it with clarity and preciseness.

Accordingly, I respectfully submit to my colleagues that this matter must be given the utmost attention and thought from this point on, so that we can deal intelligently with the problem at the very start of the 86th Congress.

I think that my colleagues, regardless of political disposition, and including the members of the House Un-American Activities Committee, will agree that the problem of fighting communism from the point of view of internal security is a different problem today than it was 20 years ago or even 10 years ago. The ease with which the committee, by following wrong paths, can lose the support of American citizens who are known to be conservative in their views is well illustrated by a letter by Frank Waldrop addressed to the editor of the Washington Post and Times Herald and published on Saturday, February 15, 1958. I quote it because this is the opinion of no radical leftwinger, but rather that of a former editor of the Washington Times Herald, well known for its consistently conservative viewpoint:

UN-AMERICAN MISCHIEF IN INDONESIA

I have just finished trying to read a document entitled "International Communism" (Communist Designs on Indonesia and the Pacific Frontier), published December 16, 1957, by the House Committee on Un-American Activities as a staff consultation with Gen Charles A. Willoughby, the former Chief of Army Intelligence in the Far Eastern Command under General MacArthur.

General Willoughby proves without any doubt that Communists have designs on Indonesia and that Communists exist in Indonesia and have influence there. This astonishing discovery equals in news value and importance the truth that Communists have designs on the United States, that Communists exist here and have influence here.

Sometimes, indeed, when I reflect on my now nearly 30 years of intensive effort to understand communism and its unique methods of operation, I am almost persuaded that it has built as one of the most effective engines the House Committee on Un-American Activities, with which I have spent so many futile hours of effort and vain hope that it would learn its business.

What excuse, in God's name, has any committee of Congress for spending the taxpayers' money on such indefensible drivel as this compound of Willoughby's? By what test can the committee justify issuing this staff consultation as if it were a thing of value and discovery?

As it happens, I know something about Indonesia myself, especially as it is today by comparison with what it wanted to be when it became an independent nation. My first knowledge of what was brewing out there came in the winter of 1942–43, when Mr. Van Mook, the Governor General of the late Netherlands East Indies, undertook to educate us here in Washington about the Netherlands' plan for reformed colonial government in the Indies after the war.

The situation at the time was that the Japanese had just thrown the Dutch out of the Orient in violent style, and apparently without much difficulty. Then any Dutch in the Indies were doing their best to look small and avoid anything to remind either Japanese or the people of the region of their presence.

The American performance in the Philippines was not much, perhaps, as a military demonstration against the Japanese; but as a character test for the men and women on Bataan it hadn't done anything to destroy us with the people of the region, and our prewar commitment to work for Philippine independence was both believable and believed, then and thereafter.

But here was Van Mook running around Washington, while the Japanese were chasing Dutchmen through the woods of the Guineas, with a grandiose plan for "elevating the natives" from their former low estate to some kind of "equality within the Netherlands Empire," once the war was over, of course, and all had returned to normal.

I was one invited to the Netherlands Embassy (not since, I may add), to hear the plan presented and to offer comments. All I asked, and in those days I had little notion of the situation in the Orient as it was and was to become—all I asked was what we were supposed to do if the little brown brothers didn't like being little brown brothers, but instead just wanted to be people on their own.

Before the evening was over, I was well established as a low fellow who had no understanding of the "real" problem out there.

The actuality of politics in all of Asia in 1942 was plain as day. Need I spell it out? I can do no better than General Willoughby's chief, Gen. Douglas MacArthur, in his superb address to Congress after he came home in supposed disgrace as a casualty, after many years of high honor and great public service, to the ineptitudes of President Truman.

MacArthur's speech to Congress is all anybody needs to aline himself with the facts of life and politics in all the Pacific regions. The central point is that the people of Asia have aims and hopes and aspirations to live the modern life. They have become national in their attitudes. They have shown themselves determined to make their own mistakes, rather than go on taking the blows that come from the mistakes of others.

Certainly it is true that Indonesia, today, is having ghastly troubles making its way in the world. Certainly it is true that the Communists will destroy Indonesia if they can. But the question is whether the Indonesians will be able to survive the problems of emergence from centuries of blight at the hands of colonial imperialism. Do we want the Indonesians to survive or do we want them to fail?

If we want them to fail we can continue puffing up such peculiar thoughts as those which seem to obsess Willoughby, namely, that calling Indonesian leaders hard names will make them go away. We can also occupy ourselves with refusing to give ear to Indonesian friends who try to tell us their difficulties and their hopes. We can refuse them the respect and friendly consideration that one grown man offers and expects in his dealings with others who grow up, too, and have done so.

Such a policy of negation and fretful childishness has already cost us much in the Middle East. Now are we to cost ourselves remnants of friendship in the Pacific regions, such as we have?

Just which side is this Willoughby working for, anyhow? And I may ask the same of this nonsensical committee which has, indeed, at last established itself as clearly the true Committee on Un-American Activities. The joke is feeble and damned tired, I will admit, and I wish it didn't fit. But it does.

To this I would like to add the words of our respected colleague from New York [Mr. KEATING], the ranking Republican member of the Judiciary Committee, who certainly cannot be attacked as a radical thinker. He said, in an article in 29 Notre Dame Lawyer 212:

The rights of Congress are no broader than the legitimate objects from which they have been implied. And I believe those objects are only the two referred to a moment ago: (1) to gather facts about proposed legislation, and (2) to inquire into the workings of existing Federal laws. There lies the first and perhaps the only important substantive restraint which Congress must impose upon itself. No congressional investigation is justified unless it can be directly related to the lawmaking process in one of these two ways. In other fields, the investigations are proper and often necessary, but not by Congress. It follows that I disagree strongly with those who argue that Congress is also responsible for informing and educating the public by looking into anything which may happen to catch the popular fancy at the moment.

Mr. KEATING may well have put his capable hand on just the kind of thing which would have eliminated the recent spectacular announcement that a subpena had been signed for the appearance of Mr. Cyrus Eaton. I understand that Mr. Eaton has not been served with the subpena, and has not yet even been invited to appear before the committee. I have an idea that he would be delighted to do so, but certainly, it must be in a context which does not question the constitutional right of Mr. Eaton to express himself freely, without fear of coercion to himself because of his statements.

I must acknowledge that I, too, think that Mr. Eaton's statements were unfortunate and that he may be guilty of recklessness in equating our FBI and other investigative agencies with Hitler's Gestapo police. But I will defend his right to think so and to say so in a free America, and I would not allow any comparison with Communist censorship.

I congratulate the wisdom of Alaska for her well-composed constitution. I hope that she will benefit from the experiences of our Federal system, good as well as bad. It would be wonderful indeed if the rebirth of the pioneering spirit from this, a new frontier, might bring to all our States a resurgence of that spirit which was written into our Constitution in the Bill of Rights.

I hope this bill will pass. I hope that it will signify to the world the true greatness of American constitutional government and I hope that it will inspire every American citizen to insist in his State that the 21 sections of article I, the declaration of rights in the constitution of the State of Alaska should be equally practiced throughout our land.

The preamble of the constitution might well be a prayer in which all of us may join:

We the people of Alaska, grateful to God and to those who founded our Nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil, and religious liberty within the Union of States, do ordain and establish this constitution for the State of Alaska.

Mr. WOLVERTON. Mr. Chairman, the bill to admit the Territory of Alaska as a State of the Union, now under consideration by the House, presents many questions of a fundamental character that require serious and careful consideration.

The matter has been before the Congress in one way or another many times during my service in the House since 1926. Consequently, I have had occasion to study the arguments for and against. I have done so again at this time. After careful consideration, I am of the opinion that it would not be to the best interest of the people of Alaska to grant statehood at this time, but, aside from that, I am further convinced that it is not in the best interest of our country at large and its citizens.

First, with respect to the citizens of Alaska. It has not been made plain to me that the small population now in Alaska could finance the cost of maintaining a State government without a heavy tax burden, a burden that would be, in the opinion of some of its substantial businessmen, too great to be carried. In other words, the economic conditions are not sufficient nor favorable enough at this time to sustain an adequate State government. But, as to this, there is some disagreement between the proponents and opponents of statehood. However, the fact that there is such a pronounced disagreement among prominent citizens of Alaska in this important matter of State government is sufficient in itself, in my opinion, to cause us to be cautious and make certain that we do not place an unbearable burden upon the people of Alaska and thereby destroy the progress and advantages that it is hoped would follow the granting of statehood.

But this feature of doubt as to the ability to carry the cost would not necessarily lead me to vote against statehood for I am aware that a pioneering people can now, as they have so often done in the past, overcome obstacles that have seemed unsurmountable. My basic objection arises from my feeling that it is not in the best interest of all our people when considered from the standpoint of our national welfare.

Foremost in the consideration of our national welfare is the effect the granting of statehood might have or, at least, could have on our national security. We should not overlook the fact that Alaska is one of the most strategic areas in our entire system of national defense. Not only is it separated from the Russian territory of Siberia by less than 30 miles across the Bering Straits, but, in addition its location is peculiarly adapted to the polar air routes that are now receiving so much attention from several nations, including Russia. The North Pole routes to and from Europe and Asia, that are now being developed, require that the whole area constituting Alaska be most carefully guarded against any possible unfriendly approach to our west coast by enemy planes utilizing the polar routes. There is no part of our defense system more important to our national defense than the Territory of Alaska. I am, therefore, strongly of the opinion that because of this it is best at this time, as well as in foreseeable future, that we should keep all the Alaskan area under Federal rather than State control. It must necessarily be the Federal Government and not the State government that will carry the heavy cost of providing the intricate means of defense in the polar area so necessary in this scientific time in which we live. The Federal Government should have a free hand to accomplish this without any impediment by reason of divided jurisdiction.

Furthermore, Alaska is considered by many to be a land of great wealth in natural resources, particularly in a wide variety of minerals important in war, as well as in peace, including oil and lumber. How extensive these resources may be is not too well known at this time. Whatever does exist in the way of natural resources now belongs to the Federal Government. Under the bill before us making Alaska a State, all these natural resources would be relinquished to the State of Alaska. This is not right to the people of the Nation at large.

Nor, is it fair to the people of our Nation, or the other 48 States, that a Territory with such a small population, approximately only 160,000, should have 2 Senators, the same as New York, Pennsylvania, Illinois, California, and our own State of New Jersey, and many others with millions of people living in each of them. Furthermore, it would also have a Member in the House of Representatives, the same as our own First Congressional District of New Jersey that now has over 500,000 population. According to the information I have less than 30,000 votes in all of Alaska were cast in the last election for officials of the Alaskan government. It is preposterous in my opinion that such senatorial and representation in the House be granted to such a limited number of people. It is all out of proportion to what is right and just. And, you can rest assured if statehood is granted Alaska, it will be only a short time until Hawaii will demand a similar right of statehood, and then possibly Puerto Rico.

The fact that some of our Western States were granted statehood when they had a small population may be true, but it must be remembered that our whole national population was also small at that time. An examination of the population figures at that time will show that the Territories which were granted statehood possessed a much higher comparative percentage toward the whole population of our country than does Alaska today. What advantage would come to any 1 of our 48 States, or to the Nation as a whole, by granting statehood to Alaska? There is nothing I can see that would begin to compensate for the disadvantages that would accrue.

Thus, as I consider the matter as a whole and evaluate the different elements pro and con, and, stripped of all emotionalism, and without mentioning other elements that might also be urged against statehood, I cannot feel justified in supporting the bill that is now before us that seeks to grant statehood to Alaska at this time.

Mr. ASPINALL. Mr. Chairman, I ask unanimous consent that any member of the Committee on Interior and Insular Affairs who has an amendment which he intends to offer when we read the bill under the 5-minute rule, may have permission to insert a copy of that amendment in today's RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENTS TO H. R. 7999 TO BE OFFERED BY MR. MILLER OF NEBRASKA

On page 15, line 2, after the comma following the word "rejection" add the following: "by separate ballot on each."

On page 15, line 3, add the following language: "(1) Shall Alaska immediately be admitted into the Union as a State?"

On page 15, lines 3 and 8, repectively, change the figures "1" to "2" and "2" to "3."

On page 15, line 14, after the word "event" add the words "each of" and change the word "are" to "is."

On page 15, line 19, after the word "event" add the words "any one of" and change the word "are" to "is."

Mr. ASPINALL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, had come to no resolution thereon.

GENERAL DEBATE ON THE BILL H. R. 7999

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that further general debate on the bill H. R. 7999 be limited to the legislative sessions of tomorrow, May 22, and Monday, May 26, closing not later than 5 o'clock p. m. on the said May 26, and that one-half of said time be controlled by the gentleman from New York [Mr. O'BRIEN] and one-half by the gentleman from Nebraska [Mr. MILLER].

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

CORRECTION OF ROLLCALL

Mr. BAILEY. Mr. Speaker, on rollcall No. 67, earlier today, on the conference report on the postal pay bill, I was on the floor and voted "yea." I ask unanimous consent that the rollcall be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, on rollcall No. 67 I am recorded as being absent. I was present and voted "yea." I ask unanimous consent that the rollcall be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. NIMTZ. Mr. Speaker, on rollcall No. 63 I am recorded as being absent. I was present and answered to my name.

I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there obection to the request of the gentleman from Indiana?

There was no objection.

RICE ACREAGE ALLOTMENTS

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8490) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MARTIN. Reserving the right to object, Mr. Speaker, is this the so-called rice bill?

Mr. THOMPSON of Texas. That is correct. It is a bill we passed in this body last summer. It has just been acted on by the Senate, with an amendment which applies only to the State of Louisiana and has no effect whatever on any other State.

Mr. MARTIN. I realize that, but I wish the gentleman would withdraw his request at this time. One of the Members on our side who is on the Committee on Agriculture and who I believe is in favor of the gentleman's request is not here and cannot be here until tomorrow morning, and he would like to speak on the bill. I would not like to object to the gentleman's request, so I hope he will withdraw it for the time being.

Mr. THOMPSON of Texas. It is my understanding the bill has been cleared on the gentleman's side.

Mr. MARTIN. This one Member thought he might have something to say about the bill when it came up.

Mr. THOMPSON of Texas. I withdraw my request, Mr. Speaker.

BOSTON NATIONAL HISTORIC SITES COMMISSION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12088) extending the time in which the Boston National Historic Sites Commission shall complete its work.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of the joint resolution entitled "Joint resolution to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Mass., and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area," approved June 16, 1955 (69 Stat. 136), as amended by the act of February 19, 1957 (71 Stat. 4), is further amended by striking out "3 years" and inserting in lieu thereof "4 years."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CEREMONIES IN CONNECTION WITH THE UNKNOWN SOLDIERS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 90.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives are each hereby authorized and directed to purchase a floral wreath to be placed by the catafalques bearing the remains of the unknowns of World War II and Korea which are to lie in state in the rotunda of the Capitol of the United States from May 28 to May 30, 1958, the expenses of which shall be paid from the contingent funds of the Senate and the House of Representatives, respectively.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER pro tempore (Mr. METCALF). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CORRECTION OF ROLLCALL

Mr. DIXON. Mr. Speaker, on rollcall No. 66, the gentleman from Oregon [Mr. NORBLAD] is recorded as being absent. The gentleman from Oregon was present and answered to his name. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER pro tempore (Mr. METCALF). Without objection, it is so ordered.

There was no objection.

PLIGHT OF THE MARINES

(Mr. ZELENKO asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ZELENKO. Mr. Speaker, at a time when the Nation never needed it more, the Marine Corps is being steadily whittled down in strength and fighting power. The Marines pride themselves on being lean and hard, but it is difficult to stay in fighting trim on a starvation diet. The administration's treatment of the Corps is a classic example of penny wise, pound foolish, for the Marines have always been able to make a dollar go farther than the larger services.

By law, the Marine Corps is required to maintain 3 combat divisions and 3 aircraft wings. To maintain these air-ground teams requires 215,000 Marines; however, in the face of directed economies, the Marines have calculated that a strength of 200,000 would give them a marginal capability of fielding the 3 divisions and wings, although all units would lack staying power. But even this minimum figure is being denied them. Over the past 3 years, the Corps has been steadily forced down from just over 200,000 to a directed strength of 175,000 by the end of fiscal year 1959. This will mean that the marine combat forces will then be at 75 percent strength—in other words, if they have to go into combat, they will have suffered 25 percent casualties before a shot is fired.

It is universally accepted that limited war is the most likely threat. To meet this threat, we need balanced mobile forces—versatile forces which can move to the scene of trouble on the shortest notice. We have such forces—or at least we have had—in the United States Marine Corps. Why are we putting the economy squeeze on this unique body of fighting men?

In the 182 years of its existence, the Marine Corps has never failed to respond to emergencies. The Marines have always been ready to fight for this country—and they have fought on almost every continent on earth. In recent months, they have again shown the world what a force in readiness really is: in the simmering Mediterranean, the ubiquitous Marines were on the scene during the Suez crisis; they stood by when little Jordan was threatened by aggression. At the peak of the Soviet threat to the whole Middle East, Marines from Okinawa also moved quietly towards the Red Sea, ready to lend a hand if required. Additional Marine units here in the States were ready to go if needed. In fact, elements of all three division-wing teams are on a 24-hour alert at all times. This is readiness—the kind of readiness the world has learned to expect of the Marines—the kind of readiness the Communists respect—the kind of readiness this country now needs more than ever before.

Much has been said recently about the importance of truly unified commands. It is worth noting that the Marines always fight as part of a unified command—first, as part of that unified Navy-Marine team, the balanced fleet; and second, as part of formally established unified commands in the Atlantic, Pacific, and Mediterranean areas.

Austerity is more than a watchword in the Marine Corps—it is a way of life. The latest available figures show that the average cost per marine is several hundred dollars less than in the next least expensive service. The percentage of officers to total strength is less than any other service, as is the percentage of senior officers and noncommissioned officers. Fewer marines, percentagewise, draw extra pay, such as flight pay, parachute-jump pay, and so forth, than in the other services. Because of this habit of economy, the Marines estimate that to maintain the marginal strength of 200,000 in fiscal year 1959 would cost only $42 million more than the drastic reduc-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 26, 1958
For actions of May 23, 1958
85th-2d, No. 82

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HIGHLIGHTS: House debated Alaska statehood bill. Senate committee ordered reported mutual security authorization bill.

House - May 23, 1958

1. RICE. Concurred in the Senate amendments to H. R. 8490, to make technical adjustments in the law relating to rice acreage allotments, to provide for reassignment of such allotments when the lands on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties. This bill will now be sent to the President. p. 8408

2. PERSONNEL AWARDS. The Education and Labor Committee ordered reported with amendment H. R. 488, to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement. p. D458

3. RECLAMATION. A subcommittee of the Interior and Insular Affairs Committee ordered reported H. R. 8645, to amend the Reclamation Project Act regarding the repayment of contracts on reclamation projects. p. D458

4. STATEHOOD. Continued debate on H. R. 7999, the Alaska statehood bill. pp. 8409-12

5. MUTUAL SECURITY. Received from the President a semiannual report on the operations of the Mutual Security Program for July 1 through Dec. 31, 1957 (H. Doc. 368). p. 8408

6. FORESTRY. Received from Interior a proposed bill "to add certain public lands in California to the Pala Indian Reservation, the Pauma Indian Reservation, and

the Cleveland National Forest, and for other purposes"; to Interior and Insular Affairs Committee. p. 8414

7. PROPERTY. Received from GSA a proposed bill "to repeal that part of the act of March 2, 1889, as amended, which requires that grantors furnish, free of all expenses to the Government, all requisite abstracts, official certifications, and evidence of title"; to Public Works Committee. p. 8414

8. LEGISLATIVE PROGRAM. Rep. McCormack announced that the Alaska statehood bill should be disposed of by Tues., May 27, to be followed by consideration of the bill to extend trade agreements authority. He stated the House will not be in session Fri., May 30. p. 8413

9. ADJOURNED until Mon., May 26. p. 8414

SENATE

10. MUTUAL SECURITY. The Foreign Relations Committee ordered reported with an amendment in the nature of a substitute H. R. 12181, to extend the mutual security program. The "Daily Digest" states that "as approved, the bill would provide a total of $3,068,900,000, $229 million less than administration requests, and $110 million more than authorized by the House. Reductions made by the committee were in the Military Assistance and Defense Support Programs. The bill incorporates a development loan fund, and makes a number of other changes designed to improve the Mutual Security Program and other overseas activities of the U. S." p. D457

ITEMS IN APPENDIX

11. FARM PROGRAM. Extension of remarks of Rep. Hagen inserting 2 articles commenting on the farm problem, "The Farm Editor Says," and "Food Chains Try Hand At Supplying Own Meat." pp. A4775-6

12. COTTON. Rep. Hagen inserted an article, "Dual Support Goals Are Called Threat To Cotton." p. A4781

13. SMALL BUSINESS. Extension of remarks of Rep. Hill inserting excerpts from commendatory letters supporting the work and activity of the Small Business Administration. pp. A4781-2

14. POSTAL RATES. Rep. Murray inserted a summary of the main points of the conference report on the postal rate and pay bill. p. A4784

15. FOREIGN TRADE. Extension of remarks of Rep. Porter inserting a letter from the Pacific American Steamship Ass'n refuting alleged charges that imports of plywood have been harmful to the plywood industry. p. A4789

BILLS INTRODUCED

16. LANDS. H. R. 12662, by Rep. Berry, to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota; to Interior and Insular Affairs Committee.

Byrnes, Wis.	Harris	Prouty
Carnahan	Haskell	Radwan
Celler	Hays, Ark.	Ray
Christopher	Healey	Reece, Tenn.
Clark	Herlong	Rees, Kans.
Collier	Hillings	Rhodes, Ariz.
Colmer	Hoeven	Riley
Cooley	Holifield	Robeson, Va.
Coudert	Hull	Robsion, Ky.
Cunningham, Iowa	Hyde	Rodino
	James	Rogers, Colo.
Curtin	Jenkins	Rogers, Mass.
Curtis, Mo.	Judd	Rogers, Tex.
Dague	Kearney	Rooney
Dawson, Ill.	Keating	Sadlak
Dawson, Utah	Kelly, N.Y.	Santangelo
Dent	Keogh	Saund
Denton	Kilburn	Scott, N. C.
Derounian	Kilday	Scudder
Devereux	Kluczynski	Seely-Brown
Dies	Knutson	Shelley
Diggs	Krueger	Sheppard
Dollinger	Lafore	Shuford
Donohue	Laird	Siler
Dooley	Lane	Staggers
Dorn, N. Y.	Latham	Steed
Dowdy	Lennon	Taylor
Eberharter	Libonati	Teague, Tex.
Edmondson	Loser	Teller
Elliott	McCarthy	Thomas
Engle	McGregor	Thompson, La.
Everett	May	Thornberry
Fallon	Merrow	Trimble
Farbstein	Miller, Calif.	Udall
Fino	Moore	Van Pelt
Fogarty	Morano	Van Zandt
Frazier	Morris	Vursell
Garmatz	Multer	Watts
Gordon	Mumma	Wharton
Granahan	Nimtz	Wigglesworth
Grant	O'Konski	Williams, Miss.
Green, Pa.	O'Neill	Willis
Gregory	Osmers	Wilson, Calif.
Griffiths	Patterson	Withrow
Gross	Philbin	Yates
Gubser	Pilcher	Zelenko
Gwinn	Poage	
Halleck	Powell	

The SPEAKER. On this rollcall 259 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CORRECTION OF ROLLCALL

Mr. SCRIVNER. Mr. Speaker, on rollcall No. 70 on yesterday I am recorded as being absent. I was present and answered to my name. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MEADER. Mr. Speaker, on rollcall No. 70 on yesterday I am recorded as being absent. I was present and answered to my name. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ADMISSION OF THE STATE OF ALASKA INTO THE UNION

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 7999, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Under the unanimous-consent agreement of yesterday, further general debate on the bill will continue today and Monday, May 26, closing not later than 5 o'clock p. m. on said Monday, one-half of the time to be controlled by the gentleman from New York [Mr. O'BRIEN] and one-half of the time by the gentleman from Nebraska [Mr. MILLER].

The Chair recognizes the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Chairman, under the agreement of yesterday we divide the time equally, of course, between the gentleman from Nebraska [Mr. MILLER] and myself, but there is a further agreement that each of us will divide our time between the opponents and the proponents of the bill.

At this time I yield to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. HOSMER].

(Mr. HOSMER asked and was given permission to revise and extend his remarks.)

Mr. HOSMER. Mr. Chairman, in considering statehood for Alaska, very little is heard about the vital economic factors which are cited by the opponents of statehood now for Alaska.

A recent survey has shown the cost of living in Alaska to be from 21 percent to more than 50 percent higher than in Seattle, which is itself a city with a comparatively high cost of living. Because of this cost the Federal Government grants its employees in Alaska a cost-of-living differential of about 25 percent in addition to their basic salaries or wages.

One of the reasons for the high cost of living in Alaska is the seasonal nature of the work there. Practically all of the year-round activities of the wealth-producing industries are in the one pulp mill, some lumber mills, and the logging operations. The rest are seasonal industries, working for only a few months, consisting of the fisheries, some trapping, the tourist business, and mining. Actually, some 20,000 people leave Alaska every fall for lack of work. They come back in the spring, but they do not make their permanent residence there.

Alaska with its 586,400 square miles has a population of only 208,000. Most people do not realize that of these 208,000 some 80,000 are military men in the pay of Federal Government, and their dependents. In addition, there are another 15,000 Government Civil Service employees plus their dependents, and of the total also there about 35,000 people in Alaska who are Indians, Aleuts, and Eskimos, many of whom are on welfare relief, and 30,000 are schoolchildren.

In the fiscal year ending June 30, 1955, there was an average of 26,500 persons in private industry, and even of these 6,715 were employed in contract construction, most of which was government. Mining employed an average of 1,333, manufacturing 4,476, transportation and utilities 3,955, wholesale and retail businesses 5,894, service industries 2,732, and others unspecified 1,395. These are averages for the year. The peak employment was about 40,000 in private industry in the summer; low, somewhat less than 20,000 in winter.

It has been estimated that the addition costs of statehood may be as much as $14 million a year.

With what is now being paid for Territorial government, it would amount to some $30 million to $35 million a year.

These additional costs in part are for:

Fish and Wildlife Administration, $2,500,000.

Operation of courts, nearly $1 million a year.

Support of schools now operated by the Alaskan Native Service, $2 million.

Borough government, $150,000.

Additional police system, $300,000.

Care and custody of insane, $500,000.

Roads, $7 million.

Operation of Governor's office, legislative expenses, and State buildings, $600,000.

Uncle Sam spends in Alaska for nonmilitary items every dollar that he gets from Alaska income and excise taxes, nearly $100 million a year. On the whole the States are pouring into Alaska about $300 million more than they are taking out and this money is all reflected in Alaska's present economy.

Alaska's biggest industry—and it is booming—is military defense. We do not know just what the Federal Government is spending on defense in Alaska, but it has more than 50,000 men stationed here. It costs "Uncle" at least $400 a month a man. That is $240 million a year. Then he is spending from $50 million to $100 million a year on Army, Navy, and Air Force construction work.

An estimated 65 to 70 percent of Alaska's gross business depends for its existence on Federal money. Washington officials or at least some of them realize that Alaska's economy, tied up as it is with Federal spending is unable to support a State government at this time without extraordinary Federal help. Various bills in Congress in addition to the one before us would ease the load by millions of dollars—some estimate by as much as $9 million a year—if Alaska takes on the responsibilities of statehood now.

Some Alaskans fear that if statehood were granted now Alaska would have to resort to some of Nevada's revenue-attracting ventures, such as gambling and easy divorce laws.

Alaska is the only State or Territory which has been unable to finance its unemployment-security payments and had to obtain a loan from the Federal Government of $3 million in spite of assessments against workers as well as employers to finance the unemployment payments.

Higher taxes that the new State would have to impose to remain solvent, if it could, stifle initiative and discourage investment in new enterprises. If new businesses cannot compete in Alaska on the same basis as in the States they will not come. And if the Federal Government should reduce its military estab-

lishments, or discontinue military construction, what would happen to Alaska's economy?

Mr. Chairman, what I have said so far has not been a speech that I have written for this purpose today, but is the reading of a letter to the editor of the Christian Science Monitor printed last year from a man named Emery F. Tobin.

Emery F. Tobin is the editor and publisher of the Alaskan Sportsman, in Ketchikan, Alaska. This gentleman speaks of the economics that face us in consideration of Alaskan statehood. That is the topic to which I wish to confine myself today. I have repeated his words, because they so intelligently put forth the conditions that exist in that land.

As I have heard the debate and listened time and time again to emotional appeals to the House to consider these worthy people in Alaska, it has occurred to me that we are not sitting here alone to consider the people in Alaska, but we are sitting here to consider justice and welfare for all Americans. If this proposition of statehood would not benefit all Americans, then we, on our responsibility as office holders, must reject it.

In the past few days we have gone through a series of troubles and disturbances, riots, and violence throughout many areas of the world. If one will but relate those situations to the economies of those nations, it is readily apparent that where there is economic destitution there is a breeding ground for trouble. Therefore, if this area concerning which we are deciding statehood today cannot support itself economically, then we as responsible Americans cannot create a situation in which it could result in grave consequences to the United States and its people in all of the 48 existing States.

I would like to refer for a moment to what the report of the Committee on Interior and Insular Affairs has to say about this economic situation, what prospect is granted and given there for the kind of development which would have to occur if this area were to be self-supporting as an independent State. As the report indicates, we will have to give this and give that out of Federal lands and out of the Federal Treasury, and then 70 percent of the seal monopoly revenues must be set over to the State treasury. Even these are inadequate to support the costs of statehood. Then the Pittman-Robertson Act and the Dingell-Johnson Act, are cited as helpful by stating the benefits of those acts will be increased to Alaska as a State and therefore will be of help.

The Pittman-Robertson Act is an act that has to do with the restoration of wildlife and birds. The new State of Alaska would get no benefit from the Pittman-Robertson Act, even if the amounts were increased from the present $75,000 to $811,800, as the report says, for anything other than wildlife and bird restoration.

The next item, the Dingell-Johnson Act, which is cited as one of the big things in the report, that act has to do with the restoration of fish. At the present time they get $75,000 and under statehood they estimate they would received $241,300 a year. That increased money, spent to restore fish, is going to have practically no effect on the total overall economy of that area. As a consequence, there is left in that section of the report doubt in the minds of reasonable men as to whether the economy is capable of supporting statehood.

Now what other prospects are given in the report? Over on page 14, with respects to trying to anticipate the economic argument I am making today, they handle this business of military construction; and what does the Committee on Interior and Insular Affairs say is going to happen when military construction ceases in Alaska?

> With respect to the problem which may arise if and when Federal construction expenditures are tapered off or discontinued, this situation may have to be faced boldly and courageously when the time comes.

That sounds like a very good oration on the platform during a political campaign, but it does not mean very much when you are trying to make a good sound solid assumption as to whether these 160,000 people, spread over an area equal to one-fifth of the area of continental United States, can in fact support the burden of a State government, and can in fact maintain an economic area that would not be subject to the troubles that we find in every area of the world where the economy is not self-supporting and where the people thereby suffer and thereby become a prey for troublemakers.

In two places the most the committee could do in this session was to offer hope. They stated:

> It is hoped that if the major construction work comes to an end many of these people will turn their attention and energy toward developing the resources of the Territory.

That is a hope, but what kind of a hope? It is not a fact; and, again, speaking of what happened after the gold rush days in Alaska when some of the people tried to build up the place they say:

> It is hoped this experience will be repeated when and if the present construction program comes to an end.

It is not pleasant for me to stand up here and oppose this program of statehood. Yesterday a poll was quoted which I took in my district, in which my people favored statehood for Alaska. A couple of our colleagues from New York, Mr. O'BRIEN for one, said: "Anybody who does not follow the polls is just taking a 'Papa knows best' attitude." That is not the case. We have had this thing before our committee for a long time; we have tried to get the facts, and I believe that if it were intended that this Government should be run by Mr. Gallup, the Constitution would have been so rewritten. But we come here as elected representatives of the people, taking an oath of office to uphold the Constitution, to try to determine what the facts are and use our judgment and do that which is indeed and truly and in the best interest of the United States of America and its people.

So I happen on this issue to feel strongly. That is why I oppose, because I do feel strongly that it would not be in the best interest of the United States of America and its people.

There is a minority report on page 93 of the committee report. It is my separate report and I would like to read most of what it says because it is short and to the point.

The report reads as follows:

> According to 1956 United States census population estimates, the population of Alaska is 161,000 of which approximately 141,000 are adults. This does not include 50,000 transitory military personnel in the Territory; they have no bearing on the statehood issue.
>
> The population of the Territory is far less than that of any of the 435 congressional districts in the existing 48 States.
>
> Under the circumstances, there simply does not exist in the Territory of Alaska the basic minimum number of people to warrant or support statehood status.
>
> Although some States had no more population when admitted than Alaska today, the situations are not comparable due to reasons of geography, economic potentialities, and time in history.

That is the conclusion of that short report.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from New York.

Mr. PILLION. There has been some question as to the population of Alaska. In estimating that population there is one method that has not been developed in the debates here, and that is that ordinarily in these congressional districts we find that the population of the district is between 2 and 2½ times the total vote in an election. The total vote in that last territorial election in 1956 in Alaska, Republicans and Democrats, was 28,266. Using a ratio of 2½ to 1, the total population of Alaska would be in the neighborhood of between 70,000 and 90,000 people. Is not that also a basis for estimating what the permanent population of Alaska would be?

Mr. HOSMER. I think that is approximately correct, because according to Mr. Tobin's letter to the editor there are some 30,000 schoolchildren and 35,000 people of native origin out in the sealing areas and other very remote areas who probably would not take part in political action.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. Is it not also a fact that when these people turn out in some numbers to vote they are engaged in the election of a Delegate to Congress who has no vote?

They do not elect a Governor. If we were to judge the population of New York State on the basis of some of our off-year elections, when we are actually electing officials with power, our population would be less than half of what we know it to be.

Mr. HOSMER. I believe they elect the Territorial senators and members of their legislature, do they not?

Mr. O'BRIEN of New York. Mr. Chairman, if the gentleman will yield further, one of the things that saddens me is that as the chairman of a rather

obscure subcommittee in the Congress, the Committee on Territories, in actual fact I have more power over the affairs of the people of Alaska today than these so-called elected legislators. They have come to our committee and pleaded for things which a common council or board of supervisors would have authority over automatically back home.

Mr. HOSMER. Well, I have not felt that the chairman of the subcommittee was that dictatorial in his running of the committee.

Mr. PILLION. Mr. Chairman, will the gentleman yield further?

Mr. HOSMER. I yield.

Mr. PILLION. Is it not true that under our laws the Territory of Alaska has full power over the management of the Territory of Alaska, with the minor exception of the fishing rights and 1 or 2 other minor exceptions? Other than that they have the same power, the same sovereignty, as that of any State Legislature, and that at no time in the history of this country has this Congress exercised its right to veto any act or any law passed by the Alaskan or Hawaiian Legislature.

Mr. HOSMER. The gentleman correctly states the facts.

The CHAIRMAN. The time of the gentleman from California has expired.

(Mr. BALDWIN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BALDWIN. Mr. Chairman, I rise in support of H. R. 7999, which provides for the admission of Alaska into the Union as a State. I believe this is a highly meritorious bill and should be overwhelmingly approved by the House of Representatives.

I am firmly convinced that a citizen of the United States should have the right to vote for President every 4 years and should have the right to be represented by two Senators and a Congressman whether he lives in one of our present 48 States or whether he lives in Alaska.

The present population of Alaska materially exceeds the population that many of our existing States had at the time these States were admitted into the Union. I am satisfied that the type of people now living in Alaska are fully qualified and competent and sufficiently mature to handle the responsibilities of statehood. It is in the very traditions of America that such citizens should be given the opportunity to participate in the deliberations of our Government through their chosen representatives. This can be accomplished by the passage of this bill and the granting of statehood to Alaska.

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PELLY. Mr. Chairman, for years Alaska statehood enthusiasts, in organizing support for their cause have pointed up that statehood would end the protection to United States-flag vessels in the Alaska trade.

To be specific, Alaskan supporters of statehood look for a reduction in their freight costs by utilizing a combination of Canadian rail lines and foreign-flag ships to avoid the lawful preference in American waterborne domestic traffic given to nonsubsidized American vessels.

As one who was in business and had experience and formerly shipped by the one American steamship common carrier serving Alaska, I sympathize with complaints of Alaskans as to the high rates. Certainly transportation costs have contributed to the lack of development in the Territory. But I am sincere in saying that to me foreign-flag competition in the Alaska trade might well end in discontinuance of the present American line and then the hue and cry will be for the Federal Government to operate ships similar to the Government line to Panama. Or it could mean a Federal subsidy to the United States carrier. Over the years 60 companies have entered this trade and have dropped out because of inadequate revenue in the trade.

Those who have studied the transportation problem objectively believe the high freight rates are due to seasonality and the handicap of one-way trade. There is little year-round tonnage for return voyages and I understand a tug and barge common-carrier operation gets what might be termed the bulk tonnage to certain areas, which cuts into the volume of what is loosely called the Seattle monopoly.

Actually, lack of volume is a major factor in high rates. Today if there was a profit incentive to pick up freight at Prince Rupert at the terminus of the Canadian National Railroad, American ships would stop and pick it up, and United States vessels occasionally do pick up a cargo at the port of New Westminster, a terminus of the Canadian Pacific Railroad.

A Fairbanks publisher recently complained his newsprint had to go down to Seattle from Powell River in British Columbia before being shipped north. Of course, American ships, northbound, pass Powell River, but do not stop because of lack of sufficient tonnage, and I doubt very much if Canadian lines are interested in that tonnage or in any year-round service.

There are valid arguments in support of statehood without echoing the old "whipping boy" charges against Seattle business and the Alaska Steamship Co. Alaska economy, dry as it is, will dry up completely if she must depend on Canadian or foreign carriers. In all fairness, the commercial feasibility, regulated freight rates, and the problem of transportation to small, isolated, widely scattered Alaska communities is a subject Members of Congress, without a public hearing, are hardly qualified to discuss on this floor, as was the case last Wednesday. I feel the present requirement of the law for shipments to be made in American-flag vessels is properly a matter for congressional committee study and consideration. But I know of no statistics or reports to substantiate the subject as an argument for Alaska statehood.

On this general subject I might mention that only Friday of last week I received a letter from the maritime trades department, AFL–CIO, of Portland, Oreg. This department represents the Sailors' Union of the Pacific, Marine Cooks and Stewards, Inland Boatman's Union, Marine Engineers' Union, Masters, Mates, and Pilots, and the International Brotherhood of Boilermakers.

The letter points up the tragic situation of the American-flag shipping on the high seas as indicated by there being only one nonsubsidized Pacific coast steamship company operating in the offshore trade. The unions expressed opposition to subsidies of any kind, they said, and yet feel private enterprise should be protected. They suggest that the only answer is Government regulation and approval of minimum rates on cargo to protect private industry and avoid destruction of the maritime industry.

The unions, of course, are referring to an offshore situation and to Government cargo, but actually the remedy they suggest is substantially what presently exists in the Alaska trade where the Alaska Steamship Co. and any United States ships are protected against foreign-flag competition, but must get approval of the Federal Maritime Commission on their rates based on a reasonable return on their invested capital.

Statehood, I hope, does not depend on foreign-flag service for its economic justification. And one other matter which I should like to discuss briefly is absentee ownership and alleged exploitation by nonresidents of Alaska. Residents and nonresidents have long been in contention for equal participation in Alaska's resources, particularly the fisheries. I hold no brief for owners or operators in either location. All I hope is that when the management and administration of Alaska's fish and wildlife is transferred to the new State, the management will be in accordance with Alaska's proposed constitution providing for no exclusive fishery rights, and for common use of those resources. Nonresidence, under the Supreme Court decision, may not be a basis for tax discrimination, and the administration of the Alaska fishery should conform to the spirit of the Constitution.

Now, let me say at this time that I intend at the proper moment next Tuesday to offer an amendment to the statehood bill which will be designed to meet the objections of certain conservation groups to this bill.

Let me read a letter which, I think, explains the position of the conservationists:

WILDLIFE MANAGEMENT INSTITUTE,
Washington, D. C., May 20, 1958.

The Honorable THOMAS M. PELLY,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN PELLY: In response to your telephone call, I regret to state that the Secretary of the Interior has not as yet actually withdrawn for wildlife purposes the three areas in Alaska that we asked to have set aside and preserved for the perpetuation of the tremendously important waterfowl resources of the Pacific flyway. You are right; it would be most unfortunate if those valuable wildlife areas were not retained in Federal ownership.

The 3 areas that particularly should be withdrawn and reserved as national wildlife refuges are described on page 483 of the published transcript of my testimony in the hearing before the House Subcommittee on Territorial and Insular Affairs on the Alaska

statehood legislation. An excerpt is enclosed for your convenience.

I just talked with the Interior Department again, and Assistant Secretary Leffler assured me that formal requests have been made for the withdrawal of the Yukon-Kuskokwin, Izembek, and Simeonof areas. Steps already have been taken to withdraw the so-called Alaska Arctic Game Range. There are national wildlife refuges and game management areas in all parts of the country, and it is imperative that these particular areas be set aside and retained under Federal control.

In reiteration, Congressman PELLY, I wish to state that the conservationists will withdraw their opposition to the statehood legislation if the bill provides for the retaining of the wildlife and forestry lands that should be kept in Federal ownership, and if the future management of the fish and wildlife resources is safeguarded as outlined in the proposed amendment in my letter to you of April 25.

Sincerely,

C. R. GUTERMUTH,
Vice President.

Also for the RECORD I include excerpts from a statement by C. R. Gutermuth, vice president of the Wildlife Management Institute, from page 483 of the hearing on statehood for Alaska, before the House Subcommittee on Territorial and Insular Affairs:

The following areas are of international significance and should be set aside and reserved as national wildlife refuges or game management withdrawals:

Yukon-Kuskokwim: Waterfowl breeding ground comprising 2,924 square miles where the delta plain of these 2 rivers joins the coastline. This is the greatest single waterfowl breeding ground in Alaska, and the future of the Pacific flyway waterfowl resource depends upon the preservation of this area from influences that might seriously impair or nullify its capacity to accommodate the large numbers of nesting ducks and geese that use the area. There are no permanent settlements in the tract that the United States Fish and Wildlife Service has asked to be withdrawn for the perpetuation of our waterfowl resources.

Izembek: The tidal flats of Izembek Bay, and certain uplands in that vicinity having a variety of berry-producing shrubs are an important crossroad for hundreds of thousands of ducks and geese that stop there for many weeks during the spring and fall to feed and rest. The area also is a major waterfowl nesting ground. Because of these combined values and the dependence of the black brant and the emperor geese on this feeding ground, it should be set aside permanently as a national wildlife refuge, and provision should be made for reserving 500 square miles of land and 188 square miles of water under the proposed Alaska statehood legislation.

Simeonof: 17 square miles, plus 1 mile border of water area. Prior to the overexploitation of the sea-otter resources, Simeonof Island was one of the most important operating bases used in the taking of pelts. Sea otters have made a strong recovery during the past few decades, and this island is again strategic in the protection and management of these valuable furbearers. Should this island pass from public control, it would create serious problems in protecting the sea otter and other wildlife resources which are dependent in some degree upon the protection that they now have at this point. In view of the importance of the island as an operating base in the management of wildlife resources, which by reason of treaties are of international significance, it is deemed necessary to provide for continued Federal jurisdiction under the proposed statehood act of Alaska.

It should be stated that the United States Fish and Wildlife Service already has taken action toward the withdrawal of all of the above areas, based upon field studies conducted over a period of years. The studies have shown the importance of these areas in relation to the Federal Government's international responsibilities for the protection and management of the wildlife resources.

The amendment in that letter of April 25 which Mr. Gutermuth refers to is the one I intend to offer. I hope Members will support it, as it will remove conservationists' objections. It reads as follows:

AMENDMENT TO BE OFFERED BY MR. PELLY TO H. R. 7999

Page 6, immediately before the period in line 23, insert the following: *"Provided,* That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing law until the first day of the first calendar year following the expiration of 90 days after the Secretary of the Interior shall have certified to the Congress (or to the Clerk of the House and the Secretary of the Senate, respectively, if the Congress is not in session) that the Alaska State Legislature has made adequate provisions for the administration, the management, and conservation of such resources in the national interest."

Finally, in conclusion, let me just say I voted in favor of giving the House an opportunity to consider this bill. What I have said today is consistent with that vote, in so much as discussion such as mine, and my amendment, should improve the general understanding and provisions of the statehood bill.

I favor the principle of giving the people of Alaska management over their affairs and administration of their resources. The best government is that closest to the people. But in transferring the management to the Alaskans, reasonable assurance of safeguards to protect the public interest is essential.

When we are doing the right thing, let us do it the right way.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. O'BRIEN of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WILLIS, acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 7999, had come to no resolution thereon.

PROGRAM FOR NEXT WEEK

(Mr. DIXON asked and was given permission to address the House for 1 minute.)

Mr. DIXON. Mr. Speaker, I ask the gentleman from Massachusetts to give us the program for next week.

Mr. McCORMACK. On Monday there will be a continuation of general debate on the pending bill, statehood for Alaska; general debate, as we know, closing, under agreement, at 5 o'clock.

On Tuesday we will continue the statehood bill for Alaska under the 5-minute rules and proceed until completion. It is hoped that we can dispose of it on Tuesday, in which event we will take up the Trade Agreements Extension Act of 1958, H. R. 12591, we hope on Wednesday at the latest, and hope to dispose of that bill on Thursday.

Of course, on May 30 there will be no session. We will meet informally on Wednesday morning at 9:30 to proceed as a group to the rotunda of the Capitol to attend the ceremonies relative to the Unknown Soldiers of World War II and of Korea.

On Tuesday there are primaries in Kentucky, and if there are any rollcalls requested for Monday or Tuesday, they will go over until Wednesday.

Then there is the usual reservation that conference reports may be called up at any time, and any further program or change will be announced later.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. In the event the statehood bill is not finished on Tuesday, it will be the leader's intention to continue on Wednesday?

Mr. McCORMACK. It is the intention to continue the bill until disposed of.

BOATING SAFETY

(Mr. BONNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BONNER. Mr. Speaker, just last week the waters of my State claimed the lives of two more boating enthusiasts.

The present lack of adequate safeguards for those who use the waters for recreation is, and has been, a matter of great concern to me. For over 2 years the Committee on Merchant Marine and Fisheries has carefully studied this subject. As a result, we have reported legislation designed to minimize the hazards of this great recreational activity, through improved enforcement procedures.

To date, although a request has been made of the Committee on Rules to grant a rule for the consideration of this legislation, a rule has not been granted. I hope yet that the Committee on Rules will give us an opportunity to present the matter to the House.

Failure to secure action upon safety legislation at this session of Congress may well result in many more deaths all over the country, as a result of improper equipment, careless operation, downright ignorance of the basic requirements for safety, and inadequate enforcement.

It is my hope that the legislation may still be acted upon and the cooperation of the States secured in this field.

I am including in my remarks an article covering the recent casualties in my State, and hope that the activities of this Congress will result in fewer and fewer such news items in the future:

RIVER SPORTS BECOME DANGEROUS

(By Bugs Barringer)

ROCKY MOUNT.—Some rules and regulations will probably be put into effect here for folks who operate boats on Tar River. Last

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 27, 1958
For actions of May 26, 1958
85th-2d, No. 83

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HIGHLIGHTS: House received conference report on agricultural appropriation bill. Senate agreed to conference report on Interior appropriation bill. House committee reported bill to permit transfer of cotton allotments due to excessive rainfall. Senate committee reported bill to fix price support on extra-long staple cotton at 60 to 75 percent of parity. Rep. Thomson, and others, commended administration farm program. Senate committee reported mutual security authorization bill. House debated Alaska statehood bill.

HOUSE - May 26, 1958

1. AGRICULTURAL APPROPRIATION BILL FOR 1959. Received the conference report on this bill, H. R. 11767 (H. Rept. 1776). (pp. 8482-83, 8530) At the end of this Digest is a summary of the actions of the conferees.

2. COTTON ALLOTMENTS. The Agriculture Committee reported with amendment H. R. 12602, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters (H. Rept. 1772). p. 8530

3. SURPLUS FOODS. The Agriculture Committee reported with amendment H. R. 12164, to permit the donation of surplus foods to nonprofit summer camps for children (H. Rept. 1774). p. 8530

4. STATEHOOD. Continued debate on H. R. 7999, the Alaska statehood bill. pp. 8484-8521

5. FARM PROGRAM. Rep. Thomson commended administration farm policies, discussed recent improvements in various segments of agriculture, and stated "the situation today again proves that price supports at high levels are not in the best interests of agriculture." Other Representatives joined him in commending present policies. pp. 8524-28

6. ECONOMIC CONDITIONS. Rep. Vursell discussed current economic conditions and stated "we should face up to our responsibility, and stop wage and price inflation before this session of Congress adjourns." pp. 8522-24

7. SMALL BUSINESS. Rep. Patman inserted a letter from Gov. McFarland, Ariz., favoring legislation to establish a small business capital bank system. pp. 8528-28

SENATE

8. APPROPRIATIONS. Agreed to the conference report on H. R. 10746, the Interior appropriation bill for 1959. For information regarding Forest Service items, see Digest 80. This bill will now be sent to the President. pp. 8445-7

9. AGRICULTURE AND FORESTRY Committee reported the following bills:
Without amendment, H. R. 11399, to authorize the Secretary to set the level of price support for extra long-staple cotton at between 60 and 75 percent of parity (S. Rept. 1628);
With amendments, H. R. 376, to prohibit trading in onion futures on commodity exchanges (S. Rept. 1631);
Without amendment, H. R. 7953, to facilitate and simplify the work of the Forest Service (S. Rept. 1629); and
Without amendment, H. R. 5497, to authorize Federal assistance for certain fish and wildlife development projects under the Watershed Protection and Flood Prevention Act (S. Rept. 1630). p. 8419

10. FOREIGN AID. The Foreign Relations Committee reported with amendment H. R. 12181, the mutual security authorization bill for 1958 (S. Rept. 1627). pp. 8419-20

Sen. Proxmire submitted and discussed three amendments to the foreign aid bill to bar all aid to Yugoslavia, the Dominican Republic, and Saudi Arabia. p. 8424

Sen. Morse discussed the mutual security authorization bill, urged it be strengthened, and announced that his proxy vote for Sen. Long did not indicate that Sen. Long favored the bill. pp. 8450-1

Sen. Wiley urged passage of the mutual security authorization bill and inserted his radio speech in favor of the bill. pp. 8451-2

Sen. Morse obtained unanimous consent to file his minority views and have them printed as part of the Senate report on the mutual security authorization bill. He urged that the bill be amended to contain more loans and fewer grants. pp. 8471-3

Received from the President the 13th semiannual report on the operations of the mutual security program (H. Doc. 368). p. 8417

Received from the Comptroller General an audit report on the Economic and Technical Assistance Program for Vietnam as conducted by ICA from 1955 to 1957. p. 8418

11. IMPORTS. Passed as reported H. R. 6006, to provide for greater certainty, speed, and efficiency in the enforcement of the Antidumping Act. pp. 8455-6

try inspection activity. In this connection, the conferees direct that additional supervisory personnel in Washington and the field for these activities be held at an absolute minimum and that no new area or district offices be created for either service.

Amendments Nos. 4 and 5. State experiment stations: Appropriate $31,553,708 as proposed by the Senate instead of $30,353,708 as proposed by the House.

Extension Service

Amendments Nos. 6 and 7. Payments to States, Hawaii, Alaska, and Puerto Rico: Appropriate $53,715,000 as proposed by the Senate instead of $50,715,000 as proposed by the House.

Agricultural conservation program

Amendment No. 8. Reported in disagreement: The managers on the part of the House intend to offer a motion to recede and concur with the Senate amendment with perfecting language to require that the 1959 program remain the same as the 1957 and 1958 programs. Most states followed the language contained in last year's conference report directing that no changes be made in the 1958 program to restrict eligibility requirements or delete cost-sharing practices included in the 1957 program. Since a few states made changes in the 1958 program despite such directive, the conferees have agreed to language in the accompanying bill which will restore any such changes and will make certain that future changes are made only upon the recommendation of the County Committee concerned.

Agricultural Marketing Service

Amendment No. 9. Marketing research and agricultural estimates: Appropriates $14,195,000 instead of $14,095,000 as proposed by the House and $14,287,000 as proposed by the Senate. The increase is provided to extend the quarterly Cattle and Feed Reports to thirteen additional states. No funds are provided for monthly interim statistics. The conferees have received some complaints concerning the accuracy of the quarterly reports. They request that this matter be studied by the Department and reports of findings be provided to the Committees on Appropriations of both Houses.

Amendment No. 10. Marketing services: Appropriates $20,659,000 instead of $14,097,000 as proposed by the House and $21,272,000 as proposed by the Senate. The increase includes $6,500,000 for poultry inspection, $42,000 for extension of wholesale meat reports and market-news services, as set forth in the Senate report, and $20,000 for strengthening wool standardization and grading work.

Amendments Nos. 11 and 12. School-lunch program: Amendment No. 11 appropriates $110,000,000 instead of $100,000,000 as proposed by the House and $125,000,000 as proposed by the Senate. Amendment No. 12 restores House language authorizing the transfer of section 32 funds for the purchase of food for use in the school-lunch program; for this purpose the amount of $35,000,000 is provided instead of $55,000,000 as proposed by the House.

Soil bank programs

Amendment No. 13. Conservation reserve program: Appropriates $200,000,000 as proposed by the Senate instead of $250,000,000 as proposed by the House. The reduction is based on final figures indicating total sign-ups of $71,468,000 for the 1958 program.

Amendments Nos. 14 and 15. Conservation reserve program: Authorizes $16,000,000 for administrative expenses instead of $15,000,000 as proposed by the House and $17,000,000 as proposed by the Senate, and provide $12,750,000 for county committee expenses instead of $12,000,000 as proposed by the House and $13,500,000 as proposed by the Senate.

Amendment No. 17: Conservation reserve program: Reported in disagreement.

Commodity Stabilization Service

Amendment No. 18. Sugar Act program: Appropriates $76,000,000 as proposed by the Senate instead of $71,000,000 as proposed by the House.

Rural Electrification Administration

Amendments Nos. 19 and 20. Loan authorizations: Authorize $317,000,000 for rural electrification loans as proposed by the Senate instead of $300,000,000 as proposed by the House; also authorize $67,500,000 for rural telephone loans as proposed by the Senate instead of $60,000,000 as proposed by the House.

Farmers' Home Administration

Amendment No. 21. Loan authorizations: Establishes a contingency fund of $20,000,000 as proposed by both Houses, with not to exceed $5,000,000 for farm ownership loans under title I of the Bankhead-Jones Farm Tenant Act and the balance for farm operating loans under Title II of that Act.

Office of the General Counsel

Amendment No. 22. Salaries and expenses: Appropriates $2,968,000 instead of $2,943,000 as proposed by the House and $3,043,000 as proposed by the Senate. The additional $25,000 is for legal work related to the new mandatory poultry inspection work of the Department.

Commodity Credit Corporation

The conferees have considered statements contained in the reports of the two committees, particularly comments relative to "cotton and other export subsidy programs." They are in full agreement that it is the responsibility of the Committees on Appropriations of the House and Senate to review activities of the Department of Agriculture under all existing laws for which appropriations are proposed by the executive branch or are considered by the Congress. In carrying out this responsibility, they recognize that it is within the jurisdiction of such committees to recommend approval or disapproval of appropriations and to make comments and recommendations with regard to such programs and activities.

In connection with the comments of the House committee on the export policies of the Department, the conferees would point out that, were it not for exports, American agriculture literally would smother in its own production. Sixty million acres of cropland—1 out of every 5—produce for export. The large flow of agricultural products to customers overseas not only provides additional farm income but also eases the pressure of supplies on the domestic market and strengthens prices.

In the 1956–57 marketing year the United States exported over $1 billion of cotton, $400 million of tobacco, $196 million of soybeans, $190 million of rice, $350 million of feed grains, $231 million of dairy products, $46 million of poultry products, $405 million of fats and oils, $230 million of fruits, and $958 million of wheat.

In the handling of Commodity Credit Corporation operations, including the export program it is to be noted that payments to the trade for such things as storage, handling and transportation costs, including any exorbitant profits, in fact, all costs or losses of the Commodity Credit, add to the costs to the Treasury and increase appropriations. Further, they are charged against the farm program, and are frequently used as arguments against farm programs, though, of course, such expenditures do not go to the farmer. These facts make it essential that the Committees on Appropriations maintain a continuing review of Departmental activities to see that unnecessary expenditures are not made and unnecessary losses are not incurred due to the failure of the United States to retain its fair share of world markets.

The conferees point out that the Commodity Credit Corporation has full authority to sell farm commodities in world trade on a competitive basis and would call attention to the large increase in American exports for dollars which have occurred with the use of such authority in the past several years. The conferees take note of the fact that the Department has announced, with reference to cotton, that in the future the authority to sell competitively for dollars through normal trade channels will be maintained concurrently with a program of payment of an export subsidy in kind.

It is the opinion of the conferees that, in order to retain for the United States its fair share of world markets, all authority of law should be used to the fullest extent necessary to keep United States farm commodities offered in world trade at competitive prices. Officials of the Commodity Credit Corporation, in the interest of the Government and of the farm programs, in keeping farm commodities available in world trade at competitive prices, should make every effort to obtain the largest return for such commodities with the minimum of cost.

JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
ALFRED E. SANTANGELO,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,
JOHN TABER,
Managers on the Part of the House.

THE LATE WILLIAM K. HUTCHINSON

(Mr. MARTIN asked and was given permission to address the House for 1 minute.)

Mr. MARTIN. Mr. Speaker, when a close personal friend of 30 years dies suddenly, his death comes as a shock and causes great sorrow. It was so yesterday when I was informed of the death of William K. Hutchinson, manager of the Washington office of International News Service.

"Bill" Hutchinson, as we knew him, was one of a group of really great journalists who were here when I first came to Washington; a group that has only a few remaining members. They were journalists who could intelligently interpret the news, both local and foreign. They were men who had a scent for news and loved the "scoops" that were often secured.

Bill was a great lover of sports and at one time was vice president of the Washington Redskins. He accompanied the team on its trips throughout the country. He loved baseball and, as a personal friend of Clark Griffith, could be found every Sunday at the ball park.

Besides his active reporting, Bill found time to author a biography of Senator William E. Borah, whom he intensely admired and with whom a strong friendship existed.

His book, describing the critical early days of World War II was a remarkable document of facts.

Washington will not quite be the same without Bill Hutchinson. We will all miss his genial smile, his ever good will, and the earnestness he exhibited for his work and the country he loved.

He was a great American and, through his writings, helped to make the United States a better land.

To his relatives, I extend my deepest sympathy.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I would like very much to associate myself with the remarks of the gentleman from Massachusetts [Mr. MARTIN] in paying tribute to the late William K. or, as we knew him, "Bill" Hutchinson. We have been friends for nearly a quarter of a century. He was one of the truly great newspapermen who served here in Washington for nearly 30 years.

For many years Mr. Hutchinson was the head of the International News Service organization here in the Capital City. He was long known as one of the most able political writers this Nation ever produced. He was what we term in the trade a newspaperman's reporter. In other words, he had a nose and a sense for news that few men have. He had the ability to write the news with a clarity that made it easy for the average man in the street to understand the situation exactly.

We have also lost a great American in William K. Hutchinson, as well as a great newspaperman. His place in our ntional life will not be easy to fill.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent that any Member desiring to do so may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, one of the most distinguished careers in modern American journalism came to an end with the unexpected death on May 25 of William K. Hutchinson, chief of the Washington bureau of International News Service.

Mr. Hutchinson held that key position for 19 years. Before that, he had been a top congressional correspondent for INS. He served that great news-gathering organization for 38 eventful years. In point of service, he was one of the true elder statesmen among Washington correspondents.

It was my privilege to know Bill Hutchinson first as a fellow newsman and later as a sage to whom a Member of Congress could turn for wise counsel.

His achievements as a reporter in the great tradition are legendary. Among them was his magnificent beat, as triumph over the opposition is called in newspaper parlance, on the Japanese surrender that ended World War II.

He was a man who literally could not count his friends, they were so many and so various. He walked with the great and with the humble, and all that knew him were enriched by their associations with him.

He had rich gifts to share with his staff, his colleagues, and with the officials of government—the executive, the legislative, and the judiciary—and he shared them unstintingly.

His death was untimely. His memory will live a long, long time. His contributions to the history of his era will remain, it seems to me, imperishable.

He was my friend.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the Merchant Marine and Fisheries Subcommittee on Fish and Wildlife may sit this afternoon during general debate.

The SPEAKER. Is there objection?

There was no objection.

CALL OF THE HOUSE

Mr. MURRAY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 73]

Andrews	Gary	Poage
Ashley	Gordon	Powell
Auchincloss	Granahan	Prouty
Barden	Grant	Radwan
Barrett	Green, Pa.	Reece, Tenn.
Bass, N. H.	Gregory	Riley
Bass, Tenn.	Gross	Robeson, Va.
Bentley	Gubser	Robison, N. Y.
Blatnik	Healey	Rodino
Boggs	Hemphill	Sadlak
Brooks, La.	Henderson	Saund
Buckley	Hillings	Scott, N. C.
Byrd	Holifield	Scott, Pa.
Byrnes, Wis.	Jackson	Seely-Brown
Carnahan	James	Selden
Celler	Jenkins	Shelley
Chelf	Jennings	Sheppard
Christopher	Judd	Shuford
Clark	Kearney	Sieminski
Colmer	Kilburn	Siler
Cooley	Knutson	Spence
Corbett	Lennon	Staggers
Coudert	Lesinski	Steed
Curtis, Mo.	McCarthy	Taylor
Dellay	McIntosh	Teague, Tex.
Dies	Mahon	Teller
Dooley	Marshall	Tollefson
Dowdy	May	Trimble
Doyle	Merrow	Udall
Eberharter	Miller, Calif.	Van Zandt
Engle	Morano	Watts
Farbstein	Morris	Wharton
Fino	O'Hara, Minn.	Widnall
Fogarty	Osmers	Wier
Forand	Passman	Wilson, Calif.
Fulton	Patterson	Withrow
Garmatz	Philbin	Zelenko

The SPEAKER. On this rollcall, 309 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CORRECTION OF ROLLCALLS

Mr. JOHNSON. Mr. Speaker, on rollcall No. 70 on Thursday, May 22, I am recorded as being absent. I was present and answered to my name when the roll was called. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Without objection the RECORD and Journal will be corrected accordingly.

There was no objection.

Mr. ARENDS. Mr. Speaker, on rollcall No. 72, I am recorded as being absent. I was present and I ask unanimous consent that the RECORD and Journal be corrected to show that I was present.

The SPEAKER. Without objection, the RECORD and Journal will be corrected accordingly.

There was no objection.

ADMISSION OF THE STATE OF ALASKA INTO THE UNION

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 7999, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Friday, May 23, the gentleman from Nebraska [Mr. MILLER] had consumed 2 minutes.

The Chair recognizes the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may require to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, the people of Alaska have struggled as intensely for those principles which are the foundation of our Government as did our forefathers. They have pledged their adherence to these fundamentals of freedom, justice, and equality in their constitution and have indicated in every way their earnest desire to become a wholesome and vigorous part of the United States.

I shall not review the grievances of Alaskans accumulated during their existence as a Territory. Sufficeth it to say that the time has long since passed wherein we should have sympathetically responded to their petitions, pleas, and requests for corrective action.

I supported statehood for Alaska. I am confident that the people of Alaska are intelligent, resourceful, and industrious enough to mold this frontier into one of the great States of the Union.

Alaska's admission to the United States will culminate the story of a patient, peaceful, and resolute effort by people to become part of an existing Government which they love and cherish. This story will be a refreshing chapter in the dolorous book of mankind.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may require to the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Chairman, I have listened with a great deal of interest during the past few days to the many statements both in favor of and against statehood for Alaska. I think it is well that we have had this opportunity to debate this measure so thoroughly, because the addition of a State to the Union is one of the most important things Congress can do. I hope

that before too long we will be able to bring this bill to a vote and that it will be passed so we can point to this session of the Congress as the one which had the wisdom and foresight to admit Alaska to the Union.

There are many, many reasons why I am pleased to have this opportunity to speak in behalf of statehood for Alaska. As a Representative from the State which is located nearest to Alaska, I feel particularly close to the people who live there. Many of our people in the Puget Sound area are dependent upon Alaska for a livelihood. A substantial number of former residents of Washington now are living in Alaska, and we are able to enjoy occasional visits with them. Because of this proximity to Alaska, I feel a little more deeply about this matter, perhaps, than some of the other Members. Alaskans not only are our fellow citizens; they are our neighbors. And, believe me, they are as fine a group of neighbors as anyone could want.

Because we in the Pacific Northwest look upon Alaskans as our neighbors, it is abhorrent to me to see them relegated to the role of second-class citizens. There are some 212,000 Americans in Alaska who are being deprived of their basic rights as citizens. They do not have a vote in Congress, they cannot name presidential electors, and even their local judicial system is directed from thousands of miles away in Washington, D. C.

In addition to this, they are being held back from exercising an even more basic right—their right to earn a living without a lot of discriminatory regulations from a government in which they have no voice.

From a somewhat selfish standpoint of a Representative of the people in Washington State, I hate to see a growing area with which we will be doing more and more business in the future, held back from its natural development. We hear a lot of talk out our way about the need for new markets if the West is to continue to develop. Alaska and Washington should be able to count upon each other as marketing areas for their goods. Through the years, statehood traditionally has led to increases in population. It is criminal to choke off this potential development.

The economic benefits to the entire country of encouraging the development of Alaska are obvious. It is estimated that Alaska, even in its second-class status as a Territory, has repaid 425 times the $7,500,000 we paid for it in 1867. One might ask, "If Alaska has done so well for the past 91 years, why not leave well enough alone and let her continue to develop as a Territory?" The best way to answer that is to ask, Who knows what is best for Alaska? Is it the people who live there and earn a living there or the people in Washington, D. C., who only hear from quasi-representatives, who have no real voice in their government? The people who know Alaska, her problems and her potentialities are those who live there. They want statehood by an overwhelming majority. They want statehood because they see it as the only way in which they can continue to grow with the rest of the country.

When the Territory of Alaska was purchased, we included in our treaty a clause which stated that—

> The inhabitants of the ceded Territory * * * shall be admitted to all the rights, advantages, and immunities of citizens of the United States.

It most certainly is the duty of Congress to fulfill this agreement by admitting Alaska to the Union as soon as she is ready. And there is no question but what she fulfills the requirements for admission to the Union. The residents of Alaska are imbued with deep patriotism and the spirit of democracy exemplified by the American form of government, a vast majority of them want statehood and the Territory has the population and resources needed to support state government.

During this debate, we have heard a great deal about the patriotism and loyalty of the people of Alaska; I think we owe them statehood, and I urge passage of this bill to fulfill an obligation which we cannot in conscience put off any longer—to make Alaska our 49th State.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, it is 10 years since the Democratic Party and the Republican Party, in planks in their respective national platforms, pledged statehood for Alaska and Hawaii. That was in 1948, when the Members of the House of the 81st Congress were elected, all pledged by party platforms to bring into the Union of States Alaska and Hawaii. That was the year of President Truman's great triumph, and many new Members of Democratic affiliation came to this body. In the 1950 session the House passed first the statehood bill for Alaska, then the statehood bill for Hawaii. I voted for the admission of Alaska and I voted for the admission of Hawaii. That was a matter of conscience and of honor. I am supporting this bill, granting statehood to Alaska, and when the Hawaii statehood bill is brought in I shall support that measure.

The year that I was born there were 38 States in the Union. During my lifetime 10 others have been added—Arizona, Idaho, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Washington, and Wyoming. Always there were timid souls, afraid of shadows, afraid of progress. All the arguments of fear and of distrust that we have heard in this debate from the opposition popped like firecrackers when each of these States, not one of which we now would wish or could afford to lose, was brought into the fold of our national family. The arguments sound to me so like the wailing of a little child when a brother or a sister is born to its parents, the child fearful that it will have to divide with another parental attention and affection. The child soon discovers that in the addition to the family circle of a little sister or a little brother the wealth of affection with which it is blessed has suffered no diminution but rather has been richly expanded. So it is when a new State comes into our national family of States.

Mr. Chairman, because in 8 years there has been no change either in the underlying facts or in the desire of the American people for statehood for Alaska and Hawaii, I am extending my remarks to include portions of my remarks in this Chamber on March 6, 1950, as follows:

> For the first time we are accepting into the family of sister States those Territories that are outside of continental United States and not contiguous thereto. Where this will end, to what extent conceivably the pattern may be carried in the realization of the dream of our generation of a permanent peace through a world union of states, only the future can tell.
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> I think it is proper here to place emphasis on the fact that the step we are taking has not been decided upon hastily. It is altogether too important a step to be left for decision alone to the Members of this body. However able and conscientious they may be, nevertheless in common with all humankind their judgment cannot be infallible. What we are doing is merely making effective the decision arrived at by the American people. That is the way democracy functions with us. The question of statehood for an island in the Pacific and for a mainland not contiguous to a continental United States, with a long stretch of islands running into the Orient, has been discussed for a long time in every city, hamlet, and crossroads in the country. My colleagues and I must accept it as the judgment of the American people as a whole—or that substantial majority which under our democratic system controls—that this step should be taken and in a new world, bound much closer by radio transmission of the thoughts of men and aerial transportation of persons and products, the pattern of the old world of the horse and buggy should be modernized even in the matter of selecting Territories to be taken into the Union as States. I say we must accept this as the judgment of the American people because when the delegates met at the national conventions of the two major political parties, with scarcely a dissenting vote, they pledged the support of their respective parties to Alaska-Hawaii statehood. We Democrats and Republicans may differ in our interpretation of how far the majority vote in a closely contested election is to be construed as a mandate. There can be no question, however, about the validity of the mandate when it emanates from the voters of the two major parties.
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> I respectfully suggest to my colleagues, with no desire to pose as a prophet, that the new pattern we are setting up may prove a more vital factor than we imagine in bringing the world closer together in peace and the common pursuit of human happiness. Many in this Chamber, in their ardent desire to advance the cause of understanding and of permanent peace, have sponsored the world federation resolution. It at least is worthy of note that what we are now doing, although certainly it is not in the minds of any of us here, may furnish in the future the basis for a United States of America expanded, on the petition of other peoples, into a United States of the world.
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> I am not advancing this thought with the idea that having moved in the direction of taking in territory far from continental United States we actually may, as the world grows closer and closer together, add to our sisterhood of States territories still farther removed. For one thing there is the difference in languages and in cusotms, which even if distances were annihilated would still present a formidable barrier. But there is no escaping the import of the departure we are approaching. Considered in connection

with the development of the backward areas of the world under point 4 of President Truman's plan—an undertaking the success of which hangs on the removal of trade barriers—it at least should furnish the subject for intriguing speculation and lively discussion in the way the American people have of thinking and talking things over even when such things are still in the realm of the improbable and the unexpected.

That we are making history today I think there can be no doubt. The CONGRESSIONAL RECORD of these days of the Alaska-Hawaii statehood debates very likely will be consulted by historical researchers long after the last of those participating in these debates has had his hour in the traditional memorial services in this Chamber. For that reason I am putting in the RECORD, with especial emphasis, that the pattern for the future admission of States, when no longer required to be of contiguous territory or a part of continental United States, came to us from the sound judgment of the American people arrived at after long discussion and deliberation and so wholly on a bipartisan level that both major political parties incorporated in their respective platforms expression of that judgment arrived at by the American people.

Mr. Chairman, I am voting for statehood for Hawaii as I voted for statehood for Alaska. With every new State that joins up with us, to share under free government the benefits and the responsibilities of joint effort in advancing human welfare, greater strength is given us to carry on. My faith is in my country and the purity of its purpose to ask nothing for its own people that it does not seek to make possible for all men to attain in a world of brotherhood. My faith is in the people of the United States and when after discussion and deliberation they have reached a judgment, by that judgment I will abide.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 15 minutes to the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

(Mr. McCORMACK asked and was given permission to revise and extend his remarks.)

Mr. McCORMACK. Mr. Chairman, the admission of Alaska to statehood has been before the Congress since 1916—42 years. Both political parties in their platforms are pledged in favor of her admission. A series of public opinion polls from 1946 to 1958 shows overwhelming support of our people of from 5 to 1 to 12 to 1 in favor of the admission of Alaska.

When Alaska, some 90 years ago, became American territory, we pledged to give its inhabitants "all the rights, advantages, and immunities of the United States." Under that pledge comes self-government as a member of the States of the Union of the United States. The facts justifying the admission of Alaska to me seem very persuasive. There are advantages to Alaska itself, but there are also advantages to the United States to have Alaska as one of the States of the Union. There is not a Member of the House, or any intelligent person in the United States or in the world who but will admit that in the world of today and tomorrow Alaska is one of the most important located parts of the world. As far as the United States is concerned, our own country, there is no more strategic part of our defenses than Alaska.

Another factor involved that I think is pertinent: We must bear in mind that 85 percent of the people of Alaska today are the same as those early pioneers who went to the Mid-West, the far West and the Northwest, and who built up that great area of our country. Eskimos, Aleuts, and Indians are about 15 percent of the population of Alaska, and they are all fine Americans. They have clearly evidenced their love of and loyalty to the United States. We must bear in mind that the only place in North America where enemy forces invaded during World War II was Alaska. It is one of the main outposts of our continental defense.

There is no question of the loyalty of the people of Alaska and of our fellow-Americans in that vast area.

As I remember the last report made by the Federal Bureau of Investigation in connection with Alaska and communism therein was in 1951. It is my distinct recollection that the report at that time stated that here were only 10 communists in Alaska.

Business Week, speaking of Alaska in one of its recent publications, said:

Picture a land stretching from Maine to Florida, from the Great Lakes to the California-Mexico boundary, embracing 20 easternmost States, and wrap it around a coast line greater than that of the United States itself and you have an image of Alaska. Twice the size of Texas, one-fifth as large as all of the 48 States together.

We all know that the purchase price given to Imperial Russia for Alaska was $7 million. At that time it was called by those who opposed, Seward's Folly. It was attacked just the same as the Louisiane Purchase was attacked by its bitter opponents.

Seward's Folly, although purchased some 90 years ago, has today become one of the most important areas of the world, one of the most important parts of our possessions, and as we project our minds into the future, Alaska becomes more and more important to the United States.

Despite the fact that the Federal Government owns about 99 percent of the land in Alaska, we have received back from Alaska close to 500 times the original purchase price. We know, from a reading of history, the opposition and the clamor against the Louisiana Purchase to which I have already referred, but we also know of the great results and benefits to our country that have flowed from the original Louisiana Purchase. Today we see a number of States in the Union that were once a part of that wide area known as the Louisiana Purchase, the farms, the cities, towns, and factories, and their millions of population, all in an area practically unknown at the time of its purchase. Projecting my mind several decades into the future I can see Alaska developed with a population of millions of Americans. And in this connection I call your attention to the fact that between 1950 and 1958 alone the population of the Territory of Alaska increased by 53,000 persons, or close to 48 percent. If this progress took place under territorial status, what would be her progress and her population as a State of the Union?

The history of every newly admitted State shows that its progress was rapidly accelerated as a result of admission as a State to the Union.

If one of the States of the West or the Northwest, originally a part of the Louisiana Purchase, were still a Territory today, and instead of the Alaska statehood bill there was pending before us a bill to admit that Territory to the Union, the same arguments would be made against its admission as a State as are now being made against the admission of Alaska; and the same unexpressed thoughts would exist, the same hidden reasons in the minds of some Members would exist, such as fear of losing a Representative and fear of two more Members of the United States Senate. I cannot see why any of the 35 States that were not a part of the original Union—and they had to be admitted by resolution—could in good conscience and sincerity oppose the admission of Alaska as a State of the Union. To do so would be for them to deny the admission of their own State.

Let us view the United States of America today, its greatness, and what would be its position as a Nation if a majority of the Members of Congress decades ago took a position against the admission of any Territory as a State of the Union. It is, therefore, amazing to me that Members from these 35 States should forget the history of the admission of their own State into the Union.

The admission of a new State into the Union should be viewed from a big, broad, statesmanlike angle, not from the sectional angle or from the angle of personal views or personal thoughts.

Just because Massachusetts might be affected in her representation in this body in the future is no reason why I should vote against the admission of Alaska; no more reason, in bygone years, as a Member of this body, why I should have voted against the admission of any 1 of the other 35 States which have been admitted into the Union. The same applies to any Member from any other State having that thought.

Fear of two more Members in the Senate is unjustifiable selfishness. If these feelings influenced the past, the majority of the Members of Congress representing those 35 States admitted subsequent to the original Union would not be sitting here today. A number of the States would still be Territories instead of sovereign States within our dual system of Government.

Now, one argument against the admission of Alaska is that it is not contiguous to the continental United States. I agree with that. But, neither were California and Oregon contiguous to the then other States of the Union when they were admitted into the Union. Certainly the means and methods of travel today brush aside the contiguous territory theory or it should, in all sincerity, brush aside that theory in the minds of any of the Members. The rapidity of travel through the air, on the sea, and under the sea in the years

that lie ahead will be even more rapid than today. The very fact that the relationship of Alaska to continental United States is through the sea rather than overland makes Alaska just as much contiguous, at least today, as California and Oregon were when they were both admitted into the Union; in fact, they were separated by far more impenetrable barriers at the time of their admission than Alaska is separated today. Viewing the situation again, my colleagues, from the angle of the national interest of our country, lifting ourselves above personal feelings, which are human, but which we should do, certainly we, the elected Members of Congress, have a duty to perform and are supposed to be capable of lifting ourselves above personal feelings, we should vote for the admission of Alaska.

Viewing the case of Alaska, it is a clear case, and Alaska should be admitted into the Union. I hope the motion to strike the enacting clause, when it comes, will be defeated. I hope any motion to recommit will be defeated. Even those of you who are opposed to the admission of Alaska could vote against those two motions and then have your vote recorded on the straight question on the passage of the bill. It would be the honorable way for anyone to record his views.

Mr. Chairman, Alaska should be admitted, and those of you, as I said, who are opposed to it and during the debate of today and tomorrow are not influenced in favor of it at least ought to vote against the indirect motions designed to cover up a record, and let the record stand on the passage of the bill.

Mr. Chairman, I hope this House will adopt and pass the resolution.

Mr. MILLER of Nebraska. Mr. Chairman, I yield myself 20 minutes.

(Mr. MILLER of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Nebraska. Mr. Chairman, the several days of debate on statehood for Alaska has about exhausted anything new that might be said.

The arguments being made against the Alaska statehood bill are about the same as those made in one form or another against many of the 35 other States when they came in as a State of the Union.

It is interesting to go back and read some of the debates. It is interesting to note the attitude that a few men in Congress held relative to the prospects and the development of the land west of the Mississippi River. I want to say more about this later.

I am glad that the legislative procedure on the Alaska statehood bill is now back in familiar grooves.

I was one who pled with the Rules Committee to grant a rule. It was my intention that in bringing up a bill under a highly privileged motion was an unusual procedure and one full of legislative entanglements. The fact that there has been numerous quorum calls and legislative maneuvers to hold up the bill is, I am sure, evidence that the Rules Committee serves a valuable purpose. It is so necessary to have a Rules Committee that will set up the rules and take in order great legislative questions such as we are discussing here today.

The general debate upon this bill will end at 5 tonight, May 26, 1958. The bill then will be read for amendments. There are several amendments that will be made that will be in order and I will discuss them later.

I know there are many honest and sincere men in this Chamber who are opposed to statehood. There will be an equal number, and I hope a majority, who will be in favor of statehood.

It is my intention as the individual designated to handle the time on the Republican side of the aisle to give equal time to opponents and proponents. There was a famous statesman of another day who said:

I do not believe a word you say but I will defend with my life your right to say it.

It is my hope we may avoid unnecessary quorum calls and that the membership will give considered attention to this most important problem of bringing a new State into the Union.

When the debate is finished and the amendments are read, it is my hope that the vote will be affirmative for statehood for Alaska.

EARLY HISTORY

Let us review together a little of the early history of this vast area known as Alaska.

It has been a possession since 1867 when the United States paid Russia $7.2 million for the land. The actual transfer took place in October 1867. The then Secretary of State was roundly scolded and for many years this vast Territory was referred to as Seward's Folly. How wrong the people were to object to the purchase of Alaska for $7.2 million because since that time this vast Territory has returned many hundreds of millions of dollars to the Treasury of the United States.

It should be remember that Alaska was first discovered by a Danish soldier commanding a Russian ship in 1741. While Alaska was not actually purchased until 1867, negotiations were started in 1859 when President Buchanan's administration offered $5 million for this unexplored wilderness. The offer was rejected. Alaska has had territorial rights since 1912.

There are about 586,400 square miles in Alaska. The 1950 census indicated 128,643 people. The population is now close to 200,000. I would predict that when Alaska becomes a State, within 5 years it will double its population and in the next quarter century from two to five million people will be living in Alaska.

In 1896 gold was discovered in Alaska; 100,000 Americans rushed to Alaska. From this time on, the world began to take notice of this vast territory rich in mineral resources.

STATEHOOD BILLS

There has been a long history of attempts to get statehood for Alaska. The first statehood bill was introduced March 30, 1916—42 years ago.

Not much was done until the 80th Congress when hearings were held in Alaska and Washington. A bill was reported, but no action was taken. There was some action in the 81st Congress when hearings were held in Washington. The bill passed the House on March 3, 1950, by a vote of 186 for the bill and 146 against. It died in the Senate. The 82d Congress again took some action. The Senate reported a bill but the bill was finally recommitted.

In the 83d Congress, the House passed a bill for Alaska. The Senate combincd Alaska and Hawaii, and a request for a conference was objected to and thus the bill died.

In the 84th Congress, some 10 days of hearings were held on Alaska and Hawaii. A combined bill was reported but the House recommitted it.

In fact, the history of Alaska's attempts to become a State is quite parallel to the attempts of some of our own States to gain admission to the Union.

In the early days and up to the time that Nebraska was admitted in 1867 it was the custom to admit a known slave State along with a State that was a free State.

The 17 Western States had tremendous problems in being admitted to the Union. The Federal Government retained about 50 percent of the land in the Western States. Much of this was waste and mountainous land, just as it is in Alaska.

PUBLIC LANDS

Alaska is about 98½ percent Federal land. In that respect it is similar to what happened to some of the other States.

There has been some complaint because the bill proposes to give Alaska 183,200,000 acres out of her nearly 365 million acres of land.

I think we should bear in mind that the Federal Government has already reserved 100 million acres of some of the best land in Alaska. This 100 million acres of selected land makes up the national forests, parks, the monuments, oil reserve, fish and wildlife, the military, and other holdings.

When the 35 States were carved out of public domain, most of the land was made available to the States.

In my State of Nebraska, the new State decided to have a homestead law where at first a man could homestead 160 acres, meet certain requirements, and own the land. This was later raised to 640 acres under a tree claim proposition. Nebraska and many States of the West found settlers coming in covered wagons and slow moving ox-cart conveyances—people seeking new homes and new places to live. They carved out their future and their destiny in what was then inhospitable prairies of the West. These pioneers settled all through the West, built their soddies, raised their families. They had no guaranteed price for their crops, no insurance or unemployment compensation benefits. They knew there would be grasshoppers and the elements to fight. They threw their strength against the elements and won. They made the many hundreds of communities over the West. These pioneer men and women had iron in their blood and granite in their soul.

Is there anyone here from the Thirteen Original Colonies who would say

that because the Government made it possible for these pioneers to have a home and work out their destiny that this was a give-away of resources belonging to all the people?

I would like to ask of my friends who oppose Alaska getting about 50 percent of her land whether they would object if people left Virginia, New York, Ohio, Nebraska, California, or any of the States of the Union—left in small groups but with the same pioneering spirit that those pioneers of the seventies and eighties had—to locate in Alaska and there carve out their home. Would that be a give-away of the resources of all the people? It is a strange feeling that some people have relative to how this acreage of land should be given to the new State. If 183 million acres is too much—would they be satisfied with 100 million acres—or 50 million acres—or would they prefer to keep it all as Federal domain and give this State little upon which it might exist? It has been my experience that the State never develops the resources of the land it holds. It takes the individual with initiative, courage, and ability to work, to go out and do the things that cannot easily be done by the State. The West was developed because individuals had the courage to go out an select the land, had the courage to go out and seek new minerals, to work out their destiny and become a part of America.

It seems to me that we ought to look rather upon this as being a give back to the American people some of the assets we have kept in the icebox for far too long a time.

I can recall seeing on one of the public buildings in Sacramento words carved in stone over the public entrance. These were the words, "Bring me men to match my mountains." They were carved there in honor and memory of the many thousands and thousands of men and women who had courage enough to trek across free lands and tackle numerous problems in search of a home. California was all public domain. California was separated from the other States. When gold was discovered, people flocked to that land. It may well soon become the No. 1 State in the Union.

The wise handling of the public officials in the 35 States had helped America to grow from the three or four million population in the 13 original colonies to more than 174 million people.

Most of our frontiers have been conquered. There is room in Alaska for a large number of people. The people going there will have to pioneer—they will have hardship. They will have to tackle unfriendly soil and treat it right in order to get it to produce. They will find Alaska rich in resources that, when developed, will help add to the wealth of a growing, dynamic America.

So, I say to my colleagues who object to giving Alaska about one-half of her land—remember that from the 48 States many people are going to Alaska to help develop these resources.

AMENDMENTS

One of the amendments to the bill which must be voted on by the people of the new State will set aside 43 percent of the land north of the Yukon River as a military reservation. While it will be essentially a part of Alaska it will all be under military jurisdiction. The people themselves must approve of this amendment before the new State can be created.

PLEBISCITE

Another amendment I expect to introduce is "Shall Alaska be immediately admitted into the Union as a State." I am doing this not to delay statehood—it will not delay statehood 1 day. The proposed new State must vote on two other amendments before it can become a State. This will be merely an additional question upon which the people of Alaska will be expected to vote. I believe in doing this they will meet many of the objections now raised by some of my colleagues in the House.

It has been about 16 years since a vote was held upon statehood for Alaska. There are some who will tell you that statehood votes have been held, but they always were tagged with fishtraps, constitutional amendments or some other provision affecting the State. The vote on the plebiscite in 1942 was as follows: 9,600 for, or 58 percent; 6,822 against, or 41 percent.

I understand this amendment has the approval of the Delegate of Alaska and the majority leadership in the committee. It was presented in the committee and while it carried in the subcommittee it lost in the full committee by a tie vote.

While I believe the people of Alaska—when they fully understand what statehood will mean to them—will vote for statehood, I am not one of those who believe that all of the people of Alaska—at least 1 year ago—are in favor of statehood. I say that because in the course of our hearings of the statehood for Alaska about a year ago, I raised the question as to a plebiscite because of the number of letters I received. Then I suggested to the 10 radio stations and 5 newspapers in the larger cities of the Territory that they, without public expense, publish or broadcast this question: "Do you favor immediate statehood for Alaska?"

I was surprised at the great response. In the course of 3 weeks my office received 1,916 airmail letters from Alaska. They came from all over the Territory. Some were written by those who took the time and trouble to write long letters setting forth reasons for their vote. Here are some of the types of quotations from some of these 1,916 airmail letters:

[From the CONGRESSIONAL RECORD of July 1, 1957]

FOR IMMEDIATE STATEHOOD

The people of Alaska have been steadily preparing for statehood for a good many years and I feel that we are fully ready to assume the responsibilities that go with statehood.

I object very strongly to the blocking efforts from outside interests.

Reason alone would indicate that Alaskans desire statehood. What reasoning man wishes for government by edict; taxation without representation; discrimination in shipping, highway construction and use of national resources; and trial by judges who are appointed by his rulers?

I am unequivocably in favor of immediate statehood for Alaska and cannot understand why it has been so long denied us.

We do not have a vote in Congress nor a vote for President. We must depend on Federal courts for justice. There is nothing wrong with Federal courts but we have 1 in Anchorage for a population of 60,000 people and it is 2 years behind in its calendar. I say, let's have statehood.

We Alaskans have contributed much to the welfare of our country. Why should we be denied statehood now?

Alaska has so much to give but is stymied by the restrictions of Territorial government.

I think you will agree that Americans should not be compelled to live under a colonial system, even an American colonialism, if we are going to keep our American way of life and our American ideals.

For the sake of our American heritage and way of life and for the sake of the children and grandchildren of the American citizens who make up the entire Alaska population, Alaska should be granted immediate statehood.

We want the advantages of statehood we used to enjoy when we lived in the great State of Washington. We are disgusted with the way Alaskans are treated by selfish business interests in the States.

I can't understand why any Congressman or Senator can conscientiously oppose giving us the privilege of statehood. As it now stands, we have taxation without representation.

OPPOSING IMMEDIATE STATEHOOD

The few people now living in Alaska would not be able to pay for the tremendous cost of statehood.

Let's leave Alaska a Territory, not make it a haven for a lot of money-hungry politicians.

We are burdened with such high taxation now there is no incentive to stay.

I definitely think Alaska is not ready for statehood, and about 90 percent of the people here are opposed.

The statehood committee is organized and is being run strictly one-sided.

The Congress should not turn over this vast undeveloped land to a bunch of fast operators to exploit for their own benefit.

I am not in favor of statehood for Alaska at this time, but, on the other hand, I am not in favor of the present system of treatment, but I do believe the present to be the lesser of two evils.

I am a frequent traveler in the Alaska interior, and I know the majority of inhabitants are opposed to statehood but do not have the means or the communications to express their views.

On the practical side, most of us know we can't support statehood.

We got a bunch of amateur politicians trying to appeal to our Alaska pride.

We are taxed very heavy now and can't raise enough money to run a Territory. I don't know what we would do with a State.

It would be pleasant if the politicians would forget themselves for a moment and face the facts and think of the people.

We do not complain about being colonials, nor do we feel the Federal Government has stifled our growth. There is nothing new that statehood can do for us that the Federal Government has not done for us in the past.

I favor statehood, but certainly not until the Territory can manage itself in a more businesslike manner and be in position to support itself.

This is the only organization that can speak for 35,000 of us natives. We are opposed to immediate statehood, because you count as permanent residents the transient population of 100,000 persons, and in addition, you don't allow for the other transients (Government workers), who file their appli-

cations for transfer as soon as they get here, and yet because they are citizens, can qualify to vote. We natives constitute almost the entire group that lives off the country. Why hurry? (William L. Paul, Sr., Juneau, grand president emeritus, of the Alaska Native Brotherhood.)

Now I realize that 1916 votes represent but a small segment of Alaska's population. I had felt, however, that since 1394 were negative against immediate statehood for Alaska and only 522 were affirmative, that the people of the Territory should have the right to vote for the question, "Shall Alaska be immediately admitted into the Union as a State?"

When it comes time to vote I hope this amendment will be admitted. It will be a clear-cut explanation of the thinking of the people of Alaska.

WHY STATEHOOD FOR ALASKA?

I shall vote for statehood for Alaska because this country promised statehood to Alaska.

The past three Republican and Democratic conventions have promised immediate statehood for Alaska. Presidents Roosevelt, Truman, and Eisenhower have all in their messages to Congress, recommended statehood for Alaska.

The Gallup poll for the last 10 years shows between 75 and 80 percent of the people think Alaska is entitled to statehood.

There has been a score of public opinion polls conducted in a dozen different States within the past 3 years including California, Texas, Nebraska, Iowa, and New York. The average recommending statehood for Alaska is about 78 percent.

Statehood is recommended by more than 100 civic organizations, women's clubs, veterans' organizations, and people interested in Alaska. I realize that polls may not always be accurate or should be the dominating influence upon a Member's vote.

I must confess I was a little surprised at the poll conducted by the radio stations and newspapers in Alaska. I would be more swayed if I lived in Alaska and the people were voting for me as a Member of Congress. In my own district I sent out at least six questionnaires with the simple question, "Do you favor statehood for Alaska?" The vote is between 73 and 78 percent in the affirmative. I believe this is what the people of the Fourth District of Nebraska want me to do—vote for statehood.

When all the arguments are finished—and there will not be be much new that can be said—I trust my colleagues will give thoughtful consideration to the most important question—statehood for Alaska. I believe you should support it. Alaska is one of the last great existing frontiers that offers great promise for the future.

Alaska in the years ahead will make a great contribution to the Union. It is rich in many resources. The people going to Alaska will find difficulties. There will be hardships similar to those faced by the pioneers of three-quarters of a century ago when they settled the West. I believe that Alaska, with good leadership, can work out her destiny and become an important State of the Union.

Alaska should be admitted as a State of the Union.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. HALEY. I thoroughly agree with the gentleman that he should present his amendment. It is rather a strange thing to me that a committee of the Congress would not, especially in view of the importance of this thing, allow the people of Alaska to vote on this very important matter. I may say to the gentleman, and I think he will agree with me, that in this poll that he was responsible for being taken in Alaska, I think he rendered a very distinguished service, not only to the people of Alaska but to the people of this House who are going to judge this measure. I am sure the gentleman was just as surprised as I was when he found that in the poll he took up there practically 3 to 1 were against immediate statehood for Alaska.

I want to ask the gentleman this question: To your knowledge, is this not the first time that the citizens of Alaska have had an apportunity to vote on immediate statehood?

Mr. MILLER of Nebraska. I believe that is correct. Except in 1942—they did vote on a similar question.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. O'BRIEN of New York. I want to compliment the gentleman from Nebraska on his statement. I think he has answered any questions which may be raised as to the desire of Alaskans to be in the States, by suggesting an amendment under which they would vote. I have no desire, and I am sure the gentleman has no desire, to shove statehood down the throats of anyone. If they do not want statehood there is a very simple answer. But may I say this, that we went to Alaska in 1955. We covered every part of Alaska, the tiny fishing villages and the larger cities.

I might state—and this is the conclusion of a man who has spent a quarter of a century in the newspaper business—that I went there to find out the facts, and I believe that both then and now the people of Alaska favor statehood better than 4 to 1.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from New York.

Mr. PILLION. I wish to compliment the gentleman for his very fine statement and also for the very fair and impartial manner in which he conducted himself throughout the hearings on this particular bill. I would like, however, to point out that the referendum to be held in Alaska under the gentleman's amendment is not the whole answer to the problem of statehood for Alaska; because, after all, the people of Alaska are the people who are receiving the power, yet it is the people of the 48 States who are being deprived of the power. When you take power from one group of persons and give it to another you should seek not the consent of the person to whom the power is given but the consent of the parties from whom the power is taken; and that is, of course, the people of the 48 States.

It would make much more sense and would be much more equitable, if a referendum were taken not only on the part of the recipients, the beneficiaries of this power, but also of those from whom power is taken, those people of the 48 States who would lose 3 or 4 seats in the House, and those people whose representation in the Senate would be reduced by the admission of Senators from Alaska and Hawaii.

So if a referendum were to be taken it would seem to be fair and eminently impartial and a very reasonable thing, I think, that consent be obtained from those who are being deprived and who are losing their power of representation in the House and the Senate, and in the right to choose and elect a President. To do otherwise, it seems to me, would be anything but reasonable.

Mr. MILLER of Nebraska. I may say to the gentleman from New York that that same argument was used when some 10 or 12 of the Western States were being admitted into the Union. Many Members of Congress thought the States should vote on the question.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from North Carolina.

Mr. JONAS. Will the gentleman explain the reasoning behind the provision that would give Alaska the right to vote on whether the 43 million acres should be converted into a military reservation?

Mr. MILLER of Nebraska. I believe the area is larger than that, I believe it is 43 percent of the land. The military establishment in Alaska is quite large, as the gentleman knows; and while it will be a part of Alaska, they must agree to relinquish any hold on the land during the time the military wants the land.

Mr. JONAS. I understand that, but is not that a reason why we should make that determination before statehood is granted? Why should they be allowed to have a referendum on that?

Mr. MILLER of Nebraska. I would remind the gentleman that the military now in case of emergency has the right to take land from any State, and they are doing it in some small areas.

Mr. JONAS. They have that right. But that does not answer my question. Would it not be better to reserve the military land first?

Mr. MILLER of Nebraska. This is inherently a part of Alaska. I think the committee felt that that should be made crystal clear. That was the thought throughout all the considerations, and it is now expressed as part of the bill.

(Mr. WESTLAND asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. WESTLAND. Mr. Chairman, I favor statehood for Alaska. I hope the House will approve statehood legislation this session. Ever since coming to Congress I have consistently voted for statehood both in committee and on the floor

of the House. Others with more eloquence than I command have and will set forth the numerous reasons why statehood should be granted and granted this year.

As the representative of the congressional district closest to Alaska, I have a special interest in welcoming the Territory of Alaska as the 49th State of the Union. I recognize the importance of the relationship between the State of Washington, particularly the Puget Sound area and Alaska. Statehood for Alaska will, I believe, further this relationship and will add to the many benefits which already accrue to these two areas.

But support for Alaskan statehood does not blind me to the problems which arise with statehood. Care should be taken in approving any legislation admitting Alaska to eliminate as many of these problems as is possible by the language of the enabling act. I want to discuss one problem which is of particular interest to me as a representative from the State of Washington, but which is also important to all Americans. I refer to the conservation of natural resources—in this case fish and wildlife. I am firmly convinced that present conditions require that the administration of the fish and wildlife resources of Alaska be retained by the Federal Government until it can be clearly shown that the Alaskan State Legislature has made adequate provision for the administration, management, and conservation of these resources in the broad national interest. At the appropriate time I intend to offer an amendment to accomplish this end.

Alaska fisheries are now under the jurisdiction of the Fish and Wildlife Service in the Department of the Interior. Fish and wildlife is presently engaged in a rehabilitation program for the Alaskan salmon run. This program is made doubly difficult by the incursions of the Japanese high seas fishing fleet. Evidence shows that the Japanese fleet, although it is confined to waters outside the 3-mile limit and by the Japanese Peace Treaty to waters west of the 175th west meridian, has been netting millions of immature salmon spawned in Alaskan streams. Scientific evidence has been submitted by the United States to prove the damage the Japanese are causing to this great resource. Although I understand recent negotiations between the United States and Japan in an effort to find a solution to this problem have broken down, this is a matter which must be settled, whether by negotiation or other means at the disposal of the Federal Government. It would be a foolhardy, I believe, to turn over the fisheries to Alaska so long as this serious international problem remains to be settled.

While rehabilitation of the fishery and the international problem is ample reason for continued Federal control, a further reason is that Alaska has no competent fisheries organization which could cope with this problem. The over 200 fish and wildlife employees in Alaska are under United States civil-service rules and the civil-service-retirement program. There is considerable likelihood that they would prefer to remain with fish and wildlife rather than become a part of the State program.

The 1958 Federal budget for fish and wildlife for Alaska totaled $1,594,000. To carry on a program in the way the Federal Government has done would mean a considerable burden on Alaska. Not only that but the Wildlife Management Federation at its 1957 convention stressed the need for more adequate funds for fish and wildlife management in Alaska. Aside from the problem of personnel and organization, it would be a heavy burden on Alaskan taxpayers to maintain a fisheries and wildlife management program at the present level, to say nothing of expending additional funds.

But what frightens all conservation-minded persons and causes serious doubt as to the advisability of turning over fish and wildlife matters to the Alaska legislature has been the record of the territorial legislature with regard to conservation. I believe it is in the public interest that commercial fishing interests—whether resident or nonresident—not be allowed to gain control of Alaska's fisheries. But last year the territorial legislature passed Senate bill 30, which would do exactly that. Fortunately, with Alaska in a territorial status, the management of fish and wildlife remains under the United States Fish and Wildlife Service and not the new Fish and Game Commission set up by Senate bill 30. But should this statehood bill pass without appropriate language to protect Alaska fish and wildlife, the provisions of Senate bill 30 granting control of Alaska fish and wildlife resources to commercial interests would become a reality.

The Acting Governor, although he declined to veto the bill, since its overwhelming legislative support would have made a veto a useless act, sent a stinging message to the territorial legislature. Let me quote from the Governor's message:

> It is at once apparent that this commission is still heavily weighted in favor of the commercial interests. Other provisions of the bill further emphasize this factor.
>
> The bill provides that the four commercial fisheries, members of the present fisheries board, shall be members of the new commission. No such provision is made with regard to the public member of the present fisheries board, who has represented the recreational interests.
>
> The bill further provides that four members of the commission shall constitute a quorum. It permits the four, by unanimous vote, to carry all motions, regulations, resolutions, and policy decisions.
>
> Most noxious of all, perhaps, is the provision which permits members of the commission itself to define "trapper," "hunter," "sport fisherman," and other terms used in the section relating to the appointment of members.
>
> It would thus be possible for four members of the commission to so define these terms as to circumscribe the power of the Governor to appoint or to severely limit his choice of appointees.

The Governor further stated:

> Aside from this, a governor could, if he were so inclined, fill every position on the commission with commercial fishermen since many commercial fishermen also trap, hunt, and engage in sport fishing.
>
> Every protection is given to the commercial interests in Senate bill 30; the recreational interests are assured of no protection whatever.
>
> And, in addition to its other shortcomings, the bill makes no provision for representation of the general public who do not engage in hunting, trapping, or fishing, but who, nonetheless, have a substantial interest in the conservation of wildlife resources by commercial fishery interest. And, while this is discomforting at the moment to those most interested in the recreational phases of these resources, in the long run it is likely to be harmful in the other direction, for it will almost inevitably provoke reaction that will be detrimental to the interests of the commercial fishermen.
>
> In addition to the shortcomings which I have oulined above and which have to do with the broad matter of policy, Senate bill 30 appears to me to have been carelessly drafted and has had careless handling by the legislature. Consequently, it is full of faults, some of which I point out here.

Dropping down a few paragraphs, he says:

> The commission is authorized by Senate bill 30 to promulgate and issue regulations which shall have the force and effect of law, but guidelines for and limitations on these regulatory powers are almost entirely lacking. For example, the rights and privileges of a large and important part of Alaska's population, our native people, which are safeguarded under existing legislation, have apparently been either overlooked or disregarded in Senate bill 30.

In view of this expressed attitude of the Territorial legislature, I believe that the House should insist on language which would assure continued jurisdiction over Alaska fish and wildlife resources to protect the public interest until the Alaska State Legislature makes adequate provision for the administration, management, and conservation of these resources in the public interest. I might say at this point that this proposal has the support of the Wildlife Management Institute, the American Nature Association, the Izaak Walton League, the National Parks Association, the National Wildlife Federation of Nature Conservancy, and the Wilderness Society.

One other facet of this problem should be brought to the attention of the House. In the past 20 to 25 years the territorial legislature has on 5 different occasions enacted laws discriminating against nonresidents and imposing a higher tax on the right to work and fish in Alaskan fisheries as to nonresidents than as to residents. Such discriminatory legislation, which heretofore has been struck down by the courts, not on constitutional grounds, but on grounds of limitations or inhibitions placed on the Territorial legislature by Congress, would under present indications be enacted by an Alaskan State legislature. The discriminatory tendencies of the Alaska Legislature are well documented by past history up to and including Senate bill 30. To allow the Alaska Legislature to exercise authority over fish and wildlife without adequate provisions for the administration, management and conservation of these resources would not only give rise to the previously mentioned objections, but would also serve to put thousands of fishery workers from the States—many hundreds of whom re-

side in my district—out of work. Action by this House to retain the control of fish and wildlife resources in the Federal Government until the State legislature provides for the administration of fish and wildlife in the national interest would not only prevent usurping of fish and wildlife by commercial interests, but also offer some hope of protection for nonresidents dependent on Alaska fisheries for their livelihood.

As I stated at the beginning of my remarks, I am for Alaska statehood—now. But at the same time, I think it is the duty and obligation of this House to remember that we are considering the admission of a member of a Federal Union—the United States. It is incumbent upon us that in enacting statehood legislation we consider what is good for Alaska and what is good for the United States.

(Mr. WEAVER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. WEAVER. Mr. Chairman, I want to compliment my colleague from Nebraska, Dr. A. L. MILLER, for the splendid argument he has just presented in support of statehood for Alaska. With his many years of service on the House Interior and Insular Affairs Committee, and as its ranking minority member, the distinguished gentleman from Nebraska is well qualified to speak on this matter, and he has ably and effectively presented his views.

Mr. Chairman, if there is any lesson to be learned from the history of our country, I think it is this—that as we have conferred statehood upon the territories, so has our Nation grown in strength and prosperity. The destiny of the United States has thus unfolded, from ocean to ocean, with increased power at every step. It is to the credit of the American political genius that this power has been increased not by the imposition of colonialism, not by subjection and exploitation, but through a system of statehood that has unified our people in bonds of equal citizenship.

This system is an accurate reflection of our way of life and a devotion to liberty and justice. The admission of Alaska to statehood is but another step—and a much delayed one—in the normal and logical growth of our country and in the extension and perpetuation of that liberty and justice.

Let us put aside political prejudices. Let us, instead, appraise the facts objectively and ascertain what benefits will accrue to our Nation when this enormous northern Territory enters the Union.

Mr. Chairman, in the Aleut language Alaska means the Great Land. Never was an area more aptly named. No one, not even the opponents of Alaskan statehood can deny the tremendous wealth of the Territory, both actual and potential.

Its fishing resources are truly fabulous. A fleet of no fewer than 2,000 fishing vessels is based at Ketchikan alone. They supply the raw material for nine canneries in this salmon-canning capital of the world. The total value of Alaska's fishing products has amounted thus far to approximately $2 billion. This fact alone speaks for itself and certainly casts doubt on the assertion that Alaska will become a financial drain upon the Republic. There is every reason to believe that Alaska's fishing industry will rise to even greater heights of prosperous production once the frustrating hand of Federal meddling is removed.

But this is not all. Since we purchased her from Russia in 1867 for a trifling $7.2 million, Alaska has yielded almost a billion dollars in mineral wealth alone. The mineral potential of this land is so vast as to be almost unbelievable. Of the 33 metals and minerals classified as strategic and critical by the Government, 31 are or could be obtained from Alaska. To cite only a few: antimony, asbestos, bauxite, bismuth, cadmium, chromite, cobalt, copper, industrial diamonds, graphite, lead, manganese, mercury, nickel, platinum, talc, tin, and zinc. Indeed, the only known tin deposit in any quantity on the North American continent is in Alaska, near Nome. Considering the recent unfortunate incidents in South America, which is one of our important sources of tin, we would do well not to underestimate this resource available in Alaska. There are even coalfields in the Territory, yielding some 500,000 tons annually. Who can predict the profusion of mineral wealth that will pour from this land when the energies of Alaska's people are spurred by the grant of statehood?

We have known about the possibility of oil in the Territory since 1886 when oil seepages were detected near Barrow. Several years ago the Navy carried out an exploration program north of the Brooks Range. There it discovered great fields of high-quality petroleum and vast amounts of natural gas. No less than five major localities in Alaska are considered potential petroleum producers. On the basis of geological reports, it is confidently predicted that Alaska is due for an industrial revolution that will startle the world. This is not an idle dream. I predict it will occur in our lifetime.

Do we need more, Mr. Chairman, to convince us of Alaska's glowing future? There is more. As a producer of fine furs, the Territory has few equals. Seventeen kinds of commercial furs, including mink, seal, and ermine, flow from Alaska. Since 1867 the fur trade has been worth some $200 million.

Alaska's forest resources are most valuable and demand serious attention. It is estimated that the spruce and hemlock blanketing her southeastern coast contain enough commercial grade timber to produce a million tons of newsprint annually. Consider this in the light of the newsprint difficulties of recent years. With proper logging techniques, this yield could continue indefinitely. And this does not include the more than 300,000 square miles of timber in the interior which, as the area continues its development, will surely become available for commercial use. Alaska's wealth in lumber is estimated at something like $3 billion. It may well become the newsprint capital of the world.

These are facts which we must not ignore. The wealth of the Territory must be and will be unleashed for the greater good of our entire Nation. No one will deny the great difficulties that must be overcome before Alaska's potential can be realized. However, Mr. Chairman, I think it is manifestly clear that we must, for the good of our country, hasten the development of this land and that the greatest encouragement we can offer at the moment is the grant of statehood.

So much for our own advantage. Now, what of the obligation we owe to the people of Alaska, Mr. Chairman? I know that some of the opponents of Alaska's statehood have denied the existence of such an obligation. Nevertheless, I believe that we are bound both by the implied promises of our past actions and by the simple justice due our fellow Americans.

I do not intend to discuss in detail our past relations with Alaska. The subject has been fully explored by other speakers and in numerous writings. We are all familiar with the basic facts. Let me point out, however, the significance of the calendar of events in that history.

Alaska, you will recall, was purcased in 1867. The next year it became an incorporated Territory. In 1883 the Supreme Court, in ex parte Morgan, defined an incorporated Territory as an "inchoate State," that is, an embryonic State. In 1912 Congress passed the Organic Act confirming Alaska's status as an incorporated Territory.

In other words, the Members of Congress, when they passed the act of 1912, must have been aware of the significance of confirming Alaska's status. Twenty-nine Territories had previously been incorporated and afterward blessed with statehood. How can there be any doubt that the passage of the act of 1912, in the light of previous experience, was anything but an implied promise of statehood?

Of course we are not absolutely bound by the action of previous Congresses. That is why we are now debating the subject. But surely we must recognize the implied obligation that rests upon us.

And what of our obligation to the Alaskans as fellow Americans? There are in the Territory some 212,500 people, perhaps a few more. About 90 percent are American citizens. They come from every section of the United States, from every State of the Union.

It has been implied that these people are not worthy of statehood. Who is more worthy? The qualities they possess and have so amply demonstrated are precisely those qualities we profess most to admire: The pioneering spirit, the will and ability to carve a civilization out of a wilderness, to grasp nature and mold it to man's desire. These people are the great adventurers of our day, sturdy, independent, self-reliant, democratic. The average Alaskan has a better-than-average education. He is well read; he is well traveled.

But above all he is an American. He is not an alien. He shares our culture and our customs. And he deserves to enjoy the privileges that accompany statehood.

The wishes of Alaskans in this respect are well known. They want full-fledged citizenship. They expressed their desire for statehood by a 3-to-2 vote in 1946. In 1956 the margin rose to 2½ to 1. In 1957 Alaska's legislature—both houses—voted unanimously for statehood.

Nor are the American people reluctant to accept the Alaskans into the Union. What could be more enthusiastic than the 12-to-1 reaction in favor of Alaskan statehood reported by the Gallup poll this year? Is there a Member of this House who, having polled his district, has failed to find a majority of his constituents favoring statehood?

Mr. Chairman, these Alaskans are our own and deserve to be treated like our own. They do not deserve shabby treatment. Nor do they deserve to be opposed by the shabby argument that, because Communists are allegedly powerful in Hawaii, Alaska is not fit for statehood. We are not debating Hawaii's admission. Let the Hawaiian case stand or fall on its own merits.

Mr. Chairman, we are a proud people—and rightly so. We are proud of our economic, military, and moral strength, of our enlightened form of government. We are proud of our hard-won and hard-kept liberties, of this mighty Nation, this beacon of the world. Perhaps above all, we are proud of our sense of justice.

Is it the course of either justice or consistency for those who so fervently uphold States rights to deny the right of statehood to their fellow Americans? Mr. Chairman, let us clear our consciences by granting it to them, now.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. ASPINALL].

(Mr. ASPINALL asked and was given permission to revise and extend his remarks.)

Mr. ASPINALL. Mr. Chairman, it will come as no surprise to my colleagues when I state that I support wholeheartedly the legislation now before this committee. Years before I became a Member of this great legislative body, I favored the principle of statehood for the Territory of Alaska and for Hawaii as well. My zeal in such cause has not diminished with the years. In fact, it has grown. I sincerely believe that the bill which we presently have before us is a good one and one which will bring about an event which is long overdue.

I feel quite sure that I understand fully the position or positions taken by the opponents of this legislation. I do not question the sincerity of a single one of them—many of them are not only colleagues but my own close personal friends as well.

My position, simply put, is this: The granting of the status of statehood to Alaska—advantages to the residents not only of Alaska but to each and every resident who claims allegiance to this great country of ours—far outweigh any of the disadvantages or costs that may result for the time being to any particular group of us or any specific area of our Nation.

Perhaps there may be involved an ultimate minor question of locality representation in this particular body. Perhaps they may be a shift—to my way of thinking, a very slight shift, if any—in the political control alinement of the bodies of our Federal Congress. These are the age-old possibilities that have been surrounded by the bringing of new States into the Union. How long must unreasoning selfishness be left to block the path of progress—the path of equitable and just treatment to all of the citizens of our land?

Mr. Chairman, these same motives of opposition to equitable treatment for all have been with us since the first patriot cried out for the release of the shackles which enslaved him. It is history repeating itself.

Let us make no mistake in our thinking as we make our decisions on this legislation. All of America watches. All of the world watches. Another step forward in our country's destiny is possible. To deny Statehood for Alaska to the people of that Territory and the people of the Nation generally would be a step backward which we can ill afford to take today.

Mr. Chairman, this is third occasion, since becoming a Member of this House, that I have had the privilege of coming down into this well to address my colleagues on the subject of statehood for Alaska and to urge favorable action by this body on this legislation.

It is my intention to present as conclusively as I am able to do the case for statehood. I shall present it as follows. First, what is the opposition to statehood—what are the arguments advanced by the opponents of this legislation; second, what are the reasons for statehood—is the Territory ready—politically and economically—is it able and qualified to assume the responsibilities of statehood; and third, what will be the outcome for Alaska once statehood has been achieved.

Let us take them one at a time. First of all, let me say that the opposition to statehood stems from those who for economic or political reasons refuse and have refused to accept any changes in the present status quo of Alaska. They wish to keep the Territory in an indefinite state of what has often been referred to as modern colonialism. They wish to keep the Territory in a status where it is unable to protect itself against economic and political discrimination.

Let us analyze, and let us look very carefully at the arguments which are advocated by these well-intentioned but to me misguided citizens. These arguments can generally be classified into three principle groupings: First, geography; second, population; third, political immaturity. Now let us look at these arguments individually and see if there is any substance, any validity to either any or all of these positions.

Geography: The argument is made that the Territory is not contiguous to the mainland. Therefore, it should not be granted statehood. What a spurious argument that is. The Constitution of the United States of America does not stipulate that a qualification for statehood is that a State must contiguous to the borders of one or more of the sister States. Indeed, if such were one of the criterias of statehood, it appears doubtful that California, and later Oregon could have qualified for admission into the Union. In this day and age of electronics, jets, and satellites, and all of the modern paraphernalia, are there still some among us who fail to realize that Alaska is closer for all practical purposes to the National Capital than were Boston or New York at the time the Union was formed. Furthermore, Alaska and the rest of the Union are linked closely together in a way that no States were at the time of their admission. I refer to the instantaneous communication by telephone. That did not exist at the time earlier States were admitted. Today it is possible to reach any city in Alaska from any city in the United States and vice versa and converse as easily as is done by a local telephone call. Let us, therefore, not fall prey to this fallacious and spurious argument. It has never been a requirement in the past and there is no factual reason why it should be so at this time. It is the same one which was made at the time both California and later Oregon sought admission into the Union. It is as weak now as it was then.

The second general line of opposition which I should like to lay to rest once and for all, is that pertaining to population or the presupposed lack of it. The 1950 census listed Alaska with a population of 132,000. The latest estimates available as of June 1, 1957 showed Alaska with a population of 209,000 which is exclusive of the large but rather transient military personnel. Therefore, in 7 years, Alaska has had an increase of 77,000 in its civilian population alone. Allow me to remind you, my colleagues, that Alaska has a larger population at this time than had 25 of the 35 States which were admitted into the Union after the original 13. Let me back this up with a few dates and figures: Alabama had a population of slightly above 127,000 at the time of its admission into the Union in 1819; Arkansas joined the Union in 1836 with a population of 52,240; California, admitted in 1850, had only 92,527 people; my own State of Colorado, at the time of its admission in 1876, had approximately an estimated 150,000; Florida joined in 1845 with about 72,000. Permit me to continue this call of the roll of States: Idaho entered the Union in 1890 with slightly more than 88,500 persons; Illinois joined in 1818 with only 53,211; Indiana came in 1816 with slightly under 100,000 population; Iowa had a population of 102,000 at the time of its admission in 1846; Kansas, in 1861, joined the Union with somewhat less than 150,000; Kentucky in 1790 had approximately 73,600; Louisiana in 1812 had a population of 76,556; Michigan was admitted into the Union in 1837 with fewer than 200,000; Minnesota entered into the sisterhood of States in 1858 with 123,000; Mississippi came in with less than 75,000 in 1817; Missouri in 1821 brought only 66,586 into the Union; Montana admitted in 1889, had a population of almost 143,000; Nebraska came into the Union in

1867 with 28,841 inhabitants; Nevada in 1864 had only 11,000; North Dakota entered in 1889 with 190,000; Ohio had slightly above 45,000 at the time of its admission in 1803; Oregon added 52,465 to our national population when it came into the Union in 1859; Tennessee had a population of approximately 60,000 at the time of its admission in 1796; Vermont in 1791 brought in 85,425 new citizens; and, Wyoming added 62,555 people to the national population at the time of its admission into the Union in 1890.

In practically each and every instance, the various States were subjected to a substantial increase in population within a few years after having achieved statehood. There is no substance to the belief that the Alaska story will be any different. On the contrary, evidence would indicate that once Alaska has obtained statehood, and thus, political and economic independence, with control of her own destiny, she will experience a tremendous increase in her permanent civilian population.

The third general classification of fallacious arguments advanced by the opponents of this legislation, is that of political immaturity—nonreadiness, or whatever synonyms one wishes to give to it. This is probably the most absurd argument of all. The citizens of Alaska are for a large part emigrants from 1 or the other of the 48 States or children of such immigrants. They were embued with the pioneer spirit of old and went to Alaska to overcome obstacle after obstacle in order to settle the land and build a decent life for themselves and their families. They took with them the community law-abiding spirit which they had themselves assisted in establishing, in perpetuating, and which they had practiced in their everyday living in their home communities in the States. Many of these people had been leaders at home, active in civic, county, and State affairs. Is there any reason to believe that they became less responsible citizens once they had established themselves in Alaska? Of course not; to say otherwise is purely wishful argumentative thinking. All the evidence is to the contrary. They have built communities, notwithstanding the difficulties encountered, which are on a par with the services rendered in any similar size community in any of the 48 States.

Allow me to give you further evidence of responsible citizenship on the part of Alaskans by reminding you of some recent history. Under legislation enacted by the Alaska Legislature in the fall of 1955, the citizens of the Territory elected delegates to a constitutional convention for the purpose of drafting a constitution. Mr. Chairman, the finished product of the convention is one of the outstanding documents of our times. Let it be the answer to any statement of nonreadiness or of political immaturity. It is a profound statement of rededication to the democratic way of life. It is my thinking that it will go into our history as one of the outstanding constitutional documents of the 20th century. This historical document is included in the committee report, starting on page 49, and I urge all of my colleagues to read it. I should like to quote here and now the preamble to the constitution of the State of Alaska:

> We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil, and religious liberty within the Union of States, do ordain and establish this constitution for the State of Alaska.

I should like further to read sections I and II of the declaration of rights of the constitution of the State of Alaska: Section I stipulates:

> This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people and to the States.

Is that the end result of a citizenry not quite ready for statehood—not quite politically mature? How absurd these remarks are. Let me read you section II, which proclaims the source of government, as follows:

> All political power is inherent in the people. All government originates with the people, is founded upon their will only, and is instituted solely for the good of the people as a whole.

Mr. Chairman, is such a declaration of rights the achievements of citizens not yet ready to assume the full responsibilities and duties of statehood? Mr. Chairman, let this document, this historical document, if you please, answer once and for all the fallacious charges of the opponents of this legislation. This constitution shall ever be a monument not only to the delegates to this convention, but to all citizens of Alaska now and in the future. Such a document is the result of the untiring efforts of dedicated and responsible citizens fully capable of administering their own internal affairs. The constitution as drafted by the convention was subsequently approved by the voters of the Territory by a vote of 17,477 to 7,180—slightly better than a 2-to-1 vote.

In its desire for early statehood, the convention also adopted the Tennessee plan, that is to say, an ordinance which provides for the immediate election of two Senators and a Congressman from the State of Alaska. The so-called Tennessee plan was adopted by the electorate of Alaska by a vote of 15,011 to 9,556. I want to call your attention to the fact that Alaskans' adoption of the Tennessee plan was based not on 1 but on 7 historic precedents. Not only did Tennessee adopt it, successfully, in 1796, but similar procedure was adopted, in advance of action by the Congress, by 6 other great States representing not only, as in the case of Tennessee, the South, but the Middle West, the Prairie States, and the Far West. Those 6 States which, in addition to Tennessee, established that fine precedent which Alaskans were wise enough to follow, were—and I give them in chronological order—Michigan, Iowa, California, Minnesota, Oregon, and Kansas. The Representatives of those seven great States should be flattered and proud that their States set so fine an example and that the ingenuity, enterprise, and pioneering spirit of Alaskans revived that procedure a century later and put it to use. Accordingly, in 1956, candidates for such offices were nominated by the respective political parties and were elected in the general election. They have been knocking on the door of Congress seeking admission since January of 1957. Is this the action of politically immature people? Or is it not rather the accomplishment of qualified, dedicated, and capable citizens eager and desirous of administering their own destiny. I am of the belief that the steps taken by her citizens in the recent past answer adequately the question, "Is the Territory ready, able, and qualified to assume the responsibilities of statehood?" The answer is "Yes."

I hope that in this first part of my address, I have not only replied to the arguments of the opponents of statehood, but far more important indeed, that I have also adequately shown that the citizens of Alaska have earned and deserve the right to manage and administer their own internal affairs.

In this second portion of my presentation of the case for statehood, I should like to point out the problems and the discrimination to which the Territory has been subjected and why statehood is the answer to resolve such difficulties. In signing the treaty of cession with Czarist Russia some 90 years ago our Government made a specific pledge to the citizens of Alaska "the inhibitants shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States." Mr. Chairman, this pledge was made by the Government of the United States of America on March 30, 1867, 91 years ago. Mr. Chairman, has our country, has our Government lived up to this pledge? Let me answer it with an emphatic "No." Allow me to quote here from the excellent presentation made before our committee by a former Governor of Alaska, and now Senator-elect from the Territory the Honorable Ernest Gruening. Governor Gruening quite adequately and correctly analyzed the approach and attitude of the Federal Government in its relationship toward the Territory when he stated before our committee:

> Now, those 90 years under the American flag have represented in the relation of the Federal Government to Alaska a period of neglect and indifference, and worse, even discrimination, without precedent or parallel in this history of our country.

Is that a record to be proud of, Mr. Chairman? We hear frequent reference in this Chamber to the shameful and degrading treatment which certain foreign countries have at one time or another adopted and practiced in their relationship with their overseas territorial possessions. Such conduct, such indifference, such discrimination, such abuse is loudly deplored. Yet, in many respects we, ourselves, have had an equally distasteful and shameful record in our treatment and attitude toward the Territory of Alaska. I wish to suggest to my colleagues that they read, and read with

care, Governor Gruening's excellent testimony in the hearings held before our committee on this legislation.

Briefly, permit me to point out some of the more flagrant abuses to which the Territory of Alaska has been subjected. Alaska was purchased from Russia in 1867. Yet it was not until 1884—17 years later, mind you—that enlightened recognition was given to Alaska, and the Organic Act of 1884 was enacted by Congress. It was not until 1906 that the Territory was authorized to have a delegate—nonvoting—in Congress. It was not until 1912 that Congress gave the Territory some semblance of self-Government in enacting a new Organic Act. It was an improvement over the unworkable act of 1884, but as Governor Gruening so aptly described it in our hearings:

It is notable chiefly for the things it forbade and forbids Alaskans to do.

Mr. Chairman, the first legislature of the Territory of Alaska in 1913 and succeeding legislatures of the Territory have petitioned the Congress, and the executive branch, to grant it control over its resources, notably the transfer of its fisheries to territorial jurisdiction. This has not been achieved. Control and management of its wildlife. This has not been achieved. Mr. Chairman, I could cite additional instances of similar disregard for the wishes of the Territory.

In my remaining moments, I should like to bring to the attention of my colleagues probably the most flagrant of the discriminations which have been practiced against the Territory and its citizens by the Federal Government. I have reference to the field of transportation. In 1920 Congress enacted the Merchant Marine Act, better-known as the Jones Act. The purpose of the Jones Act was to assist the shipbuilding and allied industries. However, it discriminated against the Territory by prohibiting the shipment to Alaska of any goods or products aboard foreign ships, specifically Canadian vessels, and authorized only United States bottoms to take on shipment destined for Alaska. This was, naturally, a boom to Seattle and its citizens, but it tripled the cost to the citizens of Alaska. The enactment of the Jones Act resulted in the complete elimination of competition. Consequently, terminal charges, loading and unloading charges, freight charges, and so forth, were increased beyond all logical reasoning. It caused hardship and discrimination in a thousand and one ways against the residents of the Territory in the shipment of material for the economic development of Alaska; in the shipment of merchandise, food products, and other commodities necessary and essential to the existence, progress, and development of the people of the territory. Briefly and in a nutshell, the residents of Alaska—United States citizens all—were being penalized for living in Alaska.

Another type of discrimination to which the Territory has been subjected to until fairly recently was under the provisions of the Federal-Aid Highways Act. Until the 84th Congress took corrective steps, and included Alaska within the provisions of the bill, the Territory had again and again been denied the privileges and benefits accorded to the States of the Union by the Federal Government. Yes, and I regret very much to say this, but such discrimination has been extended into the air age as well. One of the foreign airlines flying from Copenhagen to Tokyo stops at Anchorage. Alaskans, however, are forbidden to embark or debark.

An additional discrimination which has been practiced against the Territory is that relative to the land situation. Under the Organic Act, Alaskans are prohibited from enacting any land laws. All determinations in such respects are made by the Federal Government and its authorized agencies. I have the firm conviction that the various discriminations just mentioned will be corrected by the granting of statehood to the Territory.

Mr. Chairman, I have presented my reply to the arguments of the opponents of statehood's charges. I have presented the reasons and factors why Alaskans have earned their entitlement to the status of Statehood. In these closing moments, I should like to advise why I hold the belief that statehood will be beneficial not only to Alaska and its residents but to our Nation as a whole. I sincerely believe that once statehood has been achieved these will be a tremendous upswing in the population of the area—a population increase of a permanent nature. With the status of colonialism—be it intentional or resultant—abolished, there will be an increase in capital investment which will permit and accelerate the growth of the economic development of Alaska. The area is blessed with tremendous potential in natural resources, timber, minerals, oil, and so forth. The development of Alaska's natural resources will get additional impetus from statehood. Of that, I am convinced. As Alaska's population increases, and industry expands there will be an ever-greater need for electric power. As Alaska becomes additionally self-sufficient in food production, there will be, consequently, an expansion in related development. Alaska's water and power resources are enormous. Among its natural resources are found: Gold, lead, tin, antimony, mercury, copper, platinum, silver, coal, iron, oil shales, petroleum. I believe it significant to note in passing that Alaska provides us with almost 95 percent of our total domestic tin production—certainly, an important mineral in these critical days.

The benefits to be acquired by granting statehood to Alaska will naturally flow primarily to Alaska and its citizens. However, such benefits must necessarily result in like benefits to every nook and cranny of the Union.

Of greater immediate value, Mr. Chairman, and of far greater significance to mankind is the fact that the entire world will witness our action here in approving this legislation. It will clearly demonstrate to all that the United States of America believes in self-determination and in self-government. To disapprove this legislation at this time is my way of thinking a dangerous course. Mr. Chairman, in closing I should like to repeat the statement which I made in 1955 during the consideration of similar legislation: "Granting self-government and encouraging self-government is consistent with our history and our traditions." I urge the membership of this House not only to support favorably the passage of the Alaska statehood bill, but to do so by an overwhelming vote.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, next year the State of Oregon, whose Second District I have the honor to represent, will celebrate the 100th anniversary of its statehood. The citizens of my State look back with pride over that 100 years, for we feel that we have had an opportunity to fully share in the obligations and privileges which attend the citizens of any of the States.

Acquired by treaty in 1867 and incorporated as a Territory the next year. Alaska has remained virtually a colonial possession for 90 years. Its citizens have enjoyed all the obligations of statehood but have consistently been denied the enjoyment of its privileges for the last 90 years.

Mr. Chairman, there are a number of similarities that easily come to mind when we compare Oregon's fight for statehood with the admirable effort being made by Alaska today. Certainly the attitude of many toward the admission of the State of Oregon into the Union was closely analogous to the attitude expressed by many of my colleagues today with regard to the admission of Alaska. As we read the debates that preceded the admission of Oregon, we find again and again the same arguments advanced against the admission of my State which are now being advanced against the admission of Alaska.

Senator James Murray Mason, of Virginia, protested against admitting Oregon because of the smallness of her population, contending that—

It is unfair, unequal, and unjust; it is destroying the equilibrium of our institution.

With regard to this issue, Senator James Stephens Green, of Missouri, responded as follows:

Is Oregon to come in as a sister in this Republic? She fancies herself capable of sustaining a State government. We see * * * that she has at this time about 80,000 inhabitants. We see a train of circumstances directing population to that Territory. We have a reasonable ground of expectation that even before next December there will be more than 100,000 people there. Why then should Oregon be kept out of the Union?

Senator William H. Seward, of New York, whose great vision less than a decade later would bring about the acquisition of Alaska, joined in supporting the admission of Oregon.

I do not think—

He said—

the matter of numbers is of importance here. It is not a good thing to retain provinces or colonies in dependence on the central Government and in an inferior condi-

tion a day or an hour beyond the time when they are capable of self-government. The longer the process of pupilage, the greater is the effect which Federal patronage and Federal influence has upon the people of such a community. * * * The sooner the people are left to manage their own affairs and are admitted to participation in the responsibilities of this Government, the stronger and the more vigorous the States which those people form will be.

Can there be any doubt that Senator Seward's arguments are just as pertinent and just as applicable to the admission of Alaska?

Mr. Chairman, there is little need to dwell on the equities inherent in this matter for these are manifestly evident. We long ago pledged to Alaska and to those who remained there after the treaty of cession the rights and duties which attend statehood. In the treaty of cession we said:

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years, but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States and shall be maintained and protected in the free enjoyment of their liberty, property, and religion.

Let me repeat the pertinent words of that provision:

The inhabitants shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States.

Is there any possible way in which this promise can be fulfilled other than to grant Alaska its long desired statehood?

With commendable patience Alaskans and their representatives have waited for the fulfillment of this promise. They have drawn up an admirable constitution and have elected provisional representatives. With frankness and candor they have explained their position and defeated their verbal adversaries. They have indicated their willingness to accept any reasonable condition or amendment. Yet they have consistently been denied what reason dictates as a just reward for their effort.

For 90 years this frustration has continued. But even a 90-year marathon of indecision and delay must have a termination. I am hopeful that it will come as a result of positive action taken by the 85th Congress.

I congratulate the leaders of the statehood fight and assure them of my continued support on behalf of Alaska.

(Mr. ULLMAN asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield one minute to the gentleman from Pennsylvania [Mr. HOLLAND].

Mr. HOLLAND. Mr. Chairman, there are many excellent arguments for the admission of Alaska to Statehood, and they have been ably presented by our colleagues who have devoted much of their time to hearings and study of the subject. Very few subjects that have come before us have had so much study and consideration by committees over a period of years as has the question of Alaska Statehood.

Moreover, it is not and never has been a partisan matter. Statehood for Alaska has been recommended by the Committee on Interior and Insular Affairs when the Republican Party was in the majority here, as well as when we Democrats were in the majority. As a matter of fact, the gentleman from my own State of Pennsylvania, Mr. SAYLOR, a Republican, very ably conducted hearings on Alaska statehood several years ago as chairman of the subcommittee on the subject.

Many of us from Pennsylvania voted to take up this measure and will, I am sure, vote for its passage. I shall do so with pleasure. I see no merit whatever in the contention that the admission of a new state with presently a small population could harm the interests of my State or any other. On the contrary, the opening up of Alaska for economic development would redound to the benefit of the entire Nation. It is unrealistic today to think of any State as an economic unit. Pennsylvania trades with the whole Nation, and that which brings prosperity to any part of the Nation benefits the rest.

Of course, if I thought Alaska would never have any more population than it has now, I would not vote for its admission as a State. But all the evidence shows that it has greater prospects for growth than any territory over which the American flag has flown. It has enormous resources, and we may be sure that they will be developed when Alaska has statehood and is free of the hampering restrictions which unfortunately exist under our territorial system. I firmly believe that Alaska can support many millions of people and will do so if we make its development possible. Because of the restrictions to which I have referred, the only way we can do so is to admit it to statehood.

But while physical resources are important, we should be concerned also with the people involved. Are the people of Alaska worthy of statehood? Will they send to Congress the kind of men who will be a credit to their state and to the Nation? We have compelling evidence for the answer of "yes" to both questions.

All of us know the able Delegate from Alaska [Mr. BARTLETT], who has served his constituents with distinction while serving in this body for many years. Many of us have met the other Representatives of Alaska while they have carried on their efforts in behalf of this legislation. I have had the pleasure of meeting a number of other Alaskans, who are in business and in the labor movement. I believe anyone would agree that these people are Americans of the finest sort. They love their country as we do, and they have grown up thoroughly in its traditions. Indeed most of the people of Alaska migrated there from one of the 48 States or are descendants of those who did so. They are pioneers in the true American tradition, like those who went from my State and others to settle the West in the old days.

Mr. Chairman, in voting to admit Alaska to statehood, we shall be carrying on the spirit of expansion which made this country great. We shall be making history in the finest sense of the word, and we shall long be proud of what we have done. I shall consider it an honor to be able to vote for the passage of this legislation.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. DAVIS].

(Mr. DAVIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Georgia. Mr. Chairman, I was very interested to hear the address just made by the distinguished gentleman from Nebraska [Mr. MILLER]. I respectfully disagree with one of the statements which he made, however, and that is that Alaska has been promised statehood. He mentioned that three Presidents had promised statehood to Alaska and that it has been in the platforms of both major parties.

Mr. Chairman, I think that matter was dealt with very realistically on Thursday by the gentleman from Texas [Mr. ROGERS]. He went back to the time of the purchase of Alaska and read from the treaty which was entered into at that time. There was no specific promise of statehood made at that time. Certainly no one would contend that three Presidents or any number of Presidents could bind this country on the question of the admission of Alaska to statehood. No one can do that except under the present provisions in the Constitution which provide that statehood must be voted by a majority of the House and of the Senate.

I was interested in the remarks just made by the gentleman from New York [Mr. PILLION], when the gentleman from Nebraska yielded to him. He pointed out that even when a referendum is taken, the question should be submitted to the person or body or group from whom the power is being taken and not to those to whom it is given. Now, I introduced in the last Congress a bill to provide that the Constitution should be amended to change the method of admitting States into the Union. I think that we should have a provision which gives the States or the people of the States a voice on the question of whether any new State will be admitted into the Union. As I say, I introduced a bill to the effect in the last Congress.

Now, under the present law it is possible for a statehood bill, such as the bills to provide statehood for Hawaii and Alaska, both of which are pending, to come up for action and be enacted into law through a simple majority vote of those present and voting. Now, as we all know, the membership of the House is 435, and a quorum is 218. The membership of the Senate is 96 and a quorum is 49. A majority of a quorum can pass a bill, and while it is not probable that it might ever happen, it is possible for a new State under existing law to be created by a vote of 110 in the House and 25 in the Senate, which is just slightly more than one-fourth of the membership of the two bodies.

The question of admitting new States into the Union now involves some questions which were not involved in the admission of new States in the past.

Up to the present time, each proposed new State has not only been on the continent of North America, but it has been adjacent to the United States and there was almost the certain prospect that they would become a component part of the land area of the United States, which up to this time has been an entire, unbroken land area.

It is extremely improbable that we will have the opportunity to admit any new State which would fill this description. It would have to come from Canada on the north or Mexico in the southwest. So far as Alaska and Hawaiii are concerned, Canada lies between our country and Alaska, and the Pacific Ocean between our country and the Hawaiian Islands.

The admission of a new State is a matter of the greatest concern to every citizen of the United States. The admission of a State is an irrevocable act. No State has ever been put out of the Union, and no provision has been made for such action. A State cannot voluntarily separate itself from the Union. The Confederate States undertook to secede during the War Between the States, but were defeated, which established the fact that a State cannot secede. So, once in the Union, always in.

When the present method of admitting new States was adopted, I think it can be said with certainty that the framers of the Constitution did not contemplate the admission to statehood of far distant land areas not contiguous to the main body, or island areas far removed from our continent.

The admission of a new State lessens the voting power of existing States both in the House and in the Senate. In the present Senate the majority party is the majority by only one vote. The Democrats have 49 Senators and the Republicans have 47. A change of one Member from Democrat to Republican would change control of the Senate.

Where the division is so close, the admission of 1 new State or 2 new States might well determine the question as to which political party would be the majority party. On legislative questions where there is a close division, and this is frequently the case, the vote of the Senators or Representatives of a new State might well determine the question whether a bill would be passed or defeated.

Thus the question as to whether a new State should be admitted is of great importance to each of the States now composing our Union, and to the citizens of those States. The granting or refusal of statehood to one or more prospective new States might well chart the future course of our country and our Government. It might well change the course of our Government and set it off in a new direction.

The admission of a new State into our Union amounts to taking that State into partnership with the existing States. It is much the same as taking a new partner into an existing partnership, and always the admission of a new partner is a question to be passed upon by the members of the partnership.

I say that before we take up the question of admitting any more new States, we ought to change our law, amend our Constitution so that the existing States can have a voice in it, and not leave it up to a simple majority vote of the Members of the House and the Senate here. Why, even to override a veto of the President it requires a two-thirds vote of both Houses and certainly that is not as important a matter as taking in a new State. It requires the same majority to amend the Constitution and this question of Alaskan statehood certainly is as important as many of the amendments to the Constitution which have been adopted. Many learned, distinguished, and studious Members have spoken on the facts involved in this bill. Almost anything that could be said now would be repetitious, of course.

But look at the population of Alaska as compared with the population in the existing States of this Union. The four smallest States of this country, insofar as population is concerned, have larger populations today than Alaska has, and so does every State for that matter. My own home county, DeKalb County, in the State of Georgia, has more people in it than the entire Territory of Alaska. We have there some 225,000 people now. My home district has more than 4 times the number of people in the Territory of Alaska, and my home State of Georgia has nearly 20 times as many people living in it as there are in the entire Territory of Alaska.

The distinguished gentleman from Nebraska has been very frank and open in discussing all the matters he took up in his talk. I was surprised to know that the polls to which he referred, in connection with which he gave use the figures as to airmail letters which he received, showed that there were more than 1,300 votes against immediate statehood for Alaska as compared with 500-plus for immediate admission as a State. That certainly indicates that there is no overwhelming sentiment for admission and in addition shows that the overwhelming sentiment is the other way. In 1946 they had a vote, to which he also referred, and at that time 9,360 voted for statehood and 6,822 voted against it. Since that time, if the poll to which the gentleman from Nebraska referred indicates what the sentiment of the people is, and I would say it does indicate what the sentiment is, in the Territory of Alaska the sentiment has grown to an overwhelming extent against the admission of Alaska as a State at this time.

There are many reasons, and I regret that I shall not have time to go into the reasons, which impel me to vote against statehood for Alaska. I think if this bill should pass it would simply be getting the camel's nose under the tent. It will be immediately followed by the admission of Hawaii, it will be followed then by the admission of Puerto Rico, and possibly the Virgin Islands. No one knows where it will stop. The vote of the Senators presently constituting the Senate would be diluted to that extent. The votes in the House would likewise be diluted, and a number of States would lose the membership in the House which they now have.

By reason of the climate of Alaska and its distant location, I have very serious doubts as to whether or not it will ever be populated by American people. They now have to pay premium prices to get people to go there to work. Many of those who go to Alaska go there for some special purpose, and return to their homes when that purpose has been accomplished.

(Mr. DAVIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Nebraska. Mr. Chairman, I yield such time as she may desire to the gentlewoman from New Jersey [Mrs. DWYER].

(Mrs. DWYER asked and was given permission to revise and extend her remarks.)

Mrs. DWYER. Mr. Chairman, 91 years ago, in the treaty of cession between the United States and Russia, between the administration of President Andrew Johnson and Tsar Alexander II of Russia, a solemn pledge was made concerning the future status of the citizenry of what had been called Russian-America and thenceforth was to be called Alaska.

Article III of the treaty declared:

> The inhabitants * * * shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States.

Ninety-one years have passed since that promise was made. It awaits fulfillment. Our opportunity to fulfill it, to live up to that nearly century-old commitment is here and now.

Why have we not done it before? The Alaskans have sought its fulfillment repeatedly. The first Alaskan statehood bill was introduced in 1916 by its then Delegate, the Honorable James Wickersham.

Statehood bills have been introduced in every Congress for the last 15 years. They have invariably had favorable committee reports after extensive hearings.

In 1946 the people of Alaska voted that they wanted statehood. They declared themselves, at a referendum in their general election, in October of that year. The referendum had been provided by the previous Territorial legislature in 1945. The people of Alaska voted for statehood in a ratio of about 3 to 2.

Since that time we have had the additional commitments of both major parties. In the 1952 platforms, both the Republican and Democratic Parties said: "We favor statehood." The Democratic Party's plank said "We favor immediate statehood." The Republican Party's plank said "We favor statehood for Alaska under an equitable enabling act."

This language was in no sense a hedge or a weakening qualification. On the contrary. There had been considerable criticism in Alaska and elsewhere that previous versions of Alaska statehood bills had retained too much Federal control of the proposed State. Objection had been raised to the retention of too much land by the Federal Government. That has been one of Alaska's long-standing and justified grievances, that

acquisition of land by private ownership has—as a result of Federal law and Federal regulations—been beset by almost insuperable difficulties. At present 99 percent of Alaska is in Federal ownership. So the words "under an equitable enabling act," added to the 1952 Republican plank favoring statehood, were designed to improve and strengthen future drafts of Alaskan statehood bills. That was accomplished. Beginning in 1953, Alaska statehood bills were equitable. They have made—and the bill before us makes—a substantial portion of the public domain available to the State of Alaska, although the Federal Government still retains a greater portion.

Nevertheless, action looking toward making statehood a reality, though several times attempted, failed in the years between 1953 and now.

It failed largely because of the ill-advised move to tie the Alaska and Hawaii bills into one package. Whatever may be one's views on the desirability of statehood for either Alaska or Hawaii—and there are obviously differences of opinion on each—it seems clear to me that the case of each should stand or fall on its own merit. The issue of one should not be confused or complicated by tying it up with the other. Each should have its day in court—or, perhaps, I should say its day in Congress. But we are today dealing with Alaska, and I propose to devote my remarks to Alaska, to the issue of statehood for that great Northwest Territory.

In the 1956 platforms the two major parties again went on record. This time both parties' planks expressed themselves as favoring immediate statehood. Please note the adjective "immediate." It cannot mean less than action in the 85th Congress—the Congress immediately following. The time for that action is here and now.

The 1956 Republican platform plank, asking for immediate statehood, contained the additional clause, recognizing the fact that adequate provision for defense requirements must be made. Aware of the immense importance of Alaska to the national defense, President Eisenhower wanted to make certain that statehood would in no way—under possibly changed conditions—limit the Defense Department's utilization of Alaska. So he proposed that the northern and western part of Alaska, a sparsely inhabited area of about 175,000 square miles—a little less than half of Alaska's total extent—be designated in the Alaska Statehood bill as an area which—if and when military necessity required it—could be withdrawn wholly or in part for defense purposes. It does not seem likely that much of this area will be utilized, since the Defense Department has already acquired whatever acreage it feels is needed. But in any event, the provision is in the Alaska Statehood bill before us. It has been readily accepted by the people of Alaska, who were keenly alive to the vital strategic importance of Alaska long before it was fully appreciated by the Federal Government, and who are proud of Alaska's service as a bulwark of defense for the North American continent. The proposal has been thoroughly discussed with Department of Defense officials in congressional committee hearings, and has their full approval. So that the stipulation in the additional clause in the 1956 Republican platform plank favoring Alaskan statehood, which calls for adequate provision for defense requirements, has been fully met.

That leaves us with the clear duty of fulfilling both the specific pledge in the treaty with Russia of 91 years ago, and the specific current platform commitments of both major parties. What justification can there be for not carrying out these pledges, past and present?

Let me devote a moment to the oldest of these pledges. Let me point out that a treaty, once ratified and in effect, is the highest law of the land. In this case, the treaty with Russia has the additional weight of having been approved not merely by the United States Senate—according to constitutional procedure, in 1867—but also by the House of Representatives in the following year, 1868, when the House appropriated the $7,200,000 required in payment for our great new acquisition.

In addition to this 91-year-old unfulfilled Alaska Treaty pledge, are more recent treaties, to which the United States is committed.

The United Nations Charter, in article 73—which deals with nonself-governing territories, and that includes Alaska, which must make annual reports to the United Nations—pledges the signatories, and I quote "to develop self-government, to take due account of the political aspirations of the peoples."

Well, that treaty was signed by the United States 13 years ago. We have not yet granted self-government to the people of Alaska. We have not yet taken due account of the political aspirations of the people of Alaska, which we know to be statehood. The pledge in the United Nations Charter of 1945 is as yet unfulfilled in regard to Alaska.

There is an even more recent treaty commitment, similar in character and purpose. In the Pacific charter signed in 1954, the United States, along with other signatories, pledged itself to uphold the principle of equal rights and self-determination of peoples. Well, obviously, equal rights and self-determination in the case of Alaska mean statehood.

Let us recall that the United States was not merely a signator of the Pacific charter. The United States was the leader in proposing it and securing the assent of the other signatory nations. Now, the Pacific Charter goes even further than is indicated in the pledge that I have quoted from it, namely, "to uphold the principle of equal rights and self-determination." It pledges that the signatories will do more than merely uphold the principle, and are—and I quote—"prepared to continue taking active measures to insure conditions favorable to orderly achievement of the foregoing purposes"—that is to say, equal rights and self-determination. We have not yet carried out that pledge in the case of Alaska statehood.

Now, there is a special, contemporary significance attaching to that treaty with Russia. For we are deeply engaged in a conflict with the present rulers of Russia. It is a conflict of ideas and ideals. It is an all-out effort to win over the neutral, the uncommitted peoples of the world, and to retain and maintain the confidence of the free nations in our leadership. We have valid cause to believe, and to act on the assumption, that the word of the present inmates of the Kremlin is not to be trusted. How often have we had reason to point out the lack of Russian good faith since the establishment of the Soviets and that their commitments have not been carried out. The lack of trust in Russian promises is basic to our present policy of caution in dealing with the masters of that police state. It underlies our approach to the neutrals, indeed, to all nations, to whom we would make clear the total difference between the intent and purpose of the free world for which we strive and for which we seek to speak, and the intent and purpose of the totalitarian imperialists, who, whatever may be their beguiling promises and persuasive propaganda, cannot be depended upon to carry out their agreements.

Can we, therefore, afford—in justice to ourselves and to the righteous cause we espouse throughout the world—to breach any longer our solemn commitment to the Russian Government 91 years ago? True, that government, that regime and its successors passed from the stage of history a third of a century ago as a result of the Bolshevik revolution. But it is to the Americans who have gone to Alaska during the 91 years that Alaska has been under our flag, that validation of that pledge is due. It is with them, who went westward as Americans have throughout our history, the pioneers who conquered the wilderness of the last frontier—and live there today—that we must keep faith.

Because of the limitations of time, I cannot go into the many other positive reasons why statehood for Alaska is desirable and necessary—reasons economic, social, political, military; reasons material and spiritual; nor to refute some of the threadbare arguments advanced in opposition by the opponents of statehood. I will leave that to those of my colleagues who know that our Nation has grown to greatness from a thin fringe of States along the Atlantic seaboard, of which my State of New Jersey was one, because it admitted new States, extended the blessings of equality and democracy to them, and carried the American idea ever forward, onward, and westward.

I am concerned—and therefore confine my remarks to just one aspect of this issue—that the greatness of our beloved country be not impaired by our not living up to our professions.

I am concerned that our national conscience shall be clear.

I am concerned that our Nation's repute in the eyes of our own people—who overwhelmingly favor statehood, and whom we are here to represent—shall not suffer.

I am concerned lest the faith of all mankind in us be diminished by continued avoidance of commitments solemnly entered upon; by failure to keep our pledges; by being untrue to all that is the most basic in the past performance and promise of American life.

That is why I have specifically called attention to those explicit and indelible pledges in treaties, old and recent, in the platforms of both political parties, and, no less important—in the promise ever implicit in our great American heritage.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, I ask unanimous consent to proceed out of order, to revise and extend my remarks, and that my remarks appear in the RECORD at the close of debate today.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 60 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. HALEY. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN (Mr. ALBERT). The Chair will count. [After counting.] Seventy-six Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 74]

Andrews	Garmatz	Patterson
Ashley	Gary	Philbin
Auchincloss	Glenn	Poage
Barden	Granahan	Powell
Barrett	Grant	Prouty
Bass, N. H.	Gray	Radwan
Bass, Tenn.	Gregory	Reece, Tenn.
Becker	Gross	Riley
Bentley	Gubser	Robeson, Va.
Blatnik	Hemphill	Robison, N. Y.
Boggs	Henderson	Rogers, Mass.
Brooks, La.	Hillings	Sadlak
Buckley	Holifield	Saund
Byrd	Jackson	Scott, N. C.
Byrnes, Wis.	James	Scott, Pa.
Carnahan	Jenkins	Seely-Brown
Chelf	Jennings	Selden
Christopher	Judd	Shelley
Clark	Kearney	Sheppard
Colmer	Kilburn	Shuford
Cooley	Knutson	Siler
Corbett	LeCompte	Spence
Coudert	Lennon	Staggers
Curtis, Mo.	Lesinski	Steed
Dawson, Ill.	McCarthy	Taylor
Dies	McIntosh	Teague, Tex.
Dooley	Mahon	Teller
Dowdy	Marshall	Trimble
Doyle	May	Udall
Eberharter	Merrow	Van Zandt
Engle	Miller, Calif.	Watts
Evins	Morano	Wharton
Farbstein	Morris	Widnall
Fino	Norrell	Wier
Fogarty	O'Hara, Minn.	Williams, Miss.
Forand	Osmers	Winstead
Fulton	Passman	Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7999, and finding itself without a quorum, he had directed the roll to be called, when 310 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Virginia [Mr. SMITH] has been recognized for 60 minutes.

Mr. SMITH of Virginia. Mr. Chairman, statehood. It is a fine-sounding word. A great many of my constituents and I expect a great many of yours have been puzzled to know why I could oppose such an idealistic idea as statehood for anybody. It is a little difficult to explain because you do not have time to make an hour's speech to each one of your constituents. They do not know what is in this bill and what is not in it. That is what I want to talk to the House about today.

Statehood. Yes, statehood. It is wonderful. But when you get down to writing a statehood bill then you want to examine this thing and look at it and see what is in it.

There are so many compelling reasons why statehood should not be granted to the frozen areas of Alaska that it is difficult for me to know where to start. I want to say to the Committee that I will try to be as brief as I can. It is a big subject, and I will try not to consume over 30 of my 60 minutes.

I think I will start with the letter I sent to the membership some weeks ago on this subject. I do that because the gentleman from Pennsylvania [Mr. SAYLOR] in his remarks the other day took off on me about that letter. He said it was a "red herring." I did not appreciate that very much. He said:

> That letter makes two points which are, in my opinion, meant to smear the cause of statehood with a giveaway label. This is a red herring out of the creel of an avowed opponent of statehood, and I believe should be recognized as a red herring and treated as such.

I did not hear the statement but I heard about it, so I came back in here later in the afternoon and asked the gentleman to yield. He yielded and I asked him if he questioned the accuracy of the letter. He said that he questioned the accuracy of the giveaway part of my letter. Then I asked him to yield further and he would not yield any more.

This "red herring" business, I do not know what it means. I do seem to recall that a very prominent statesman here a few years ago used that expression. When the facts were known and the chips were down, the gentleman was very much embarrassed by the use of that expression. I think, perhaps, it will be true of the gentleman from Pennsylvania. The only definition I know of "red herring" is that when a fellow gets into an argument and reaches a point where he does not know the answer—then he yells "red herring" as loud as he can yell thinking that that will settle the argument. Now, I want to repeat what I said in that letter, and it is documented, and I have the evidence right here. I said that this was the greatest giveaway of natural resources in the history of this country—and it is. In the first place, it gives to this State 182 million acres of land that belong to all the people of the United States. I went back to the last ten States that have been admitted to the Union. I have here photostatic copies of the acts making them States. All of those ten States together were granted less than one-third the land that is granted in this bill to the Territory of Alaska. I examined those bills and found that they invariably reserved to the people of the United States, to whom it belongs, all of the oil, gas and mineral rights in the lands granted to the States. Much land was granted, it is true, 52 million acres was granted to these ten States as against 182 million acres to the State of Alaska. But, these former acts invariably reserved, and quite properly so, the mineral resources.

That is a policy that this Congress established, and if you will look into the United States Code in the sections dealing with public lands and the grant of public lands and the sections dealing with mineral rights, you will find invariably this Congress has in granting any land, reserved to the people of the United States, to whom it belonged, the mineral resources which may be found there. I made that statement—that this bill did not reserve those rights. If you will examine the bill, you will find on page 11, at line 10, language that has never been found in any of the statehood bills heretofore because in that language the bill specifically grants to the State of Alaska all of the mineral rights in the lands granted, mineral rights that belong to your constituents and mine, to the taxpayers of the United States. This is the first time that that has ever happened in the history of statehood bill. That is new language not found in any other bill and not found in previous Alaskan statehood bills. Then there is another thing that I call the gimmick in the bill. My friend, the gentleman from Pennsylvania, took exception to the term "gimmick." Well, I feel about the word "gimmick" like I feel about the words "red herring." I do not know exactly what it means, but it sort of sounds like a dirty word—and that is what I intended it to sound like. This bill not only provides for all the giveaways that I told you about, and neither the gentleman from Pennsylvania or any other Member of this House can deny the accuracy of any statement found in my letter.

It provides in that bill not only this 182 million acres, but the State of Alaska is given the right for 25 years to make their selection. They can select it anywhere they want to except military reservations. They have 25 years in which to do it. They have this other language in the bill which has never occurred in any statehood bill at any time before in the history of this country. That provision is that they can, in selecting the 182 million acres, select it anywhere they want, in little parcels not less than 5,000 and some acres per parcel. So that they are put in a very favorable position where all they have to do is wait until a valuable mineral or oil deposit is discovered anywhere in that vast area of Alaska and then take

5,000 acres here and 5,000 acres there and gobble up all of the vast mineral resources that belong to the people of the United States, belong to your constituents and to my constituents.

I am wondering if the Members of this House do not owe some duty to their constituents who sent them here and who I hope will send them here again. Do we not owe some duty to them, to protect their just property rights in this matter?

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. ROGERS of Texas. I want to call the gentleman's attention to the fact that the Submerged Land Act also applies, as I understand it, to Alaska. Whether or not Alaska gets all of that submerged land that they have in addition to the public lands that they get, I do not yet know. But if they do, if that goes to the State of Alaska, I want to call to the attention of the gentleman and the Members of this House that I think they ought to consider it. If you will view a map of Alaska, you will find a tremendous coastline and you will find island after island after island off the coast of Alaska that is surrounded by international waters, because of the distance between each island or the distance between the island and the mainland. I think this House ought to know what is going on in the mineral estate that this gentleman has so clearly called to our attention, and the situation we are faced with later on.

Mr. SMITH of Virginia. I thank the gentleman for his contribution. I want to deal with that point right now.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Would the gentleman wait until I deal with this first, and then I will yield.

I was intrigued by this peculiar language, because I got all of the old statehood bills and the old Alaska statehood bills and examined them, and I was intrigued by the fact that it is an unprecedented thing to grant all the mineral rights that belong to our constituents to the State; and, second, that it gave them authority to select them anywhere they wanted to, all over the area, in plots of 5,000 acres. So I made some inquiry about what minerals had been discovered up there. I find in one of the articles that appeared in Life magazine, in which that publication took a dim view of my position in this matter, the following:

> Along with its great timberland and fishing grounds, its natural endowments provide Alaska with oilfields which may be of Texan magnitude, 31 of the 33 vital minerals on the United States strategic list, much good farming land and some impressive international trading prospects.

So I inquired of the Library of Congress what we could find out about the mineral resources there, and I have a letter here and a whole bundle of maps and reports from the Bureau of Mines, all of which are too big for me to go into at this particular time, in view of the brief time that I have. The Library of Congress say in the letter:

> After making an examination of these things—

And here are the things that are being found, they say—

> studies have been made and published about antimony, arsenic, asbestos, barite, bismuth, chromite, clay, coal, copper, the fissionable material, uranium, garnet, gold, graphite, jasper, iron, jade, lead, and zinc, fluorspar, marble, mecury, molybdenum, nickel, oil shale, petroleum, platinum, and relates elements, quicksilver, silver, sulphur, tin, tungsten, zinc, and other minerals.

All of this indicates that this measure proposes that you, the respesentatives of the 435 congressional districts in the United States give away to the State of Alaska all of these strategic mineral resources essential to the defense of this Nation. Now, why?

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield at that point?

Mr. SMITH of Virginia. Briefly.

Mr. MILLER of Nebraska. I think the gentleman has made the point he is trying to make about giving away these minerals. As Alaska is settled by constituents from Virginia, New York, Nebraska, and all the 48 States, your constituents and mine will share in these mineral resources that will be developed under private initiative far better than under the Government.

Mr. SMITH of Virginia. I thank the gentleman.

I do not believe my people want to give away something to Alaska in the hope that some of these days, somehow, some way, some of it may wiggle back here and some of us get the benefit of it; I would rather keep what we have.

There is a list of all these minerals that have been discovered up there, and the gentleman from Pennsylvania said that we can do nothing about this because it would take so long to survey all these grants that we give away and that it would cost $121 million to make the survey. That is taken care of in the bill, if you notice. How many of you have studied this bill carefully? The surveying business is taken care of like these other gimmicks in there; it states that when the State of Alaska chooses land, that then the Secretary of the Interior, if you please, shall make the survey and give them a patent—all at the expense of your constituents and mine.

I wonder, and I know my good colleagues and friends here in this body look on me as a little too reactionary and backward, but I often wonder, my friends—and I have friends in this body—when we are going to wake up to what has always seemed to me to be our fundamental duty here, and that is to look after and protect and preserve the rights of the 48 States of this Union.

Do not give this stuff away.

Now, I started to say—and you know I am not quarreling with this committee because some of my best friends are on this committee and it is a very fine committee and it has done a lot of work on this subject of graciously and generously admitting other States to the Union, but the best reason that I know of outside of a few other reasons why we should not grant statehood to Alaska is that this subject has been before the Congress session after session, Congress after Congress, year after year. We brought it up here and we have debated it, and it has never had the strength to get through except that one Alaskan bill did pass one time; and, by the way, the grant of land, I believe was 21 million acres instead of 180 million.

Now, I would like to just document these statements that I have made about the reservation of minerals. I wish I had the time that the gentlemen on the committee have had and the diligence to go all the way back to the founding of the Union, but I only go back as far as the Civil War with these 10 States that have been admitted to the Union since that time. They are: Arizona, Idaho, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Washington, and Wyoming. There the Congress specificially protected and preserved the rights of the people of the United States as a whole, and in each instance, with one exception that I am going to mention, preserved to all of the people of the United States, the new State included, the rights to the minerals in those States. And, it is fortunate that they have, because they have turned out to be very valuable assets, as they will be in Alaska.

Now, in the State of Oklahoma, the gentleman from Pennsylvania said, we granted them mineral rights. It is true that in Oklahoma a certain number of sections of land—not any great bulk of land but a certain number of sections of land—were granted to that State for school purposes, and it was there provided that for those purposes they should have the rights to the mineral lands; the moneys received therefrom should go for the purpose of the schools, for which it was designed. That is the exception to the rule which I have stated.

Now, I think I will leave that subject where it is.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield before he leaves that subject?

Mr. SMITH of Virginia. I yield.

Mr. ROGERS of Texas. In view of the statement that was made by the gentleman from Pennsylvania just the other day with regard to the mineral lands in Alaska, I believe the gentleman from Pennsylvania at that time said that only a year or two ago this body passed a law by which we gave Alaska 90 percent of the minerals under the lands up there. Now, I want to call the attention of the House to the fact that that is title 48, section 353. It has to do with the reservation of lands for educational purposes in Alaska. I just want the record clear on those matters.

Mr. SMITH of Virginia. Does not that relate to leases; returns from leases? Now, there is a provision that gives Alaska certain returns from leases, and that money is to be used to support the Territory of Alaska and help run its government. But, the annual revenues from those leases is very different from a fee simple title to all of the lands and all of the minerals under them. I thank the gentleman very much for bringing that to the attention of the House, because it is important.

As I have said before, I am not making any criticism of the committee, because I think I know exactly why the committee did what they did do, because certain parties had in their platforms, which nobody ever reads or pays much attention to, pledged statehood to Alaska and Hawaii, and they felt obligated to carry out the pledge. I know the gentleman from Nebraska, Dr. MILLER, has been a great student of this matter, and I know he has sought to do what he thought was the right thing to do about it, as have these other members of the committee. The gentleman realized, as anybody must realize who studies this situation, that Alaska is not capable of sustaining statehood unless it is heavily subsidized by the other 48 States of the Union. And that is just what these provisions are designed for, so that they can get enough revenue to run a State government up there. And if we have to have it, maybe we do have to subsidize them, put them on the payroll. We have subsidized a great many other countries all over the earth; I do not know, maybe that is the right thing to do. But I do not want to subsidize them with all of these various mineral resources that seem to abound in the Territory of Alaska.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Florida.

Mr. HALEY. Would not the gentleman say that we are subsidizing Alaska now? I have here before me a report showing the expenditures for the fiscal year 1957 by the Federal Government. This report does not contain expenditures on account of military installations, with respect to which we cannot get the figures. But in the fiscal year 1957 Federal expenditures exceeded $157 million, and the total amount of taxes paid into the Treasury of the United States from Alaska was approximately $36.5 million. Does not the gentleman think that we are now subsidizing Alaska?

Mr. SMITH of Virginia. There is no question about that. But it is still our Territory and we have to support them. We have spent a great deal of money up there during the practically 100 years that we have had it. We expect to do so as long as it is a Territory.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I shall yield to the gentleman in just a minute, because I think the gentleman will want to respond to something that I am going to say, as I intend to make reference to him. I think the gentleman from Nebraska, Dr. MILLER, is absolutely sincere in his convictions on this matter. But I think he has grave, sincere and honest doubts about the ability of Alaska to sustain statehood. So I am going to ask him if he does not believe that a grant of commonwealth status, such as Puerto Rico enjoys, would not be a better experiment and a safer experiment and better for the people of Alaska and for the people of the 48 States of the United States? I yield to the gentleman.

Mr. MILLER of Nebraska. Mr. Chairman, I would not think so. The question of commonwealth status for Alaska has been discussed, but never very seriously. The question I wanted to ask the gentleman, however, was this. The first bill the House passed gave Alaska about 21 million acres of land. I am not sure whether the gentleman supported that bill or not.

Mr. SMITH of Virginia. I will answer the gentleman; I never did.

Mr. MILLER of Nebraska. This bill proposes to give Alaska more land. It proposes to give them about 183 million acres of land. I did not support the provision giving Alaska 21 million acres of land because I thought it was rather a fraud upon Alaska to say that we would give them only 3 or 4 percent of their land and make them a State. How many acres would the gentleman be willing to accept as a figure to give to Alaska—50 million or 100 million?

Mr. SMITH of Virginia. I am not in a bargaining position, because I am opposed to statehood for Alaska, whether it involves giving them 1 acre or 1 million acres or 2 million acres.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. HOSMER. Mr. Chairman, I think the discussion about the number of acres is somewhat illusory anyway, because so much of the acreage is on the tops of mountains or underneath glaciers or is not usable. The people who talk about the noncontiguity of Alaska with continental United States completely overlook the fact that Alaska, in and of itself, is about as noncontiguous a piece of territory as you can possibly find. It consists of these deep valleys that come in from the oceans, and which are separated by high peaks of mountains. There may be a settlement in one and in the next one the people are as far away as if they were removed halfway round the world. It is this internal noncontiguity of the State that worries us so very much. It is for that reason I say that arguments about acreage are meaningless, because when you take enough usable acreage out from these mountainous areas there is very little area left, and under the proposal of the bill you are giving them all away.

Mr. SMITH of Virginia. I will get to the question of noncontiguity a little later.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. ROGERS of Texas. I want to call attention to the fact that what the gentleman from California is bringing out is one of the most important matters. There is nothing as noncontiguous as Alaska, even Hawaii, which is eight separate pieces of land separated by international waters. An enemy could surround any part of Alaska that goes out toward Russia without ever getting into a position of having violated our sovereignty.

Mr. SMITH of Virginia. I have heard it said here that there is nothing to this contiguity business because California was brought into the Union when she was not contiguous to any other duly constituted State. Of course, there is nothing to that because all the territory between California and the rest of the States was American territory. We did not have to go outside the United States. But we have to go outside the United States to get Alaska. That is one of my main objections to Hawaiian statehood. And do not let anybody fool himself about this thing. This bringing up Alaska alone is just a piece of very wise strategy, because they have tried Alaska, they have tried Hawaii, and they never could get by with either one of them. So, then, they hooked them up together here a couple of years ago and brought them both out. They thought each one would add strength to the other, and they tried that. They got beaten on that. So they did not bring them out together this time, they bring out Alaska first. Of course, the bill for Hawaii has already been considered by that committee and it is all ready to come out. Just as scon as you pass this one, you are going to have Hawaii on your back, and do not make any mistake about that.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Florida.

Mr. HALEY. We have been talking so much here about the platforms of the great political parties. I read the political platforms of both parties from 1932 up to 1956. Let me ask these gentlemen who are now crying so much for statehood for Alaska, what are you going to do about Puerto Rico, what are you going to do about the Virgin Islands, what are you going to do about Hawaii, and Guam, and the Trust Territories? You promised those. Why not bring a bill in here and show us where this thing is going? You are fixing to make a United States of the world. That is what you are staring and that is where you are going.

Mr. SMITH of Virginia. I thank the gentleman for his very wise observation.

I should like to conclude now as briefly as I can. I should not want to be interrupted for a few minutes because there are some other matters I should like to bring up.

You would not lok on with any degree of favor if I were so bold as to suggest that maybe some of us are a little interested in the political situation here. Who is going to lose a seat when Alaska comes in, and who is going to lose 2 seats when Hawaii comes in, and who is going to lose 3 or 4 seats, perhaps, when Puerto Rico comes in?

As I say, maybe some folks think that is not the statesmanlike way to look at this, about making Alaska a great State of the Union. But I have always been a kind of practical fellow, you see, and I cannot help looking at these mundane things and thinking about them some. I think about two Senators coming here from Alaska from a small group of people probably pretty tightly controlled politically up there. I think of two Senators coming here from Hawaii, which everybody knows is controlled politically to a large extent by the Communist Harry Bridges and his longshoreman's union. I wonder what will happen in the United States Senate where great and momentous problems of this country are often decided by a

vote of 1 or 2 in that body where 4 Senators may completely change the balance of power and the course of legislation in this Nation. I wonder if we have given serious enough thought to that. My State does not want to lose any representatives. It may be selfish. It may be political, but we do not want to lose any. Of course, there have been a couple of gentlemen who have said they would give up their seats. Perhaps, they would, I do not doubt them. But, I do not believe that their people are going to want to give up any of their seats. You know when we get these seats in the Congress, there is nothing permanent about them. They get a crack at us every 2 years. When we are gone, maybe those States will want somebody else to take our places. I do not think the people of those States are going to want their reprresentation here diminished. I do not know how many of you have read these figures, which were sent to you by the gentleman from New York [Mr. PILLION]. But, I have gone over them pretty carefully. The average increase in population since 1950 per State has been 13 percent. Do you know that as of the present time, the estimated population State by State shows that some 12 or 15 States have increased in population less than 5 percent and that 3 of those States have decreased in population? Those three States whose population has decreased and who are bound to lose, if we do this thing, I do not think would be so anxious to be put in any more difficult position. I think those Members who have not looked at this had better lok at what the gentleman from New York [Mr. PILLION] sent you so that you can see how your State is fixed.

On the question of the population up there in Alaska, there has been a lot of talk about one hundred and some thousand or two hundred and some thousand—well, I could not find out from the hearings how many people are up there so I again went to the Library of Congress and asked them to give me accurate information on the population of Alaska, and here is what they give me. As of September, 1957, which is the last estimate that has been made, there are 206,000 people up there. Now what do they consist of? The military accounts for 41,000; civilian defense, that is connected with the Department of Defense 6,640. The dependents of the military and civilian employees up there amount to 36,000 and there were over 8,400 United States Government employees there. That adds up to a total of 92,040 temporary residents. If you take the 92,040 from the 206,000, you will find that you have left up there 113,960 people, but of that 113,000 people there are 33,861 of the uncivilized nations, that is, the Aleuts, Indians and Eskimos who are not usually counted in political matters. That leaves you as bona fide permanent residents of Alaska, 80,099 people that you propose to make a State of. Now, do they want it? That has been questioned.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. JONAS. Much has been said in debate about the dilution of the powers of the State by reason of the extra representation here in the House and in the other body. But, if this point has been made, I have not heard it and I wonder if the gentleman would comment on the advisability of giving a State with that small population an equal voice in determining who might become President of the United States with the representatives here from, let us say, the State of Virginia or the State of New York in case the election of a President is thrown into the House of Representatives.

Mr. SMITH of Virginia. Of course the State of Virginia, which has been interested in constitutional matters from the foundation of our Government is fully alert to that question. What amazes me is that the great State of New York, with 15 million population, would be willing to put itself on an equivalent basis with Alaska, with 80,000 population, in a situation which you mentioned. I thank the gentleman for his contribution.

Now the question comes, Do the people of Alaska want it, and that will conclude my statement. You have heard the gentleman from Nebraska, Dr. MILLER, who has been most fair and considerate about this whole situation, tell you about his poll, so I will not repeat that except for those who may not have heard his statement, when he said that he had a poll taken by the newspapers and radios of Alaska which asked the question: "Do you want immediate statehood?" The result of that poll was something like 2,000 votes and 1,361 people wrote him airmail letters stating, "We do not want statehood," and 516 who said they did want it. In other words, the people of Alaska, when given this opportunity on a direct question, those who took the trouble to answer voted 2½ to 1 against statehood. Yet we hear these sob stories about the people of Alaska who want statehood.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Yes, I yield.

Mr. MILLER of Nebraska. Then, of course, the amendment in the bill which provides the right for them to have a plebiscite on whether they will have statehood in Alaska would be acceptable to the gentleman from Virginia?

Mr. SMITH of Virginia. Let me say to the gentleman there is not anything in this bill from the enacting clause to the concluding paragraph that would be acceptable to me.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. ROGERS of Texas. I want to go back a second, if the gentleman will permit me, in relation to the anticipation of those who propose statehood, with relation to other territories or other nations in the world. They say this bill deals only with Alaska. The gentleman will recall that when I was addressing the House that matter was brought up on several occasions. I call attention to section 19 on page 33 of the bill, which nails down this proposition that those who are looking for Alaskan statehood anticipate we are going to have other debates of this kind. I do not know which Territory they have in mind first, but I am sure it will be one. Section 19 reads:

SEC. 19. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "When the State of Alaska or any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State."

Mr. SMITH of Virginia. I thank the gentleman. I overlooked mentioning that. The obvious reason is that they will not have to bother with the Federal Reserve Act when they admit Hawaii, Guam, the Virgin Islands, and Puerto Rico.

Mr. ROGERS of Texas. I wonder what the gentleman would think about this, if Venezuela should decide to become a part of the United States and have a referendum offering themselves to the United States and saying, "We want to become a State." What would be the answer of the United States and this Congress if they should permit Alaska to come in as a State at the present time?

Mr. SMITH of Virginia. I think we would have a lot of folks crying about how we could not exclude anybody; how it would not be neighborly and it would not be nice if we do not take care of all these folks who would like to become a part of the United States.

Mr. THOMSON of Wyoming. Referring to the granting of minerals within the public lands to other States, I believe there is a technicality that should be cleared up. I know as a fact that the State of Wyoming did take its minerals on the public land that was granted to the State. The act of admission of the State of Wyoming states in section 13 that all mineral lands shall be excepted from the grants made in this act.

The technicality is this, that the Congress excluded those lands which prior to the date of selection had been found to be valuable for mineral purposes, and if it were so excluded then in-lieu land was selected, and the State did get minerals under the allotted grant of lands.

I appreciate the gentleman's allowing me the opportunity to clear up that technicality.

Mr. SMITH of Virginia. I thank the gentleman for his contribution.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. Mr. Chairman, I do not rise to challenge what the distinguished gentleman has said except that it has been my observation that some of those who questioned him would not want Alaska to be a State even if we gave them no land. But my real purpose in asking the gentleman to yield was to state publicly for the record what I have already stated privately.

The distinguished gentleman from Virginia has been criticized in some

places for his position with regard to Alaska statehood. I want to state that while I strongly favor this legislation, I respect the gentleman for the vigor of his stand against a bill in which he does not believe.

Nearly 1 year ago the gentleman from Virginia told me frankly that he would oppose me with all the weapons at his command. Had I felt as he does and did I would have done the same, but I want to tell the Members that the gentleman's attack upon my position and that of those who favor statehood has always been open and frank; there have been no stabs in the back, nor has there been any personal animosity on the part of the gentleman from Virginia.

I do not know what the fate of this bill in the House will be, although I earnestly hope it will be passed; however, win or lose, I wish to say that my already existing respect for the integrity and ability of the gentleman from Virginia has grown into warm regard. I thank the gentleman for yielding.

Mr. SMITH of Virginia. Mr. Chairman, I do not know how I can express my appreciation of the very generous remarks of my good friend from New York except to say that anything kind he has said about me is fully reciprocated on my part. He has at all times been eminently fair about the advocacy of this bill in which he so sincerely and honestly believes. I certainly appreciate his kind remarks.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. No; I asked the gentleman to yield to me the other day, and it would have saved me a good deal of time today had he done so, but he declined; and I think I will give him the same kind of treatment today.

Mr. SAYLOR. Does not the gentleman want to correct the RECORD?

Mr. HOFFMAN. Mr. Chairman, I demand the regular order.

Mr. SMITH of Virginia. Does the gentleman from Florida wish to ask me a question?

Mr. HALEY. I can wait until the gentleman finishes.

Mr. SMITH of Virginia. I am about to conclude. I yield to the gentleman briefly.

Mr. HALEY. I would just like to call the gentleman's attention, and especially that of the committee, to page 4 of the report of the committee on which certain States are listed. At the bottom of the page appears a footnote which reads "No territorial government." I notice that the first State listed in the footnote is the great State of Florida. I think somebody should do a little homework in history on some of these things. I notice also the great State of Texas is listed in the footnote. I can understand that Texas had no territorial status but I would like to say to the chairman of the committee so that he can get his record a little straighter, that Florida was discovered by Ponce de Leon in 1513 and acquired from Spain in 1819. The acquisition was ratified in 1821 and the Territory was formally transferred to the United States at Pensacola, Fla., in 1821, and we were granted statehood on March 3, 1845, as the 27th State of the Union. I would just like to ask the gentleman why was a statement of this kind put into the RECORD. Was it just to embarrass the gentleman from Florida, who is opposing this bill? We enjoyed a territorial status from March 30, 1822, to March 3, 1845.

Mr. SMITH of Virginia. I hope you will not ask me to go into that, because Alaska is about all I can handle, and when you get into Florida, I am afraid you will use up all my time.

Mr. HALEY. I would like to have the RECORD to be accurate in some of these things, and if the rest of these statements are no more accurate than that, we will be in bad shape.

Mr. SMITH of Virginia. I am going to discuss now whether the people of Alaska really want statehood. Some apparently do, but it looks like they voted 2½ to 1 against it when they had the opportunity. I received a number of letters, and I have them in my files, but time will not permit me to read them. But, they are largely from business people, and they all tell me that Alaska just is not ready for statehood; that she could not support statehood if she had it, and that she is much better off now than if she had statehood.

I have extracts here from the paper called the Alaskan Sportsman, and the editorial in that paper expresses opposition. I have an editorial which was published in the Washington Times at the expense of the editor of the Daily Alaskan Empire, of Juneau, and he opposes statehood. It is a long editorial, and I will not have the time to read it all, but it says in part:

> Alaska needs a 10-year moratorium on the statehood issue, which is a political football, and is being forced by intimidation on the property owners of Alaska.

You notice he says "property owners."

> During this moratorium we can put our house in order to develop industry so that we can afford statehood at the end of 10 years. * * *
>
> Our continued request to be heard has been jockeyed and moved around. Anyone who speaks realistically about the development of Alaska for the benefit of all of the United States meets the propaganda of the emotionists and the leftists and those who put political gain first and our Nation second.

This morning I received by air mail an editorial which appeared in the Anchorage Daily News, evidently of recent date—May 22. It is headed "If Statehood Bill Dies in Debate It Will Be Blessing."

Now, these are two evidently important daily newspapers in that country, and I find that newspapers usually try to reflect the sentiments of their localities. And, I just want to read a couple of extracts from that editorial. One is this:

> We are among those who feel that if Congress votes statehood for Alaska at this time it will be doing a disservice to the people of the Territory. There will be immediately withdrawn from Alaska a good portion of $125 million to $150 million annually of Federal funds appropriated for the operation of Federal agencies.

Another paragraph:

> The Federal budget will show that the total civil expenditure in Alaska this year for federally operated functions is $122 million. It has gone as high as $151 million.

And it concludes with this statement:

> It would be a surprise to us if debate on the floor of Congress does not kill the statehood bill entirely, which will be a blessing to Alaska.

Now, we have this thing every 2 years, and some of us get awfully tired of having to devote so much time to it. Congress has repeatedly turned down these requests of both Alaska and Hawaii. Let us bury this ghost. Let us get rid of it. Let us knock this thing out and not have to take up so much valuable time with it. Do you know how much important legislation, legislation important to this Nation and the world, is piled up behind this bill of Alaskan statehood, which they know is a perfectly futile thing? As that Alaska newspaper says, it is a political football. If it did happen, as I hope it will not, that it pass the House, it will not pass the Senate. That is what happens every time. They pass them in the Senate and do not pass them in the House, or they pass them in the House and hold them up in the Senate. We ought to be doing something more important. Let us kill this bill and get through with this matter of forever trying to do something that is just not practical, that is not sensible, that is not wise either for the people of the United States or the people of Alaska.

[Mr. SAYLOR addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. MILLER of Nebraska. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

(Mr. HOFFMAN asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN. Mr. Chairman, as always the statements of the gentleman from Virginia [Mr. SMITH] are very very helpful to some of us.

Inasmuch as the people of Alaska do not seem to want statehood, I find it difficult to force it upon them; especially in view of the fact that so many people want to join up with the United Nations. It is a long way around to get into the United States of America and then get into the United Nations in order to be in a one-world organization.

The gentleman from Virginia [Mr. SMITH] referred to the fact that he was regarded as a reactionary. On this side of the aisle, permit me to say to the gentleman from Virginia, there are several who, if their qualifications merit the term, will be pleased to join in being so characterized.

The gentleman referred to the political situation as it might be affected by the admission of Alaska as a State. To me it would seem that neither the Republican leadership nor that on the Democratic side should be unduly concerned about any future support it would receive from favorable action. Hawaii is to follow Alaska, we are given

to understand, and maybe—I do not know about Guam and all the rest of the islands down the line, even Venezuela was mentioned awhile ago—but in any event, Hawaii, we understand, is under the control of Harry Bridges, the Communist. We are told that Alaska bows the knee to Reuther. Whatever may have been said about Reuther in the past, it is my hope that folks will be more considerate of him if he is sincerely repentant. He has been attending the school of experience. The lesson is bitter—difficult for him to accept. He has found that employers are necessary if people are to have jobs. Reuther quite recently has learned, as has the motor industry, that while they can hike wages and hike prices, there is no way of making the consumer buy. It is a new version of the old adage "You can lead a horse to water but you can't make him drink." So, most unfortunately, several hundred thousand in the State of Michigan are unemployed. Our unemployment compensation fund is becoming exhausted. Unemployed will either have to go to work at some other job or the employed will have to take care of those who are out of work, because in Michigan we do not let anyone starve. We do not let anyone go without adequate clothing or housing. In fact, we provide all with at least some of what are termed the luxuries of life. It will be quite an effort for "Soapy" and Reuther acting together to carry on their program Reuther being recently a part of management; that is, he has had supervision over hours and wages, thus also fixing prices. But the combination of the two has not been too successful in providing jobs. In fact the contrary is true. As a direct result of their efforts Michigan is in serious trouble.

But there is no reason to worry on this side. We will not get any Democratic Senators from Alaska, and you on the Democratic side are not going to get any Democratic Senators from Hawaii. If you admit Hawaii, Harry Bridges will pick your Senators. If you admit Alaska, Reuther will name the Senators from that State. I know that over the years UAW–CIO money has gone into the campaigns on behalf of the Democrats. The record shows over here in the Clerk's office there are I think, some 167 or 176 candidates who received financial aid from UAW–CIO. That financial aid is just a drop in the bucket compared to the aid that organization renders during election time through their organizers. They are efficient, far more than we are in organizing our political workers.

If the Democratic Party thinks for 1 moment it will get 2 Democratic Senators if Alaska is admitted it should think again. Who will control your next National Convention? Brother Reuther. Do not worry about that. You Democrats will not clear it with Sidney this time, you will clear it with Walter, and he will pick your candidates. There is no question about that. You may get Socialists at the best—Something else at the worst. Of course, we will get no help over on this side, though some of our leaders think we will. We will not; no. It may well be Reuther, and he may pick the two Senators. Then where will you be?

Not long ago on the floor here reference was made to the situation in Wayne County and Detroit. The CIO runs that country down there at election time. They pick the candidates and they elect them. That is one reason why Republicans are out of office in Michigan, a bad, bad thing for the State and the country, too, even though some may not realize it now.

What has happened on your side? I ask you to take the UAW–CIO home with you and think it over. You had here in years gone by a very distinguished, able, and capable gentleman from that section of the country, John Lesinski. You remember him. He was chairman of the House Committee on Education and Labor. He was succeeded by his son, and he has been doing a good job. Both of them went along with the CIO. Now look what has happened. The president of local 600, one of the most violent—oh, they are a bad bunch are trying to defeat one who has served them well. Come over in my office some time and look at the pictures over there, where UAW–CIO boys are beating up the men who wanted to work. They have forgotten about civil rights. Now what has happened? They have put in the president of local 600 against a member on your side, one of their most faithful and able representatives. They will use you as they tried to use us, just as long as they can. If you introduced a bill at their request and it became a law and it did not turn out as they thought it would, you would be criticized and opposed for supporting it. It does not make any difference what you might do—Reuther and his goons will betray you whenever it suits their purpose.

Jennings Randolph was formerly a Member from West Virginia. He learned to his sorrow after he had voted against a very, very inconsequential bill that there was no such thing as appreciation in the Reuther outfit. The very next issue of the CIO News came out editorially and said they would rather support HOFFMAN, who was always against them, than a doublecrosser who had thrown them down. Think of it. That is what they will do to you, and you are going to get that kind of treatment, and we are not going to cry about it, not on our side, because you have been warned. Neither party will profit politically by the admission of Alaska. So why not forget politics and decide the issue on its merits?

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Chairman, I rise in opposition to the pending bill. This issue of statehood at this time for Alaska is of tremendous importance and I am sure no one would want to treat it lightly.

The importance of this issue lies in the fact that the decision will be final. The grant of statehood becomes an irrevocable act. We are playing for keeps, and if a mistake is made it can never be corrected.

Personally, I am most sympathetic with Alaska and with the aspirations of the people who make their home there. Those people are ably represented here by Delegate Bartlett. I earnestly hope the time will come in the not too distant future when that territory will be able to qualify on a sound and logical basis for statehood in the American union. I am convinced that the admission at this time would be premature and would carry with it grave implications, which have been developed during the course of this debate, which I shall discuss briefly.

ADMISSION OF ALASKA MEANS ADMISSION OF HAWAII ALSO

It has been said that this bill is being pushed through the Congress ahead of Hawaiian statehood for reasons of strategy. Surely there can be little question about that being true. The two issues are, in effect, inseparable. Any one who votes for admission of Alaska is by doing so also, in effect, voting for the admission of Hawaii. Only the naive and the unrealistic would deny that fact for a moment.

It is in order, therefore, and indeed very necessary, that during this debate we also consider the propriety of admission of the Territory of Hawaii to statehood in the near future. I should like, therefore, to address myself to that question for a moment.

There have been some rather significant developments in Hawaii in recent years, and we should not act upon the question before us without taking those developments into account. It has been said that Harry Bridges and Jack Hall hold the economic life of Hawaii in the palm of their hands. That fact is too well documented and too well demonstrated to warrant any one to think otherwise. Let us examine the facts.

The International Longshoremen and Warehousemen's Union, known as the ILWU, is under the control of Harry Bridges, our No. 2 Communist, and Jack Hall, Hawaii's No. 1 Communist. It will be recalled that Hall, along with 5 others in Hawaii, was convicted in 1953 of conspiracy to overthrow the United States Government by force and violence. Members of that union include practically all agricultural employees as well as stevedores and dock workers, and in that way Bridges, Hall and company maintain a stranglehold on the islands' economy. An example of that power, and the complete control which those union leaders exercise over the union members, was displayed in 1953 when the Communists were convicted by a Federal court jury. Within an hour after the verdict was announced, the 25,000 workers belonging to the union walked off their jobs as a gesture of protest against a court of justice for convicting their Communist leaders. Just imagine the influence and control those leaders can exercise over their subservient members in the political field.

In addition to the agricultural workers and those in shipping, the United Public Workers Union, which has a membership of some 2,000, is clearly Communist-dominated and under the presidency of Henry Epstein, a well-known Communist.

As evidence of the influence of the Communists in Hawaii, a survey was

made by the Honolulu Star-Bulletin after the November 1954 election. The ILWU endorsed 71 candidates. Of these, 58 won, or 81 percent.

In establishing his power and nailing it down, it will be recalled that Jack Hall ran the big sugar, longshoremen's and pineapple strikes out there a few years ago that cost the islands an estimated $100 million. He was working under Bridges.

HALL SAYS WOULD ELECT LIBERALS TO CONGRESS

Mr. Chairman, the fact that statehood for Hawaii is supported by the Communist Party and the ILWU does not per se make this cause wrong or undesirable. But one can be sure that their support for statehood is not actuated by the same motives for good government as those who sincerely believe that statehood is a just cause. In a book called "Hawaii, the 49th State," a handbook put out by and for the statehood lobby, Jack Hall, the convicted traitor, wrote:

> If Hawaii becomes a State, we can send some good men to Washington from here—not only to represent the majority in the islands but also to strengthen liberal forces in the National Congress.

Hall went on to say:

> We're for statehood—unqualifiedly—at once.

When Jack Hall says he wants statehood immediately, and at once, and that he wants to "send some good men to Washington," he reduces his argument to simple terms; every man can take his choice. Do we want to admit Hawaii as a State and thereby add to the political power of Jack Hall and Harry Bridges? Whether we like it or not, that question is interwoven with the proposed admission of Alaska because no one can be so naive as to believe the admission of Alaska will not pave the way for the early admission of Hawaii. Let us face the facts.

EX-GOVERNOR STAINBACK OPPOSES STATEHOOD FOR HAWAII RECAUSE OF COMMUNISM

Now lest someone might say this is just a red herring, let us call as a witness one of Hawaii's most distinguished citizens, and its elder statesman. I refer to the Honorable Ingram M. Stainback, former Governor of Hawaii. When he testified a little time back before a congressional committee he said the ascendency of Communist influence in Hawaiian politics makes it dangerous to admit that Territory to statehood, and his views are shared by a number of other prominent citizens there.

Mr. Stainback went to Hawaii more than 40 years ago to practice law and has been there ever since. He served as attorney general of the islands, later as United States attorney, and still later as United States judge for the district of Hawaii. In 1942 he was appointed Governor and served in that capacity until 1951 when he became justice of the territorial supreme court. Can you think of a more qualified person to testify on the subject of statehood for Hawaii, and the conditions that exist there?

In his testimony Mr. Stainback said the ILWU is the so-called labor union, but really is "just a disguise for the Communist organization in the Territory," and "the men that control it absolutely follow the Communist line and they follow Jack Hall and Bridges."

When asked if Bridges' union controls the economic life of Hawaii, the former Governor replied:

> There isn't any question about it, not the slightest. They have sugar, pineapples, and transportation right in the hollow of their hands, and those hands are Communist hands, or rather controlled by them.

And on the question of the effectiveness of the Communist political power, Governor Stainback stated:

> In my opinion it has been increased; particularly the last year they have shown their power, or at least they have shown it to me more dramatically than at any previous time.

The ex-Governor went on to warn:

> I do not think there is a State in the Union that can compare with Hawaii for political domination. I think the Communists can veto the election of anyone. * * * Even now their power seems to be growing.

Mr. Stainback, who some 12 years ago favored statehood for Hawaii, said he had reluctantly come to the conclusion that there would be considerable danger to the National Government if Hawaii is admitted to statehood at this time.

In view of these undisputable facts, Mr. Chairman, would it not be only reasonable and proper that Hawaii get its house in better order before admitting it to statehood, because as the situation is now we know that statehood would add tremendously to the power of Bridges, Hall and company?

And again I repeat, the admission of Alaska now means the admission of Hawaii as well.

GOOD REASONS TO DEFER ACTION ON ALASKA

Mr. Chairman, if a good case were made out for the admission of Alaska, perhaps its effect in bringing about the approval of Hawaii would not be considered pertinent or decisive. But I am convinced the case for Alaska is weak, and that admitting that Territory at this time would not only be wrong as a national policy but would actually be rendering a disservice to the people of Alaska.

As we look at the case for Alaska there are a few things we should examine most carefully. The civilian population of that Territory is 160,000, excluding about 55,000 members of the armed services. And there are about 20,000 dependents of members of the armed services stationed there.

In addition, there are 16,000 noncitizen Federal employees and about the same number of noncitizen dependents of those employees.

Transient and seasonal employees account for an additional 20,000.

The permanent citizen population is less than 90,000 people. Out of this, 35,000 are Aleutian, Eskimo, and Indian natives, who are said to have little interest in such things as statehood matters.

ONLY 28,000 VOTE IN ALASKA

In the last general election only 28,000 votes were cast. If admitted to statehood, Hawaii and Alaska would become entitled to representation in the United States Senate 10 times greater than the average representation of the people of the 48 States. Moreover, in the most recent poll the people of Alaska voted 3 to 1 against statehood.

ALASKA'S ARTIFICIAL ECONOMY

Let us look for a moment at the economic side of the picture in Alaska. The gentleman from New York [Mr. PILLION] presented some documented facts on that subject that every Member should read and study before voting on this issue. It is significant that in 1956 private business accounted for less than one-third of Alaska's income. More than two-thirds of her income was derived from Government spending.

The civilian Federal aid and Federal defense spending amounts to $2.50 for every $1 of private-enterprise income. And Alaska's total Federal taxes are only $36 million a year.

There are some other pertinent facts and figures that should be repeated. The labor force varies from about 30,000 in the winter to about 50,000 in the summer. About 21,000 of these, or one-half of the peak labor force are union members, compared with about one-fourth in the 48 States. This means high wage levels—and high wages are necessary in Alaska in order to attract labor from the States—and, coupled with expensive transportation costs and other factors, it all adds up to a fantastically high cost of living condition.

Is it any wonder, therefore, that outside capital is reluctant to come into Alaska because of the high tax rates, its immature politics, labor shortages, and the high cost of production which imperil the chances for returns on investments? This is unfortunate, and let us hope this condition can be improved as time goes on.

It appears that the Territory of Alaska, as indeed is true with some of our States, is having financial strains in the operation of the government there. It has been pointed out that Alaska borrowed $2,635,000 in February 1958 and a year earlier borrowed $2,630,000 from the Federal Government. And it is estimated that an additional loan will be requested later this year.

I do not know what the facts are but I do know that it has been estimated by some who are supposed to know, that it costs about twice as much to operate a State government as it does to operate a Territorial government.

It appears obvious that Alaska as a State would have some rough going that would probably require considerable subsidization by Uncle Sam. There are simply too few sources of revenue. The fishing industry there has long since passed its peak. The 1956 salmon catch was less than half of the 1937 catch. Except for some petroleum deposits, which it is hoped will prove to be substantial, the mining industry in Alaska can produce very little tax revenue for a State. Gold production dropped from $22,036,794 in 1906 to only $7,350,000 in 1957. And agriculture is, of course, inherently weak and will always be, due to lack of tillable land and the short growing seasons.

ALASKA HAS POTENTIALS

Mr. Chairman, I am sure everyone wants to see Alaska develop and prosper. It will take time, of course, but I can envision possibilities if the people who live there continue to devote themselves to the task. It would seem, for example, that much more can be done to commercialize Alaska's scenic splendor. That calls for more roads, hotels, and other facilities which are now in short supply. Nowhere in the world can one see natural scenery that surpasses that of Alaska; yet comparatively few American tourists are able to go there because of the lack of roads and facilities to accommodate them and because of the distance and cost.

The tourist dollar, which is an important item in Hawaii's economy, is as good as any other dollar when it comes to paying the cost of operating a government. And since Alaska has such few possible sources of revenue of a permanent type that would add up to very much, it would seem that every possibility of a new source should be, and I am sure is being, explored.

DANGER OF PRECEDENT

Mr. Chairman, I have been impressed with the danger of the precedent of admitting Alaska, a noncontiguous area several hundred miles away. We own other possessions several hundred miles away. The precedent feature has been very ably developed during debate. I have already discussed the Hawaiian situation. In addition, there is the case of Puerto Rico with its 2½ million people where agitation is already being heard for statehood status. And the Virgin Islands and Guam, both of which are presently heavily subsidized by the Federal Government, would naturally clamor for admission. And a precedent of admitting a noncontiguous territory with a low population and a weak economy, having been once established, there would be increased difficulty in denying the people living in those islands the rights of statehood.

Mr. Chairman, if Alaska is to be admitted let us not be unmindful of all these implications that are involved. They are many and far reaching. Let us summarize:

First. Alaska at this time can hardly afford to pay the cost of operating a State government.

Second. The population of the Territory of Alaska is not ample to justify State government. That Territory was able to muster only 28,000 votes in the last general election.

Third. The admission of Alaska means also the admission of Hawaii, even though Hawaiian statehood is not included in the pending bill. For all practical purposes it might as well be included.

Fourth. The precedent established would undoubtedly lead to Hawaii and other possessions demanding statehood, and Pandora's box would be opened.

Fifth. The admission at this time of either Alaska or Hawaii would be premature. Hawaii's economy is in the clutches of subversives, and that Territory should clean house before being admitted. Both Territories have considerable home work to do before they will be ready to become States in the Union. To admit them now would, in my judgment, tend to weaken the superstructure of our Republic.

(Mr. FISHER asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield 3 minutes to the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Chairman, we have discussed the need for the people of Alaska to have a Governor of their own choosing; the right of the people to have a legislative assembly whose members they elect; but I wish to discuss the other branch of government, the judicial branch, and the people's need to have control over their judiciary.

Congress has reserved sole jurisdiction over Alaska's courts.

Congress has established the District Court of Alaska, with four divisions, as the court of general local jurisdiction, but with the added power of exercising all the powers and functions of a district court of the United States with respect to Federal cases arising in Alaska.

For 49 years there have been 4 judges of the court in Alaska, 1 for each judicial division. Notwithstanding the great increase in the volume of court business during the last 15 to 20 years, based on Alaska's growth and turbulent period of national-defense construction, there are still only 4 judges. Forty-nine years ago Alaska had only 60,000 people, which number has now more than tripled. Alaskans have appealed repeatedly to Congress during the last 10 years for legislation establishing another judgeship for the third division at Anchorage, but without avail. For one reason or another the extra judgeship never materializes, and the 3,000 cases which are backlogged at Anchorage remain unheard, undecided, and unresolved. This backlog exists even though the judge from Nome, or other visiting judge, spends several months a year at Anchorage trying to cope with the problem. There is also a serious backlog of cases at Fairbanks involving about 1,500 legal controversies.

Thus, in Alaska, we see the classic example of the saying that justice delayed is justice denied.

Underlying the district court in Alaska within each of the four judicial divisions is a system of commissioners' courts. These commissioners, working only for such fees as they take in—a very small sum in the outlying precincts—are ex-officio justices of the peace, corners, marriage commissioners and recorders. Except in the five principal cities of Alaska where the work is a full-time occupation at reasonable pay. These commissioners are not attorneys, being laymen engaged in other pursuits, yet original jurisdiction in all probate matters is lodged in their hands. To make up for this horse and buggy setup, the Congress has made all orders in probate proceedings subject to appeal to the district court.

Under statehood and under the purview of the fine State constitution already written by Alaskans, an excellent foundation exists for an adequate State judiciary. There would be a sufficient number of judges manning the courts of general jurisdiction, including jurisdiction in probate matters, and an improved system for justices of the peace. Judges would be appointed on nomination of a nonpartisan judicial council, following the idea of the Missouri plan, and be voted on by the electorate periodically for retention or rejection, solely on their respective records without having to campaign against an opponent. This system is designed to create as far as possible a model judiciary in the State of Alaska.

Of course, under the pending statehood legislation, there would be a Federal court in Alaska, with one judge devoting his time solely to cases arising under Federal law.

What I have said in regard to the improved judiciary branch in Alaska under statehood is just one more example of the political and social maturity of our Alaskan brethren who are desirious of full rights in the Union of States, and, after 90 years of territoriality richly deserve fulfillment at this time of their manifest destiny under our flag.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BEAMER].

(Mr. BEAMER asked and was given permission to revise and extend his remarks.)

Mr. BEAMER. Mr. Chairman, I hesitate to impose my own personal opinions on the Members of the House, and I also realize that almost anything any of us would say during this debate would be repetition. But, I would like to tell of a little experience I had in Anchorage together with our distinguished colleague, the gentleman from Massachusetts [Mr. MACDONALD]. We were asked to appear before a television program for some 25 or 30 minutes. There was a little advertising, of course, as is always required by the sponsor of any particular program. We answered the questions of the moderator. He asked why each of us, representing a different political party, voted against statehood for Alaska, and we told him very frankly. Our remarks went out on the airwaves of this particular channel in that area. The next day we were entertained by the chamber of commerce or a group of businessmen, and I was surprised—and I know my colleague, the gentleman from Massachusetts, likewise was surprised—at the number of men who came to us and shook our hands and said, "We want to congratulate you on the forthrightness with which you expressed yourselves on television last night. We saw you; we heard you, and we agree with you." I am recounting that one particular point of view because I think we must recognize that the businessmen, the men who have money invested—and I am not talking about the Federal Government, and I am not talking about the State government or the would-be State government or of the present Territorial government, but I am talking about the businessmen who live there. I do not know whether

that is prevalent in all of Alaska. I am not an authority on Alaska and I do not pretend to be one, but I have received letters—and I think all of you have received letters—from a committee calling itself the Committee on Referendum. I am wondering whether or not we are giving the people who have a chance to vote on this—are we giving them their choice, or are we going to force it down their throats or attempt to force it upon them in the manner in which we are conducting this proposal.

First of all, I think it is a rather unusual way to bring the bill before the House. Why do we have a Committee on Rules, and then find it necessary to disregard, perhaps, the majority opinion of that committee.

I would suggest, too, that I do not think as Republicans or Democrats, members of our two great parties, we need be too concerned about the platforms. Platforms are important, of course, and we recognize them. Those platforms really reassert that we still live in a Republic. Each of us has been chosen by the people to represent the people of that particular district; and, therefore, if it is of advantage, material or otherwise, to the people of our particular districts to vote for statehood, then we should do it. But if we find some reason that we feel it is not of advantage, that it might be injurious to our respective districts, then we should forget personal emotions, and we should vote for the people back home. That is the group we represent. A majority of the 435 Members of this House, and, of course, the 96 Members in the other body—it is their duty to express as nearly as possible the majority opinion of the people they represent.

I am sure we will abide by such decisions. That is the reason I say it will not be especially of advantage to our districts. I cannot see where it will help the Fifth District of Indiana. I have had very few letters about it, less than on most any other subject; but we should resolve to cut expenses instead of increasing them. I am not quite sure the Members who have spoken previously know what they are speaking about when they say there will not be an additional tax burden; because apparently a State of Alaska would be unable for many years to support itself, especially if by chance we would be able to remove the military forces. The presence of our Armed Forces provides the source of income in that Territory.

All of this, I say, is repetitious, but I want to emphasize one particular point that I do not believe has been emphasized quite enough. I have noticed in the RECORD that the name of one conservationist has been mentioned, a former Hoosier, Mr. C. R. Gutermuth, of the Wild Life Management Institute. He served in Indiana under three good Democrat Governors. I say "good Democrats," because they were. He came to Washington with a great desire to continue conservation work. I have read his testimony and the testimony of others, and I have talked to some of those people and they are quite concerned about some of the possibilities if we adopt the legislation that is before us.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MILLER of Nebraska. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BEAMER. So I think it is very important that we should investigate some of the legislation that has passed the Alaskan Territorial Legislature. I think the bill is Senate 30 that would give away conservation rights, minerals, and wildlife that is so dear to all of us, in that Alaskan Territory. It is a conflict. As a member of the Izaac Walton League, I believe in conservation. I think it is time we should realize that we should conserve our natural interests, not only in the United States but in the Territories, and that includes Alaska.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. BEAMER. I yield.

Mr. O'BRIEN of New York. I was just going to ask the gentleman if he did not see some inconsistency between the alleged poverty on the part of Alaska and inability to support statehood and this tremendous wealth they are going to get by this tremendous giveaway.

Mr. BEAMER. I do not know what the gentleman refers to as "give-away". I would rather give it to Alaska than to give it to some foreign nations that probably have not been appreciating some of the billions of dollars we have been giving away.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, Alaskan statehood is becoming more and more important to the people of my district. There is an increasing amount of trade between the Territory and the State of Oregon; we find many citizens of Oregon have gone to Alaska to live, and many citizens of Alaska have come to my State.

I was very fortunate in being in Alaska on two different occasions, once when the gentleman from New York [Mr. O'BRIEN] was chairman of a committee when I was serving on the Interior and Insular Affairs Committee.

There have been some statements made during the course of the debate in the last few days that have bothered me.

Last week the distinguished gentleman from New York, whose opposition to Alaskan statehood is well known and respected in this House, stated:

"That the grant of two United States Senators and three electoral votes to Alaska's 28,000 voters is repugnant to the proper apportionment of representation in a national democracy, that it violates the spirit and intent of our Constitution, and that it is incompatible with the ideal of political equality for our citizens."

Mr. Chairman, I shall not now debate the question of Alaska's population with the gentleman though I believe those figures can well be challenged. But that is not an important point. The point I seek to make is that the idea of equality of representation in the Senate is—far from being contradictory to the spirit or the intent of our Constitution—a provision which made the Constitution possible. I believe that every student of the history of this Republic is aware of the absolute impossibility of agreement upon a formula of union prior to the development of the Great Compromise. We are taught in every course on the history of the Republic—from the high school classrooms to the graduate seminars—that the formula which gave equality of representation in one House to each State and representation according to population in the other House was the formula which made a Constitution possible. The Great Compromise is the very heart of the intent and spirit of our Constitution. In my opinion, by no stretch of historical interpretation can the gentleman's description of it as incompatible with that spirit and that intent be justified.

But, Mr. Chairman, let us defer for a monent the proposition that this constitutional compromise is, or is not, consistent with past practice. Let us ask ourselves simply which is a more legitimate expression of the "ideal of political equality of our citizens," to which the gentleman appeals. Is there greater equality in affording thousands and thousands of American citizens no voice at all in their government or in affording them a voice which might in some way be considered as mathematically overweighted? Certainly, if Alaska is admitted to the Union, each of the States we represent will lose a tiny fragment of its numerical power in the running of the House and the Senate and in the election of a President. But, Mr. Chairman, we lose far more by retaining Alaska in its present state as a colony.

Is it truly more democratic to govern Americans, to tax them and to make policies which will affect, not only their politics, but their very lives, without giving them any voice whatever in the formulation of those policies—is that more democratic than to give them the tiny voice in this Chamber which the Constitution of the United States assures them as their right?

It is true that the people of Alaska are heard in this Chamber through the voice of their truly distinguished delegate, BOB BARTLETT. The people of Alaska have been well served by this great American, the weight of whose character and ability have made his views respected and his role a constructive one.

But the fact remains, Mr. Chairman, that BOB BARTLETT cannot vote for the people of Alaska, even where their most important concerns are before us. BOB BARTLETT must sit on this floor as we debate matters of high foreign policy, as we discuss issues which may prevent or not prevent the plunging of this Nation into war—war which would affect the people of Alaska as directly and as tragically as it would affect the people of New York or Oregon or Washington, D. C.; and he may speak, eloquently as

he always does, persuasively as ever, but still without the strength of a vote.

This, Mr. Chairman, I believe is as undemocratic, as "incompatible with the spirit of political equality," to quote the gentleman from New York, as the most tyrannical kind of dictatorship.

Another point, Mr. Chairman. It has been suggested that the admission of Alaska will cause one member of this House to lose his District, thus disenfranchising some indefinite number of Americans. The bill refutes this argument in its terms. There will be, when this bill passes and becomes law, one additional seat in this House until the 1962 elections. At that time, it is true, there will be again only 435 members of this House. But the great shifts in population in this country in the current decade will mean inevitably that many present seats will be lost, and new seats gained in other States. But when the apportionment of 1960 takes effect, no American will be without representation in this body unless we, by denying our heritage and setting our own immediate advantages against the whole current of our Nation's history, unless we, Mr. Chairman, unless we deny representation to the people of Alaska.

If this bill should be defeated, good Americans, Americans whose citizenship is as firmly attested in the honor rolls of the Nation as the citizenship of the people of any State, good Americans will in truth be denied the franchise. I submit Mr. Chairman, that a vote against this bill, not a vote for it, but a vote against this bill is a vote against the principles of democratic national government.

We have been told that we would sacrifice some small portion of our personal power if the House were enlarged; that our States will suffer a fractional dilution of their power in the Senate if the Senate is enlarged. This might be true mathematically. But I repeat, we will gain greatly in the dignity and worth of our office when we cease to exercise power over people who cannot hold us or our colleagues responsible for the exercise of that power.

I believe very firmly, Mr. Chairman, that it detracts from the worth of our own offices to exercise this undemocratic rule far more than it would detract from the mathematical power of our office to welcome to our midst voting Representatives and Senators from Alaska. We do not lessen ourselves when we grant to Alaskans what is theirs by right. We do not lessen ourselves, when we invite into our midst the good counsel which we will receive from Alaska's elected Representatives and Senators. We lessen ourselves only as we continue to exercise unjustified authority over persons who are not themselves represented. I suggest, Mr. Chairman, that taxation and war and peace, without representation, is still tyranny, even when wielded by the soft and considerate and benevolent hand of the Congress of the United States.

Mr. Chairman, one last point. We will be told again—as we have been told before in this debate—that we cannot afford the cost of granting statehood. We have been assured that this involves great losses to the Nation in land—in money—in resources. We have been told that statehood would be costly to Alaska—that Alaska cannot really afford statehood.

This is really putting a price tag on representative government.

It would not surprise me in the least if—around the year 1775—some juggler of figures had not written to the British papers proving conclusively—or at least to his own satisfaction—that the American colonies really could not afford freedom and that it was cheaper for them to remain under British rule. If such letters were written—or such claims were made—I am glad that the American colonists did not heed that fallacious advice.

Democracy is not something that is sold in the market place to the highest bidder. It is something to be striven for even at a sacrifice and once won, is to be preserved and nurtured.

And so, Mr. Chairman, in casting my vote for Alaskan statehood—far more important to me than these statistics which can be juggled—is the value which we cannot deny—the value we place on the American dream of liberty, of equality, of self-government. Surely, on this basis—the people of Alaska are entitled to statehood.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. PILLION].

Mr. PILLION. Mr. Chairman, I again address myself to this subject, only because of the enormity and the finality of this proposal.

Statehood is an irrevocable status. If we make a mistake here today, it cannot be amended or repealed here tomorrow.

The distinguished proponents of this bill have propounded the idea that two Senators, regardless of population, for each State to be hereafter admitted, is an unquestionable and valid political principle.

On the contrary, the grant of two Senators to Alaska is indefensible, if we study the proceedings and the intent of the founders of our Constitution.

It will be recalled that this very fundamental question almost disrupted our Constitutional Convention. The motion to grant 2 Senators to each State was adopted by the narrowest margin of 5 votes to 4.

The framers of our Constitution could foresee both the inequities and the iniquities of granting equal Senate representation, irrespective of population.

To provide against disproportionate and excessive political power in the Senate, article V of our Constitution provides that no State can be deprived of its power to consent to accept less than two Senators in the Senate. This clause of our Constitution is unamendable.

It leaves the question of Senate representation for States, to be hereafter admitted, open for further congressional decision.

In fact, the Convention defeated by a 9 to 2 vote, a proposal that new States be unalterably admitted each with 2 Senators.

At that time, the ratio between the most populous State, Virginia, and the least populous State, Delaware, was only 12 to 1.

The ratio of New York's 16 million people to Alaska's 160,000 citizens is 100 to 1.

Certainly, this disparity of political power is repugnant to our ideals of political equality.

In my statement of last Wednesday, I attempted to point out how the adoption, of the 12th, the 16th and the 17th amendments, has transformed our Government from a Federal republic into a national democracy. The restraints upon Federal power that were carefully built into our constitutional foundations have been removed.

Our National Government is no longer, in any degree, a government of federated States. We are a government of men and of people.

There have been significant charges in our political structure since the admission of the last State in 1912. A tremendous political power, and incidental economic power, has been concentrated into our National Government.

The conditions, under which the framers of our Constitution reluctantly, and with great misgivings, agreed upon the grant of two Senators for each State, no longer exist.

The admission of other States is not, today, a valid precedent for the admission of Alaska, with the grant of two Senators. Alaskan statehood would establish a most embarrassing precedent for the admission of Hawaii, Guam, and the Virgin Islands.

Statehood is espoused by many persons who sincerely believe this to be a liberal cause. It is the exact reverse of true liberalism. Statehood for Alaska is not consistent with either democratism or republicanism. The theory of equal representation for State governments has become an obsolete fiction.

Liberty, freedom, and justice for individuals presupposes political equality.

Statehood would establish a preferential political aristocracy in the people of Alaska at the expense of the people of the 48 States.

Mr. Chairman, it is assumed by many Americans that our constittuional apportionment of Senate representation has been adopted by other constitutional representative governments. This is entirely erroneous.

In most secondary or upper legislative bodies, either the members are not elected by the populace or the powers of the upper house are limited to that portion of power which acts federally upon the States and those powers which touch upon the rights and liberties of the people are reserved to the popularly elected representatives.

In our neighboring Canadian Government, the Senators are appointed for life. Although apportionment is partly based on sectional interests, the membership closely follows the population pattern.

In the successful West German Federal Republic, the upper house, the Bundesrat, in many areas of legislation, only possesses the power of veto over the actions of the lower house. Only the lower house, the Bundestag, possesses complete legislative power.

The members of this German Senate are not elected by popular vote, they are appointed by the states and vote in accordance with the instructions of their state governments. The apportionment of senators is made on the basis of population.

I know of no constitutional, representative government in this world, having a congress, whose two legislative bodies have coextensive powers, and whose upper house is directly elected by the people, where there is such a fantastic disproportion between the power of representation and population, as exists in the United States Senate.

Mr. Chairman, I propose to discuss the implications of communism in this proposal to grant statehood for Alaska.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield before he gets into that section of his remarks? I should like to ask my good friend from New York if there has ever been any proposal that the gentleman takes seriously about bringing Puerto Rico or Guam or the trust territories or Samoa into the United States.

Mr. PILLION. Yes. As the gentleman knows, the first step in any territory's seeking admission to statehood is to ask for a delegate to be admitted to our Congress, such as the delegate we have from Alaska and the delegate we have from Hawaii. The legislature of Guam, way out in the Pacific, with 65,000 people, has repeatedly adopted resolutions asking this Congress to permit them to send a delegate to this Congress, I think the distinguished gentleman will recall.

Mr. ASPINALL. No, I do not recall that. They have asked for a commissioner. It is the understanding of the gentleman from Colorado that they asked for the provision of an unincorporated territory, and that is entirely different. The reference made to Puerto Rico. Whether it is a commonwealth today or tomorrow or what not does not mean that we will ever grant statehood to Puerto Rico. There is a difference, by tradition and by attention given to them by the Federal Government between territories and unincorporated territories, and the gentleman understands that.

Mr. PILLION. No, that is a fiction. If we grant statehood to Alaska, with 100,000-some people, why should we not in order to pacify the Asiatic countries and go along with their request, give Guam statehood. They seek it. They would like that power. If the gentleman will recall, the representatives of the Virgin Islands have hinted to us during meetings that they would like to have a delegate in this Congress. Why not carry this thing to the logical conclusion, as it will be, and go along with statehood for Guam and the Virgin Islands? They can present the same valid argument that is being presented here today for Hawaii and Alaska.

Mr. ASPINALL. Will the gentleman yield for an answer about Guam and the Virgin Islands?

Mr. PILLION. I should like to finish my presentation, then I will be pleased to yield.

Mr. ASPINALL. I repeat that there never has been a serious attempt by either one of those areas to come in for statehood.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield.

Mr. HALEY. Apparently this bill is here today simply because statehood has been promised. I would like to read to the gentleman from Colorado a part of the platform of the Democratic Party in 1940:

> We favor a large measure of self-government leading to statehood for Alaska, Hawaii, and Puerto Rico.

Now if I may go to the 1940 pledge of the Republican platform:

> Hawaii sharing the Nation's obligations equally with the several States is entitled to the fullest measure—

And so forth.

> Puerto Rico statehood is a logical aspiration of the people of Puerto Rico who are made citizens of the United States by Congress in 1917.

Reading further:

The Republican Party platform of 1948:

> We favor eventual statehood for Hawaii, Alaska, and Puerto Rico.

I do not know whether these things are from a reliable source or not, but apparently we have this bill here today simply because somebody said, "Well, go back to the platforms of both parties. We promised them." If that is not a promise, what is?

Mr. PILLION. I thank the gentleman for his contribution.

First of all, I would like to state that I have probably, at some time or another, favored causes which were also favored by the Communist Party. Nothing that I say here is intended to reflect upon the sincerity or the integrity of any Member of this House. Nor do I in any way imply that the advocacy of statehood here is intended to aid or comfort the Communist Party.

Communism is not as serious a menace in Alaska as it is in Hawaii. The only union that is directly controlled by the Communist Party is the Fisherman and Allied Workers Union. This union has a membership of 750.

It was expelled from the CIO in August 1950 as being Communist controlled. The very next day it joined the International Longshoremen's and Warehousemen's Union, which had also been expelled from the CIO as being Communist controlled. Both of these unions continue to have the same leadership they had when expelled from the CIO.

The ILWU, of course, is led by Harry Bridges. He is, next to William Z. Foster, the most powerful Communist in this country.

Mr. Bridges has established a Communist beachhead in Alaska. His operations there are dormant, awaiting the right time to expand and take over.

Twenty years ago, no one dreamed that Harry Bridges could, possibly, attain the economic and political power that he holds over the life of Hawaii.

I show here a photograph that brings shame and disgrace to every American. This is the front page of the May 22 edition of Hawaii's largest newspaper, the Star Bulletin. It shows our Governor, with Harry Bridges, the well-known Communist, and Jack Hall, his Hawaii regional director of the ILWU, negotiating over the 4-month sugar workers strike in Hawaii.

Jack Hall is a notorious Communist.

These two men are emissaries of Moscow, subject to the discipline of the Communist Party. They are dedicated to the overthrow of this Government by either parliamentary or revolutionary tactics.

To show you the power of this Communist conspiracy in Hawaii, Governor Quinn, 2 months ago, tendered Jack Hall a public appointment as a member of the safety commission.

Statehood for Hawaii is a major political objective of the Communist Party. It will give to the Communist Party 2 Senators and 2 Representatives in our Congress. These men will necessarily be under the influence and direction of the Communist Party.

The ILWU with a membership of 25,000, controls the sugar and pineapple industries. It controls all shipping through its stevedores.

The UPW is an associated Communist dominated union with a membership of 3,000. This union controls the transportation, waterworks, and public workers, including the sheriff's department.

The ILWU maintains 16 libraries for Communist literature. They use 4 radio stations, with broadcasts every day, in the English, Japanese, and Filipino languages.

The ILWU spends more than $250,000 a year for propaganda alone.

It operates in both the Democratic and Republican Parties. It is stronger, more potent, than either the Democratic or Republican Party.

In the last 1956 election, 21 out of 30 representatives in the Territorial Legislature were elected with ILWU political support. In this last election, it elected 26 out of 28 candidates that it endorsed.

If Alaska is admitted to statehood, Hawaii will immediately present the problem of whether this Congress will also grant statehood to a Territory that will, probably, send 4 Congressmen to Washington, who will be selected and elected by Harry Bridges, who will be obligated to and under the discipline of the Communist Party.

Mr. Chairman, I am preparing an exhibit to be placed in the vestibule, tomorrow, documenting the Communist influence over the economy and politics of Hawaii.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield.

Mr. O'BRIEN of New York. I would like to congratulate the gentleman. Perhaps he has solved one of our national defense problems, because we have a new intercontinental missile capable of throwing a mud ball from Hawaii to Alaska. Three years ago the gentleman had his exhibit on the floor, and that is when my interest in state-

hood for Alaska began, because I saw the Territory of Alaska smeared and kicked around by implication because of alleged communism in places thousands of miles away. I made up my mind then and there that if I ever supported a bill on this floor it would be separate and distinct from any other Territory. We are considering here Alaska only.

The CHAIRMAN. The time of the gentleman from New York [Mr. PILLION] has expired.

Mr. MILLER of Nebraska. I yield the gentleman 1 additional minute, Mr. Chairman.

Mr. PILLION. Does the gentleman believe that the situation in Venezuela is mud? Does the gentleman believe that the situation in France with its Communist implications there is nothing but mud? Is the situation in Syria and Lebanon and Egypt mud? It is all a part of the Communist conspiracy of which Bridges and his union is an integral part in Hawaii. I show the gentleman this document that was issued by the Territorial Committee for the Study of Communism and Subversion, hundreds of pages.

Mr. O'BRIEN of New York. How much communism is there in Alaska?

Mr. PILLION. Much of what I have said here is reported in this; it is the 1955 report. This so shocked the Communist Party that they went to the legislature and the legislature just about completely cut the funds of that investigating organization.

Mr. O'BRIEN of New York. This was not an Alaskan investigation.

Mr. PILLION. No, it was the investigation in Hawaii. Here is the 1957 report. The funds were cut off and they had no means for printing it. It was printed at the expense of a group of Hawaiian residents, a group of patriotic citizens who collect something like $90,000 a year to fight and counteract the $250,000 per year spent by the Communist apparatus.

Mr. O'BRIEN of New York. What does Hawaii have to do with Alaska?

Mr. PILLION. Because Hawaii will be proposed for statehood next.

Mr. O'BRIEN of New York. And will be judged on its own merits by this House.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. PILLION. I yield.

Mr. ROGERS of Texas. I want to commend the gentleman on the great contribution he has made to this debate. I think he is exactly right in the fear of what may happen in Alaska; and I think that what has happened in Hawaii could very well foretell what could happen in Alaska.

Mr. PILLION. I thank the gentleman.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, I have no special claim to be heard here today. I am not a member of the committee which considered this legislation. Nor will the disposition we make of it mean any more to my particular district than to any other.

Yet I am convinced that there is here involved a matter of principle so deep that it makes some of the terms in which this matter has been discussed seem rather pale and petty by comparison.

This could be the most historically significant decision to confront us in the 85th Congress. Whether or not to grant Alaska's plea for statehood forces us to face up to some searching questions. They are questions about ourselves which probe deeply into our national conscience. They are the kind of questions upon which history, with its cold and stern impartiality, will make its judgment of nations. Here are three of those questions:

First of all, do we as a Nation really and truly believe what we professed to believe 182 years ago at the inception of our Republic? And do we practice what we preach?

Secondly, are we a nation which holds its promises sacred, a people to whom our national word is inviolable?

Finally, what is to be our destiny? Is the United States finished with growing? Are we still young and vibrant and vital, with a message and a mission and a future in the world? Or have we reached the stale maturity from which the only road leads downhill?

History is demanding an answer to these questions. The world is keenly interested in our answer. Our enemies, looking for the vacillation that bespeaks wavering weakness, are interested. We ourselves should be most interested of all. Let us examine each of these questions in the clear, clean light of honest introspection.

OUR MOST BASIC PRINCIPLE

Does this Nation, born of a burning passion for freedom and swearing at its founding an oath of eternal hostility against colonial domination, still hold this basic principle to be the source of our strength?

Do we still believe, as we so solemnly affirmed in our Declaration of Independence, that government derive its just powers from the consent of the governed?

Do we still hold to the principle that taxation without representation is tyranny? And if we really believe in these things, do we believe in them only for ourselves or do we believe in them for others too?

Were these sentiments merely expedient expressions designed simply to serve our own temporary advantage? Or were they fundamental and abiding truths upon which we consistently base our national policies?

The case of Alaska thrusts these questions uncomfortably before us. It requires an answer and will not be put off.

The citizens of Alaska do not have the right of self-determination, which we have professed to hold sacred. They are taxed by our Government while having no voice in the Halls of Congress when appropriations are made and taxes are levied. Their sons are drafted to do battle in our common defense; and yet they have no vote when Congress declares war, or when the Senate ratifies treaties of peace. However we might seek to justify this, there is no evading the fact that this is taxation without representation. This is government without the consent of the governed.

Were the people of Alaska content in such condition, did they not desire the full measure of freedom which we demand for ourselves, it would be a different matter. Yet they have repeatedly memorialized us to make good our 91-year-old promise of statehood. They have become restive and impatient with their status as half citizens, and with our deliberate delays. They have called themselves together in convention, written and adopted a constitution, and declared themselves to be a State. Our decision can be no longer delayed.

OUR PROMISE

There is an intangible something in the history of nations which marks some for enduring greatness and others for fleeting fame and mediocrity. It is a quality of honor. In what sanctity do we hold the promise of the United States?

In the original treaty of cession by which Alaska was annexed, this solemn and specific commitment was made:

> The inhabitants of the ceded Territory * * * shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States.

That was the pledge. It was the word of the United States of America, given 91 years ago. It was a treaty, the highest form of contract, to which our Government was a solemn signatory, and to which all mankind are witnesses.

In the very act of incorporation as a Territory was the implicit promise of eventual statehood. Like Hawaii, Alaska was taken into the United States as a permanent part thereof. There is a world of difference between such an incorporated Territory and a dependent possession such as Puerto Rico, the Virgin Islands, and Guam.

The Philippine Islands constituted a possession. When we fell heir to them at the end of the Spanish-American War, Congress did not consider it advisable ever to extend statehood, and therefore did not incorporate them as a Territory. They did not pay taxes as residents of States and Territories are required to pay them. When finally they attained a readiness for self-government, they were granted their independence, which is the eventual goal of a possession. The eventual goal of a Territory, on the other hand, can be no other than statehood.

We could no more grant independence to Alaska or Hawaii than we could grant it to Texas or Oklahoma. The Supreme Court has consistently interpreted the law to mean that no incorporated Territory can ever be separated from us. The Court speaks of indissoluble bonds, and this principle has been affirmed in eight different decisions of our highest tribunal, dating to the famous Dred Scott case. The only purpose of incorporation as a Territory is to tie the area inseparable and irrevocably to the United States in preparation for its statehood.

Except for the 13 founding colonies and 4 others, every State in the Union

served an apprenticeship as a Territory. The Northwest Ordinance established the criteria for Territories' becoming States and by its language assumed that upon meeting the criteria a Territory was entitled to statehood. Out of the 31 Territories Congress has created, the promise of statehood has been redeemed for all save Alaska and Hawaii. Alaska has been waiting for 91 years, and that is a long time to wait for a promise to be kept.

OUR FUTURE?

The final question, in a material sense, might be the most crucial one of all. For it places us in true historic perspective. What is our destiny? Where do we go from here?

Thomas Carlyle, writing in the 19th century, drew a very vivid, and it seems to me a valid, analogy. He compared the life of a nation to that of a living organism. It is born, as with man, in travail and pain; it develops through tender childhood and reckless adolescence; it matures and reaches its full flower and productivity; it then begins an inevitable decline, ending in stagnation and decay.

I would ask the opponents of this legislation if it is their contention that America's growth is finished? Is our Nation still a vibrant, growing organism, capable of world leadership, or must we concede that our finest hour is past and that further expansion of the American ideal is foredoomed?

Karl Marx, the infamous archangel of communism, reveals in his writings that he had considerable respect for capitalist vigor and achievements, but he believed that a nation such as ours contained in it the seeds of inevitable decay, and he insisted that only in those far advanced and even declining States could the socialist revolutionaries hope to succeed. A capitalist nation, according to his dialectic, would destroy itself through selfishness and overcautious retrenchment. It was to be the Communists' goal to wait patiently and seize power when the once vibrant nation grew old, static, and weary of the ideals that had given it birth and the bloom of growth.

It could be tragic indeed if we should deliberately decide that we are all finished with growing, that our national growth cycle has been completed now that we span the continent. This cannot be, for then the natural order of things would ordain that we have already begun to die. Our Nation's founders recognized that our national greatness would be that of an ever-expanding Nation.

There are two ways by which a nation may grow; by military conquest or by the willing attachment of others to it. The first is anathema to us. It is the way of marauding expansion, the way of the warlord. It does violence to the consciences of free men. The latter is the route of statehood, the method ordained by our Founding Fathers, the manner in which we grew throughout the 19th century and the early years of the 20th, while our example inspired mankind and popular people's movements throughout the world were seeking to model new governments after our own.

It should be a matter of great pride to us that there are those in Alaska and Hawaii who desire to tie themselves to us with the indissoluble bonds of statehood, to share our perils and our responsibilities. For it proves that there still is something dynamic and attractive and growing in the American experiment in free government. It gives hope that the American ideal, far from being a thing of the past, is the wave of the future.

What an example it could be to the uncommitted peoples of the world, now wavering between our way and that of the Communist ideology. What a contrast to the method by which communism has expanded its sphere. Where they have achieved growth by the route of subversion and military conquest, we can be expanding by the voluntary method, by peoples coming to us as Alaska has come and asking to be united with us in the whole enjoyment of our freedoms. But what a tragic example if we should meet them with rude rebuff when they come asking only to share with us the whole enjoyment of our freedoms, as we promised them 91 years ago.

We pledged at that time that the people of Alaska, "shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States." Now, can anybody seriously contend that the inhabitants of Alaska have all the rights, advantages, and immunities of citizens when they have no voice in the Congress? Could anyone seriously maintain that they have the rights, advantages, and immunities of citizens of the United States when they have no choice in the selection of the President of the United States? Can anyone honestly say that they have the rights, advantages, and immunities the rest of us enjoy when they have no choice even in the selection of a governor for their Territory? Can anyone say they have those rights, advantages, and immunities which we hold dear and which we would fight to defend if anyone even suggested that they were about to be taken away from Texas, Virginia, Oklahoma, Florida, or any of the other States?

Now, if those rights, advantages, and immunities are important to us, can we say they are less important to the people of the Territory of Alaska? Either they are important or they are not. Either they are the goal of mankind's striving; or they are not. Here we stand before the world and we say "These rights are the important things. These are the things to seek in a government. These are the abiding values." Having said this, are we consistent, when people come to us and petition us for these rights, to rebuff them and deny them?

And that, it seems to me, is the basic principle underlying this entire discussion. For freedom is not a thing of little supply, to be hoarded and kept from others for fear that they, in gaining it, would take it from us and we would have less of it for ourselves.

Freedom is a gift, a blessing of God, a thing to be shared. As with all blessings, its richest enjoyment comes in the sharing of it. If we truly value it, we want others to enjoy it too.

If we love freedom, as we claim to love it, we feel about it as we do our faith. With a missionary zeal, we want to spread it, to share it, to tell the world of it, to bring others into the warmth of its glow.

Whenever we cease to feel that missionary zeal about this thing called freedom, whenever we begin to begrudge it to others and selfishly seek to enjoy it exclusively for ourselves alone, then we shall have ceased to deserve it. And, ceasing to deserve it, we may find that we have it no more.

Mr. MILLER of Nebraska. Mr. Chairman, I yield 5 minutes to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Chairman, considerable point has been made in this debate as to some mysterious giveaway of mineral rights. I did not intend to take part in the debate until that came up, but it is a matter of such vital importance to the Western States, particularly the 11 Western States, that I thought it should be clarified. I realize that it is something that is easily misunderstood by a person who does not live from day to day with some of the terms that are used.

I have not had the opportunity to examine the acts of admission of all the various States, but I am familiar with that of the State which I represent, the State of Wyoming; and I think the others are in general similar on this point.

By the Act of Admission of the State of Wyoming, under section 13 thereof, it is provided:

> All mineral lands shall be exempted from the grants made by this act. But if sections 16 and 36, or any subdivision or portion of any smallest subdivision thereof in any township, shall be found by the Department of the Interior to be mineral lands, said State is hereby authorized and empowered to select, in legal subdivisions, an equal quantity of other unappropriated lands in said State in lieu thereof, for the use and the benefit of the common schools of said State.

The mere mentioning that mineral lands are exempted from the grant appears to be misunderstood to mean that minerals are exempted from the lands granted. But that is simply not the fact. The Geological Survey prior to the time that these States came in had made certain examinations and surveys of the lands within the State and had found some of them valuable for mineral purposes. They were designated as mineral lands. But other lands were open and unappropriated and a State could select them, and the State obtained the title to the minerals in the lands which they acquired.

As a matter of fact, in the case of State of Wyoming against the United States, it was decided—this was reported in 255 United States 493—that the State having made a selection of lands that at the time were open and not classified as mineral lands, the State

acquired an equitable right to the lands even before the selection was approved by the Secretary of Interior, and the subsequent classification by the Federal Government of such lands as mineral lands did not justify the Secretary of Interior in withholding transfer to the State, even though oil had in fact been discovered thereon.

The State was entitled to the lands including the minerals. I thought this should be further clarified.

If there is anything I would object to in the mineral provision, it is the restriction that is put upon the State of Alaska as far as the transfer of minerals to individuals is concerned. It was never the policy of this Government that the Government should be a great and huge landowner. This subject came up in the Congress of the Confederation and the Continental Congress in 1780 adopted a resolution on it. Here is their policy as to public lands:

> The unappropriated lands that may be ceded or relinquished to the United States * * * shall be disposed of for the common benefit of the United States, and be settled and formed into distinct republican States, which shall become members of the Federal Union, and have the same rights of sovereignty, freedom, and independence as the other States.

The reason that the public lands were ceded by the original 13 States to the Federal Government was to make for equal States and to make provision for the payment of the Revolutionary War debt. It was never intended that we should be a country with Government ownership of land. That is contrary to our basic philosophy. In 1832, the Public Lands Subcommittee of the United States Senate made a complete survey of the whole question and reported to the Senate in part as follows, showing the continued land policy of the United States:

> Our pledge would not be redeemed by merely dividing the surface into States and giving them names. The public debt being now paid, the public lands are entirely released from the pledge they were under to that object, and are free to receive a new and liberal destination for the relief of the States in which they lie. The speedy extinction of the Federal title within their limits is necessary to the independence of the new States, to their equality with elder States, to the development of their resources, to the subjection of their soil to taxation, cultivation, and settlement, and to the proper enjoyment of their jurisdiction and sovereignty.

The Constitution provides for the admission of new States. In the same article IV, it is provided in section 2 that:

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

In the treaties by which we acquired land from Mexico, France, and other countries, it was clear that the Territory was to be incorporated into the Union in due time as States on an equal footing with the other States. In each of the organic acts, I have seen, it is stated that States shall be admitted on an equal footing. That has been construed by the Supreme Court. In the case of Pollard's Lessee against Hagen, et al., Justice McKinley, delivering the opinion of the Court, had this to say. This was a case involving the State of Alabama:

> The right of Alabama and every other new State to exercise all the powers of government, which belong to and may be exercised by the original States of the Union, must be admitted, and remain unquestioned, except so far as they are, temporarily, deprived of control over the public lands.
>
> Whenever the United States shall have fully executed these trusts, the municipal sovereignty of the new States will be complete, throughout their respective borders, and they, and the original States, will be upon an equal footing in all respects whatever.

Again in the case of Scott against Sanford in the concurring opinion of Justice Catron he very well spoke for the Court in principle when he stated that the theory is that the States had reserved the ultimate power over their own soil. On the other hand, the United States had temporary authority over the public domain in the States for the purpose of disposal under the Constitution and international treaties.

The point is simply this, that the Federal Government under the original concept and the concept that we still have been following was not set up to be a landowner or a huge land baron as in governments of other philosophies. The idea was that the public lands would be held in trust by the Federal Government to be disposed of so that they would be subject to taxation and subject to individual ownership. As far as the 11 Western States are concerned, this policy has been changed with respect to our minerals since 1920, when title to land was passed into private ownership. This is not leaving them on an equal footing with the other States. I think this is a situation which should be corrected by separate legislation, but certainly following the basic policies of the United States in turning over the minerals beneath these 182 million acres to the State of Alaska is not a deviation or is not a giveaway.

The only provision in this act more favorable than the acts of the other States in that respect is that if some of these lands in Alaska may have been designated as mineral lands, they can still be selected by the States of Alaska. I sincerely hope that no one will be misled by the argument that has been made. I sincerely hope the time will come when the inequities as far as the other 11 Western States are concerned can be corrected and these States will in truth and in fact as their organic acts provide be States on an equal footing with all of the other States.

(Mr. THOMSON of Wyoming asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. COFFIN].

(Mr. COFFIN asked and was given permission to revise and extend his remarks.)

Mr. COFFIN. Mr. Chairman, as I have listened to a good part of this debate, I could not but be impressed by the level on which it was conducted. I think this debate has occurred in the highest of parliamentary traditions. We in this body should never feel we have abandoned the tradition of a deliberative body under a free parliamentary system.

As I listened to the gentleman from New York a few moments ago, as he spoke against Alaskan statehood, I could not help but admire the historical and constitutional study that went into his presentation But it seemed to me that he argued too much when he said that our system was the only one of its kind in effect, that other systems such as that prevailing in Germany, mentioning the Bundesrat and the Bundestag, did not have two bodies with largely coequal rights and duties, with one body giving equal representation to areas of differing populations and differing strengths.

I began to feel that at that moment the statehood of my own State of Maine was in jeopardy because our population is not so great as most of the other States. Yet, I think in the history of our country, we have made our contribution as have the Representatives and Senators of other States, many of those being of small size.

I think the gentleman from Texas who spoke more recently phrased the faith which I share in the future of our country and in the future of Alaska should statehood be granted. I suspect when all the arguments are finished and all the facts have been tallied and published in the CONGRESSIONAL RECORD, what we do here will be an act of faith.

I submit, in the course of our deliberations, that we seldom have opportunity to take action that is good for the long run as well as good for the immediate future. The issue that comes before us tomorrow comes before us at a particularly fortunate time. We have an unusual opportunity to do something not only for the indefinite, permanent future but something that will strike a blow that is badly needed today. In the cold war that we are fighting, in this great contest of ideas and ideals between our way of life and that of the Soviet Union, we find that all too often our friends overseas have forgotten the heart and soul of our tradition of freedom and democracy and self-government and think of us chiefly in terms of economic and military power. Here it seems to me is an opportunity to demonstrate that ours is the only way of life under which it is possible to have great power coexistent with freedom and self-government. You have heard many times on the floor of the House reference made to the pledge at the time the treaty with Russia was signed, pledging the rights and immunities to the people of Alaska that are possessed by the citizens of this Nation.

I just want to expand on the theme of the timeliness of the admission of Alaska. I do this because this question has come before this body so often in the past that, perhaps, there is a tendency to say, "Oh, well, we do not need to do this today and we can put it off for awhile—this is so irrevocable."

Mr. Chairman, I submit there is no better time than now. Alaska, as you

have been told, is a nonselfgoverning portion of the free world—it is that portion liying closest to the Russian police state. No other area occupied by free men lies so close to that fortress across the narrow strait. Communist imperialism has gobbled up one by one such countries as Lithuania, Estonia, Latvia, Poland, Rumania, Bulgaria, Czechoslavakia, Hungary, and East Germany. Now only 54 miles separate Alaska and Siberia across the Bering Strait. One can stand on the shore of Alaska and look across and see the headlands of Siberia. There are two islands—Big Diomede and Little Diomede—1 Russian and 1 American. They lie only 2½ miles apart in the Bering Straits. Russia has forcibly evacuated the inhabitants of her island, Big Diomede, and she has deported them to the Siberian mainland. In contrast, the inhabitants of our island, Little Diomede, live there unmolested. Their loyalty to Uncle Sam was shown during World War II when every male resident of the island who was not enrolled in our Armed Forces volunteered for service in the Alaskan Territorial Guard, the youngest being 2 boys 13 and 14 years of age but physically able to perform the services required.

Mr. Chairman, Hungary is a name that has been emblazoned on the pages of history for all time. It seems to me that if we believe this is a wise and a good act, now is the time to make sure that Alaska shall be a name emblazoned on the pages of history for all time. Alaska and Hungary, the perfect opposites—the perfect symbols of the fight for the ideas and hopes of mankind with which we are now confronted.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. COFFIN. I yield.

Mr. HALEY. I agree with what the gentleman has said about the sanctity of treaties and so forth.

I am just wondering if the gentleman is aware of the many, many treaties that our Government has with the American Indians, if he can go along with me in trying to protect some of those treaties.

Mr. COFFIN. Treaties with the American Indians?

Mr. HALEY. Yes.

Mr. COFFIN. I would certainly agree with the gentleman. Our record in that case is far from something to be proud of.

Mr. HALEY. I think if we are going to respect treaties that we have made we should try to go back and respect some of the treaties we made with the original Americans. Does the gentleman not think that would be a god place to start?

Mr. COFFIN. In so far as a good place to start is concerned, any place is a good place to start. We cannot correct all the sins and errors and omissions of this country for 180 years, but we have a chance to do something today and do something right and sound, and I do not think we should miss the opportunity.

The CHAIRMAN. The time of the gentleman from Maine [Mr. COFFIN] has again expired.

Mr. McGREGOR. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN (Mr. MILLS). The Chair will count. [After counting.] Forty-five Members are present; not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 75]

Andrews	Fogarty	Osmers
Anfuso	Forand	Passman
Ashley	Fulton	Patterson
Auchincloss	Gordon	Philbin
Baker	Granahan	Poage
Barden	Green, Pa.	Powell
Barrett	Gregory	Radwan
Bass, N. H.	Gross	Reece, Tenn.
Bass, Tenn.	Gubser	Riley
Becker	Gwinn	Robeson, Va.
Bentley	Haskell	Robison, N. Y.
Boggs	Healey	Rodino
Boland	Hemphill	Rogers, Mass.
Bolling	Henderson	Sadlak
Breeding	Hillings	Saund
Brooks, La.	Holifield	Scott, N. C.
Buckley	Holt	Seely-Brown
Budge	Jackson	Selden
Burdick	James	Shelley
Byrd	Jenkins	Sheppard
Byrnes, Wis.	Jennings	Shuford
Carnahan	Judd	Sieminski
Celler	Kearney	Siler
Chelf	Kearns	Smith, Miss.
Chiperfield	Kilburn	Spence
Christopher	Knutson	Staggers
Clark	Lane	Steed
Clevenger	LeCompte	Taylor
Colmer	Lennon	Teague, Tex.
Cooley	Lesinski	Teller
Corbett	McCarthy	Thompson, La.
Coudert	McIntosh	Trimble
Curtis, Mo.	Mack, Wash.	Udall
Dawson, Ill.	Mahon	Van Zandt
Derounian	Marshall	Vinson
Dies	Martin	Wainwright
Dingell	May	Watts
Dollinger	Merrow	Wharton
Dowdy	Miller, Calif.	Wier
Doyle	Morano	Williams, Mass.
Durham	Morris	Wilson, Calif.
Eberharter	Morrison	Winstead
Engle	Moulder	Zelenko
Farbstein	Multer	
Fino	O'Hara, Minn.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7999, and finding itself without a quorum, he had directed the roll to be called, when 298 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Idaho [Mrs. PFOST].

(Mrs. PFOST asked and was given permission to revise and extend her remarks.)

Mrs. PFOST. Mr. Chairman, during the last 46 years since Alaska was permitted to have its own legislature, it has served its apprenticeship as an organized Territory. At the outset it was underdeveloped, and commenced governmental operations on a very small scale. Appropriations for all Territorial government activities during the first few years were less than one million dollars per year. As late as 1945 the Alaska Legislature appropriated just over five and one-half million dollars for the biennium ending March 31, 1947.

Since that time the rapid growth of Alaska has impelled Alaskans to meet their many problems, which they have done in a politically mature manner. Since enactment of Alaska's basic tax program by its 1949 legislature, revenues have increased to over forty million dollars per biennium—$20 million per year. For the purpose of this discussion, I will speak in terms of cost of government in Alaska per year and in terms of revenues derived by Alaska each year.

It is my purpose to discuss the principal objection which I have heard voiced to the effect that Alaska cannot afford statehood. If Alaskans can afford statehood, there is no valid reason why their fundamental rights as American citizens should not be extended to them at this time.

Since undertaking the responsibilities of giving full-fledged governmental services to the people of Alaska, the Territory has established and maintains every department and function common to the States, except four which Congress specifically reserved to Federal control in the Organic Act of 1912. The four categories to which I refer are: court system, administration of fish and wildlife, governor's office, and the legislature, the Territory already paying one-half of the cost of the Alaska Legislature and a portion of the expense of the governor's office. I have before me a list showing 70 agencies and functions for which the Alaska Legislature appropriates, including an excellent school system and a fully accredited university.

Alaska has adopted compliance acts for participation in Federal programs the same as all the States, and has paid its way on the same basis as the States.

Alaskans have done all this without incurring any bonded indebtedness, having managed to maintain a small surplus from year to year, which I regard as a remarkable performance.

In the light of the fact that the people of our great northern Territory have already achieved what is virtually tantamount to a State government, the question as to whether Alaska can afford statehood hinges upon the cost of the extra four functions which I have mentioned. Based on cost to the Federal Government of carrying out these functions, and in round figures, the situation is as follows:

The Federal Government appropriates approximately $2 million per year for the court system in Alaska, including marshals' offices and jails. The proposed State, with a full-fledged territorial police system, is already prepared to carry out law enforcement and take over the work of process serving, which is a principal function of the United States marshals. However, debt service on new courthouses and jails and expansion of the territorial police would make the additional cost to the new State for its judiciary about $2 million annually, although one Federal district court would remain in Alaska, at Federal expense, and retain jurisdiction of Federal cases amounting to about one-fifth of Alaska's volume of court business.

The cost to the Federal Government of approximately $2 million per year for

management of fish and wildlife resources is another financial burden which would fall upon the new State. The expense of the governor's office and full cost of the State legislature would amount to about one-half million dollars per year over and above what the Territory is now spending in those fields. These items of new expense which I have just mentioned would total $4½ million per year, for which the new State would have to be responsible.

However, there are certain offsets which would come with statehood, and certain recent developments in Alaska which virtually assure the needed new revenue.

The first that comes to my mind is the item of 70 percent of the proceeds from the Pribilof Seal Fisheries, amounting to approximately $1½ million per year.

Next is revenue of about one-half million dollars per year which will be derived from fish and wildlife licenses and matching funds connected therewith, fines, fees and forfeitures from the court system, and revenues which will be derived from the State domain of 182,800,000 acres. Of course, the revenue from this latter source will increase greatly as Alaska develops.

Under the heading of new developments, I wish to point out that this Congress has recently granted Alaska 90 percent of the gross receipts from oil, gas, and coal leases in Alaska. This will mean at least $1½ million a year for Alaska not previously available.

In view of the fact that oil has now been found in commercial quantities on the Kenai Peninsula, application for oil leases to date amount to about 25 million acres at 25 cents per acre.

Alaska is also granted 52½ percent of the revenues from oil and gas production as soon as production starts. Secretary Seaton has announced that he will soon open up the Gubik gas and oil fields which are slated for rapid development. Accordingly, in due course the oil and gas revenues to Alaska will substantially exceed the one-and-a-half million dollars per year currently forthcoming.

I should also note that Alaska will continue to receive 25 percent of the national forest receipts which now amount to approximately $150,000 per year, but which will be doubled as soon as the new pulp mill at Sitka gets under operation. In other words, forest receipts will shortly exceed one-quarter million dollars per year, and with the probable advent of at least 2 additional pulp mills within the next 10 years, for which forest leases have already been let, will exceed one-half million dollars per year.

Thus, in round figures, these offsets and new revenues will come to at least three and three-quarter million dollars per year, leaving less than $1 million per annum as an additional tax burden upon Alaskans. This is no obstacle to statehood as far as Alaskans are concerned. For example, the Territory as yet does not have a general property tax, which source alone would meet the need. Another thing which lends stability to Alaska's present position is the fact that the 84th Congress brought Alaska under the Federal Aid Highway Act of 1956. Although Alaska shares in this program on the basis of only one-third of its area, it is entitled to approximately $15 million per year, which it may use in part for highway maintenance as well as construction. Alaska's 5-cent gasoline-sales tax, which produces about three and a half million dollars per year, affords ample funds for matching purposes for highways.

In brief, Alaskans, in anticipation of statehood for which they are now pressing, have, through foresight and constructive action, put their financial and governmental house in order, which fact, combined with the Federal measures I have mentioned plus the rapid development of Alaska's great potential in the oil, gas and timber fields, leaves no valid reason why these fellow United States citizens should not now be granted the fundamental rights upon which our great democracy is founded.

In conclusion, I wish to say that I have every confidence in the ability of Alaskans to solve their problems, the same as Americans everywhere have solved theirs, and I believe that the recognition of Alaska as a State of the Union will "put it on the map", so to speak, and promote its growth and ultimate prosperity to the advantage of all the people of our great Union of States.

Agencies, activities, and functions which the Territory of Alaska now carries on:

Board of Accountancy.
Department of Agriculture.
Aid to Agricultural and Industrial Fairs.
Agricultural Pest and Disease Control Fund.
Agricultural Revolving Loan Fund.
Alaska Visitors Association—Tourism.
Office of Attorney General.
Department of Aviation.
Banking Board.
Bar Association.
Basic Sciences Board.
Board of Chiropractic Examiners.
Civil Air Patrol.
Department of Civil Defense.
Coal Miners Examining Board.
Division of Communications.
Board of Cosmetology.
Board of Dental Examiners.
Department of Education.
Employment Security Commission.
Office of Fire Marshal.
Department of Fisheries and Game.
Fisheries Experimental Commission.
Gas and Oil Conservation Commission.
Department of Health.
Historical Library and Museum.
Department of Highways and Public Works.
Industrial Board.
Insurance Department.
Board of Juvenile Institution.
Department of Labor.
Department of Lands.
Legislative Council.
Department of Library Service.
Board of Medical Examiners.
Interim Care of Mentally Ill.
Department of Mines.
National Guard.
Nurses Examining Board.
Board of Optometry.
Board of Pharmacy.
Pioneers' Home.
Department of Territorial Police.
Predatory Animal Control.
Aid to Prospectors and Miners.
Department of Public Welfare.
Real Estate Board.
Resource Development Board.
Rural Development Board.
Safety Council.
Soil Conservation Board.
Department of Taxation.
Treasurer of Alaska.
University of Alaska.
Commission of Veterans' Affairs.
Veterans' Service Council.
Vocational Rehabilitation.
Western Interstate Commission for Higher Education.

While this is just a bare-bones outline of Territorial agencies, it may be useful to detail the appropriation for a typical department, to illustrate the variety of activities within such. Here, for example, is the Department of Health, as provided for by the 1957 legislature in its appropriations act:

Department of Health

Health and sanitation	$380,120.00
Tuberculosis, hospitalization, and control	781,500.00
Hospital and medical facilities survey, planning, supervision, and licensing	25,000.00
Vital statistics	65,000.00
Payments to United States Commissioners	40,000.00
Mental health program	52,000.00
Remodeling existing hospitals for mental health brief care	40,000.00
Alaska food, drug, and cosmetic control	15,000.00
To implement chapter 125, SLA 1955, as to food processors and packers	10,000.00
Water pollution control and sewage disposal	25,000.00
Physical examination of schoolchildren	30,000.00
Polio vaccine	10,000.00
Community hospital deficits assistance	15,000.00
Total	1,488,620.00

Mr. RAY. Mr. Chairman, debate upon the bill H. R. 7990, to grant statehood to Alaska, has been thorough and informative. I have decided to vote against that bill. The short statement of my reasons for that decision is that I am not able to say that admission of Alaska would be in the public interest at this time.

Mr. O'BRIEN of New York. Mr. Chairman, I yield the balance of the time to the distinguished Delegate from Alaska [Mr. BARTLETT].

(Mr. BARTLETT asked and was given permission to revise and extend his remarks.)

Mr. SCOTT of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Pennsylvania.

Mr. SCOTT of Pennsylvania. May I say to the Delegate from Alaska that I have long been sympathetic with the measure which is now before the House. I commend him on his zeal and continued devotion to the cause. I want him to know that I support the measure and will be glad to vote for it, and count on the

opportunity soon to welcome Alaska as the 49th State.

Mr. BARTLETT. I thank the gentleman for what he has said and for his support.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Illinois.

Mr. PRICE. First, may I express the hope that the gentleman from Alaska is about to see the realization of the dream he has cherished for many years. I am confident that when the House has the opportunity to vote on this measure it will receive the overwhelming support of the Members of the House.

Mr. Chairman, the House has a right and a duty to inquire into statehood from the military standpoint.

Alaska is a vitally strategic area.

Last week the gentleman from Pennsylvania [Mr. SAYLOR] announced that the Commander in Chief, President Eisenhower, approves the Alaska statehood bill in its present form. Do we need better military judgment on the proposition of statehood?

We have another witness on this subject, a man who served as commander in chief of the Alaskan command and who is now Chairman of the Joint Chiefs of Staff. In March of 1957, Gen. Nathan Twining said before the Interior and Insular Affairs Committee, "As students of the history of bills favoring statehood for Alaska are aware, I testified in 1950 that I, personally, was in favor of statehood. At that time I was commander in chief of the Alaskan Command and I spoke only on the general proposition of statehood, as distinct from the specific provisions of any Alaskan bill, as such. My personal views that statehood should be granted when the time was ripe have never changed. I am happy, therefore, to be able to say in my official capacity, in this month of March 1957 that, in my opinion, the time is ripe for Alaska to become a State."

So, we know positively and conclusively that the military leaders of this Nation favor statehood for Alaska.

Without exception, military experts have testified that granting statehood to Alaska will strengthen our national defense.

It is undeniable that developments within the last few years have created valid doubt as to the actual military might of the United States today, in relation to its needs.

A decade ago—in the wake of magnificent victories on land, air and sea, and in every theater of operations—we confidently believed that the United States was unbeatable, and through our manifest strength could overawe any possible aggressors and preserve peace. We believed that because of our immediate past performance in World War II. We believed it because of our armaments, our mobilized manpower, our technical superiority, our industrial potential, and support we felt assured of from our former associates in the free world.

That situation no longer exists.

There is no need for me, in these remarks, to spell out the extent to which that formerly favorable situation has altered, and how much our relative position has deteriorated. We all know that we need to "catch up" in many aspects of our national security.

The international situation is changing from week to week. Who shall dare to assert that it is changing for the better in terms of the peace and freedom to which we aspire? Who shall dare assert that it is changing for the better in our ability to guard the trouble spots of potential aggression, or even of protecting ourselves adequately in the event of major war?

There is considerable doubt among us as to what diplomatic and economic policies we had best pursue abroad to attain our objectives. There are divided counsels among us as to what weapons shall be given priority in our arsenal of defense, and to what branch of our armed services they shall be entrusted.

But there is no division of opinion among our military leaders on the value of statehood for Alaska to national defense.

Why not pursue one course that we know will pay dividends to our national security?

General Twining, testifying before the House committee on the Alaska statehood legislation now before us, pointed out that he had favored statehood when he had testified before a Senate committee 8 years ago. He was then—in 1950—commander in chief of the Alaska command. He had served in that capacity for 2 years. He knew Alaska from firsthand experience. He had borne that great responsibility during the growing menace of the cold war and potential aggression from an enemy nearer to Alaska than to any other part of our Nation. No one in our Military Establishment knows Alaska and Alaska's military value better than General Twining.

"Statehood would help the military," said General Twining—back in 1950—and he pointed out that the greater stability, the improved economy and the greater ease in obtaining materials under statehood, were among the reasons why he favored statehood from a defense standpoint.

Now, after having served for 4 years as Chief of Staff of the United States Air Force, and having become Chairman of the Joint Chiefs of Staff, General Twining reaffirms his stand for Alaskan statehood, not merely as his personal view, but in his official capacity.

No military leaders have expressed any dissent from the view that statehood for Alaska would strengthen the national defense, and the most outstanding military figures have urged statehood for that reason.

The late Robert P. Patterson, after distinguished service as Secretary of War, felt so strongly on the subject that after returning to the practice of law in private life, when he certainly was under no compulsion to express himself on this subject, communicated directly with the chairman of the Senate committee holding hearings on statehood in 1950, saying:

I strongly support passage of the Alaska statehood bill.

Let me quote—in part—what that soldier and able military administrator "Bob" Patterson wrote:

I support statehood for Alaska on many grounds. In simple justice to the 100,000 Americans living there, Alaska would be the 49th State. Some may say that 100,000 are not so many people; but half of our present States did not have 100,000 inhabitants at the time of their attainment of the status of a State.

I will interject at that point that when Bob Patterson—a resident of New York State—wrote that letter in April 1950, the 1950 decennial census had not been completed, and the Alaska population figure of 100,000 which he cited, has since more than doubled. I quote further from Secretary Patterson's letter:

I also believe that statehood will be to the advantage of the entire Nation, politically, socially, economically. There can be no question that the resources of Alaska, rich but now largely latent, will be developed more rapidly when Alaska is recognized as a State, a full-fledged partner with the other States.

Then, Secretary Patterson continued, he would not take time to discuss these other matters, but would confine himself, and I quote him, "to the advantages the United States will derive in national defense by recognition of the claims of Alaska for statehood."

And since I am dealing with that very subject, I ask you to give close attention to the words of ex-Secretary of War Patterson, a man of sound judgment and of proved experience in the realm of national defense.

I am thinking back—

He wrote—

to those anxious days in 1942, 8 years ago, when the Japanese threat to Alaska was one of our gravest concerns. We had lost command of the Pacific for the time being. Our route to Alaska by sea—and we then had no other access—was uncertain. The Japanese had seized Attu and Kiska in the Aleutians and no one knew what they would try next. * * *

It was brought home to me at the time that our chief difficulty in defending Alaska was the problem of supplying military forces there. It would do no good to place troops there if they could not be maintained, kept equipped, and moved from place to place. A solution to supply problem in Alaska was the key to success in defense of the United States against attack from the northwest.

Alaska was not lacking or deficient in most of the raw materials needed for supply of military forces. It had timber, minerals, petroleum. What was lacking, what was deficient, was the population to develop the available resources. The Territory was so thinly peopled that the resources in the soil could not be converted into useful products save on the most meager basis.

Five years later, in 1947, the War Department made an intensive study of Alaska defense under cold war conditions. There was general agreement that the defense of Alaska was vital to the defense of the United States * * *. There was also general agreement that nothing would strengthen our defenses in Alaska as much as an increase in population, to the end that the basic re-

sources of the area might be utilized for supply of the defending force.

What was true in 1942 and in 1947 is true in 1950—

Continued Robert Patterson. And, let me interject, even more true in 1958—

The prime need in national defense—

And I am now concluding my quotation from Secretary Patterson—

The prime need in national defense, so far as Alaska is concerned, is growing population. In Soviet Russia a need like that would be met by establishment of slave labor camps, as has been done across the Bering Strait in Siberia. That will never be our way. But in the interest of our national security we should neglect no measure that will persuade enterprising citizens in suitable numbers to settle in Alaska and take their part in development of industry, agriculture, transportation, and other facilities there.

The granting of Statehood to Alaska, I am certain, will stimulate the growth of population, will promote utilization of resources and will strengthen the national defense.

All that is true—if not truer—today, then when Robert Patterson, filled with the experience of 4 years of war against Japan, and 5 years of cold war against a more powerful, more ruthless and geographically closer totalitarianism, so cogently stated the national defense reasons for granting Statehood to Alaska.

Another great soldier who endorsed statehood at that time was the late Henry H. Arnold, "Hap" Arnold, who culminated his great military career as the first and only five-star General of the Air Force. His knowledge—like General Twining's—was firsthand. As Major Arnold of the Army Air Corps, he had commanded the first nonstop flight of army airplanes from the States to Alaska in 1934. It was he who selected the sites of Alaska's military airfields on the eve of World War II.

Other outstanding military figures who endorsed Alaskan statehood were Gen. Douglas MacArthur, 5-star general of the Army, and Adm. Chester W. Nimitz, 5-star fleet admiral—the two great leaders on land and sea of our victory in the Pacific. Another great American whose name will be ever imperishably linked with aviation and exploration—who strongly favored statehood for Alaska—was the late Adm. Richard E. Byrd.

Here then is one move the Congress can make to strengthen our national security. Statehood for Alaska is approved, endorsed, and urged by every military leader, including the present Commander in Chief of our Armed Forces, President Eisenhower.

There may be, and are, differences of opinion among the military experts on other ways of strengthening our national defenses.

We have military bases all over the world, built at great cost. They are among the calculated risks we have felt it necessary to take. But how certain are we that those bases on foreign soil are secure against changes of government? How sure are we that they may not be built on the quicksands of internal revolt, incited uprising, sabotage, subversion, and intrigue?

What we build in Alaska is on our own American soil. What we build in Alaska is built in the midst of a hardy, robust, 100 percent American citizenry. What we build in Alaska is builded on a rock of security, loyalty, and patriotism.

There are no differences of opinion among our military experts on the military value of granting statehood to Alaska.

For over 10 years they have urged this important step. In those 10 years our relative military strength in the world has declined.

Can we afford not to take this one vital action that is so obvious, so clearly desirable, not to say imperative?

Let us grant Alaska statehood now.

Mr. BARTLETT. I am glad the gentleman from Illinois stated the position on Alaska statehood of the Commander in Chief and the chairman of the Joint Chiefs.

Now, Mr. Chairman, I do not know his view on this legislation. I do not know if he has a view. I do know he does not have a vote. But, I take it that one man associated with this body is happy over the course the debate has taken. The other day I read a newspaper article from St. Louis in which the statement was made that Doctor Calver, physician for the Capitol, had addressed a medical gathering there and had said that Members of this body are unusually subject to coronary attacks because they eat too much and do not have enough exercise. I do not know what their eating habits have been during the last several days, but they certainly have had plenty of exercise during the afternoons. I must also add that the quorum calls which have brought them here so frequently have not been made by the proponents of the legislation.

Mr. Chairman, in looking over the vote which was taken here last Wednesday to go into the Committee of the Whole, I was particularly struck not only by the degree of support but by the breadth of support. We had affirmative votes on the motion from 40 States of this Union and only 8 States failed to give us 1 or more votes. I think that is meaningful. It is in harmony with the public-opinion polls which have been so frequently made. We hope for the continuation of this support on tomorrow and Wednesday.

Mr. Chairman, I should like to use my time to comment upon a variety of matters that have come before the committee during the course of debate. The other day my friend, the gentleman from New York [Mr. PILLION] referred to a communication which he had addressed to the Members earlier this month, and that is on a subject understandably of great interest to the membership. It had to do with the coming reapportionment in 1960. A table appended to the statement expressed the opinion that 18 seats will be lost by reapportionment. It is added that admission of Alaska and Hawaii would cause a loss of 3 more seats, or a total of 21. But we are not considering Hawaii now—we are considering only Alaska. One seat is involved here. One seat is important admittedly but quite obviously it is only of fractional consequence as compared with the changes which will be brought about by reapportionment.

Certainly, I cannot believe that anyone in this House knowing that 18 seats are going to be lost anyway with the coming of the 1960 census will vote against statehood for Alaska merely because 1 seat is at stake. It was only last Wednesday that the distinguished floor manager of this bill, the gentleman from New York [Mr. O'BRIEN], called attention to the fact that by the time his grandson comes of voting age there will be 70 million more people in this country than there are today.

These huge population increases and shifts will be the determining factors, I suggest, in the composition of State representation in the House of Representatives, and the one seat from Alaska measured in this manner falls into proper perspective.

I want to say, Mr. Chairman, that I respect the gentleman from Virginia [Mr. SMITH], for his honesty and sincerity. I wish he were on my side on this issue; I would greatly like to have his support, as I should appreciate, too, the support of the gentleman from New York [Mr. PILLION], the gentleman from California [Mr. HOSMER], the gentleman from Florida [Mr. HALEY], the gentleman from Texas [Mr. ROGERS] and the other very formidable antagonists who are alined against this bill. One day I believe they will come to the conclusion that we are right in this.

It has been said that this is a giveaway bill, and that is a subject I want to discuss here, because it is of importance in the minds of the Members; but before coming to that let me say to you that we have come to this floor in the past with a bill which it was said would make us a pauper state; then the Committee on Interior and Insular Affairs after deep consideration makes some additional grants in the statehood bill and now we are told that it is a giveaway bill. I think the gentleman from Virginia expressed the situation exactly when he said he could not apprave any part of the statehood bill, no matter what its language might be; and I suspect that is true of a good many of the opponents. But let us examine this giveaway indictment.

The land provisions in this bill are identical, or substantially so, with the bills which have been before the Congress for the last 6 years. There is nothing new about the land conveyances incorporated in H. R. 7999; they are exactly the same, for example, as those which are found in the combined Alaska-Hawaii statehood bill that came in here in May of 1955, the bill that was recommitted. But curiously enough, although the provisions were identical in respect to mineral grants, in respect to land conveyances, at that time not one word was said on that subject during floor debate.

I have in my hand a report on that combined bill. On page 48 this statement is made:

Subsection (j). All of the grants duly confirmed under this act shall include mineral deposits.

That was there; it was in the bill. Nothing was said against it. But now, all of a sudden, the implication is made that by some perhaps devious means, some perhaps improper means, the committee is seeking to foist upon this House a giveaway proposal. It is not so, and I am sincerely appreciative in that connection of the contribution to the subject made by the gentleman from Wyoming who put the whole matter in its proper perspective.

Now, the gentleman from Virginia also said that the bill gives the State of Alaska 25 years in which to select its land; that they will wait until vast mineral deposits are found and will then pounce upon them. Well, the 25-year provision was inserted because so much acreage is at stake; so much acreage in terms of the total under any statehood bill that the committee thought it was a part of wisdom, of prudence, and of common sense to give the State time to make the proper selection. It was also stated that the Federal Government would have to pay the cost of surveys except in a very limited manner. That is not the case, because the bill provides that after the State has made a land selection the Secretary of the Interior shall survey only the exterior boundaries of the tract chosen and thereafter the State of Alaska will have to complete the interior survey itself, at its own expense, thereby saving the Federal Government very substantial sums.

Now, I remarked that in 1955, during all the years, in fact, from 1952 to until this very time, there has been no complaint against the land provisions in this bill. I do not know of one made by any conservation organization, by any individual or group of individuals. Is it a give-away to transfer to the State government of Alaska land for the development and well being of the State and of its citizens and thus, incidentally of all the citizens of the United States? Is it contrary to the American system to make land available for use, constructive use? Indeed it is not. No area can make proper headway unless it has a land base. There is surely no lack of land in Alaska. Just as surely, there is no land anywhere locked up so effectively, put in the deep freeze, so completely kept out of production. No one knows exactly how much land the Federal Government owns in Alaska out of this 365 million acres. All we do know is that it is somewhere between 99 percent and 99.9 percent. The plain fact of the matter is that Alaska's resources have been locked up, tightly bottled, since the fore part of this century. Everything has been saved; everything for generations not yet born.

When serious consideration was first given to Alaska statehood, the land formula applied to the latest western territories to be admitted to the Union was adopted; that is, the State of Alaska under those early bills would have been permitted to receive 4 sections out of each 36 in a township. That was the formula placed in the bill which passed the House in 1950. But, very serious objections thereafter were raised. It was contended that if this formula were maintained, intent and accomplishment would be absolutely divorced. This contention was based upon the amount of land surveyed at the time of admission. The practice has been for these granted school sections to be turned over to the States only after completion of surveys by the Federal Government. That was the situation so far as Alaska is concerned. So little has been surveyed that there would have been practically no transfer of land at all at the outset of statehood and little for a long time to come. Indeed, it was stated that at the existing rate of survey, on account of the lack of survey appropriations, 15,000 years would have had to have gone by before the land transferred in that bill actually came into the possession of the new state.

Let us make some comparisons here. They are interesting and have an importance. For example, almost 30 percent of Arizona had been surveyed when statehood came. The same percentage figure applied to Colorado; 10 percent of Montana had been surveyed and 69 percent of New Mexico. Almost 40 percent of Utah, 56 percent of Washington, and 62 percent of Wyoming had been covered by the surveyors when those areas became States and land transfers could be made without any delay or without significant delay. But what is the case relating to Alaska? Right now we have a long way to go before 1 percent of the land area will have been surveyed.

So it was that in consideration by the Senate Committee on Interior and Insular Affairs a new concept was adopted. Later it was examined and approved by the House Committee on Interior and Insular Affairs and has been approved ever since by both committees in both houses. It is a new formula, true enough. That is not to say it is bad simply because it is new. On the other hand it is good because it approaches the problem realistically.

Now in the bill, the State may go out and make its own selections within a period of 25 years after admission and take compact tracts of land. There are built-in safeguards to protect the national interest. Selections may be made only from vacant, unappropriated and unreserved land. Private rights are fully protected. The rights of the so-called native people of Alaska—Indians, Eskimos and Aleuts—are protected.

Selections must be in reasonably compact tracts. The bill even spells out what "reasonably" in this connection means. The State, except under especial circumstances, must take a minimum of 5,750 acres.

Now, the bill before us provides that Alaska shall receive just about half of the land area, which is in the aggregate of 365 million acres.

The amount of land provided for in the bill first considered by the committee was less. It was about 103 million acres. The committee accepted an amendment to boost this to approximately half of the land area. The gentleman from New York [Mr. O'BRIEN] has already indicated to you a willingness to accept an amendment to bring down the land grant to the original figure. I go along with him in that. I believe that will provide an adequate land base for the new State. This would give Alaska just about 27 percent of the land. It probably will be argued that this is a greater percentage figure than was in enabling acts for some of our Western States. This is true. But there are certain significant facts which should be borne in mind in connection with this. And it should be recalled that some States received a greater percentage than the original States received of the land.

Those who contend that this bill will provide an opportunity for Alaska to seize all of the best land and that this would be contrary to national interests, simply have not made a study of the proposition. If they believe that the Federal bureaucracy has allowed an opportunity to go by to acquire land in a Territory where it has undisputed sway, they are badly mistaken. Much of the best land in Alaska is already federally reserved and may not be taken by the State of Alaska. Those reserves total the astounding amount of 92 million acres, or approximately 25 percent of all the land that is in Alaska. Is that not enough? Will that not protect the Federal, or if you prefer, the national interests? I should think so. And, of course, if the amendment referred to by Mr. O'BRIEN is accepted then the Federal Government will continue to be dominant landholder in Alaska with 73 percent of all the land. That ought to be enough. After all, the original States came into the Union with all their land and no giveaway in this connection has been alleged. They came in with all their minerals, too.

Section 6 (i) of H. R. 7999 relinquishes some of the land which would go over to Alaska if practice of the past were followed. That section makes ineffective section 8 of the act of September 4, 1841. Under it, Alaska would have received 500,000 acres for internal improvements. Previous statehood bills have also provided for additional special grants. Section 6 (i) also makes inoperative in Alaska the Swamp Land Grant Act. That has been a real consequence to many of the States. For example, under it California has obtained over 2 million acres, Arkansas over 7 million, Florida over 20 million, Louisiana over 9 million, Michigan over 5 million, Minnesota over 4 million, Mississippi and Missouri and Wisconsin over 3 million each. Alaska under this bill will receive none of those grants.

That is not all. The Committee on Interior and Insular Affairs is being blamed for giving Alaska too much by way of land. Yet never in this discussion has there been mention of the simply huge grants that in earlier States went directly to railroad corporations or to States exclusively for railroad purposes. I don't contend that these were giveaways but I do say it is much better to give an acre of land to a State for the benefit of all the people than

to a railroad corporation for its own benefit.

In the history of the United States over 94 million acres of land have been granted directly to railroads and another 37 million to States for railroad purposes. As specific examples I cite the fact that over 11 million acres of land in California went to railroad corporations, over 14 million in Montana and more than 10 million in North Dakota. Railroad grants in Washington amounted to 22 percent of the area of the State. Sixteen percent of Kansas land was dedicated for this purpose and in Minnesota it was 19 percent. And the Committee on Interior and Insular Affairs is now being charged with a giveaway.

Now, let us turn to the proposition of mineral grants. H. R. 7999 proposes that the minerals as well as the surface should be turned over to the State of Alaska in the land transfers. From what has been said and written around here one might believe that this is the crime of the century. Let us have a look at this situation. It deserves one. Alaska is not, as we all know, basically dependent upon agriculture. This despite the fact that Government experts who have surveyed its agriculture potentials estimate that 65,000 square miles—41,600,000 acres—are suitable for crop production and for cultivation and in addition another 35,000 square miles—22,400,000 acres—are suitable for grazing. Development of these lands will come. But, very frankly, I do not believe that the time will ever arrive when agriculture products from Alaska will be in direct competition with those from what are now the 48 States. Further, I contend there is nothing wrong with that. This is all to the good. It serves to strengthen the economy of our whole Nation. The gentleman from New York [Mr. O'BRIEN] suggested in his opening speech that in a comparatively few years after statehood Alaska will have 10 million people. I hope he is right. In any case, Alaska will have many more people than it now has and will be raising much more of the food it consumes than it now does. But always, as I see it, there will be a need for importation of foodstuffs. They will be paid for by exportation of our natural resources, raw or refined. And that will be mutually advantageous.

Right now the fact is that the subsurface values, generally speaking, are more valuable than the surface values. Alaska has always been a mining country and there is a very strong possibility that the great mining booms of the past will fade into insignificance when matched against what we believe is the coming oil boom.

The situation now is that generally speaking a citizen may go upon public domain land in Alaska—federally owned land that is—and locate a mining claim to which he may, if he so desires, obtain fee simple title. He might find the richeest gold mine in the world and become its absolute owner. And, parentheticallly, as far as I am concerned that is perfectly all right. It is in accordance with American free enterprise and ownership of property. Oil and gas lands may not, of course, be owned outright. They may only be leased from the Federal Government under the Mineral Leasing Act of 1920. The Alaska statehood bill is much more stringent than Federal laws. It provides that the State may never sell mineral rights. It may only lease them. This provision was inserted with the thought and hope that future citizens of the State of Alaska would continue to derive benefits from the utilization of these minerals through a leasing system. The people of Alaska are mindful of the trust reposed in them. Already they have accepted in the constitution for the state-to-be a resource article which meets every test which might be applied to it. Already their legislature has enacted what is now chapter 184, Session Laws of Alaska, 1957, legislation creating a Department of Lands and establishing the ground rules under which it will operate. I feel confident that any fair-minded persons devoted to the principles of conservation will applaud that law.

If it has not already been said it will be said, undoubtedly, that the policy of granting mineral rights to a new state departs from tradition and from precedent. It is true that most of the western States were given the surface of the land only. But any such statement would not be literally true. The Oklahoma Enabling Act was so phrased as to give that State its minerals. The republic was not shattered by what was done there and I for one have never heard that Oklahoma is to be reprimanded and castigated for its management of these minerals instead of having them exclusively under the jurisdiction of Washington which I maintain is in contradiction to States rights.

There is another element which ought to be considered here. A material change in the attitude of the Congress toward the granting of mineral lands to the States came about in 1928. A bill then enacted and signed into law provided in effect that all grants to the States of numbered sections in place for the support of public schools should encompass sections mineral in character equally with sections nonmineral. That represented more modern thinking on this subject and influenced, or so I believe, the committees which over these many years have been considering Alaska statehood legislation.

Mr. Chairman, we Alaskans have been getting it coming and going during this statehood debate. Figures, assembled from goodness knows where, have been hurled at us in an effort to prove that Alaska should not have statehood. For example, it has been said that approximately 212,000 Alaskans contribute only $45 million in Federal income taxes. Even if that were the case, and I submit it is not, I contend that it would not be a bad showing on the part of the Alaskans. It would mean that every last one of them paid yearly about $212 to Uncle Sam. Actually, however, the Federal Government is obtaining from Alaska by way of income taxes, disregarding all other types of taxation, just about $65 million a year. This is because some of the corporations whose income is derived in large measure or altogether from Alaska, pay elsewhere and it is not credited to the Territory. How this comes about is well explained in a letter written by Robert B. Stevenson, tax commissioner of Alaska, to Senator-elect William A. Egan of the Alaska Tennessee Plan on May 2 of this year. I intend to incorporate the text of that letter with my remarks.

DEPARTMENT OF TAXATION,
TERRITORY OF ALASKA,
Juneau, May 2, 1958.

In re: Alaska net income collections, calendar years 1956 and 1957, as compared with Federal income-tax levies on Alaska income.

Hon. WILLIAM A. EGAN,
Washington, D. C.

DEAR MR. EGAN: In reply to your telegram of May 1, 1958, concerning the approximate revenues derived by the United States Treasury from Federal income-tax levies on Alaska income, the following information is set forth after a detailed analysis of our income-tax posting records maintained at Juneau and after telephone discussion with Mr. William E. Frank, district director of internal revenue for the Washington-Alaska district:

GENERAL

1. Mr. Frank advised that in accounting for the income-tax revenues received from individuals, corporations, and employers (withholding) that the address of the taxpayer shown on the return governs as to whether the Territory of Alaska or the State of Washington is given credit for the receipt of taxes.

2. Mr. Frank further advised that their figures for the Territory of Alaska were on a fiscal-year basis, that is, for the last two periods of July 1, 1955, through June 30, 1956, and July 1, 1956, through June 30, 1957.

3. A review of our withholding-tax records by employers reveals many employers having a Washington address or other stateside address. This would include airlines, steamship lines, oil companies, freight lines, major contractors, pulp mills, logging companies, mail-order stores, stevedoring services, mining companies, equipment companies, and practically all salmon canneries.

4. A review of our corporation income-tax files discloses many corporations having a Washington address or other stateside address.

5. Concerning individuals, many construction workers, cannery workers and nonresident fishermen file their Alaska individual income-tax return showing a Washington address or other stateside address, as they are not in Alaska during the income-tax filing period (January 1 through April 15 of each year).

6. The Washington-Alaska district of internal revenue is by no means the only district receiving Federal income-tax levies on Alaska income from individuals, corporations, or employers (withholding), as such file in their home district.

RESEARCH

1. A review of our corporation income tax ledger cards disclose in the year 1956 some 87 corporations having a Washington or other stateside address that paid $500 or more of Alaska income tax. The aggregate amount of tax paid by these 87 corporations amounted to $668,365.71. As the rate of corporation income tax was 12½ percent of the Federal tax for the period involved, the Federal tax involved would be 8 times as great or in amount of $5,346,325.68, based on Alaska income. This amount would not be reflected in the figures of the district director of the Washington-Alaska district for the credit of the Territory of Alaska for the following reasons:

(a) Tax paid by corporations doing business in Alaska but having a Washington address would be credited to the State of Washington figures.

(b) Tax paid by corporations doing business in Alaska but having an address in some State other than Washington would be credited to the appropriate internal revenue district and not to Alaska or Washington.

2. A review of our withholding taxpayments by employers discloses the following information concerning larger employers having a Washington or stateside address:

1956

A total of 112 larger employers (including 33 salmon canneries) having a Washington or stateside address paid Alaska income tax withheld from their employees in total amount of $2,221,965.38. As the rate of individual income tax was 12½ percent of the Federal tax for the period involved, the Federal tax involved would be 8 times as great or in amount of $17,775,723.04. This amount would not be reflected in the figures of the district director of the Washington-Alaska district for the credit of the Territory of Alaska for the reasons cited above in 1 (a) and 1 (b).

1957

A total of 115 larger employers (including 33 salmon canneries) having a Washington or stateside address paid Alaska income tax withheld from their employees in total amount of $1,913,482.02. About one-third of such total, or $637,827.34, represents collections at the rate of 12½ percent of Federal income tax and two-thirds of such total, or $1,275,654.68 represents collections at the rate of 14 percent of Federal income tax (due to change of rate by 1957 legislature). Converting the collections into Federal tax involved would amount to $14,032,201.48, which would not be reflected in the figures of the district director of the Washington-Alaska district for the credit of the Territory of Alaska for the reasons cited above in 1 (a) and 1 (b).

3. With respect to individuals filing Alaska individual income tax returns showing a Washington or stateside address, we have no statistics as to the tax involved but can inform you that we mail approximately 20,000 Alaska individual income-tax returns to taxpayers each year having a Washington or other stateside address. Any payments of Federal income tax made by such individuals on their Alaska and other income would not be reflected in the figures of the district director of the Washington-Alaska district for the credit of the Territory of Alaska for the reasons cited above in 1 (a) and 1 (b).

Income-tax collections received by the department of taxation during the calendar years 1956 and 1957 may be broken down as follows:

	1956	1957
Corporations	$1,065,503.37	$1,190,772.10
Individuals (including withholding)	7,563,188.90	8,295,972.74
Total Alaska income tax	8,628,692.27	9,486,744.84

Collections received in 1956 were based on tax equivalent of 12½ percent of Federal income tax for both corporations and individuals on Alaska income. Accordingly on the same Alaska income, individuals and corporations would have a Federal income-tax liability of 8 times $8,628,692.27 or $69,029,538.16. That it was not all paid into the Washington-Alaska district of internal revenue is evidenced by the variety of stateside addresses on the returns received by us from corporations, employers, and individuals. That it was not credited to the Territory of Alaska when received by the Washington-Alaska district is evidenced by the statement of the district director of such district who advised that all returns received in such district bearing a Washington address were credited to Washington and not to Alaska.

Collections received in 1957 from individuals (including withholding) were based on tax rates equivalent to 12½ percent and 14 percent of Federal income tax (because of 1957 rate change). About one-third of the total individual income tax or $2,251,062.97 represents colletcions based on 12½ percent of Federal income tax while about two-thirds of the total individual income tax or $5,042,125.93 represents collections based on 14 percent of Federal income tax. Converting the income-tax collections to total Federal income-tax liability amounts to 8 times $2,521,062.97 plus 7 times $5,042,125.93 or a total Federal individual income-tax liability on Alaska income of $55,463,385.26. To this must be added the liability on corporation income tax. While the rate changed in 1957 from 12½ percent to 18 percent of Federal income tax the payments received during 1957 represented tax due under the 12½-percent rate. Accordingly on the same Alaska income, corporations would have a Federal income-tax liability of 8 times $1,190,772.10 or $9,526,176.80.

The total Federal income-tax liability on the same Alaska income for individuals and corporations in 1957 would be $55,463,385.26 (individuals) plus $9,526,176.80 or $64,939,562.06. That such figure does not coincide with the figures of the district director of internal revenue for the Washington-Alaska district has been explained in preceding paragraphs.

Should you desire more information on this subject, do not hesitate to request our assistance.

Thanking you for your continued efforts in behalf of statehood, I remain,

Very truly yours,

ROBERT D. STEVENSON,
Tax Commissioner.

Figures can be even more deceptive than that. On Friday last the gentleman from California [Mr. HOSMER], in opposing statehood, sought to whittle our population further. He credits us with having 208,000 human beings within the boundaries of Alaska, but apparently he would strike from that number 80,000 persons. He said:

Some 80,000 are military men in the pay of the Federal Government and their dependents.

It is not clear to me whether the 80,000 figures includes the dependents of these military people. But anyway, it is apparently his desire that they be stricken from the list of residents. Proceeding, the speaker said:

In addition there are another 15,000 Government civil service employees plus their dependents, and of the total also there are about 35,000 people in Alaska who are Indians, Aleuts, and Eskimos, many of whom are on welfare relief, and 30,000 are schoolchildren.

Again it is not clear to me whether the 15,000 figure is inclusive of the dependents. But I shall assume that it is and that the gentleman from California desires to strike that number, together with 35,000 natives and the 30,000 schoolchildren from the total population. That would leave 48,000 real Alaskans and at the same time, if you please, would require the Bureau of the Census to establish in reference to Alaska an entirely different standard in enumerating the population.

But if there are only 48,000 people there and the remainder are phantom, and even if we accept only the $45 million figure, can it not be said that these 48,000 people are certainly yeoman workers for Uncle Sam's Treasury? If we had people like that everywhere, we would not have any budgetary problems at all. Seriously, the fact is that per capita figures are misleading and meaningless. Resources are what count and the application of labor and capital to those resources. Considering the fact that Alaskan resources have been virtually in a deep freeze, the wonder of it is that the production has been as high as it has been. Give us statehood and you will see what we will do then.

Mr. Chairman, a question was raised during the debate last week about subsection 6 (j) of the bill now before us. That subsection provides that no money coming from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

I merely want to point out here that this provision is not new. Identical provisions were in the bills providing for statehood for Idaho, South Dakota, North Dakota, Montana, Washington, New Mexico, Wyoming, and Oklahoma.

During the debate it was implied that what we term the natives of Alaska, the Indians, Aleuts, and Eskimos, are really a people apart and should not be counted in considering the population. I should like to say most emphatically that this is simply not a fact. The approximately 35,000 natives are an integral part of the Alaskan community. They are the real Alaskans. They participate in every phase of the Alaska community. Their patriotism is acknowledged. Indeed, it is of an especially high order and has brought commendation from military leaders.

Their participation in government is probably greater than that of their white brothers. For example, about 6,000 Indians live in southeastern Alaska, and very few of them eligible to vote fail to do so. The same remark could be made with almost equal validity as to Eskimos to the north and the west. By eligibility I was referring, of course, to age and residence. These people are citizens of the United States just as you and I. Several of them are members of the Alaska Legislature and have rendered in that capacity outstanding service. We are proud of our native people and proud of the progress they are making.

There has been quite a stir in the papers the last few days because the members of the Minnesota congressional delegation had to submit to security checks before going home for a meeting.

This has happened only once. In Alaska it happens every time an American citizen leaves the Territory. Whenever he reaches Seattle or whatever point of exit it may be he is under the law compelled to undergo an examination by Immigration Service officials. Although under the law, too, he is an American citizen just as anyone in the States is. Indeed, even if he is only a casual visitor

to Alaska from a residence in the States the same examination is required. What useful purpose this has served I have never been able to discover.

On last Wednesday, the gentleman from New York [Mr. PILLION] argued in a speech opposing Alaska statehood that the Territory "possesses general legislative power to enact laws relating to its property, affairs, and government. Its powers are similar to the powers of our sovereign States."

With that statement I must take sharp issue. The powers of the Territorial government are seriously limited when compared with those of a State government. Actually, Alaska has less home-rule authority than any other Territory in the history of the United States. It is not given power to legislate in reference to wildlife and fish. Until recently it had no authority to care for its mentally ill people. Until quite recently it had no authority whatsoever to issue bonds and even now the amount and character of those bonds are defined by Congress, not by the legislature at Juneau. Even today it can pass no legislation whatsoever regarding its judicial system. That is exclusively in the control of the Congress. Congress has failed to act, has failed to give Alaska the number of judges it requires. In respect to the court for the Third Judicial Division, Chief Justice John Biggs, Jr., of the United States Court of Appeals for the Third Circuit, said:

> The third division of Alaska is at present the most heavily burdened district in the entire judicial system, having a caseload of over 1,500 cases pending per the single judge.

The act of Congress approved July 30, 1886, applies to Alaska. This is of general application to Territories and necessarily of application to Alaska. It contains several thousand words. Every section of that law is a prohibition. It prohibits a Territorial government from legislating with reference to a wide variety of matters, each of which lies within the proper legislative authority of any of the several States.

Even the Organic Act of 1912, creating a legislative assembly in Alaska, is noteworthy not so much for what it permits Alaskans to do for themselves but for the manacles placed upon Alaskans.

By every test, on every count, I must reject the contention that Alaska has home-rule privileges remotely resembling those conferred upon a State. That has been one of our great difficulties. We have to come to Washington for settlement of trivial, as well as important matters. The Federal Government is not only our landlord; it is our overlord. The Delegates from Hawaii and Alaska are compelled to introduce bills without end which would be altogether unnecessary under statehood. We are obliged to ask the Congress to act as our city council. For my own part, I shall say that, in general, sympathetic consideration has been given to the Territory's legislative requirements. However, a Congress which is necessarily obliged to consider matters of national and international import simply cannot spend the time to take care of all our legislative needs. So many of them are long in the process of enactment, and some of them never come into being. It is essential to point out, too, that powerful forces have always been successful in beating down our efforts to gain real home-rule privileges. Every Delegate in Congress from Alaska since 1912 has sought, and unsuccessfully, to revitalize the law and to permit Alaskans to do for themselves what Washington cannot or is not willing to do. To repeat, every last campaign for real gains in this direction has met with failure.

Let no man assert that the people of a territory are politically equal with the people of a State. It is simply not so.

My friend from New York has accused the Alaskan people of making political capital out of the Jones Act. Well, they have sought to make political and economic capital out of that. More precisely defined, they have complained and do complain bitterly against section 27 of the Merchant Marine Act of 1920. Written into that section is an outright discrimination against Alaska in the field of maritime transportation. I shall make no argument here about the beneficial effects that a change in the law would bring about so far as Alaska is concerned. I could do so. There is at least some reason to believe that freight charges would be less when a water haul was shortened by 600 miles, as would be the case were this discrimination removed from law. But my complaint is that simply because Alaska is a Territory the Congress was able to, and did, throw a road block in the way of its progress. The Supreme Court upheld that law on the grounds that the Congress could legislate in this manner regarding a Territory, although it could not do so in respect to a State. If this is not discrimination—bald, outright, flagrant discrimination—I don't know what is. We have sought to change that law for years and years. We have failed.

It has been contended that "outside capital refuses to go into Alaska because of its high tax rates, its immature politics, and its hostile radical unionism."

Yes, there are unions in Alaska. Most working men belong to unions. Most of them belong to AFL–CIO unions. They are no more "radical" than unions anywhere. They are affiliated with the national organization. Alaska working men are steady, industrious citizens devoted to the development of the country in which they have chosen to make their homes.

I suppose that the contention that tax rates in Alaska are high is correct. They seem to be high everywhere now. I have heard many complaints from residents of New York, for example, about the burden of taxes there. And none of us surely is happy that we have to pay so much of our incomes in Federal taxes. But to suggest that the Alaska tax level is abnormally high is to err. The last Alaska legislature passed a tax incentive law designed to attract new industries.

Alaska politics, I should say after some little experience, are no more or less immature than politics anywhere else. Politics is certainly not an unheard word in Alaska. Alaska is a typical American community, and the regular political parties operate there with politics playing no more or no less a part than anywhere else. I suppose we have immature politicians, middling politicians, and very mature politicians. In that, we are just like every place else in the United States. By the way, the first Alaska legislature meeting in 1913 passed as its first law one enabling women to vote. That first legislature also moved to protect working men from hazardous conditions and moved also to limit hours of employment. Others not so critical of Alaska as my friend from New York have suggested that the legislative enactments over the years in Alaska have been of a high order and could well be emulated by some of the States.

We of the House of Representatives are completing a vital debate. During that debate, we have heard the facts about the loyalty of our fellow Americans in Alaska; we have heard the facts about the many precedents for statehood; we have heard the facts about the economic benefits which statehood, by unlocking the chains that bind Alaska, will bring to all America.

Wise men among us have warned that the world awaits our demonstration that America remains true to her founders' faith. We have before us a precious opportunity to recall to our friends, to our foes, and to the millions who watch from uncommitted positions, that ours is still a new land, whose greatness lies in the pioneering spirit and farsightedness of her people—and her Congressmen. Most of us, I trust, will respond to this occasion. Most of us, I pray, will not allow history to record our decision as a lost opportunity to advance America.

An astonishing fact is that at least one Member has said in this Chamber that he could not support statehood for Alaska because statehood would benefit the people of his district no more than the people of any other.

Of course we are here, each as a Representative of a part of the whole Nation. Of course, we must remember the part we represent; that is politics, and our duty. But we must also remember the whole Nation we are here to serve; that is statesmanship, and our duty. Happily, we incur no harm to any district by enacting H. R. 7999; happily, we benefit the welfare and security of all America.

Every possible argument against statehood for Alaska has been answered in this debate. Population? We have pointed to the rapid growth of Alaska's population since 1950, when this House voted to give statehood to the Territory. We have cited statistics which show that statehood always has brought a literal invasion of settlers into the new State. Noncontiguity? We have recalled the precedents for granting statehood to a noncontiguous area, and have remarked on the fact that by modern methods of communication Alaska today is as close as the nearest telephone and radio. Representation in Congress? We have paid tribute to the great formula which the Founding Fathers introduced into the Constitution of the United States—the bicameral legislature, which does justice to States with large populations and

States with small populations, and which does justice as well to States with large land areas, and States with small land areas. And again, we have said that there could be no greater error than to assume that the population of Alaska is static, for indeed, Alaska enjoys the greatest rate of population growth under the American flag.

How remarkable are those Members—and some there will be—who will vote against the pending measure. For they say to our President, and to our former President, "You are both wrong in your advocacy of statehood for Alaska." A Member who votes "no" says further that the platform of his political party—be he Democrat or Republican—is wrong in its endorsement of statehood. He tells the Committee on Interior and Insular Affairs that it has mysteriously failed to see the Nation's and Alaska's needs, even after extensive travels in Alaska, its research and hearings. Finally, and most seriously, he stands before the American people, including the people of his own district, and he tells them that he will disregard their will as expressed in poll after poll after poll. He tells his constituents that they, with the President, the Secretary of the Interior, the Chairman of the Joint Chiefs of Staff, the Committee on Interior and Insular Affairs, and both major political parties, are mistaken in their overwhelming advocacy of Alaska statehood.

When we who favor H. R. 7999 reminded the bill's detractors that our political parties have adopted platform planks favoring statehood, we were told—in fatherly tones—that, after all, a political platform is written only for the purpose of gathering votes. But I have yet to learn why a platform which is written to reflect the wishes of a majority of our countrymen is therefore less a mandate upon the representatives of the people. That fact—that the platforms were written to appeal to the thinking of the American people—seems to me to go towards proving our obligation to enact the pending measure.

There are times, perhaps, when a member is justified in disregarding the will of the people. For example, he may have access to secret information or testimony that is not available to the public generally. But that is not the case here. The people of America have been talking about statehood for Alaska since 1916. Alaska is a place of interest to every Boy Scout, and to every senior citizen who recalls the heydays of the gold rushes. Congress has been talking about statehood for Alaska since 1916. This is the year for action.

When all the experts of the executive and legislative branches, Democrat and Republican alike, urge the adoption of the pending measure, should the Congress not reiterate the basic principles that Americans who are taxed should be represented, and that suffrage, where consistent with the national welfare, should be universal? Adoption of the pending measure will help persuade a watchful world that America is not stagnant, but progressive; not tired, but vigorous; not declining, but approaching her zenith; not bewildered, but bold and inventive; not hesitant, but decisive.

State hood will unharness the hidden riches of Alaska's soil and subsoil for the benefit and security of the whole Nation; statehood will promote good husbandry of the treasures of sea and stream for the benefit of this and future generations.

The case has been made for Alaska. It is a good case. It is a deserving case. I am confident that we are big enough, strong enough, Nation enough, to take this giant step towards a greater America.

Mr. Chairman, I suppose it does not matter too much, perhaps not at all, if I as one American citizen have reached the age of 54 years and by reason of my residence in a Territory have never been able to vote for President or Vice President. For one individual that is not of consuming importance. Perhaps it is not too important that one individual does not have voting representation in the Congress. But I submit to you that for all the American citizens in Alaska it is greatly important, and I say further that it is greatly important for this country that we give them full rights of citizenship, which can come only with statehood.

I should like to conclude with this statement: It is my hope and my belief that this bill will be passed by this House of Representatives on Wednesday and thereafter will be accepted and passed by the other body and will become law this year. But if for some reason that should not be the case, let not those who oppose it believe that we shall cease our labors, that we will give up the fight, because we will be back here until such time as we win the victory which I deeply believe should be ours, and I deeply believe that will be for the benefit of the whole Nation.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I yield.

Mr. O'BRIEN of New York. I think I speak for all the Members here when I commend the Delegate from Alaska upon his very fine statement. I think he typifies the political maturity which will guard the great new State of Alaska when it comes into being.

May I say as this rather long debate comes to a close that in the next 48 hours the Members of this great body, the House of Representatives, are going to give their answer to a demand for statehood for Alaska which sweeps this country from Vermont to California, approved in overwhelming numbers not only in my district but even in the districts of some of those who have opposed the legislation here before us.

I say to you if we grant statehood to Alaska this year, here and now, within the next decade and the decades to come we will add billions of dollars to the wealth of this country and we will add immeasurably to the defense posture with which we confront the rest of the world.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEAL. Mr. Chairman, at the end of World War II, the United States was the recognized world power. Under the assumption that we can remain on top of the world, people of the United States became too complacent. As a Nation we embarked on an extended social welfare program dictated by Washington. Taking full advantage of our preoccupation, Soviet Russia reared her ugly head in challenge. By means of arbitrary power to hasten her preparedness and through subversive means to obtain our secrets, she gained a surprising lead.

To create barriers against our falling victim to her military might and her political ambition, we assumed the very risky and unpredictable obligation to create a strong group of European allies. We were soon convinced, however, that this was not enough. So we extended our efforts to include Japan and the Pacific, then to southeast Asia and to the Middle East.

We tapped our reservoir of economic affluence as the one and only means to support this venture. As a result, we observed the outflow of our material resources increase with the passing of time. All the while we taxed our people unmercifully only to discover the impracticability of persuading foreign peoples to submerge their nationalism or to firmly commit their allegiance to our cause.

Maintenance of many of our far-flung military outposts now depends upon questionable allegiance of local nations who seem quite doubtful of our balance of power. We continue to adhere to the false assumption that our money and material aid will seal their allegiance. But, since Russia too can extend money, military, and economic aid, in many areas national interest encourages lukewarm allegiance or neutralism. While we extend aid with no strings, Russia barters and infiltrates.

The United States is threatened with continued cold war which will undoubtedly necessitate further calls on our own resources. All the while we seem to feel that we can keep our cake and eat it too, as one would observe in the numerous plans being devised to extend social welfare programs. While we are in the throes of runaway inflation, at least three-quarters of our population find it difficult even to meet present day living costs let alone law away a nest egg for retirement. We continue to feed inflation by legislating more and greater Federal spending programs. Just when and where do we return to sanity?

Only a glance at our present predicament should reveal how far we have wandered from Washington's farewell warning.

Yet this very day we are trying to justify another phase of national expansion—an extension of our national boundaries to noncontiguous areas. I have listened attentively to the arguments pro and con over statehood for Alaska. Were Alaska an integral part contiguous with the United States bounaries, I should be inclined to accept the arguments from the proponents.

But such is not the case. The United States is having troubles enough of its own. With all our affluence, our indus-

trial potential, and our agrarian possibilities, we are rushing headlong into national trends that have spelled the doom of nations throughout history. The further we plunge into social welfare schemes, the more our people are inclined to become a dependent, pleasure-seeking, unproductive class and the greater the necessity for a strong, central dictatorial government which would deprive the individual of his constitutional liberties and compel his compliance to manmade rules and regulations. It is high time we pause and take stock of our social and economic weaknesses and concentrate on plans to revive the self-reliance and moral strength of our Nation as the only means whereby we may hope to defend ourselves against totalitarian foreign aggressors.

We should know by now that our foreign entanglements have involved great responsibilities that continue to sap the life out of our national economy with no signs of relief in sight.

The admission of Alaska to statehood will open the door to equal recognition by existing or future dependencies anywhere in the world.

We claim no imperialistic designs but continued spread of our sphere of influence over outlying areas of the world will make imperialism imperative. Recent experiences have proven definitely that we can never Americanize the world. We have already undertaken too much of such obligations.

The economy of Alaska will be compelled to undergo many perplexing problems as a result of her unusual climate and distance from markets. Adjustments and adaptations to uninviting surroundings simply will not appeal to tillers of the soil and home seekers. Only such population as may be required to develop natural resources or to serve as temporary representatives of our defense will find it remunerative to live there.

The United States has been generous with funds to encourage development of areas of Alaska yet permanent population remains static. There is nothing in the present picture to justify the extravagant claims of some of the proponents for statehood or that statehood would materially contribute to more more rapid development. I can therefore see no appreciable advantage either to Alaska or to the United States mainland subdivisions.

I shall vote against this bill.

Mr. BURNS of Hawaii. Mr. Chairman, H. R. 7999 has but a single objective: The admission of Alaska to the Union. Several precedents of the House of Representatives have held that it was not germane to amend a bill providing for the admission of one Territory by an amendment proposing the admission of another Territory. This is as it should be. The cause of the suppliant Territory should be considered on its individual merits, particularly when factors which exist in the instance of one do not exist in another.

During debate of this bill providing for the admission of Alaska to the Union, factually unsupported allegations concerning the political and economic situation in Hawaii have been injected, though their germaneness is questionable.

The question as to whether or not Alaska should be admitted into the Union is a most serious one meriting the objective consideration of each Member of this House. The question is so serious that extraneous and emotional issues should not be permitted to divert attention from the main question: Shall we admit Alaska as a State of the Union?

In the course of the debate some mention has been made of the effect the granting of statehood would have on other nations of the world. It seems to me that the most important thing is not the effect had upon the other nations of the world, but rather the effect our action has upon ourselves as a nation. An individual of excellent character and outstanding integrity is accorded the respect and admiration of his fellowman. Most important to the individual, however, is the need for him to be true to himself and the ideals and principles which are a part of his character. The terrible results of an individual's failure in this regard is known to all of us.

The statement of the poet, "This above all, to thine own self be true, and it must follow, as the night the day, thou canst not then be false to any man," is not only true as applied to individuals; it is also true of nations. The United States of America has grown great because we have been a Nation whose integrity of character has been as excellent as was possible for a Nation of humans to be.

I am sure the Members of this House will decide this question as they decide all others—on the basis of their dedicated and devoted concern for the enlightened self-interest of their constituents, the people of this Nation.

Personally, and on behalf of my constituents, I take vigorous exception to the implication contained in the statement, "in granting statehood to Hawaii, we invite four Soviet agents to take seats in our Congress," or similar expressions.

The people of Hawaii are as loyal to the United States of America and all that it means, as are the people of any other part of this great Nation. The people of Hawaii yield to no one in their devoted and dedicated patriotism, proven beyond doubt by every gage by which patriotism can be measured.

That statement, or similar ones, are a gross libel upon the thousands of Hawaii's people who paid their last full measure of devotion in the service of their country—the United States of America—on the far-flung battlefields of the world and on the people of Hawaii who today live in accordance with the highest traditions of American citizenship.

The allegations reflecting upon their patriotism and their intelligence are without foundation in fact. I am astonished that they were made. I am sure that those who made them did so without realizing the full implication of their statement.

Hawaii's Americans—as properly befits the outstanding Americans they are—carry on "with malice toward none, with charity for all, with firmness in the right as God gives us the light to see the right."

Mr. O'BRIEN of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in general debate on the bill H. R. 7999.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INTERNATIONAL CIVIL AVIATION ORGANIZATION

Mr. MORGAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S. J. Res. 166) authorizing an appropriation to enable the United States to extend an invitation to the International Civil Aviation Organization to hold the 12th session of its assembly in the United States in 1959.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas the 12th session of the Assembly of the International Civil Aviation Organization is scheduled to be held in 1959; and

Whereas the year 1959 will mark the 15th anniversary of the International Civil Action Conference in Chicago, which provided for the establishment of the International Civil Aviation Organization; and

Whereas the assembly will provide an outstanding opportunity for the civil aviation leaders of the International Civil Aviation Organization's 72 member countries to view and discuss with American aviation specialists the new turbojet transport aircraft and their requirements, and to make and renew friendships with American aviation leaders; and

Whereas the assembly will focus public attention in the United States on the important work of the International Civil Aviation Organization in insuring the safe and orderly growth of international civil aviation throughout the world and encouraging the arts of aircraft design and operation for peaceful purposes; and

Whereas the host government is expected to meet certain additional expenses arising from holding an assembly away from International Civil Aviation Organization headquarters: Therefore, be it

Resolved, etc., That there is authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, the sum of $200,000 for the purpose of defraying the expenses incident to organizing and holding the 12th

session of the Assembly of the International Civil Aviation Organization in the United States. Funds appropriated pursuant to this authorization shall be available for advance contribution to the International Civil Aviation Organization for certain costs, not in excess of the additional costs, incurred by the organization in holding the 12th session of the assembly in the United States and shall be available for expenses incurred by the Department of State on behalf of the United States as host government, including personal services without regard to civil-service and classification laws; employment of aliens; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); travel expenses; rent of quarters by contract or otherwise; hire of passenger motor vehicles; and official functions and courtesies.

SEC. 2. The Secretary of State is authorized to accept and use contributions of funds, property, services and facilities for the purpose of organizing and holding the 12th session of the Assembly of the International Civil Aviation Organization in the United States.

Mr. MORGAN. Mr. Speaker, this resolution, which has already passed the Senate, authorizes an appropriation of $200,000 to pay the estimated extraordinary expenses which will be incurred if the 1959 assembly of the International Civil Aviation Organization is held in Chicago. Our State Department and the various Government agencies interested in civil aviation desire that this meeting take place in Chicago.

The International Civil Aviation Organization is one of the specialized agencies of the United Nations and is concerned with technical matters relating to aviation safety and the facilitating of international air service. It has always been remarkably free from political controversy.

The headquarters of the organization is in Montreal. If the meeting is held in the United States, the rules of the United Nations require that the extraordinary expenses made necessary by the fact that the meeting is not held at the organization's headquarters must be borne by the host country. This resolution authorizes an appropriaation for this purpose. The money will have to be appropriated, and the matter will receive careful consideration by the Appropriations Committee before any funds are provided.

The Department of State and the various agencies of the Government interested in civil aviation believe that it is important that the 1959 meeting be held in the United States. This is particularly true because in 1959 the first deliveries of American jet transport planes to major airlines will take place. If the meeting is held in the United States, it will provide an excellent opportunity for foreign aviation officials to see and discuss the new planes with the United States officials and with representatives of the air transport and aircraft manufacturing industries. The Air Transport Association has strongly endorsed this resolution, and its letter appears in the committee report.

(Mr. PELLY (at the request of Mr. VORYS) was given permission to extend his remarks at this point.)

Mr. PELLY. Mr. Speaker, having introduced a companion bill in the House to this legislation which was sponsored by Washington State's senior Senator, Mr. MAGNUSON, I strongly urge its immediate passage. It is essential that the invitation provided for in this legislation be extended prior to adjournment of the conference which is now in progress in Montreal.

I might say that the cost to the State Department will be probably considerably less if the assembly is held in the United States as against a foreign country.

In any event, I am sure it is meritorious and worthwhile legislation.

The SPEAKER. The question is on the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

RESEARCH INTO PROBLEMS OF FLIGHT WITHIN AND OUTSIDE THE EARTH'S ATMOSPHERE

Mr. MADDEN (on behalf of Mr. O'NEILL) from the Committee on Rules reported the following privileged resolution (H. Res. 577, Report No. 1775) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12575) to provide for research into problems of flight within and outside the earth's atmosphere, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Select Committee on Astronautics and Space Exploration, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THE LATE HONORABLE STEPHEN B. GIBBONS

(Mr. McCORMACK asked and was given permission to address the House for 2 minutes.)

Mr. McCORMACK. Mr. Speaker, I am very sorry to learn of the death of my friend of many years standing, the Honorable Stephen B. Gibbons, a former Assistant Secretary of the Treasury from 1933 to 1939.

Assistant Secretary Gibbons was one of the finest public officials that I have ever met. Not only was he a dedicated American, but, a dedicated public official, performing his duties as a citizen and as a public official on the highest and finest level that could be humanly approximated. In addition, Steve Gibbons was honorable and trustworthy in every respect. He was a great man.

In his journey through life, Steve Gibbons always symbolized the fine and noble qualities of justice, charity, and kindness.

I valued very much the friendship of my late friend, Steve Gibbons. I shall miss him very much.

I extend to Mrs. Gibbons and her loved ones, my deep sympathy in the great loss and sorrow.

CORRECTION OF ROLLCALL

Mr. O'KONSKI. Mr. Speaker, on rollcall No. 73 today I am reported as absent. I was present and answered to my name. I ask unanimous consent that the rollcall be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

STOP WAGE AND PRICE INFLATION

Mr. VURSELL. Mr. Speaker, this Congress and the executive department of Government jointly have a duty to perform in the interest of all of our citizens that has been too long delayed.

We should face up to our responsibility, and stop wage and price inflation before this session of Congress adjourns.

Mr. Speaker, to stop constant wage spiraling and to stop price spiraling of business, continually driving the cost of living higher through inflation, it will require the united effort of both bodies of the Congress and the administration.

Today, what the rank and file of the millions of wage earners and their families want, and most need, is a reduction in the present high cost of living. And certainly, the over 100 million people on fixed salaries, the farmers of the Nation, and those living on meager annuities, pensions, and social security, who are being desperately penalized by the present inflationary high cost of living, are entitled to relief by their representatives in Congress and the administration in power.

Mr. Speaker, because of the power of the big labor leaders of the Nation—that can almost ruin big and medium business if they do not yield to labor's demands—collective bargaining no longer furnishes sufficient safeguards for over 150 million people who are not represented at the bargaining table.

Let me prove this point: Three years ago, when the officials of the CIO forced through their contract to increase wages and initiated the annual wage for their employees and signed contracts with the Ford Motor Co., General Motors, and Chrysler Corp., about 3 milion people—including the suppliers of these companies—received increases in wages and fringe benefits. Over 150 million people who had no representation at the bargaining table had to pay the wage increases in higher prices for automobiles, trucks, automobile parts, and so forth, and there are reasons to believe that the companies too readily agreed, and that they must share their part of the blame for its inflationary effect through higher prices.

By such agreement, big business and big labor set the pattern of wage in-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 28, 1958
For actions of May 27, 1958
85th-2d, No. 84

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HIGHLIGHTS: House agreed to conference report on agricultural appropriation bill, and considered amendments in disagreement. House tentatively voted against Alaska statehood bill. Rep. Gathings requested consideration of bill to permit transfer of cotton allotments due to excessive rainfall, but Rep. Hagen objected.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL FOR 1959. Agreed to the conference report on this bill, H. R. 11767, and considered the two amendments in disagreement. (pp. 8593-95, 8631)

Agreed to an amendment by Rep. Whitten to provide that no change shall be made in the 1959 ACP program which will have the effect, in any county, of restricting eligibility requirements or cost-sharing on practices included in either the 1957 or the 1958 programs, unless such change shall have been recommended by the county committee and approved by the State committee. (p. 8594)

Considered, but took no action on, an amendment by Rep. Whitten to provide that hereafter no conservation reserve contract shall be entered into which provides for (1) payments for conservation practices in excess of the average rate for comparable practices under the Agricultural Conservation Program, or (2) annual rental payments in excess of 20 percent of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographic location thereof. In determining the value

of the land for this purpose, the county committee would take into consideration the estimate of the landowner or operator as to the value of such land as well as his certificate as to the production history and productivity of such land. (pp. 8594-95) Further consideration of this amendment was postponed until today, May 28, after Rep. Reuss made a point of order on the vote on the amendment on the ground that a quorum was not present. Rep. Reuss expressed his concern regarding this amendment and inserted correspondence between himself and Rep. Whitten discussing the effects of the amendment. (p. 8631)

2. ALASKA STATEHOOD. Continued debate on H. R. 7999, the Alaska statehood bill. (pp. 8595-8610)

Agreed, 144 to 106, to a preferential motion by Rep. Rogers, Tex., to report the bill back to the House with the recommendation that the enacting clause be stricken. (pp. 8609-10)

Considered, but took no action on, amendments by Rep. Dawson, Utah, to limit to 25 years, instead of 50 years, the time within which the State of Alaska could select 400,000 acres from lands within the national forests in Alaska, and to limit the grant of public lands to the State of Alaska to 102 million acres instead of 182 million acres. (pp. 8605-06) Also considered, but took no action on, an amendment by Rep. Rogers, Tex., as an amendment to the amendment by Rep. Dawson, Utah, to limit the grant of public lands to the State of Alaska to 21 million acres. (pp. 8606-09).

3. COTTON ALLOTMENTS. Rep. Gathings requested unanimous consent for consideration of H. R. 12602, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, but Rep. Hagen objected on grounds that the legislation "has been handled in a very extraordinary, high-handed, and unauthorized manner." pp. 8616-17

4. TRADE AGREEMENTS. The Rules Committee reported a resolution for consideration of H. R. 12591, to extend the authority of the President to enter into trade agreements under the Tariff Act of 1930. pp. 8593, 8636

5. PEANUT ALLOTMENTS. A subcommittee of the Agriculture Committee ordered reported H. R. 12224, to provide that production of peanuts on a farm in 1957 or any subsequent year for which no farm acreage allotment was established shall not make the farm eligible for an allotment as an old farm. p. D472

6. BUILDING SPACE. The Government Operations Committee reported with amendment S. 2533, to authorize GSA to lease space for Federal agencies (H. Rept. 1814). p. 8636

7. WATERSHEDS. Received from the Budget Bureau plans for works of improvement for the Wild Rice Creek watershed, N. Dak. and S. Dak., and the Canoe Creek watershed, Ky., pursuant to the Watershed Protection and Flood Prevention Act; to Agriculture Committee. p. 8635

8. ECONOMIC CONDITIONS. Rep. Hiestand discussed current economic conditions, and stated that "it is peculiar, exceedingly peculiar, that farm income is up $2 billion from the same period last year, yet supposedly recession stalks the land." p. 8585

Rep. Sheehan discussed current economic conditions, and listed actions which have been taken to "stimulate the economy," including requests for additional funds for REA loan programs, watershed programs, roads, public works, etc. pp. 8621-25

The Clerk read as follows:

Senate amendment No. 17: Page 18, line 4, strike out the colon through the word "program" on line 10 and insert *"Provided further,* That in determining the amount of rental payments the Secretary shall give due consideration to the value of the land and the rental value thereof."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Amendment No. 17: Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate No. 17, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert ": *Provided further,* That hereafter no conservation reserve contract shall be entered into which provides for (1) payments for conservation practices in excess of the average rate for comparable practices under the agricultural conservation program, or (2) annual rental payments in excess of 20 percent of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographic location thereof. In determining the value of the land for this purpose, the county committee shall take into consideration the estimate of the landowner or operator as to the value of such land as well as his certificate as to the production history and productivity of such land."

Mr. REUSS. Mr. Speaker, I desire to be heard in opposition to the motion.

The SPEAKER. Does the gentleman from Mississippi yield for that purpose?

Mr. WHITTEN. I do not yield at this time, Mr. Speaker.

The SPEAKER. The question is on the motion.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. REUSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and I make the point of order that a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of the conference report be postponed until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Does the gentleman withdraw his point of order?

Mr. REUSS. The point is withdrawn, Mr. Speaker.

CURRENT ECONOMIC CONDITION

(Mr. HIESTAND asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HIESTAND. Mr. Speaker, much has been made of the extraordinary circumstances surrounding the current economic condition of our country. Time and again, Members of this body have, in the course of debate, made references to particular phases of our economy, and with the familiar chorus, "never before in the history of our Nation" and so forth, proclaimed this a peculiar recession.

Mr. Speaker, I quite agree, and if a note of irony is detected in my voice and statement, I assure you it is completely intentional.

It is peculiar indeed, that savings are at an all-time high, and still climbing, while we are supposedly in the ruthless grip of economic disaster.

It is peculiar, beyond comprehension, that the buying power of our people is so strong that prices are continually forced upward, while the Nation supposedly flounders in a business slump.

It is peculiar, exceedingly peculiar, that farm income is up $2 billion from the same period last year, yet supposedly recession stalks the land.

Mr. Speaker, the peculiar aspects of this recession, some of which I have just cited, add up to only one thing. That is, this is a psychological recession. Yes; a mental recession, and though I am no psychiatrist, I say, let us get up off the couch and quit thinking recession, and we will soon discover that it was mainly a state of mind.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that Calendar Wednesday of next week be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. O'BRIEN of New York. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 76]

Andersen, H. Carl	Garmatz	Morrison
Andrews	George	O'Hara, Minn.
Ashley	Granahan	Passman
Auchincloss	Grant	Philbin
Barrett	Green, Pa.	Poage
Bass, Tenn.	Gregory	Powell
Boggs	Gross	Radwan
Boland	Gubser	Reece, Tenn.
Brooks, La.	Gwinn	Riley
Buckley	Harris	Robeson, Va.
Byrd	Hays, Ohio	Saund
Carnahan	Healey	Scott, N. C.
Celler	Hemphill	Shelley
Chelf	Hillings	Sheppard
Christopher	Holt	Shuford
Colmer	Holtzman	Sieminski
Coudert	Hull	Siler
Davis, Tenn.	Ikard	Spence
Dawson, Ill.	Jackson	Taylor
Dies	James	Thompson, La.
Diggs	Jenkins	Thornberry
Dollinger	Kearney	Trimble
Donohue	Kilburn	Udall
Dowdy	Kirwan	Vinson
Doyle	Lennon	Vursell
Engle	McCarthy	Watts
Farbstein	Marshall	Weir
Fogarty	Merrow	Zelenko
Forand	Miller, Calif.	
	Morris	

The SPEAKER pro tempore (Mr. McCORMACK). Three hundred and thirty-two Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

ADMISSION OF THE STATE OF ALASKA INTO THE UNION

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7999) with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday all time for general debate on the bill had expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That, subject to the provisions of this act, and upon issuance of the proclamation required by section 8 (c) of this act, the State of Alaska is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provision of the act of the Territorial legislature of Alaska entitled, "An act to provide for the holding of a constitutional convention to prepare a constitution for the State of Alaska; to submit the constitution to the people for adoption or rejection; to prepare for the admisison of Alaska as a State; to make an appropriation; and setting an effective date," approved March 19, 1955 (chap. 46, Session Laws of Alaska, 1955), and adopted by a vote of the people of Alaska in the election held on April 24, 1956, is hereby found to be republican in form and inconformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

Mr. BOYLE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on behalf of the dean of the Illinois delegation, THOMAS J. O'BRIEN, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE LATE CARDINAL STRITCH

Mr. BOYLE. Mr. Chairman, it is with keen sadness that the Illinois delegation has learned of the death of the beloved and universally respected Samuel Cardinal Stritch, Archbishop of Chicago, who died in Rome last night at the age of 70, only 1 month and 1 day after he was appointed to the Roman Curia, the highest governing body of the church.

Samuel Cardinal Stritch was the first American-born cardinal to be so honored. He was elevated to that body when on March 1, 1958, Pope Pius XII appointed him pro prefect of the congregation. It seems but yesterday that various Members of the House of Representatives took the floor to felicitate and wish well this great prince of the church and this truly great American on the occasion of that most singular and recent honor. Samuel Cardinal Stritch through all his years has demon-

strated a talent, a love and affection for the humble and the meek and the lowly.

A brilliant student, Samuel Cardinal Stritch was ordained to the priesthood by special dispensation a year before reaching the canonical age of 24. He became a bishop at 34, an archbishop at 43, and a cardinal at 58.

Samuel Cardinal Stritch was known best for his work in the cause of world peace, united charities, and the Catholic youth movement—a group of all races and all faiths.

American liberals of all faiths considered him an outstanding liberal. Samuel Cardinal Stritch was deeply concerned about the problems of labor and was friendly to labor organizations; he condemned as morally wrong interference with Negroes seeking to use the rights they enjoy under the Constitution, and he established a policy of helping all minority groups to integrate themselves religiously, socially, and economically into the life of their city.

It is said that a kindly providence called him so abruptly to his just reward long before he had an opportunity to further demonstrate that intensity of purpose that scholarliness and that charity that made him beloved the world over.

At this time it is with considerable sadness that we point up, on the floor of the House, the passing of a great churchman, a great American, and a truly great humanitarian as he goes to his much-merited reward, and we only hope that a kindly providence will visit upon his successor the same talent, the same respect, and the same love of little people that the great Samuel Cardinal Stritch, Archbishop of Chicago, demonstrated so thoroughly.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Chairman, I read with grief of the death of Cardinal Stritch, a great churchman and a great American. His spiritual leadership was not confined to his influence on communicants of the Catholic Church, but to all persons of all creeds of a religious mind. It was only several weeks ago when Mrs. McCormack and I were in Chicago when I was addressing the Fourth Degree Knights of Columbus that we spent a very pleasant hour with Cardinal Stritch, an hour that will always be one of our treasured memories. Cardinal Stritch's leadership in the spiritual field and in the field of government as an American citizen was outstanding. He possessed a universal mind, and his thoughts and his utterances appealed to all persons of deep faith and of a religious mind. Countless millions of persons of all faiths and of all creeds will feel a real sorrow in the passing of this great churchman and this great American.

Mr. SHEEHAN. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Illinois.

Mr. SHEEHAN. Mr. Chairman, I join with the gentleman from Illinois in expressing our grief at the death of Cardinal Stritch. As the majority leader, the gentleman from Massachusetts [Mr. McCORMACK] so well said, regardless of one's faith or one's political creed, everyone in Cook County and in Illinois was very much mindful of the great works of charity and the great works of religion which were so close to Cardinal Stritch's heart. When he came to Chicago from Milwaukee, yes, even before he came to Milwaukee, we all realized the great charitable works undertaken by Cardinal Stritch. Those of the Catholic religion as well as those of all other religions will ever remember the great work he has done for his church and his country.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Illinois.

Mr. BYRNE of Illinois. Mr. Chairman, I would like to associate my remarks with those of the gentleman from Illinois as well as the distinguished majority leader. As one who was born and educated in the city of Chicago, I, too, recall when our beloved cardinal came to the great city of Chicago. His work was outstanding. He was a recognized leader not only as a leader of the Catholic church, but his leadership was felt in all civic activities in our area. He was a great builder of churches, a great builder of schools, and his influence was far reaching. He particularly had a great love for the retarded children and the exceptional children. We in Chicago, as well as people in all parts of the United States of America not only feel great sorrow at the departure of this great leader, but we shall miss him.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, Cardinal Stritch was a distinguished and beloved former citizen and resident of the city of Milwaukee. His loss will be deeply felt.

Samuel Alphonsus Stritch became Archbishop of Milwaukee in 1930. He was only 43, one of the youngest men ever to receive such an appointment. In his 10 years as Archbishop of Milwaukee, Cardinal Stritch made inestimable contributions to the welfare and betterment of the entire community.

His energetic work in charity, in educational expansion, in parish expansion will not be forgotten. Cardinal Stritch held the respect and friendship of Milwaukeeans of all faiths.

His concern for the suffering and the needy extended worldwide. He fought always against racial discrimination. He was a devoted American. His belief in democracy was firm and strong.

The christian world has lost a great and dedicated spiritual leader. Nowhere is the sadness at the death of Cardinal Stritch more deeply felt than in Milwaukee, where so many of his good works were accomplished.

(Mr. REUSS asked and was given permission to revise and extend his remarks.)

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Indiana.

Mr. MADDEN. Mr. Chairman, I wish to join with the Illinois delegation in paying tribute to the memory of Samuel Cardinal Stritch who passed away yesterday in Rome, Italy.

The people of the Calumet region of Indiana, which adjoins Chicago, mourns the passing of this great religious leader and humanitarian. The Cardinal's outstanding accomplishments during a long life of religious service are familiar to people of all denominations throughout the Middle West.

That he would become a man of great intellectual attainment was demonstrated in his very early years as a boy in high school and college through hard work and sacrifice during his younger years. As a priest, his abilities were soon recognized by his church superiors and gradually his responsibilities increased until he reached one of the highest pinnacles of office and position in the Catholic Church. Cardinal Stritch was an acquaintance and friend of Pope Pius XII since his school days in the Seminary in Rome. During all these years, the great ability and work of Cardinal Stritch in his religious life was so outstanding that a few months ago his holiness appointed the Cardinal to the Roman Curia as proprefect of the Sacred Congregation for the Propagation of the Faith, the church's missionary agency. This is the highest recognition ever bestowed upon an American prelate.

The people of Illinois, Indiana, and other Middle West States will long mourn the memory of this leader of the church whose great religious work and charities have benefitted hundreds of thousands during his long service in the work of God.

(Mr. O'BRIEN of Illinois, Mr. KLUCZYNSKI, Mr. LIBONATI, Mr. O'HARA of Illinois, Mr. GORDON, Mr. PRICE, and Mr. MACK of Illinois (at the request of Mr. BOYLE) were given permission to extend their remarks in the RECORD, following the remarks of Mr. BOYLE.)

Mr. O'BRIEN of Illinois. Mr. Chairman, the news of the untimely and unfortunate passing of Samuel Cardinal Stritch reached me late last night. It was the unwelcome news which I had hoped might not take place at this critical time in world history when we are so much in need of great leaders.

Through the last several weeks after learning of Samuel Cardinal Stritch's grave condition, like so many people all over the world, I read each bulletin with anxiety as the great churchman's life hung by a thread.

This great cleric and great American was a brilliant man and had a brilliant life. Truly he was a living exhibit of the proposition, "As a man is, so he acts." He was a man of energy and intensity of purpose. Ten years after his birth in Nashville, Tenn., on August 17, 1887, he graduated from grammar school. By the time he was 16 he had a bachelor of arts degree.

Eighteen years later he was named bishop of Toledo, Ohio, the youngest member of Roman hierarchy in the

United States. When he was only 43 he became archbishop of Milwaukee, one of the youngest men ever to receive such an appointment.

Ten years later he was made archbishop of Chicago, the largest archdiocese in the United States with more than 2 million communicants. It was in that role we first truly appreciated his great capacity for community good and untiring work.

Of his continued achievements, in 1945 at the age of 58 he was named a cardinal. As such he became titular pastor of a church in Rome—St. Agnes Outside the Walls.

He flew to Rome for the ceremonies and saw again the fields where he had played baseball at the North American College in Rome some 40 years earlier.

Samuel Cardinal Stritch was the first American-born cardinal of the Roman Curia.

So it is with a deep sense of loss that we mark his passing. In death we continue to recall his simplicity as signalized in remarks uttered in his inaugural address when he said, "In my poor person you see the shepherd whom Pope Pius has sent."

Now the Great Shepherd has called Samuel Cardinal Stritch home.

Although his passing is a distinct loss to Chicago, to Illinois, to the United States and the entire world, may his inspiration, love, and charity live on.

Mr. KLUCZYNSKI. Mr. Chairman, I wish to join my colleagues from Illinois and the country in paying tribute to the outstanding prelate of the Middle West, Samuel Cardinal Stritch, who passed away this morning in Rome, a few short weeks after he was accorded his greatest honor by the Roman Catholic Church, that of pro-prefect of the Vatican's Congregation for Propagation of the Faith.

Cardinal Stritch was born in Nashville, Tenn., on August 27, 1887. After studying in Cincinnati and Rome, he was ordained a priest at the age of 22. A special dispensation was needed since priests usually are not ordained until the age of 24. Ten years after his ordination he became bishop of Toledo, Ohio, the youngest member of the Roman Catholic hierarchy in the United States. In 1930 he was named archbishop of Milwaukee and 10 years later became archbishop of Chicago. In December 1945 he was elevated to the College of Cardinals.

Samuel Cardinal Stritch was a prince of the church who retained the manner of a simple parish priest. The son of an Irish immigrant who died when the cardinal was a boy, Samuel Stritch rose in church councils through extraordinary mental and spiritual gifts which were displayed from his boyhood. He was enormously popular in Chicago and was highly respected for his administrative energy and revered for his good works. Through his leadership rapid strides were made in the construction of new schools, churches, and colleges.

Since 1944 the Sheil School of Social Studies—Chicago—has annually awarded the Pope Leo XIII Medal in recognition of outstanding work in the field of Catholic social education. In 1949 this distinct honor was awarded to Samuel Cardinal Stritch.

He was known as "the cardinal of charity." His concern for the suffering and the needy extended beyond the diocese in Chicago, which was the largest in the United States. In 1946 he became chairman of the bishop's war emergency and relief committee, which sent tons of food and clothing to war victims.

The slight, silver-haired cardinal took a lively, liberal interest in world affairs. In 1938 he lashed out at the Nazis for savagery and barbarism. He lent his voice and influence to bolstering the United Nations in its early days.

The city, the county, the State, and the Nation mourn the death of a great citizen and a great American.

Mr. LIBONATI. Mr. Chairman, Samuel Cardinal Stritch died as a true servant of God, whose entire life was spent in the service of mankind. He passed his earthly way giving religious nurture to the souls of men. With brilliant fervor he met his many tasks contributing to the spiritual welfare and peace of mind of millions of Americans. His work among the old and infirm resulted in the building of homes and institutions for their care. His charitable nature sustained the many programs that he sponsored for the needy and the poor. His contribution to the medical profession remains a monument to his memory in the establishment and maintenance of a college of medicine through his efforts. He loved human kind and was venerated with godly respect by men of all creeds.

He was a pillar of American decency and as a churchman supported the censorship of films and publications that exerted a satanic influence upon the minds of the youth of our country. He sponsored cultural and social seminars to bring out in the open the problems of racial misunderstanding. He was a guardian to the new immigrant populations and fought for their acceptance in their communities. He was honored by the Catholic Church as a prince of its holy family—by the Catholics of America and the world as a scholarly religionist and by the unfortunates in every walk of life as the true servant of the great Saviour. God walks with him today as Christianity grieves and men bow their heads in prayers of love and veneration.

His spirit moves on but his works remain to remind us that the destiny of this holy man was to lead the sacred way to everlasting life and instill broken men with a new hope to better live their lives for a new chance in the heavenly world of the hereafter. He loved us—we ask God's blessings. The citizens of Chicago are proud of his memory and the goodness of God for sending him to us.

Mr. O'HARA of Illinois. Mr. Chairman, it was Easter Sunday morning. Holy Name Cathedral in Chicago was filled, some worshippers standing in the aisles. It was the last public mass of Samuel Cardinal Stritch before the departure of his eminence for Rome and the assumption of his new duties as proprefect of the congregation for the propagation of the faith which directs the Roman Catholic mission work.

The tone of the mass was joyous as befitted the Easter season. Honor through their cardinal had come to Chicago. Nevertheless the sentiment in every heart in that great cathedral was of sorrow not exultation. There may have been a sense of foreboding.

The cardinal, brilliant though his administration had been, had won the heart of Chicago as "the bishop of charity," "the bishop of the poor." His leadership had been directed toward making Chicago a city in which spiritual values should take precedence over the material. Everyone in the congregation filled with reverence and affection for their spiritual leader, sensed the fact of approaching separation. Rejoicing that the great talents of their archbishop were to be extended to a worldwide field, their hearts were heavy in contemplation of their personal loss. There were tears in many eyes when his eminence began his farewell sermon.

> Wherever you teach people the dignity of man and our blessed Saviour, it helps instill in them a desire for freedom, equality and dignity. * * * If all Americans live our democracy and shoulder its responsibility, we shall become a great force in the world.

That was the message of Samuel Cardinal Stritch to the people of Chicago and through them to America.

Mr. Chairman, those were the words of Samuel Cardinal Stritch in his farewell sermon when celebrating his last public mass in the Holy Name Cathedral. It was as though he had seen through the purpose of his Master soon to call him home and were leaving for his own parishioners, for Chicago, his country and all the world the counsel of his faith to guide them.

Chicago, with pride and joy, underlaid with the sorrow of pending separation, relinquished their cardinal to the broader service of the church in the missionary field. Death has not defeated that purpose, for he who was a spiritual force in a great city has become a symbol for our times and for the ages of that which motivated him, love of mankind and faith in God. His life among us, his words and his deeds, have left us a spiritual legacy and in those words in his farewell sermon on Easter Sunday at Holy Name Cathedral a blueprint for the world we seek, a world to be gained when "All Americans live our democracy and shoulder its responsibilities" in respect of the dignity of man and faith in God.

Mr. GORDON. Mr. Chairman, every American, regardless of his faith, race, or creed, is saddened by the death of Samuel Cardinal Stritch. We citizens of Chicago particularly will feel his depature. Since 1939 he was our chief prelate.

Probably no other American enjoyed so rapid a rise in the hierarchy of the Catholic Church. He graduated from high school at the age of 14, and 2 years later finished St. Gregory's Preparatory School. He attended the North American College in Rome.

In 1921 he was named bishop of Toledo, in 1930 he became archbishop of Milwaukee and in 1939 moved to Chicago. In 1946 he was 1 of 4 Americans

created a cardinal by his close friend, Pope Pius XII.

Cardinal Stritch was a man of devotion wherever the welfare of his people was concerned. He was intensely interested in labor and the improvement of the laboring man's lot. He stood squarely and firmly for equal treatment of all Americans. Wherever he served, he lifted the moral tone of the community. Under his leadership the Chicago archdiocese had a phenomenal growth. His administrative capacity won him further recognition when the Pontiff appointed Cardinal Stritch the proprefect of the Congregation for the Propagation of the Faith. This congregation is one of the most important in the church's organization with supervision over 25,000 missionary priests, 10,000 missionary lay brothers, and 60,000 missionary nuns. Its jurisdiction covers areas in 5 continents. It was in the discharge of this important task that Cardinal Stritch suffered his fatal illness.

In paying this small tribute I know I am expressing the sorrow of millions who knew him, who revered him, and who are richer for his having walked among us.

Mr. PRICE. Mr. Chairman, holding a crucifix before his eyes, Samuel Cardinal Stritch of Chicago died last night in Rome. His Eminence had left his post as archbishop of Chicago just 1 month ago to become the only American-born prelate to serve on the governing curia of the Roman Catholic Church.

Beloved in Chicago and throughout the archdiocese, Cardinal Stritch's departure for Rome was marked by a civic observance. Through many years he had contributed greatly to the spiritual and material well-being of the community. So great was his contribution that his work was recognized by all segments of the community.

Illinoisans, and in particular Chicagoans, were saddened even in their elation at the great honor which came to Cardinal Stritch upon his selection by Pope Pius XII to serve on the Roman curia central government of the church. They gave him up to the higher call with reluctance and the archbishop accepted the call in the same manner. He did not want to leave his flock but he could not fail to respond to the assignment from the holy father as pro-prefect of the Congregation for the Propagation of the Faith.

The Nation, the State of Illinois, and the city of Chicago mourn the death of this great churchman, and Americans in all walks of life are saddened at his passing. Known as the Cardinal of Charity, he had a saying: "As long as 2 pennies are ours, 1 of them belongs to the poor."

Cardinal Stritch was a devoted American. It was 13 years ago that he was elevated to the College of Cardinals. At that time his message to his people in the United States was that America "must be a beacon light of democracy to all men and peoples." Leaving for Rome to begin his new work he extolled democracy to newspapermen and warned against a destruction of spiritual values and elevation of the material. As he sailed away from New York Harbor his parting words were: "We will not fight materialistic philosophy with a mere materialistic democracy."

The prayers of all Americans join together today in memorial to Samuel Cardinal Stritch whose Christian influence will be felt through many generations yet to come.

Mr. MACK of Illinois. Mr. Chairman, when Samuel Cardinal Stritch became bishop of Toledo, Ohio, at the age of 34, he was the youngest member of the Roman Catholic hierarchy in the United States.

His death yesterday in Rome, at the age of 70, came less than 2 months after he became the first American-born Cardinal of the Roman Curia, central governing body of the Church.

What kind of a man was this whose spiritual leadership encompassed half a century?

Those who knew him best will remember him as a gentle, kindly, scholarly man, yet one with firm, clear convictions. How typical was his greeting when he became head of the great Archdiocese in Chicago in 1940. "In my poor person," he said, "you see the Shepherd whom Pope Pius has sent."

Humble in the sight of God, Cardinal Stritch was outspoken when the occasion demanded it, as exemplified by his recent warning against the destruction of spiritual values in favor of material ones. "We will not fight materialistic philosophy with a mere materialistic democracy," he said.

Cardinal Stritch was one of the outstanding religious leaders in our country. His death will be mourned by all Americans and especially by the people of Illinois.

Mr. DELLAY. Mr. Chairman, the world is saddened today by the passing of Cardinal Stritch and his death is being mourned by all Christendom.

Spiritual leaders, such as he, have helped to bring about a spiritual reawakening, and a resurgence and reavowed belief in God. In these serious times, we need and demand a consciousness of our spiritual well-being and our soul. Dedication to and belief in God is our own salvation, but also is one of the best fortresses against communism and Communist teachings which threaten the world and our democratic way of life.

Cardinal Stritch of Chicago, U. S. A., will be remembered as the 15th Cardinal of the Roman Curia, the official resident in Rome who aided Pope Pius XII in the government of the church, but to peoples of all faiths he will be long remembered for his fight for world peace, the underprivileged, his devotion and interest in the welfare of young people, and his avid concern for the problems of labor. His life of 70 years is a testimonial to his love of mankind and his God.

As he goes to meet his Maker, he brings with him a long list of outstanding and commendable marks of achievement, the greatest of which was his appointment by Pope Pius XII on March 1, 1958, prefect of the congregation for the propagation of the faith. He was the first American ever appointed to this high position in the Vatican.

Mr. YATES. Mr. Chairman, it was with a profound feeling of sadness that I learned of the passing of Samuel Cardinal Stritch in Rome. With his death, the world lost a powerful and significant force for good.

To think of him only as a religious leader is to single out but one of his many wonderful personal qualities. He was a spiritual leader of the highest idealism and the greatest intellectual capacity, a man with a gift of warm friendship, of sympathetic understanding, of broad vision, and of profound wisdom. He was gentle and kind in all of his endeavors, even when conducting his most determined efforts to achieve his goals.

Cardinal Stritch had a passion for justice for all men without regard to their religion, their race, or their place of origin. He frequently left the quiet isolation of his religious study to participate in the turmoil of the community's human relationships, and because of his actual experience with people, his inspiring messages were based on solid fact. He used the pulpit to fight for the right as he saw the right.

In my conversations with Cardinal Stritch, I was impressed by his fervent desire to make government responsible and responsive to the needs of the people and he provided active leadership in thought and action to create a genuine spiritual renaissance of the democratic faith. He condemned ostentatiousness and materialism, urging adherence to the true values upon which democracy and the human spirit lives. He demanded maturity and responsibility in citizens and in public servants alike.

People of all faiths admired the courage and composure with which Cardinal Stritch faced his recent physical afflictions. People of all faiths admired his devotion to humanity. People of all faiths will mourn his loss.

Mr. BOW. Mr. Chairman, I, too, rise to pay tribute to a great American and a great church leader, Samuel Cardinal Stritch. With his passing, America and all of the God-fearing world, has lost one of its glowing champions for Christian action. As in the past he had spoken out against the tyrannous and savage Nazi movement; he served in more recent times as a shining beacon from this citadel of democracy to the religious world.

I, as a Protestant layman, pay humble tribute to this man, recently religious leader to the Catholics of the world and a religious inspiration to us all.

Cardinal Stritch was known to the people of Ohio long before he was known to the people of the world. When serving as the bishop of Toledo he was the youngest member of the Roman Catholic hierarchy in the United States, and the people of Ohio remember him for his outstanding efforts to help the less fortunate citizens of that area. As he was known to America as a pioneer in works of welfare, he was known to the members of his diocese as a constant friend to all of those who were in need of help.

In being the first American to hold so exalted position in the Roman Catholic Church, Cardinal Stritch was again evidencing his outstanding ability to pioneer for God and man in whatever field of service he was called.

He has now gone to the final reward for those who give outstanding service to God and their fellow man. Mr. Chairman, with the loss of Cardinal Stritch, America has lost one of her outstanding citizens; the people of the world have lost one of their most compassionate friends, and the entire religious world has lost one of its great leaders. But, the work he has done, and the impression he has left upon the minds, and hearts, and souls of men everywhere will make the memory of Cardinal Stritch live on in the years to come as a lasting memorial to this great pillar of faith.

Mr. KEATING. Mr. Chairman, the earth has lost one of its noblest inhabitants with the passing of Samuel Cardinal Stritch. The life and works of this devoted man speak eloquently for themselves.

His prodigious work for the underprivileged earned him the unofficial titles of "Bishop of the Poor" and "Bishop of Charity." His tireless energy, his humility, his brilliance, and his strong patriotic views reached the point of legend. He was, in particular, an untiring foe of communism, nazism, and all forms of tyranny over man.

That this man should be struck down at the pinnacle of a life filled with service and sacrifice is to be especially mourned. But all may take comfort in the fact that he died as he lived, working for his God and his fellow men.

Mr. HOSMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOSMER: Page 2, line 10, strike the period, insert a semicolon and add the following: "*Provided, however,* That the provisions of this section shall have no force or effect until said constitution shall have been duly amended to deny power to the legislative and/or executive branches of the State government to legalize gambling in any form."

Mr. HOSMER. Mr. Chairman, what I propose is to require that the constitution of the proposed State of Alaska, prior to the time that it is admitted to statehood, be so amended as to take away any power either of the legislative or the executive branch of the proposed State government, to legalize gambling in any form. Many of the Members were not here the other day when I discussed the matter of the economy of Alaska. There are only some 40,000 people in private employment in this whole vast area, equaling one-fifth of continental United States during the warm weather, and only 20,000 during the cold weather. That fact makes this an area of vast economic danger and potential destitution.

One of our continental United States, with a very small population, has had to turn to the device of legalized gambling in order to support itself. That State is next to my own State of California. If such a device should be turned to by the Territory, I want the Members to think of it in relation to the 50,000 United States servicemen who are stationed in the area, many of them young boys under the age of 21. Remember what happened in such places as Phoenix City where gambling ran riot in areas adjacent to posts, even in continental United States, let alone up in Alaska where there are but few other diversions for the servicemen during their off-duty hours.

Mr. Chairman, I think it is our responsibility to pass such a protection for those servicemen, and it is also our duty to pass such a protection for all the citizens of Alaska, particularly those younger citizens whom we, as Americans, I am sure, would not want to see grow up under conditions breeding delinquency, which conceivably could happen.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield.

Mr. MILLER of Nebraska. I am in accord with the sentiments of the gentleman's proposed amendment, but I should like to ask if there has even been a definition of gambling. What is gambling? Is bingo gambling? Is betting on the horseraces or is a little pitch gambling? Some of these boys play a little poker.

Mr. HOSMER. I decline to yield further. I will answer the gentleman this way. The gentleman is possibly a few years older than I am and I think he has been around. He probably knows the definition of gambling as well as I do.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. In order to get clear what the gentleman does have in mind, does he include parimutuel betting, that is carried on in his State within a few miles of military installations in his State?

Mr. HOSMER. I would refer the gentleman to the library adjacent to the floor of the House, which is known as the Law Library of the House of Representatives. There are plenty of books in there that define gambling, for either the gentleman or anybody else who may be in doubt about the term.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Has any similar provision ever been placed in the constitution of any other State?

Mr. HOSMER. I think that would be irrelevant and immaterial to this discussion if it had or had not. We are talking about the year 1958 and we are talking about the geographical location of that land which has to be protected by a great permanent body of young men in uniform, who have been taken away from their homes and family guidance, and for whom we as legislators have a responsibility to insure that they perform their duty in as clean an environment as possible. This is the way to do it, because if you do not do it here you are going to have legalized gambling in that Territory, and all that goes with it, because they cannot afford to live without that kind of revenue.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Would the gentleman possibly suggest that if it is necessary for us to write into Federal law and into the provisions for the admission of this Territory such a provision, in other words, legislate for them in this fashion, perhaps they are not ready for statehood?

Mr. HOSMER. I think that has been the burden of the argument by many of us, but if the Congress is going to persist in this action it should be done in as clean a fashion as possible.

Mr. O'BRIEN of New York. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we had anticipated a number of proposed amendments to this bill but I am rather startled to discover that the first amendment offered comes very definitely under the heading of frivolous. This amendment was not offered at any time in the committee by the gentleman who is now so concerned about the servicemen who might be led into a bingo game in Alaska.

The gentleman knows that his State has gambling. New York has gambling, many other States have gambling, parimutuel betting and bingo, among other things, and they are bringing in millions of dollars into their treasuries. In New York alone I think our revenue from gambling was around $50 million. Now we are about to say to a new State, "You must not do any of these things," assuming, of course, that the new State plans to do so.

I do not know why the gentleman did not go all the way and prohibit the legalization of the sale of alcoholic beverages, and speak out firmly against sin of every kind.

The gentleman said that the servicemen in Alaska have no diversion. Well, we were in Alaska and discovered that there was just as much diversion for the servicemen there as anywhere else. Alaska is not a place of polar bears or Eskimos entirely. It is not the Alaska of Jack London or Robert W. Service. I think this amendment is offered entirely for frivolous purposes. I cannot believe that the House of Representatives would ever create a new State anywhere and start laying down provisions which do not apply to any other State by Federal mandate.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. HOSMER. I want to assure the gentleman it is not offered in a frivolous vein whatsoever, and that during my period of service I probably covered as much ground in the Territory of Alaska as anybody in this Chamber except the Delegate from Alaska. I am familiar with the Territory and its geography. I know its people well. I seriously offer this amendment because of that prior knowledge of the land, its people, and its conditions, and its economic poverty.

Mr. O'BRIEN of New York. The gentleman is as well acquainted with Alaska as he stated, but it is too late for the

gentleman to protect himself now from these iniquitous gambling games that might flourish in Alaska. I am sure the gentleman, who is a man of the world, knows that any serviceman anywhere can find some way to gamble, if he wants to, and I think he also will agree that there is just as much gambling among servicemen whether or not there is a parimutuel track or a legalized bingo game somewhere in the neighborhood.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. ROGERS of Texas. Realizing the gentleman has been to Alaska a number of times and studied this and probably gone into their constitution with them, that is the constitution they adopted, can you tell me whether or not this gambling matter was discussed by the people of Alaska at the time they were discussing statehood with you or at the time they were considering the drafting of their constitution?

Mr. O'BRIEN of New York. No; it was not; and I might say to the gentleman further, having a slight trace of sporting blood in my makeup, I rather zealously looked here and there to see if, perhaps, there was some little way of indulging in a game of chance, and I found none.

Mr. ROGERS of Texas. You mean in Alaska?

Mr. O'BRIEN of New York. So I do not believe if the people of Alaska become full citizens of their State that they will suddenly plunge into gambling. Why should they, when the gentleman himself argued here that we were making this enormous giveaway and that they were going to pick up gold at every street corner—they are not going to need this support from gambling, if the gentleman is right in his other argument.

Mr. ROGERS of Texas. If the gentleman will yield further, then the Alaska people would have no objection to the amendment of the gentleman from California because they are against gambling; is that not right?

Mr. O'BRIEN of New York. Oh, yes, they would object to putting it in their statehood bill, if you put in this frivolous proposal. This is a stall just the same as having a referendum first is a stall. It is only to delay this another 42 years and the gentleman knows it.

Mr. ROGERS of Texas. Would the gentleman be in favor of forbidding gambling if we do not delay the statehood bill?

Mr. SISK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as a member of the Committee on Interior and Insular Affairs I have been very much interested in statehood for Alaska for the past 4 years that I have had an opportunity to serve in this House. We anticipated that there would be amendments offered here—some in good faith and some possibly with the idea maybe of hurting the legislation. I would like to say with reference to this particular amendment which has been proposed, and as my colleague the gentleman from California indicates, was offered in good faith and I accept it as being in good faith, but I, for one, am for States rights because I think this is in the first place definitely an infringement on the rights of the State and I do not think that the balance of the States of the Union would have appreciated having written into their admission legislation matters which would have precluded them from carrying on things of this kind. I, too, would like to say on behalf of our neighboring State of Nevada, although I think they certainly receive substantial revenue from the gambling that goes on in that State, but at the same time that happens to be their business and I do not think we should in any sense criticize them. I feel sure that the State of Nevada would be going forward and would be progressing, in my own opinion, possibly better without gambling than they have been with it. But that is a matter that is up to them, just as it should be up to the State of Alaska. Having spent some time in Alaska, I have a great deal of respect and regard for the people who live up there, for the men and women that I had an opportunity to meet and talk with. I am sure there are those up there who would engage in a game of chance just as there are a great many in the States that engage in games of chance from time to time. This represents another way to hurt this particular legislation that we have before us.

I take the floor at this time to plead with you to give us an opportunity to present the best bill that we possibly can. Then if you are opposed to statehood, cast your vote in opposition, as I am sure you shall. On the other hand, if you are for statehood, we ask for an opportunity to perfect to the best of our ability the finest type of admission legislation. Then on its merits let it stand.

I realize in all probability we may be faced with many kinds of amendments that will be offered. Frankly, it is simply a stall, and I think in view of the great amount of business that confronts this House I might say, in connection with what the gentleman from Virginia had to say the other day, we have a great many things that we should be doing. Let us proceed in a fair and equitable way to bring about the best legislation that we can. Then let us vote it up or down strictly on the merits of the case.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield.

Mr. SMITH of Virginia. Does the gentleman think we have got a pretty good bill?

Mr. SISK. I think that the bill as a whole is a very good piece of legislation. I might say to the gentleman there are some things that could be done perhaps to improve it.

Mr. SMITH of Virginia. You suggest that we vote on it and get through with it?

Mr. SISK. Of course I supported it in committee and I will support it now. On the other hand, I agree it could possibly be perfected.

Mr. SMITH of Virginia. I want to find some area of agreement with the gentleman whom I respect very much. I am willing to go to bat on it just as it is. I do not want any amendments.

Mr. SISK. I appreciate the statement of the gentleman. As I say, there are some amendments that will be offered that I believe will improve the legislation. Possibly there are some other amendments that will be offered by other Members that could improve the legislation. We hope it will be improved.

The CHAIRMAN. The time of the gentleman from California [Mr. SISK] has expired.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is true that games of chance are played in Alaska, but the chances taken are principally in the search for gold and other minerals, and opportunities for advancement in a frontier land. As a matter of fact, the Territorial Legislature has enacted some very severe prohibitions against gambling. They are enforced to the best of the ability of the law-enforcement officers throughout the Territory. I do not doubt that once in a while a game of cards may be played here or there for money, but there is no legalized gambling of any kind. But whether there is or not, I agree with the gentleman from New York [Mr. O'BRIEN] and the gentleman from California [Mr. SISK] that this amendment would be writing into this bill, first, a provision which would give Alaska less than equality with the other States; and, secondly, which would merely serve to delay the arrival of statehood. I want to say that we should not consider seriously a proposition of this kind. We should inquire into the main features of the bill and vote them up or down and then vote the bill up, as I hope the Committee and the House will.

But I cannot speak for the future as to what the State of Alaska might do regarding legalized gambling. I have my own views relating to that, and they are that we will not need revenue from that source to maintain ourselves; we have enough resources of a more substantial kind, and those resources will enable the State government to live and live well, and the people in the State likewise. In any case that is a decision which the citizens of the State themselves have every right to make as do the residents of every other State in this Union. It is not right that the Congress should seek to impose restrictions on Alaska in this respect or in any other that are greater than those applied to other States of the Union.

I hope the amendment will not be adopted.

Mr. BARDEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am not going to enter into a discussion of the subject of whether or not I believe in gambling; I think public sentiment speaks pretty well on that subject. The thing that does disturb me greatly is the gambling we are doing here in this House, and have been doing and are about to gamble, I

think, beyond the realm of reason when we begin to gamble on upsetting and shaking around these 48 United States.

I do not think it is enough for you or me—and many of you I know have and certainly I have laid my life on the altar for the defense of this country—I do not think it is enough to say only that to be a good American; I think you must add to it the statement, "Not only was I willing to make that sacrifice, but I am willing to stand up and defend it and protect it as long as I live."

For the life of me, I cannot see the sound basic reasons that would support the action that is being sought. I do not propose to be one who is intolerant of others' ideas; I do not question their motives on the floor of the House; I do not make this statement applying to anyone except myself. To me, personally, it points right straight at the patriotism I possess for my country. I do not think we could ever make Alaska one of our 48 or 49 States as we recognize States; I simply do not think it would make any contribution towards the strength of our existing 48 States.

If Alaska needs additional self-governing power, then I say give it to her. I want the people up there to be free people, I want them to be freedom-loving people, I want them to develop the way they want to develop; but to me, to attempt to erase the 3,000 miles of Canadian territory between the borders of the United States and Alaska and then call it a United States of America, 49 States, just does not add up in my way of thinking.

Certainly, I am not unkind to anyone in Alaska. I do not think less of them; I just love the United States of America more than any other nation on the face of this earth. And, I think it has been demonstrated on the floor of this House that there are very serious misgivings about this matter. I think everyone will agree with me that this House is approximately divided 50–50 right now on this subject, and here we are considering maybe making a mistake by 1 vote or 2 votes. No, I do not think the atmosphere is right or the time ready to make that change.

Now, somebody raised the question of the political significance. Oh, they will have 2 additional Democratic Senators, they say, and an additional Member of the House. I would not care whether they were Democrats, Republicans, or what they may be. We do not need them bad enough to take them in this way. I do not believe there is anyone on this floor that is absolutely sure about the situation. So, when we speak of gambling, let us not gamble here. This is no place to gamble, and I say to you seriously it is a gamble when this House is just about 50–50 divided right now. Somebody is wrong, and about 50 percent of the 435 Members of this House are wrong, because that is the way it stands. Until the atmosphere is a little clearer, until the justification can be made clear, I say I will not be one to take it, with the ability and the standing and the union of the 48 States as this great country exists today.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOSMER].

The question was taken; and on a division (demanded by Mr. HOSMER) there were—ayes 33, noes 53.

So the amendment was rejected.

Mr. HOSMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOSMER: Page 2, line 10, strike the period, insert a semicolon and add the following: "*Provided, however,* That the President shall not issue the proclamation required by section 8 (c) until by decennial census or otherwise the Bureau of the Census shall have determined that not less than 250,000 United States citizens permanently reside in the Territory of Alaska."

Mr. HOSMER. Mr. Chairman, this amendment would delay the creation of the State until a minimum of 250,000 United States citizens are permanent residents of the Territory of Alaska.

Now, this amendment does not hold it up. It does not say "decennial census," because they obviously will not have that many there by the 1960 census. It does not make them wait until 1970, when they have the next decennial census. The Bureau of the Census can come in any time between and take a census of the Territory. If they find 250,000 United States citizens permanently residing there, then the condition of statehood is met, if the bill is passed, and then Alaska becomes a State. Mr. Chairman, why should I ask the House to attach such an amendment as this to the bill? I think perhaps I can best explain it by reading the minority report, which I wrote, and which will be found in the report on this bill. It goes like this:

According to 1956 United States census population estimates, the population of Alaska is 161,000 of which approximately 141,000 are adults. This does not include 50,000 transitory military personnel in the Territory; they have no bearing on the statehood issue.

The population of the Territory is far less than that of any of the 435 congressional districts in the existing 48 States. It totals less people than the capacities of many college football stadiums.

Under the circumstances, there simply does not exist in the Territory of Alaska the basic minimum number of people to warrant or support statehood status.

Although some States had no more population when admitted than Alaska today, the situations are not comparable due to reasons of geography, economic potentialities, and time in history.

How many people are 161,000? Imagine a football stadium on the day of the big game filled with people. There would be just about that number—perhaps a few more. This report of mine may be a little in error; but, if you left the children home, you could get every adult person in the Territory of Alaska into one of our major football stadiums. Last Friday I mentioned to this House that there are 40,000 people gainfully employed in private employment in that Territory during the summertime, 20,000 in the wintertime. Just visualize what that means. Visualize this stadium; if you take an area from the goalpost to the 50-yard line, and take out those people, that would be just about 40,000 people.

Mr. Chairman, do you think that those 40,000 people—that is, in the summertime; 20,000 in the winter—are ever going to be able to support some $30 million a year of statehood expenses, without coming into an economic crisis? Why, of course not.

That is why I have to oppose this bill. I have made mention before of these riots and troubles in various areas around the world and related them directly to the economic situation of poverty and distress in those areas, which made them breeding grounds for trouble. Do we wish to create a State which in this sense will be a breeding ground for trouble in these critical times of the world? Why, of course not.

Mr. Chairman, I ask the ladies and gentlemen of this Congress to withhold statehood long enough so that we will have at least a quarter of a million people up there so that they may have a reasonable possibility, at least an outside chance, of being able to support the expenses of the creation of this new State government which would have to govern an area equal to the area of all the United States from Maine to Florida and inland through the Appalachians. That is the expense that those 40,000 people would have to bear.

Mr. Chairman, I ask for the passage of my amendment.

Mr. MILLER of Nebraska. Mr. Chairman, I rise in opposition to the amendment.

(Mr. MILLER of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Nebraska. Mr. Chairman, I call attention of the Committee to the fact that had the gentleman's amendment prevailed at the time other States were coming into the Union, there would be 16 States that would not have been admitted to the Union, including the gentleman's own State of California. When California came into the Union, on September 9, 1850, there were 82,597 people in California. Had such an amendment been in force then California would not have come in at that time. Other States came in, Arkansas, California, Arizona, and Illinois. Indiana had only 63,897 people when she came in as a State of the Union. Illinois had less than 35,000 when admitted in in 1818. Yes, the great State of Ohio when admitted in 1830 had 60,000 people. As I recall the debate on Ohio and other States the record will show that some of the Members of Congress at the time of their admission tried to have an amendment adopted similar to the one offered by the gentleman from California, to the effect that there were too few people in the proposed State, too many rattlesnakes, too many sand dunes, the land was worthless. "We don't want Ohio as a State because it is worthless land. No one wants to live there." The very same argument made against Ohio and other States when they were coming in as States could be made against Alaska at this time.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from California.

Mr. HOSMER. The gentleman does not in any way, shape, or form wish to contend that the States to which he has referred are any fraction of the area of one-fifth of the area of the United States of America as presently constituted on this continent, does he? Does not that make a very distinct difference, the population density and the number of other factors growing from that fact? Are not the statistics the gentleman is using inapplicable to this case, although they might have been applicable to the admission of some other States?

Mr. MILLER of Nebraska. When California came into the Union it was about 100 times the size of Delaware. I have one county in my district larger than Delaware and Rhode Island put together, in square miles. The gentlemans' State was nearly a hundred times larger than Delaware, and the gentleman from Delaware in 1850 made the very argument the gentleman is making, that California was too large, it ought not to be brought into the Union because it was too far removed from Washington, too far away, the land was worthless. California came in with 92,597 people.

The gentleman from California said, "Why do I ask the House to adopt this amendment?" I do not think he would vote for the bill if his amendment were adopted. If I am wrong, I yield to the gentleman for a correction.

Mr. HOSMER. Will the gentleman yield for any other purpose?

Mr. MILLER of Nebraska. No, I am just trying to find out if the gentleman will support the bill if the amendment is adopted. I am quite sure he would not support it.

So I say to you, there were 16 States that came into the Union with less than 250,000 population. I just hope this amendment is not adopted. Sure, Alaska is one-fifth the size of the United States. When Texas came into the Union it retained the right to divide itself into 5 States, and it might well want to do it some day. California is a tremendously large State, the largest of all when it came into the Union. That was one of the biggest objections to California's coming in as a State, that it had only 92,000 people at the time.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Florida.

Mr. HALEY. The gentleman stated just a little while ago that the argument used against the admission of California to the Union was that a lot of the land was worthless. Has that ever been disproved?

Mr. MILLER of Nebraska. They are going to be probably one of the largest States in the Union in population. I know the keen rivalry that exists between California and Florida. California has a big group of fine people. Both States have grown rapidly. I understand California is going to take 7 Representatives in the next realinement of the population, and Florida is going to get 3 new ones.

Mr. Chairman, I hope this amendment will not prevail.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the gentleman from Nebraska has adequately answered the amendment which is proposed by the gentleman from California, but I think his figures need amending in one particular. The gentleman gave figures as to the population at time of admission. When we take the population of preceding censuses or at succeeding censuses for the other States, which were admitted to the Union, and examine them in the light of this amendment, we find there would be only 10 States in this Union of ours today if the gentleman's amendment had been in effect at the time this Union was started. We would have a great Union today of the States of Maine, New Mexico, Washington, West Virginia, Maryland, Massachusetts, North Carolina, Pennsylvania, Virginia, and Oklahoma—that would comprise the United States of America today if the test which the gentleman from California seeks to impose had been in effect since the formation of our Union. The plain fact of the matter is that Alaska today has more population according to the census figures than 29 of the 48 States in the Union had at the time of their admission, and I do not think it would be fair to impose this kind of test on Alaska today when our history proves that the States have rapidly grown in population after their admission into the Union.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. SAYLOR. If this test had been applied by our Founding Fathers, we would never have had the United States of America because most of the States of the Union that formed the original 13 States could not have qualified.

Mr. EDMONDSON. Even the great State of New York, the most populous State in the Union today had only 238,000 people at the time New York came into the Union.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to my friend from California.

Mr. HOSMER. I would like to point out, or at least to allege, that the gentleman is comparing oranges with apples by these figures because he fails to state that the total population of the United States at the time these other States were admitted was a great deal less and, therefore, the situation is simply not comparable.

Mr. EDMONDSON. I will grant that the gentleman has a point there, but I will say to him that if we had imposed an arbitrary test of any kind back in the early years of our history, we would not have the great Union we have today, and I must decline to yield further to the gentleman at this point.

Mr. Chairman, there is one other argument I would like to dispose of before sitting down. The argument has been made by the distinguished gentleman from Virginia that there is a question as to how the people of Alaska stand on this question because of a poll which a gentleman from another State conducted in that Territory. I think the test which the Members of this House have always been willing to impose as to what the people want is the test of the question of how the representatives of that area vote and the stand that they take in this body. We have a clear demonstration of that here. We have the distinguished Delegate from Alaska who is here telling us that the people of Alaska want statehood. We have two Senators under the Tennesee plan and a Representative too, under the Tennesee plan, the representatives and the spokesmen of the people of Alaska who are here and telling all of us directly that their people want statehood for Alaska. I say to you to take what a few editorials say on this question or to take what a poll conducted by a Member from outside the jurisdiction of Alaska says on the question rather than what the elected representatives of the people would say would be a departure from the very foundation principles that govern this House and in the way we do business. We believe the representative of an area speaks for the people and we believe that representative reflects the feeling, the thoughts and the desires of the people. We have convincing evidence on this floor that the people of Alaska want statehood because their representatives are here fighting with every bit of strength that they have and with all their ability to obtain statehood. I hope we will go along with those representatives. I hope we will go along with the people of Alaska. I hope we will go along with the people of America on this subject. Legislatures of many States have demonstrated by resolutions how they stand. I hope we will go along with the destiny of America and add the 49th star to our flag and demonstrate to the entire world that America believes in progress. That we believe in democracy for all our people and that we are willing to stand by those principles in this year of 1958.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. EDMONDSON] has expired.

The question is on the amendment offered by the gentleman from California [Mr. HOSMER].

The amendment was rejected.

Mr. CANFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wonder how many of my colleagues know how pravda and Izvestia, printed in the Soviet Union, feel toward the treaty, negotiated in 1867, under the then czar, which sold to the United States the Territory of Alaska. These newspapers describe the area as Russian-America and they contend that the czar had no right to alienate "sacred Russian soil."

When I was first elected to the Congress, in 1940, the delegate from Alaska was Anthony J. Dimond. This very able and very dedicated delegate, pleading for proper defenses for Alaska, prophesied before Pearl Harbor, that the Japanese would attack without warning. Not heeding the Delegate's prohesy, Alaska became the only part of our North American continent to be invaded and help for a time by the enemy.

I recall a speech once made by Tony Dimond in which he expressed great concern that thousands of Russians, supposedly colonists, were being settled on Big Diomede Island in Bering Strait only 5 miles from Little Diomede, an American island. Commenting on Mr. Dimond's remarks, the New York Times stated:

> The thousands of young Russian men and women who are being settled in northeast Siberia are all representatives of the younger generation that has matured entirely under Soviet control. They are said to be carried away with the idea that they are to be the glorious conquerors of the world, that they must sow the seeds of revolution everywhere, and that, to quote from a Vladivostok newspaper, "Their mission first of all is to get their hands on Alaska which so idiotically was sold to capitalist America by the czarist government."

Tony Dimond often spoke about Soviet Russia's aggressive intentions. Had we taken his warnings to heart, we might possibly not have committed the folly of holding back our victorious troops in Europe and allowing the Russians to occupy Berlin and Austria.

Today, I, for one, am voting to admit to full partnership in our Union that most vital of all American areas, Alaska. I, for one, am anxious to set at rest forever the fantastic Russian claim that Alaska still belongs to Russia and the Russians should have it back.

Mr. Chairman, I note sitting before me as I speak the distinguished and able Delegate who succeeded Anthony Dimond to represent the Territory of Alaska. He has been with us 14 years. He is not a Member of the Congress of the United States, because he is not a Representative and he is not a Senator. No. He is not one of us. He is only a Delegate under the Constitution, with a voice in this body but no vote.

I remember how Tony Dimond in yesteryear spoke about his frustration because of that anomalous situation.

Now I am going to ask the Delegate if he will not rise and during my time tell the House something about his own frustration in not being able to vote as a Member of the Congress of the United States of America.

Mr. BARTLETT. I am glad to respond to the question asked by my friend from New Jersey. Before doing so I should like to say that I am happy he brought the name of Tony Dimond into this discussion. He was a good man, a great American. His was the true voice of prophecy; had we heeded his warning in the thirties, there would have been no disaster in the Aleutians in World War II and, as the gentleman so properly said, the situation would have been different had we heeded that which he had to say after World War II.

I can say to the gentleman after long experience here—this is my seventh term—that personally I am rather inured to being here in a position of Delegate without a vote; but I can say that it remains most frustrating.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. CANFIELD. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

Mr. MASON. I object.

Mr. CANFIELD. I am sure my friend is not really going to object. I am sure he wants to be fair to the Delegate.

Mr. MASON. Mr. Chairman, I have objected.

The CHAIRMAN. The Chair has observed that the gentleman from Illinois has objected.

Mr. ASPINALL. Mr. Chairman, I move to strike out the last word, and yield to the Delegate from Alaska so he may finish his statement.

Mr. CANFIELD. I want to thank the gentleman from Colorado because, most certainly, the Delegate who is sent to this body, who has no vote, has the right to speak.

Mr. MASON. Mr. Chairman, I demand the regular order.

Mr. CANFIELD. The regular order is being observed.

The CHAIRMAN. Does the gentleman from Colorado yield to the gentleman from New Jersey?

Mr. ASPINALL. Yes, Mr. Chairman.

The CHAIRMAN. The regular order is being observed.

Mr. ASPINALL. Mr. Chairman, I now yield to the Delegate from Alaska.

Mr. BARTLETT. I was about to say a moment ago that it is not too frustrating on a personal basis to be here representing a Territory, but daily I grieve for the citizens there who pay all Federal taxes which apply to citizens of the States, who are bound by all the Federal laws that apply to the citizens of the other States but have no right to vote in this Congress of the United States, and who in so many other ways occupy inferior status.

I would say that, granted the fact that territories are commonly, traditionally, required to serve periods of tutelage, that 90 years ought to be long enough. Alaska has been an incorporated Territory since 1868, the year after its purchase form Russia for the terrifically low sum of $7,200,000.

Alaska is made up 85 percent of citizens from the 48 States, and I think they have gone through school; they are entitled now to their diploma so that they may have on this floor and in the other body voting representatives instead of a voteless delegate.

I thank the gentleman for giving me this opportunity and my friend from Colorado also, to say that when you live in a territory it becomes terribly frustrating in that you have no vote to record your opinion on any subject of national or international importance through your representation in the Congress of the United States.

Mr. ASPINALL. May the gentleman from Colorado say that one of the most pleasing experiences that he has had in his 10 years here in the House is that of trying to be helpful to the Delegate from Alaska.

I yield to the gentleman from New Jersey, if he has any further statement he wishes to make.

Mr. CANFIELD. I have no further statement, but again I want to thank the distinguished gentleman from Colorado for being so fair in this debate.

Mr. PELLY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when mention of the name of the Delegate from Alaska was made a moment ago I felt impelled to join with those who were expressing words of commendation for him and also his predecessor, because, coming from that area of the country which is so close to Alaska, we, in my district, know the Delegate well. He is almost like a citizen in Seattle. When he walks along the street, everybody knows him. He is almost like a member of our chamber of commerce. We feel very warmly toward him. We admire the great work he has done, and I know that I am only expressing the sentiments of my district when I join in saying words of commendation and admiration for a very fine gentleman, the Delegate from Alaska.

Mr. PRICE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I know of no one more deserving the tributes which have just been paid to him by his colleagues than the Delegate from Alaska, BOB BARTLETT.

I have had the good fortune to have worked with Delegate BARTLETT since he came to Congress. My own interest in the problem of statehood for Alaska has developed because of the contacts I have had with him. He has always been most fair in his presentations in behalf of the Territory and I am certain that the great good he has accomplished for Alaska has resulted from the high personal esteem in which he is held by Members on both sides of the aisle. This has been evident during the consideration of the statehood bill during the past week.

Now, Mr. Chairman, I would like to reiterate my support for H. R. 7999 granting statehood to Alaska. There have been many arguments over the last several days, pro and con, over this proposed legislation. There has been one argument in particular I would like to refute. That is one having to do with the claim Alaska is not ready for statehood. I think that if we subscribe to the arguments advanced by those who raise this issue we would disregard precedent and history. If our predecessors in this body had subscribed to such arguments, the western boundary of this great country of ours would not have extended beyond the Mississippi River. We must remember that many great States in the Union, stars represented in that blue field up there, would not have been admitted to the Union if we had subscribed to those kind of arguments.

Under the conditions laid down by some, my own great State of Illinois would not have been admitted to statehood back in 1818. I have read the debate in Congress on the question of admission of Illinois. The opponents talked then as the opponents of Alaska's statehood talk today. Fortunately their arguments did not prevail. You may say that in time Illinois would have been admitted anyway—but how can we be certain it would have? Had the opponents of statehood of the many States which have been admitted to the Union subsequent to the founding of our Nation by the Original Thirteen been in majority we might well have a dozen or more independent nations where today we have one Nation united. Our predecessors

showed great wisdom in rejecting negative arguments in the cases of Illinois and the others and I predict the judgment of the House membership will be just as sound here this afternoon.

The granting of Territorial status to Alaska more than 80 years ago carried with it a guaranty that someday this area would be admitted into the Union. Its people are entitled to full status of American citizenship. They must be growing impatient in their present position as wards of the Nation. They cannot be expected to endure such a status much longer. They have served the necessary period of tutelage. We could not blame them if they became tired of being half citizens and demanded statehood or independence.

Now, in effect, they are living under circumstances strongly reminiscent of those which compelled our forefathers to revolt against British rule. Subject to all Federal taxes imposed generally, they have no right to express an effective voice in the making of the tax or other laws.

For these reasons I favor statehood for Alaska, but there is to me an even greater reason why I will vote to admit Alaska to the Union, and that is because the history of the United States shows that real development of an area has started only when Territorial status was changed to statehood.

Yes, and for selfish reason as an American, I want this great Territory as a State of the Union. It abounds in untold natural resources. I want these preserved for the United States. You say we can preserve them as well by holding Alaska as a Territory. I refer you back to my previous remarks; people grow impatient as second-class citizens and they are prone to do something about it in time. It would be far better to grant statehood now than to ferment a condition that would lead to a demand for independence that could embarrass the United States in the family of nations. The Alaskans make no such threat—have not even advanced a hint in that direction—but we may very well be creating such a hazard by rejecting this measure today.

Since statehood will accelerate the development of the area, it is of the utmost importance from a military standpoint—but I went into that in detail yesterday. Recently the commanding general of the Alaskan department stated that military defense of Alaska could not be effective unless there is a growth in the civilian population and civilian industry. Statehood would aid materially in bringing this about.

Alaska has a population of about 212,000 today, exceeding the population of 12 States at the time of their admission into the Union. Few States can match her in resources. Her tremendous resources have barely been touched. Her timber, minerals, and her waterpower have not been tapped. All these things make her a necessary factor in the defense of the United States.

(Mr. PRICE asked and was given permission to revise and extend his remarks.)

The Clerk read as follows:

SEC. 2. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska.

SEC. 3. The constitution of the State of Alaska shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this act, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation: *Provided*, That nothing contained in this Act shall recognize, deny, enlarge, impair, or otherwise affect any claim against the United States, and any such claim shall be governed by the laws of the United States applicable thereto; and nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that any law applicable thereto authorizes, establishes, recognizes, or confirms the validity or invalidity of any such claim, and the determination of the applicability or effect of any law to any such claim shall be unaffected by anything in this Act: *And provided further*, That no taxes shall be imposed by said State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation.

SEC. 5. The State of Alaska and its political subdivisions, respectively, shall have and retain title to all property, real and personal, title to which is in the Territory of Alaska or any of the subdivisions. Except as provided in section 6 hereof, the United States shall retain title to all property, real and personal, to which it has title, including public lands.

SEC. 6. (a) For the purposes of furthering the development of and expansion of communities, the State of Alaska is hereby granted and shall be entitled to select, within 50 years after the date of the admission of the State of Alaska into the Union, from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection not to exceed 400,000 acres of land, and from the other public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection not to exceed another 400,000 acres of land, all of which shall be adjacent to established communities or suitable for prospective community centers and recreational areas. Such lands shall be selected by the State of Alaska with the approval of the Secretary of Agriculture as to national forest lands and with the approval of the Secretary of the Interior as to other public lands: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purposes whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.

(b) The State of Alaska, in addition to any other grants made in this section, is hereby granted and shall be entitled to select, within 25 years after the admission of Alaska into the Union, not to exceed 182 million acres from the public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the lands so occupied: *And provided further*, That no selection hereunder shall be made in the area north and west of the line described in section 10 without approval of the President or his designated representative.

(c) Block 32, and the structures and improvements thereon, in the city of Juneau are granted to the State of Alaska for any or all of the following purposes or a combination thereof: A resident for the Governor, a State museum, or park and recreational use.

(d) Block 19, and the structures and improvements thereon, and the interests of the United States in blocks C and 7, and the structures and improvements thereon, in the city of Juneau, are hereby granted to the State of Alaska.

(e) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat 301; 48 U. S. C., secs. 192–211), as amended, and under the provisions of the Alaska commercial fisheries laws of June 26, 1906 (34 Stat. 478; 48 U. S. C., secs. 230–239 and 241–242), and June 6, 1924 (43 Stat. 465; 48 U. S. C., secs. 221–228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: *Provided*, That such transfer shall not include lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife. Sums of money that are available for apportionment or which the Secretary of the Interior shall have apportioned, as of the date the State of Alaska shall be deemed to be admitted into the Union, for wildlife restoration in the Territory of Alaska, pursuant to section 8 (a) of the act of September 2, 1937, as amended (16 U. S. C., sec. 669g–1), and for fish restoration and management in the Territory of Alaska, pursuant to section 12 of the act of August 9, 1950 (16 U. S. C., sec. 777k), shall continue to be available for the period, and under the terms and conditions in effect at the time, the apportionments are made. Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 percent of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea-otter skins made in accordance with the provisions of the act of February 26, 1944 (58 Stat. 100; 16 U. S. C., secs. 631a–631q), as supplemented and amended. In arriving at the net pro-

ceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the act of February 26, 1944, as supplemented and amended, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands. Nothing in this act shall be construed as affecting the rights of the United States under the provisions of the act of February 26, 1944, as supplemented and amended, and the act of June 28, 1937 (50 Stat. 325), as amended (16 U. S. C., sec. 772 et seq.).

(f) Five percent of the proceeds of sale of public lands lying within said State which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to such sales, shall be paid to said State to be used for the support of the public schools within said State.

(g) Except as provided in subsection (a), all lands granted in quantity to and authorized to be selected by the State of Alaska by this act shall be selected in such manner as the laws of the State may provide, and in conformity with such regulations as the Secretary of the Interior may prescribe. All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved, and each tract selected shall contain at least 5,760 acres unless isolated from other tracts open to selection. The authority to make selections shall never be alienated or bargained away, in whole or in part, by the State. Upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than 90 days before the date on which it otherwise becomes effective, if subsequent to the admission of Alaska into the Union, during which period the State of Alaska shall have a preferred right of selection, subject to the requirements of this act, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation. Such preferred right of selection shall have precedence over the preferred right of application created by section 4 of the Act of September 27, 1944 (58 Stat. 748; 43 U. S. C., sec. 282), as now or hereafter amended, but not over other preference rights now conferred by law. Where any lands desired by the State are unsurveyed at the time of their selection, the Secretary of the Interior shall survey the exterior boundaries of the area requested without any interior subdivision thereof and shall issue a patent for such selected area in terms of the exterior boundary survey; where any lands desired by the State are surveyed at the time of their selection, the boundaries of the area requested shall conform to the public land subdivisions established by the approval of the survey. All lands duly selected by the State of Alaska pursuant to this act shall be patented to the State by the Secretary of the Interior. Following the selection of lands by the State and the tentative approval of such selection by the Secretary of the Interior or his designee, but prior to the issuance of final patent, the State is hereby authorized to execute conditional leases and to make conditional sales of such selected lands. As used in this subsection, the words "equitable claims subject to allowance and confirmation" include, without limitation, claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands.

(h) Any lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U. S. C., sec. 432 and following), as amended, shall have the effect of withdrawing the lands subject thereto from selection by the State of Alaska under this act, unless such lease, permit, license, or contract is in effect on the date of approval of this act, and unless an application to select such lands is filed with the Secretary of the Interior within a period of 5 years after the date of the admission of Alaska into the Union. Such selections shall be made only from lands that are otherwise open to selection under this act, and shall include the entire area that is subject to each lease, permit, license, or contract involved in the selections. Any patent for lands so selected shall vest in the State of Alaska all right, title, and interest of the United States in and to any such lease, permit, license, or contract that remains outstanding on the effective date of the patent, including the right to all rentals, royalties, and other payments accruing after that date under such lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of such lease, permit, license, or contract: *Provided,* That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

(i) All grants made or confirmed under this act shall include mineral deposits. The grants of mineral lands to the State of Alaska under subsections (a) and (b) of this section are made upon the express condition that all sales, grants, deeds, or patents for any of the mineral lands so granted shall be subject to and contain a reservation to the State of all of the minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. Mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct: *Provided,* That any lands or minerals hereafter disposed of contrary to the provisions of this section shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States District Court for the District of Alaska.

(j) The schools and colleges provided for in this act shall forever remain under the exclusive control of the State, or its governmental subdivisions, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

(k) Grants previously made to the Territory of Alaska are hereby confirmed and transferred to the State of Alaska upon its admission. Effective upon the admission of the State of Alaska into the Union, section 1 of the act of March 4, 1915 (38 Stat. 1214; 48 U. S. C., sec. 353), as amended, and the last sentence of section 35 of the act of February 25, 1920 (41 Stat. 450; 30 U. S. C., sec. 191), as amended, are repealed and all lands therein reserved under the provisions of section 1 as of the date of this act shall, upon the admission of said State into the Union, be granted to said State for the purposes for which they were reserved; but such repeal shall not affect any outstanding lease, permit, license, or contract issued under said section 1, as amended, or any rights or powers with respect to such lease, permit, license, or contract, and shall not affect the disposition of the proceeds or income derived prior to such repeal from any lands reserved under said section 1, as amended, or derived thereafter from any disposition of the reserved lands or an interest therein made prior to such repeal.

(l) The grants provided for in this act shall be in lieu of the grant of land for purposes of internal improvements made to new States by section 8 of the act of September 4, 1841 (5 Stat. 455), and sections 2378 and 2379 of the Revised Statutes (43 U. S. C., sec. 857), and in lieu of the swamp-land grant made by the act of September 28, 1850 (9 Stat. 520), and section 2479 of the Revised Statutes (43 U. S. C., sec. 982), and in lieu of the grant of 30,000 acres for each Senator and Representative in Congress made by the act of July 2, 1862, as amended (12 Stat. 503; 7 U. S. C., secs. 301–308), which grants are hereby declared not to extend to the State of Alaska.

(m) The Submerged Lands Act of 1953 (Public Law 31, 83d Cong., 1st sess.; 67 Stat. 29) shall be applicable to the State of Alaska and the said State shall have the same rights as do existing States thereunder.

Mr. DAWSON of Utah. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAWSON of Utah: On page 4, line 13, strike the word "fifty" and insert the word "twenty-five."

On page 5, lines 10 and 11, strike the words "one hundred and eighty-two million" and insert "one hundred and two million five hundred and fifty thousand."

Mr. DAWSON of Utah. Mr. Chairman, these two amendments bring the bill in line with the figures presented in the original bill as introduced by the gentleman from Alaska and other authors of bills. The acreage was increased in committee. Some objection was made there—and I think rightly so—the large amount of land that was granted to the State of Alaska. I think the gentleman from Virginia [Mr. SMITH] made a case on yesterday that justifies some reduction in the total acreage granted to the new State. By reducing the figure from 182 million to 102 mililon, we reduce the total percentage from some 50 percent to 27 percent of the land in Alaska. This, in my opinion, is a much more realistic figure than 50 percent. It is true, as the gentleman from Virginia [Mr. SMITH] has stated, that this is a much larger grant, even with the reduction that is now proposed, than any other State in the Union has had. I feel, however, that this amount of land is needed in order to give the new State a sufficient tax base to allow a reasonable assurance of its future existence.

The other amendment relates to the reduction of the selection time from 50 years to 25 years for the lands in the national forests and in my opinion that also is reasonable. We would hate to see a situation develop in Alaska where the new State could wait for the lands to come into mineral production or commercial development and then take over. For that reason I feel that 25 years would be sufficient time for that development to take place and for the new State to make a reasonable selection.

Mr. Chairman, I hope that the committee will see fit to accept this amendment.

Mr. O'BRIEN of New York. Mr. Chairman, the committee will accept the amendment.

Mr. MILLER of Nebraska. Mr. Chairman, as part of the committee, I am not

ready to accept the amendment and rise in opposition to the amendment.

(Mr. MILLER of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Nebraska. Mr. Chairman, this amendment was adopted by the full committee, and, as I remember it, the gentleman from Utah voted for the amendment when it was in the committee. It was adopted unanimously.

Mr. DAWSON of Utah. Mr. Chairman, I am not so sure that that is correct.

Mr. MILLER of Nebraska. Mr. Chairman, I am not ready now to agree that the committee shall rescind the action just because somebody simply offers an amendment and to say that we accept the amendment. We adopted these figures in the committee. What does it do? It gives the new State about one-half of its land. The Federal Government has already taken 100 million acres of selected land that it wants for itself—100 million acres. I have always been under the impression that neither the Federal Government nor a State can properly develop its own resources. Generally it is the individual who goes out on his own initiative, with his courage and his willingness to work, that develops the resources of the land.

I believe that 25 percent of all the land in the United States is owned by the Federal Government. In the 11 Western States 50 percent of the land is owned by the Federal Government. If we adopted the amendment offered by the gentleman from Utah [Mr. DAWSON], it would mean 102 million acres of land would go to the new State, and that is about 28 percent of their land. If Members will look at page 89 of the report you will see that in the 11 Western States it ranges all the way from 85 percent in the State of Washington that is owned by the Federal Government to 84 percent in the State of Nevada.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman.

Mr. DAWSON of Utah. In my own State, even today, the Federal Government owns 73 percent of all the land area. Yet, if this amendment were adopted we would give the new State of Alaska 27 percent of their total area.

Mr. MILLER of Nebraska. I think we might well say that one reason the gentleman's State has not grown very much is that so much of the land is owned by the Federal Government. Utah had 210,000 people when it came into the Union in 1896. What is its population now, about a third of a million?

Mr. DAWSON of Utah. About 1 million.

Mr. MILLER of Nebraska. The State has not grown very much because the Federal Government has seen fit to hold onto all of the land. In my humble opinion, if you want to develop a territory, turn it over to the State, and let us hope that there is wise economic and political leadership in the State so that they, in turn, will turn it back to the people who will come there from every State in the Union, in this case, who will go to Alaska, to the new State, so that they may carve out their own destiny by taking a piece of land and develop the resources. If there is coal, or if there is gold, or one or another of a dozen different strategic minerals that we need in this country, including lumber, then they, themselves, as individuals, can work out their destiny through the ownership of that land. But you cannot do that if you say to a new State, "We will give you just a little bit of land and hope you get along on it." I have 1 county in my district of 38 counties that is larger than Delaware and Rhode Island, in square miles, not in people. They have almost as many cattle, but not people. So you cannot judge this new State on a square-mile basis.

I will go along with a 25-year limitation, instead of 50 years, for the new State to select its land, but let the State divide that land. They may have some homestead law or mineral law so that individuals from every State in the Union can go up there, and they can divide their resources. If we say the Federal Government is going to hold onto most of the land it will not be developed. I did not vote for this bill in the 81st Congress because we were not then giving them very much of the land and only 6 percent of their land. A State, to grow and develop must have most of its land. I think I was right at the time. The bill did not carry. I think you weaken the bill here when you say to the State, "We will let you have 28 percent of your land," when in the first place the Federal Government has already selected 100 million acres of that land.

I suggest the amendments to give less land to the new State be defeated.

Mr. O'BRIEN of New York. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I hesitate to state that my support of the amendment does not mean that I am in violent disagreement with the distinguished gentleman from Nebraska. The gentleman from Nebraska in the committee strongly advocated the 184 million acres. One of the reasons I went along with that larger amount was that I believed the gentleman from Nebraska to be a conservative man in his approach to all these problems. If he felt as a conservative gentleman that the larger amount of land was necessary I was willing to yield to his views. I still believe that he was right. I still believe that if we are to create a new State, a State of such size and undoubted importance, we should give it as many of the sinews of statehood as possible.

I think we have here in the statement by the gentleman from Nebraska an answer to many of those who talk about giveaway. Here is the gentleman from Nebraska, a conservative gentleman, who says we should give more, not less, of this land. Here is the gentleman from Nebraska, a conservative gentleman, who tells you he sees no prospect of looting the public treasury by permitting people of a new State to lease to private enterprise these mineral lands which should be developed in the interest of the entire Nation.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. MILLER of Nebraska. If they are going to loot 182 million acres, what safeguard are you going to have so they will not loot 102 million acres?

Mr. O'BRIEN of New York. I think the answer might be that the difference could be the difference between petty larceny and grand larceny, but I do not believe there is larceny of any kind possible.

One point should be emphasized. What loot are we talking about here? We now give the Territory of Alaska 90 percent of all the revenue from mineral leases by the Federal Government. Under this bill, we will give 100 percent plus the cost of administering it. So moneywise they will be in exactly the same posture as they are in now. So I am very happy that the gentleman from Nebraska explained why he favors this provision as it stands. Nevertheless, I have always believed it is a mistake to stumble over a pebble on your way to a mountain top and I believe this amendment would be a reasonable compromise.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas, to the amendment offered by Mr. DAWSON of Utah: Strike out "102,000,000" and insert "21,000,000."

Mr. ROGERS of Texas. Mr. Chairman, in view of the controversy which seems to have arisen within the committee here about how much land is going to get looted up there, I thought, perhaps, we had better reduce it down to the amount that had been included in the former bills that have been presented to the Congress on this subject. When we weigh this whole problem out, we find that 21 million acres should be plenty of land if you are going to grant statehood to Alaska, everybody talks in percentages but no one talks in figures. They talk about how much land the Federal Government owns throughout this Nation, but they never tell you that a lot of that land is owned by the Federal Government because no one else can afford to own it. The gentleman from Utah was talking about how much land in his State was owned by the Federal Government. Now, who can afford to own these mountain tops? Why they could not even pay the taxes on them. Of course, that is all counted. And they talk about it percentagewise, but they never tell you how many fertile acres there are and they never tell you anything about that, but they just talk about percentages and they have you going on percentages. But Alaska gets to choose this land and they are not going to choose mountain tops or swamps. Let us look at this thing from the standpoint of how much land would be allocated to each citizen of Alaska. At the present time, if you gave them 21 million acres—now you figure it, I am not a very good mathematician—how many people are there up there, some say there are 80,000 people and others say there are 180,000 people, but it makes no difference—each citizen up

there would get a tremendous amount of land under this 21 million acres provision. In addition to the 21 million acres, do not forget this one point that was made yesterday that this proposed State is brought in under the submarginal land act. That includes, as I understand it, 3 miles out from the shore. If you just stop and think about the shoreline of Alaska—think how fantastic it is because if you go 3 miles out for every mile of shoreline you would have 2,000 acres of land that the State of Alaska would get. You look at the map of the State of Alaska and just look at the stupendous amount of land and the amount of mineral rights that would be going to the State of Alaska outside of what is included in the bill, as, you might call it, dry land. So it just occurs to me, if this is going to be a matter of turning over this land that belongs to all the people of the United States of America at the present time, if you turn this land over to Alaska, let us be reasonable about it. The gentleman wants to be conservative and I do too. Let us turn 21 million acres over to them, if you are going to pass this bill anyway, and then if they need more land they can come back and get it later on. There is nothing to keep this Congress from giving them more land at the next session of the Congress. But, if we give them all of the land now, we cannot take any of it back. We cannot take any of it back and the chances are Alaska is not going to give it back to us. So let us go about this thing in a reasonable way and not just go whole hog and turn the whole thing over and say, "Well, we are destroying the Republic so we might as well do a good job of it and give away all the land—we do not need it anyway."

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. BARTLETT. I would like to remind the gentleman from Texas that the amount of land he proposes here is less than one-half that which was sought to be conveyed in the 1950 act.

Mr. ROGERS of Texas. How much land would the 21 million acres be for each citizen of Alaska at the present time?

Mr. BARTLETT. Oh, I do not know how much land it would be, but it would be no land for each citizen. It would all go to the State. It would not be divided equally.

Mr. ROGERS of Texas. But I mean the State is made up of citizens.

Mr. BARTLETT. The gentleman is applying a new rule, but what he is doing is seeking to cut the land grants by 50 percent from the lowest figure that ever came to the House before.

Mr. ROGERS of Texas. If I remember right, those other bills were defeated, so there must have been something wrong with them. Maybe it was the land business.

Mr. BARTLETT. Oh, no. I remind the gentleman that the bill which was passed on March 3, 1950, contained approximately twice as much land as he proposes in his amendment.

Mr. ROGERS of Texas. What happened to that bill?

Mr. BARTLETT. It perished elsewhere.

Mr. ROGERS of Texas. That is what I mean. It never did become law.

Mr. BARTLETT. No.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. PILLION. Is it not possible for this Congress to grant to Alaska at any time any amount of its land, regardless of whether or not the statehood bill is adopted? Even though it were defeated, this Congress could next day grant whatever it deems to be fair, such lands as the Congress might want to give to Alaska.

Mr. ROGERS of Texas. I will say to the gentleman it seems to me, according to the speech of the gentleman from New York [Mr. O'BRIEN] we have given them quite a bit of it already and certainly we could handle the matter in the future.

Mr. PILLION. One section out of each township. Is that not correct?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SISK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the position taken by the gentleman from Nebraska [Mr. MILLER]. I do not believe that I find myself in extreme controversy with my chairman, the chairman of our subcommittee, the gentleman from New York [Mr. O'BRIEN]. I just happen to be one of those fellows who do not believe that we are giving anything away. In the proposal which the gentleman from Nebraska [Mr. MILLER] mentioned, it was discussed in our committee, at great length, and 182 million acres was felt to be needed, in order to give the new State a proper economic base. After all, we talk about the fact that in California we have the Federal Government owning 50 percent of the land; in Utah 80-some percent of the land, and so on. The people who live in the State and who work there, who develop it, are Americans, and they are there developing and working generally along with everyone else in the country to build and strengthen this country in which we live. I just do not grasp this idea that because we permit a State to have some few million acres of land that we are giving it to anybody or that it represent a giveaway to anybody. It will be used by American citizens in an American State, a part of this great Union in which we live.

To go back to the discussion, I oppose the amendment offered by the gentleman from Texas [Mr. ROGERS] because this certainly reduces the area which Alaska would have an opportunity to develop far below the minimum required. As far as the discussion between the gentlemen from New York [Mr. O'BRIEN] and the gentleman from Nebraska [Mr. MILLER] is concerned, I personally shall vote against the amendment offered by the gentleman from Utah [Mr. DAWSON], because I believe that the 182 million acres is not too much land, when we consider the fact that that would still be only 50 percent of the total land area of the new State of Alaska.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield.

Mr. EDMONDSON. Is it not correct that under the committee bill as it now stands 183 million acres of land are reserved to the United States, and under the Dawson amendment there would be 263 million acres reserved to the United States? So when the gentleman from Texas argues that we might as well go whole hog on those propositions he is neglecting the fact that there is a reservation in both these committee positions of more than half the land in Alaska to the United States. Is that correct?

Mr. SISK. The gentleman is exactly correct on that, completely.

I wish to say that I am happy my colleague from Utah introduced this amendment because I think it is up to the House after hearing and discussing the various proposals to make a determination of the amount of land they want to go to the State.

I shall support the position of the gentleman from Nebraska [Mr. MILLER] because I believe he is right in his argument. If you choose to support the position of the gentleman from Utah and the chairman of our subcommittee, the gentleman from New York [Mr. O'BRIEN], then certainly that is your prerogative.

Mr. LECOMPTE. Mr. Chairman, will the gentleman yield?

Mr. SISK. Yes; I shall be glad to yield to the gentleman.

Mr. LECOMPTE. The gentleman spoke about the amount of land in California and other States, the portion owned by the State, the portion owned by the Federal Government. It is true, but does the gentleman consider that a good thing?

Mr. SISK. I do not consider it to be a good thing. That is exactly the reason why I am opposing it.

Mr. LECOMPTE. In the State of Iowa, the last time I checked, less than one-half of 1 percent was publicly owned land. It was practically all privately owned, and we out there always thought it ought to be privately owned; it pays taxes then.

Mr. SISK. I agree with the gentleman completely; and that, I will say, is the reason for the position I have taken.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. The gentleman, as a member of the committee, I am sure will agree with me that all we have been trying to do in the committee was to reach an agreement on what would be a fair allocation. Of course, we can take any one of these arguments and say, "Let us cut it down" or "Let us extend it up to 100 percent." But if you want to be realistic about it the reason the 102-million-acre figure was offered was because that was the amount of the original bill.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I made some remarks on this bill yesterday and somebody said

I was drawing a red herring across the trail; but I think from the looks of things I struck pay dirt.

When you start reading the bill you do not know just what it does. The bill is so defective that the advocates of the bill are now fighting amongst themselves. One bunch of them wants 182 million acres, another bunch wants 102 million acres; I do not want any million. So I think that what has happened here this afternoon on this bill pretty well illustrates the immaturity of this bill for serious consideration by the House when the Members who worked so long over it and came to such almost unanimity or opinion as to what was the final right thing to do about it, on the very first important amendment that is offered we find them fighting amongst themselves. Now, how are we poor, ignorant folks going to know what to do about it?

The Delegate from Alaska says that the last bill carried 42 million acres; the gentleman from Texas said it carried 21 million acres. I do not know that it makes much difference, but as a matter of fact, I had all these bills that have been introduced for statehood for Alaska analyzed to see just how much giveaway there was in them and how much tremendous giveaway there was in this particular bill.

According to the analysis given me, the only bill that ever passed this House after serious consideration and debate was in the 81st Congress, and according to my analysis that bill gave 21 million acres to Alaska. Then they have been jumping up, jumping up, and jumping up every bill since until they have given away in this bill everything that Alaska apparently is willing to accept as a gift, and now the committee is fighting amongst themselves. Now, no doubt we will get into other amendments on this bill. I am not going to offer any; I have said my say about it, so I am not going to propose to amend the bill. Let it stay like it is and see what the House wants to do. But, I would like to admonish these gentlemen, who are such sincere advocates of the bill and all of whom are so sure that their position is dead right, please get together on these amendments, and if you cannot agree among yourselves, I do not see how you can ask the membership of this House to vote for this bill. Now, that is the situation, and we are starting off here with the committee themselves quarreling about whether we shall give them everything or whether we shall give them this or that.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. MILLER of Nebraska. I do not think there is really any quarrel about it. I was trying to hold up the committee's position of 182 million acres. Of course, the gentleman from Texas did not want Alaska to be larger than Texas, because Texas has 168,648,320 acres. They reserved all of their land when they came into the Union. We did not take an acre away from them.

Mr. SMITH of Virginia. The gentleman is always fair, and he ought to add to that that Texas did not come in by the grace of the United States as a possession. Texas came into this Union by treaty.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. ROGERS of Texas. Since the gentleman from Nevada mentioned the State of Texas, Texas offered to give up the land when they came in, but they refused to take it. They said it was nothing but frog ponds, I believe, out there. And, they have been sorry ever since.

Mr. SMITH of Virginia. I believe that Texas also has the right under its treaty to divide itself into five States and have 10 United States Senators up here; is that not right?

Mr. ROGERS of Texas. That is correct.

Mr. SMITH of Virginia. I do not understand why they have never taken advantage of it. But, if they are going to have five States, it has been suggested to me—and I think by the gentleman from Texas—that there ought to be an amendment to this bill to let Alaska divide itself into 10 States, because it is twice as big as Texas. I do not know whether there will be any objection to that amendment or not.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(Mr. O'NEILL asked and was given permission to revise and extend his remarks.)

Mr. O'NEILL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas. You know, as we come along Pennsylvania Avenue we see on the Archives Building, I think it is, "What is past is prologue." "Study the Past." Well, the greatest land scandal in the history of this Nation was what they called the Yazoo scandal. When Georgia came into the Union, the United States Government turned over countless acres of land to the State of Georgia. They took three Indian territories and they added that to the State of Georgia and went right to the Mississippi River. So, Georgia extended from the Atlantic Ocean to the Mississippi River, and they gave them the same rights in the bill as we give the legislature in Alaska. We gave them the same rights at that time. In Georgia, there were 3 land companies formed, and when the investigation came about they found out that every member of the Georgia Legislature, with the exception of 1 member, had been involved and was a partner in these land settlement development corporations. And, they sold the land anywhere from 1½ to 5 cents an acre. It was the greatest scandal in the history of this Nation. Washington sent a special message to the Congress asking the Congress to investigate. It took years and years and years of litigation. Now, here we are today, 1 group wanting to give away 182 million acres of property that belongs to the people who live in my district and who live in your district, on which is found the greatest mineral wealth and the greatest forestry reserve in the world. That belongs to the people of my district and it belongs to the people of your district, and we have no right to give it away. There is another group in the House that is not so benevolent as the first group. They want to give away only 101 million acres of the land and the property which belongs to the people of the United States. The gentleman from Texas is rather miserly in his thoughts; he wants to give them only 21 million acres.

If there is ever going to be another Yazoo land scandal, if we are going to make the biggest giveaway in the history of this Nation, let us start with only 21 million acres. Please, let us not go hogwild completely.

Personally I am in opposition to the bill. I am going to vote against it regardless of what amendment is adopted, because I honestly believe that the minerals up there, the fishing rights, the great forests up there, belong to all the people of America. I do not think we have any right to delegate to a handful of people in a legislature in Alaska the authority to give away property that belongs to the people of America.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. O'NEILL. I yield.

Mr. O'BRIEN of New York. Is the gentleman aware that the State of Alaska would get only 400,000 acres of all the tremendous forest lands up there, the rest being reserved by the United States?

Mr. O'NEILL. I have read the bill. I know that it said that they have a period of 25 or 50 years in which to go in and pick out lots of 5,000 acres each.

Mr. O'BRIEN of New York. Except the forests.

Mr. O'NEILL. The gentleman knows and I know that for the next 25 years, those people who are up there, after having made surveys, are not going to take up the useless property. They are going to pick out the best property.

Mr. O'BRIEN of New York. Is the gentleman familiar with the Teapot Dome scandal when the leasing was done under the Federal Government, and not the State government?

Mr. O'NEILL. Certainly I am familiar with that. But I think in writing a bill such as this, and knowing what happened in connection with Teapot Dome and the leasing up there, and knowing about the Yazoo scandal and the leasing and the sales made at that time, the committee should have written some safeguards into a bill of this type.

Mr. O'BRIEN of New York. Does the gentleman know that the State of Alaska may not sell a single foot of mineral land, but may only lease it?

Mr. O'NEILL. Yes; I have read the bill.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. O'NEILL] has expired.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened in amazement to some of the arguments that have been made before this body, such as those made by the previous speaker. Anyone who has flown over

the Territory of Alaska, or who has traveled over it by train knows that there are millions and millions of acres of muskeg in Alaska, tundra. There are swamps there that breed nothing but mosquitoes in the summertime and are frozen wastes in the wintertime. There are inaccessible bare mountain tops, without trees. It is true that they do have a great quantity of land up there, but the tillable soil in Alaska is limited. There are glacial deposits of gravel lying below most of the topsoil. The topsoil is very thin, except in certain valleys such as Matanuska Valley. If you are going to create a State, then you have to give to that State the type of land which will be an asset and not a total liability.

The gentleman from New York [Mr. O'BRIEN] has already explained that the Federal Government has protected itself as far as great grants of forest land, and the leasing of oil lands, if that comes about, and their sale. The leasing which was done by the Federal Government at Teapot Dome has been mentioned. I call the attention of the committee to the fact that we voted a Tidelands bill a few years ago. I voted for that bill although it was against the principles of my party, but I did so because I knew that in the State of California we exacted up to 50 percent of royalties from the oil companies on those tidelands, and I knew there was no such record of protecting the interests of the people, by the Federal Government. The average leasing charge of the Federal Government is around 8 to 12 percent on Federal lands. But in the State of California we exacted up to 50 percent from the public lands. So I say that your States can protect the natural resources. All of your arguments on the States' jurisdiction, on the closeness of the States relate to this situation and are involved in this instance and it will pertain in the case of Alaska.

As far as giving these resources away to Alaska, it is like talking about giving your daughter a home to live in when she gets married. You give it away but not to a stranger. Anything that is given from the public domain to a 49th State is retained in the Union. It is not like giving it away to some far-off possession overseas that has no part and parcel in the United States Government. We retain everything that we give to the State of Alaska. It is true that the jurisdictional trustee of those lands and resources changes from the Federal Government to the State, but what man among you is going to argue against that from the standpoint of principle?

I see my friends who are against statehood for Alaska using strange arguments, but they are the very first ones that take this well in defense of States' rights and the superiority of State jurisdiction.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Arizona.

Mr. UDALL. I simply want to comment as a member of the Committee on Interior and Insular Affairs, which has jurisdiction of the great public lands in the West, that the traditional States' rights position of wanting to give the States the broadest possible tax basis is that taken by the gentleman from Nebraska. We have had an extraordinary situation about this bill. The gentlemen who are shouting "Giveaway" are those who apparently do no want to have a State that is strong. This is a rather amusing and curious situation.

Mr. HOLIFIELD. It is an amazing demonstration of how you can ride both ends of a horse going in different directions at the same time.

Mr. ROGERS of Texas. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. ROGERS of Texas moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. ROGERS of Texas. Mr. Chairman, I do not want to consume much of the time of the House on this matter and I shall try to close it quickly. You have heard this debate for several days. You have heard several amendments offered. As yet I have not heard one sound reason why Alaska should be granted statehood. Everything that has been argued on this floor has been some futile attempt to tear down some argument saying Alaska should not be granted statehood.

I think the people who are here representing the people of the present United States of America should weigh this matter very, very carefully. I think we ought to realize the tremendous responsibility that is on our shoulders when we start to vote on this measure.

Much has been said as to what the Russians might think about it if we do not grant Alaska statehood. I do not know how you feel—I say I do not; I believe I do—but, as for me, I want my voice heard around the world. I do not care what the Russians think. I am not voting for or against statehood because of what the Russians might say or what they might not say. We could not please the Russians short of giving them complete domination of the world, and everyone in the sound of my voice knows it. It is high time we stopped listening to the propaganda from the Kremlin and started assuming our own responsibilities and taking care of our own business.

We have here a country, the greatest country in the world, a country that has been built by the people who are here inside of the United States of America. I say to you: When we step from the shores of this great Nation and undertake to take in other States, we are doing something that I think we are going to be very sorry for in the future. You must remember this. Once we step off the shores of this Nation, we move into an entirely new political area. We move into an area that has never been tried. It is untested. This is a terrible time in this world at the present time to be testing new political philosophies. Once we step across that chasm, we cannot return. That is the point of no return. We cannot undo what we have done in order to save this Republic if that should be necessary. I sincerely hope the Members in this Chamber today who have so ably represented their people who have sent them here will weigh these responsibilities that rest on their shoulders when we start to do this, and that you will vote for this motion to strike out the enacting clause.

Mr. O'BRIEN of New York. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, this is a moment of great decision for our Nation. In a very few seconds, we will either accept or reject the overwhelming demand of all the American people and the solemn pledges of our two great parties that we enrich and strengthen ourselves by admitting this great new state of Alaska into the Union. Members from 41 States have spoken or voted here since last Wednesday in favor of admission. This truly reflects public feeling and makes crystal clear that this is not a north-south, Republican-Democrat, or big State-little State battle. Vocal opposition has come largely and obviously from a handful of Members, distinguished though they may be, most of whom would oppose statehood if everything to which they have objected would be deleted from the bill. They describe a normal precedent and a necessary grant of lands made to insure the full development of this mighty territory as a giveaway when they must know that the mineral rights will be developed by private enterprise under even greater restrictions than now exist. This thing they call the gimmick will help bring into our Nation wealth and greater defense by bringing in a score of vital minerals that we need. Alaska gets 90 percent now of the revenue from mineral leases. Are we going to give the new State less? They decry self-government for Alaska because Alaska with 212,000 people will have 2 Senators knowing that more than 20 States came into the Union with less, and they grew enormously. I am proud that a majority of Members from the Nation's most populous State, the State of New York, have rejected this selfish view and support this bill. They say the people of Alaska do not want statehood—what nonsense.

Only a few weeks ago primary candidates favoring statehood received 90 percent of the votes as against 10 percent for the candidate favoring a commonwealth. Our future, Mr. Chairman, cries out to us for recognition. The pioneering spirit which made us great demands rekindling . Our Nation is not finished. It need not live on its own fat. Let us tell the world that we keep our promises, that we are still young and vigorous and adventurous. Let us provide elbow room for the 70 million more people who will live in the United States within a generation.

When the roll is called on this motion, let us hear again in this Chamber, as we have during recent days, strong voices of men and women from Maine to California, from Vermont to Oregon, from New Jersey to Louisiana, from New York to Texas, from Washington to Ohio, and from New Hampshire to Florida. Our people want this bill and we are their representatives.

The CHAIRMAN. The time of the gentleman from New York [Mr. O'BRIEN] has expired.

All time has expired.

Mr. MILLER of Nebraska. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MILLER of Nebraska. If the motion offered by the gentleman from Texas [Mr. ROGERS] prevails, the enacting clause will be stricken in committee. Then do we go into the House and have a rollcall record vote upon such motion?

The CHAIRMAN. Under the situation, if the motion is adopted, as the gentleman suggests in his question, the Committee would rise and report that fact to the House.

Mr. MILLER of Nebraska. And then in the House there would be a recorded vote?

The CHAIRMAN. That is for the House to determine.

Mr. MILLER of Nebraska. Of course, that also, then, prevents the House from perfecting the bill and having a final vote on the bill?

The CHAIRMAN. The Chair feels that is hardly a parliamentary inquiry.

Mr. MARTIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN. I believe there is an understanding that if we go back into the House and a rollcall is demanded, the rollcall will be considered tomorrow instead of today. I would like to ask the majority leader if that is not the situation.

Mr. McCORMACK. That is correct. Expressing my own personal opinion, of course, if this motion is defeated, then we can go ahead in Committee of the Whole and perfect the bill.

Mr. MARTIN. The understanding is that if we do defeat it there will not be any rollcall.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, on that I ask for tellers.

The tellers were ordered; and the Chairman appointed Mr. ROGERS of Texas and Mr. O'BRIEN of New York to act as tellers.

The Committee divided, and there were—ayes 144, noes 106.

So the motion was agreed to.

Accordingly, the Committee rose and, the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee, having had under consideration the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, had directed him to report the same back to the House with the recommendation that the enacting clause be stricken out.

Mr. ROGERS of Texas. Mr. Speaker, I offer a preferential motion.

The SPEAKER. The gentleman, I assume, is opposed to the bill.

Mr. ROGERS of Texas. Yes, Mr. Speaker.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. ROGERS of Texas moves to recommit the bill to the Committee on Interior and Insular Affairs.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the further consideration of the bill be postponed until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

UNKNOWN SERVICEMEN OF WORLD WAR II AND KOREA

The SPEAKER. The Chair desires to make the following announcement:

Members will meet here in the House Chamber, informally, at 9:30 a. m. on tomorrow, Wednesday, May 28, 1958, and will then proceed in a body to the rotunda of the Capitol to witness the arrival of the remains of the unknown servicemen of World War II and Korea which will there lie in state until May 30, 1958.

LEGISLATIVE PROGRAM FOR TODAY

(Mr. MARTIN asked and was given permission to address the House for 1 minute.)

Mr. MARTIN. Mr. Speaker, I understand that the majority leader was contemplating calling up the so-called Danish claims bill at this time.

Mr. McCORMACK. I was trying to arrange it. That is S. 2448, reported out of the Committee on Foreign Affairs, and I thought we could use part of this afternoon in connection with that bill.

Mr. MARTIN. At least, we could adopt the rule.

Mr. McCORMACK. The gentleman from Missouri [Mr. BOLLING] is here, and we can call it up, if that is agreeable. It is quite important that this bill be acted upon as quickly as possible.

Mr. MARTIN. It is agreeable to me, because that will facilitate our getting away a little earlier this week.

Mr. McCORMACK. I agree with the gentleman.

DEPARTMENT OF DEFENSE REORGANIZATION ACT OF 1958

Mr. THORNBERRY, from the Committee on Rules, reported the following privileged resolution (H. Res. 579, Rept. No. 1816), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12541) to promote the national defense by providing for reorganization of the Department of Defense, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

TAX REDUCTIONS

(Mr. WILSON of Indiana asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. WILSON of Indiana. Mr. Speaker, I am today introducing a measure which I hope will receive thorough attention of the House Ways and Means Committee and, later, of the full House membership. This measure provides for a 50 percent cut on long term capital gains, stipulating that the increased revenues resulting be applied by the Federal Government and be earmarked for reduction of the national debt.

I am convinced that this legislation would bring substantial new revenues to the Federal Treasury, and that substantial amounts of frozen capital would be freed for investment in new and small businesses throughout the land. It would go far toward providing an incentive and a shot-in-the-arm for the national economy.

PAYMENT TO THE GOVERNMENT OF DENMARK

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 493 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2448) to authorize a payment to the Government of Denmark. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, this resolution makes in order the consideration of the bill S. 2448, to authorize a payment to the Government of Denmark in settlement of claims that have been in controversy for some time.

Mr. Speaker, I understand there is some controversy on the bill itself, but there was, as I remember it, no controversy on the question of granting a rule. Therefore, I reserve the balance of my time and at this time yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I, too, know of no opposition to the rule and reserve the balance of my time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the

Digest of CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 29, 1958
For actions of May 28, 1958
85th-2d, No. 85

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HIGHLIGHTS: Both Houses adopted conference report on agricultural appropriation bill. Both Houses passed bills to permit transfer of cotton allotments due to excessive rainfall. House passed Alaska Statehood bill. House agreed to debate trade agreements bill. Senate committee ordered reported general government matters and independent offices appropriation bills.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL FOR 1959. Agreed to the amendment by Rep. Whitten to this bill, H. R. 11767, providing that hereafter no conservation reserve contract shall be entered into which provides for (1) payments for conservation practices in excess of the average rate for comparable practices under the agricultural conservation program, or (2) annual rental payments in excess of 20 percent of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographic location thereof; and that, in determining the value of the land for this purpose, the county committee shall take into consideration the estimate of the landowner or operator as to the value of such land as well as his certificate as to the production history and productivy of such land. p. 8734

2. DEFENSE APPROPRIATION BILL FOR 1959. The Appropriation Committee reported without amendment this bill, H. R. 12738 (H. Rept. 1830). p. 8759

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3. COTTON. Passed as reported H. R. 12602, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters. pp. 8748-49
The "Daily Digest" states as follows: "Committee on Agriculture: Subcommittee on Cotton met in executive session relative to cotton legislation and approved language which was recommended to the full committee for inclusion in an omnibus farm bill." p. D478

4. STATEHOOD. Passed, 208 to 166, with amendments, H. R. 7999, the Alaska statehood bill. (pp. 8731, 8734-47)
Agreed to the following amendments:
By Rep. Dawson, Utah, 91 to 8, to limit to 25 years, instead of 50 years, the time within which the State of Alaska may select 400,000 acres from lands within the national forests in Alaska, and to limit the grant of public lands to the State of Alaska to 102 million acres instead of 182 million acres. (p. 8735)
By Rep. Westland to provide that the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of 90 legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of these resources in the broad national interest. (pp. 8738-41)
Rejected an amendment by
Rep. Rogers, Tex., 46 to 74, as an amendment to the amendment by Rep. Dawson, Utah, to limit the grant of public lands to the State of Alaska to 21 million acres. (p. 8735)
Rejected a motion by Rep. Rogers, Tex., 174 to 199, to recommit the bill to the Interior and Insular Affairs Committee. (pp. 8734-35) A similar motion by Rep. Pillion was rejected 172 ro 201. (pp. 8745-46)

5. FOREIGN TRADE. Agreed to a Rules Committee resolution for debate on H. R. 12591, to extend the authority of the President to enter into trade agreements. The resolution waives all points of order against the bill, provides for 8 hours of general debate, and provides that no amendments to the bill will be in order except those offered by direction of the Ways and Means Committee and the proposed bill by Rep. Simpson (H. R. 12676) which may be offered as an amendment. pp. 8732-34

6. WILDLIFE. A subcommittee of the Merchant Marine and Fisheries Committee ordered reported with amendment, H. R. 10244, to reaffirm the national policy regarding fish and wildlife resources. p. D479

7. PAY RAISES. The "Daily Digest" states as follows: "Committee on Rules: Held no hearing as scheduled on granting of a rule on S. 734, classified employees pay raise bill, inasmuch as the House will on Monday, June 2, consider the bill under the suspension of rules." p. D379
Rep. Sikes spoke in favor of pay raises for classified employees. p. 8731

8. ECONOMIC CONDITIONS. Several Representatives discussed current economic conditions, including references to farm income and prices. pp. 8751-57

9. LEGISLATIVE PROGRAM. Rep. McCormack announced the Consent Calendar will be called Mon., June 2, followed by consideration of the classified pay increase bill, and that the trade agreements bill will be considered later in the week. pp. 8749-50

House of Representatives

WEDNESDAY, MAY 28, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Joel 2: 3: *Turn unto the Lord, your God; for He is gracious and merciful, slow to anger, and of great kindness.*

Almighty God, thou art acquainted with our many needs and able to do for us exceeding abundantly above all that we can ask and hope for.

Thou knowest the question which frequently haunts us, the longings which make us lonely and pensive, and the problems for which we have no satisfactory solution.

We beseech Thee to search our souls, cleansing us of all that is sinful and unworthy, and inspiring us to reach out to loftier fields of endeavor.

Grant that we may open widely the door of our hearts to receive Thy divine strength and guidance as we struggle to perform our daily tasks, faithfully and well.

Hear us in the name of our Lord and Master. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

CORRECTION OF ROLLCALL

Mrs. GRIFFITHS. Mr. Speaker, on rollcall No. 77, a quorum call, I am recorded as being absent. I was present and answered to my name. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

DEFENSE DEPARTMENT APPROPRIATION BILL, 1959

Mr. MAHON. Mr. Speaker, by direction of the Committee on Appropriations, I ask unanimous consent that the committee may have until midnight tonight to file a report on the bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1959, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WIGGLESWORTH reserved all points of order on the bill.

PAY RAISE FOR CLASSIFIED FEDERAL WORKERS

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SIKES. Mr. Speaker, by affixing his signature to the postal pay bill, the President apparently has signified his approval of the work being done by the Congress for a pay raise for classified Federal workers as well. I believe the facts are fully clear in this matter. The costs of living have steadily increased. No real effort has been made anywhere along the line by the Government to hold down this increase in costs of living. Therefore, it appears that we have a clear obligation to give to the Government's employees an increase in pay to help compensate them. Quite possibly, there are areas in which there are too many employees or in which unnecessary work is being done. This is a field which merits continuing study. This, however, is not a reason for failing to adequately pay those who are doing good work and whose services are needed.

I am particularly glad that our own employees in the House of Representatives and in the congressional offices are to be included in the pay raises that are proposed. Here is a group of dedicated and hardworking employees most of whom put in far more hours and do much more work than they are paid for.

It is my understanding that the pay raise measure will be considered by the House on Monday. I shall have to be away from Congress on Monday and I have already requested leave of absence to attend to official business in my district. My proposed absence does not in any way reflect any lack of interest in the proposals for a pay raise, for I have voted for these proposals on previous occasions and I support them under the present circumstances.

I am glad to note also that support appears almost unanimous and that there is little if any likelihood that the measure will be in difficulty.

ALASKA STATEHOOD

(Mr. NORBLAD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. NORBLAD. Mr. Speaker, I hope that the House will today pass the Alaska statehood bill by a very substantial margin. There has been an implied promise to Alaskans for statehood ever since the original treaty by which we acquired it and under which we agreed to give Alaskans all of the rights and privileges of American citizenship. In the 13 years that I have been here the Alaska statehood bill has been kicked around a great deal and I feel that today we can finally resolve the issue.

In Oregon and other Pacific Northwest States people are very anxious to have this legislation passed as there is a great deal of mutual interest in our lumber, fishing, and other industries between the two areas. We feel that enactment of this legislation would be very beneficial to not only the Pacific Northwest, but all of our now existing 48 States.

HOSPITAL AND MEDICAL CARE FOR CERTAIN VETERANS OF ARMED FORCES OF THE UNITED STATES RESIDING IN THE PHILIPPINES

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6908) to authorize modification and extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans, to restore eligibility for hospital and medical care to certain veterans of the Armed Forces of the United States residing in the Philippines, and for other purposes, with amendments of the Senate thereto, and concur in amendments numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 and disagree to the amendment of the Senate numbered 3.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, strike out all after line 2 over to and including line 2 on page 6 and insert "That—."

Page 6, line 3, strike out "(b)" and insert "(a)."

Page 6, line 23, after "war" insert "who was domiciled in the Philippines on July 4, 1946, and who continues to be so domiciled."

Page 7, line 4, strike out "(c)" and insert "(b)."

Page 7, line 4, strike out "521" and insert "522."

Page 7, line 8, strike out "4" and insert "2."

Page 7, line 23, strike out "plant" and insert "plan."

Page 11, line 8, strike out "5" and insert "3."

Page 11, line 15, strike out "6" and insert "4."

Page 11, lines 19 and 20, strike out "heretofore."

Page 11, line 21, strike out "60" and insert "62."

Page 11, strike out all after line 22 over to and including line 4 on page 12 and insert:

"SEC. 5. The act of July 1, 1948 (62 Stat. 1210; 50 App. U. S. C., secs. 1991–1996), is hereby repealed."

Page 12, line 5, strike out "8" and insert "6."

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. TEAGUE]?

There was no objection.

The amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 were concurred in.

The amendment of the Senate numbered 3 was disagreed to.

A motion to reconsider was laid on the table.

EXTENSION OF CORPORATE AND EXCISE TAXES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to have until midnight Saturday night to file a report including any supplemental or minority views on the bill (H. R. 12695) to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates, reported by the committee this morning.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXTENSION OF TRADE AGREEMENTS ACT

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 578) providing for the consideration of H. R. 12591, a bill to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12591) to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and shall continue not to exceed 8 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendments shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means or an amendment proposing to strike out all after the enacting clause and inserting in lieu thereof the text of the bill H. R. 12676, and said amendments shall be in order any rule of the House to the contrary notwithstanding, but such amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, this rule makes in order the consideration of the bill reported by the Committee on Ways and Means to extend the Reciprocal Trade Agreements Act, the bill H. R. 12591. It provides for 8 hours of general debate. It provides for committee amendments, and also provides that the bill H. R. 12676, introduced by the gentleman from Pennsylvania [Mr. SIMPSON], may be in order as an amendment. All Members who appeared before the Committee on Rules on this matter favored the rule as granted.

I reserve the remainder of my time, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. ALLEN] is recognized.

Mr. ALLEN of Illinois. Mr. Speaker, the able gentleman from Missouri [Mr. BOLLING] has explained the rule. We all know that this is a very controversial bill. I know of no one who is opposed to the rule. I say it is controversial because I am certain that many of you, like myself, have received letters from executives of companies or corporations, some in favor of the bill and some opposed to it. Many of our national associations have not taken any definite stand in regard to this bill. So, while I repeat it is controversial, I do not know anyone who is opposed to the rule itself.

Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. BROWN].

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, the legislation which this rule makes in order, is of such great importance, and so controversial in nature, that I believe it worth while to take a few minutes to discuss the legislative problem which confronts us.

First of all, let me say that the Reciprocal Trade Agreements Act, which the Mills bill, H. R. 12591, would extend for 5 years, was originally passed back in 1934 and has been reenacted, or extended for different periods of time anywhere from 1 to 3 years, on several occasions in the past. The last time the act was extended was by a single vote. The Mills bill also contains other provisions in addition to the 5-year extension. It provides, for instance, that the President will be granted authority to further reduce tariff and import duties on foreign goods coming into this country, under certain circumstances, by as much as 25 percent.

As I said in the beginning, this is a controversial measure. Many people throughout the country are for the bill. Some industries have benefited from the workings of the Reciprocal Trade Agreements Act but other industries certainly have also suffered from it. I think each and every one of us, all Americans, want to have good international trade. We want to see foreign trade flourish between this country and other countries. We want to see imports coming in, when we need goods or can use the products of other nations, and we certainly want to export our goods. Some of our farm organizations seem to be very much concerned about this legislation, and feel that if the Reciprocal Trade Agreements Act is not extended "as is" then agricultural exports will suffer. That seems to be questionable, because most of the exportation of our farm products come under Public Law 480, as you know.

However, we were informed in the Rules Committee, and this is something very important, and which every Member ought to keep in mind in the consideration of this legislation, that if the Reciprocal Trade Agreements Act is not extended, then the reciprocal-trade agreements which have been entered into by the President with other nations in the past will remain in effect from now on unless he, the President, negotiates new trade agreements, of his own volition, to replace them.

Let me go a little further on this matter, if I may take the time. The Constitution of the United States places upon the Congress the responsibility to fix tariffs and import duties; that is the direct responsibility of the Congress of the United States under the Constitution.

The Congress in its wisdom, back a number of years ago, provided there should be set up as an arm of the Congress, or as an agency of the Congress, a Tariff Commission to represent it in passing upon tariff and import duty matters. That Tariff Commission is still in existence. It has certain rights and privileges. It has authority under the Trade Agreements Act to pass upon applications for relief by injured industries, that is, industries which have been injured by unfair foreign competition—relief that can be given through the fixing of higher tariffs or establishment of quotas so as to protect the injured industry from such unfair competition.

Then the decisions and the rulings of the Tariff Commission—and I wish the gentleman from Illinois [Mr. MASON] would correct me if I am wrong—are subject to review by the President.

Mr. MASON. That is correct, and when we passed the Reciprocal Trade Agreements Act in 1934 we automatically turned over the Tariff Commission as an arm of the Congress to be an arm of the Executive, to report to the Executive, to be responsible to the Executive and not to the Congress.

Mr. BROWN of Ohio. I thank the gentleman very much for his contribution. As I understand the situation, when final decision is made upon these appeals the Tariff Commission is not permitted to vote thereon. That is done by a commission or committee representing the President, made up of the Secretary of State, the Secretary of Commerce, and other Cabinet officials and executive officers of the Government.

The great complaint which has been made against the present act, as I understand it, at least the one regarding which I have received the largest number of petitions and letters, is that there is no really worthwhile or effective method or means to obtain prompt relief when a concern is being greatly damaged, or put out of business, as many industries and concerns have been throughout the country, with labor losing their jobs. The present method of appeal is too slow and has not been effective.

There was great division of opinion on this whole subject within the great Committee on Ways and Means, and so the gentleman from Pennsylvania [Mr. SIMPSON] introduced a separate bill, H. R. 12676, which would extend for 2 years only the Reciprocal Trade Agreements Act, and would provide an easier and better method by which relief could be obtained by those industries and workers' organizations damaged or injured as a result of unfair foreign competition.

The Rules Committee in its wisdom has seen fit, upon the request of the Committee on Ways and Means, as both sides agreed this would be the only fair way to discuss this situation, to grant the rule that is now before you which makes in order the consideration of the Mills committee bill, H. R. 12591, waiving all points of order thereon, providing 8 hours of general debate, and then also making in order the offering of the Simpson bill, H. R. 12676, as an amendment or substitute for the Mills bill; so an opportunity will be given for the House to decide, in its own wisdom, whether it wants to have the act extended for a shorter time than 5 years, and for 2 years only, and to have an easier and more effective method by which American industries may obtain relief from unfair foreign competition.

Mr. MASON. Mr. Speaker, will the gentleman yield further?

Mr. BROWN of Ohio. I yield.

Mr. MASON. The gentleman left out the most important part of the Simpson bill, and that is the language that would return to the Congress the final say-so and approval of the Tariff Commission's recommendation.

Mr. BROWN of Ohio. It restores the authority of the Tariff Commission, I wish to add, and it also restores to the Congress a great deal of the power and control which it has given away in the past, the constitutionality of which, I might say to the gentleman from Illinois, many good lawyers question.

As an example—and I present it up here just to give an example of the kind of problem we face, for I get letters both ways on this—we had in my home county, of which Wilmington, Ohio, is the county seat, a little town about 4 miles away, with a population of about 50, a blacksmith, who, just after the Civil War, invented the first auger or bit to bore holes in wood. He hammered it out on his anvil and he went to the county seat of Wilmington and obtained the interest of a man named Irwin, and also of General Denver, after whom Denver, Colo., is named, and also of his son Matt Denver, who for many years was a distinguished Democratic Member of this House. They formed a little corporation and obtained patents, the first patents issued in the United States on bits or augers to bore holes. The Irwin Auger Bit Co. became the first company or plant in the world making these bits. For a great many years it did business all over the world. It still does business all over the world, but to a lesser degree than a few short years ago. The patents have expired. I had a letter from the company just a day or two ago, along with two sets of bits. You can see them here. They are in these plastic containers.

This set of bits which I hold in my hand was made in West Germany, and was purchased by the Irwin Auger Bit Co. from the Montgomery Ward Co. in Chicago for $1.88. They are speed bits to use in electric drills to drill holes in wood.

Then here is the other set. It is made by the Irwin Auger Bit Co., by American labor. By the way, Irwin has laid off a great many men out there recently. It has been forced to do so by foreign competition in American markets. Now, the people who invented this, who pioneered the use of these bits all over the world, sell these for $4.50 a set. As I understand, it costs about $3.65 to manufacture them before they are shipped out to the distributors. Yet, they bought the German set of bits for $1.88, and that included the profit of Montgomery Ward. Tests show the German bits selling for $1.88 are every bit as good as are the bits manufactured in my own district by the Irwin Auger Bit Co.

The difference, however, rests in some other things. First of all, the Irwin Auger Bit Co. pays anywhere from $1.80 per hour for ordinary labor, to as high as $3.50 or $4 an hour for skilled labor. They have an 8-hour day and a 40-hour week. They are required to pay time and a half for overtime, and do all the other things required by our laws. In West Germany the labor cost is much cheaper, and the hours are much longer. The West Germans are fine people, I have no quarrel with them, but they find it possible to manufacture these bits with cheaper labor, and by working longer hours, on machine tools that, by the way, we have given them under some of our foreign-aid programs and to ship them clear over here and sell them at a price which will permit Montgomery Ward to make a profit on them when they retail them for $1.88. As a result, I have good people in my district, workers at the Irwin Auger Bit Co., good mechanics who have labored there for years, and helped to develop these tools, now out of work. The company is operating on part time and on low production schedule. That is one of the problems brought up by the legislation which we will soon have before us. So I think it is well that we have brought out a rule that will give to this House the opportunity to consider a substitute bill which will make it easier for concerns like Irwin Auger Bit Co., or many other concerns that I could name, to obtain some relief and some protection from what most of us, I believe you and I will agree, is unfair foreign competition.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. MASON. The examples which the gentleman has brought to us indicating a doubling of cost to produce here, while the imported articles are sold for less than half, can be duplicated hundreds of times. I have seen dozens of such examples. How in the world we can compete against that under our present system of reciprocal trade agreements I do not know.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman very much. Many of us could bring numerous examples such as I have given from their own districts. I know of the pottery industry in Ohio and from the district represented so ably by the gentleman from Ohio [Mr. HENDERSON] which have been virtually destroyed by unfair foreign competition. The plants are down; some of them have quit almost entirely and only a very few of them operating at all. For instance, the Crooksville Pottery Co., which has been in operation 138 years, was forced out of business last month.

I hope this rule will be adopted.

The SPEAKER. The time of the gentleman from Ohio [Mr. BROWN] has again expired.

Mr. HENDERSON. Mr. Speaker, it is true, as our colleague the gentleman from Ohio [Mr. BROWN] has stated, that the pottery industry in the 15th District of Ohio has had a rough time of it in recent years. One pottery in Crooksville has closed its doors for all time, after many years of operation. Another pottery in a county adjoining my district has more recently closed. A large and well-known pottery in Cambridge has seriously felt the effects of foreign competition, and many men and women of Guernsey County have found themselves working only part time or not at all.

But more than the pottery industry is at stake here. Glass, ceramic tile, coal, oil, stainless-steel flatware, tools, and many others are being crowded and harmed by our trade policy. Mr. Speaker, if there is harm, then we need to try to correct the situation. It is sheer madness to continue the same policies where manifest harm to certain industries is so convincingly present. Therefore, I believe this House has a duty to adopt a rule which will permit the Members to express themselves upon this vital issue.

The rule being considered by the House will permit the amendment of the basic bill by the substitution of the Simpson bill. The Simpson amendment will reduce the extension of the act from 5 to 2 years, and in many other ways will provide a marked improvement over the Mills bill. I have introduced H. R. 12703, a bill similar to that of the Simpson bill, and I heartily endorse the principles embodied in the Simpson bill as a substitute for the committee bill, H. R. 12591.

The modified closed rule recommended by the Rules Committee will permit the introduction of the substitute, and for that reason I will support the rule, though I would prefer an open rule under which additional amendments would be in order.

Mr. BOLLING. Mr. Speaker, I understand the gentleman from Oklahoma [Mr. EDMONDSON] wishes to ask some questions and I yield to him for that purpose.

Mr. EDMONDSON. Mr. Speaker, there are some of us who are disturbed by the parliamentary situation which does not permit the House to work its will with regard to this legislation. I would like to ask the gentleman from Missouri in the first place if my understanding is correct that the only amendment specifically provided to be considered by the House under this rule is the amendment to be offered by the gentleman from Pennsylvania [Mr. SIMPSON] which may be otherwise identified as H. R. 12676?

Mr. BOLLING. The gentleman from Oklahoma is correct, except that committee amendments are also in order under the rule.

Mr. EDMONDSON. Mr. Speaker, I would like to ask the gentleman from Missouri if my understanding is correct that this rule does not permit, specifically at least, a vote of the House upon the so-called Ikard amendment which received, I understand, 10 votes in the Committee on Ways and Means?

Mr. BOLLING. The only amendments which will be in order under the rule are committee amendments and the amendment in the form of the bill, H. R. 12676, the so-called Simpson bill.

Mr. EDMONDSON. Mr. Speaker, I would like to ask the gentleman if it is possible that the Ikard amendment may be offered as a committee amendment in the course of the consideration of this bill?

Mr. BOLLING. That is a matter beyond my ability to answer, because that would be entirely in the control of the Committee on Ways and Means.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

JOINT MEETING TO RECEIVE THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Thursday, June 5, 1958, for the Speaker to declare a recess for the purpose of receiving in joint meeting the President of the Federal Republic of Germany.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committe on Rules may have until midnight tomorrow to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT APPROPRIATION BILL, 1959

The SPEAKER. The unfinished business is the conference report on the bill (H. R. 11767) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1959, and for other purposes.

The Clerk will report the motion offered by the gentleman from Mississippi [Mr. WHITTEN].

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate No. 17, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert ": *Provided further*, That hereafter no conservation reserve contract shall be entered into which provides for (1) payments for conservation practices in excess of the average rate for comparable practices under the agricultural conservation program, or (2) annual rental payments in excess of 20 percent of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographic location thereof. In determining the value of the land for this purpose, the county committee shall take into consideration the estimate of the landowner or operator as to the value of such land as well as his certificate as to the production history and productivity of such land."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

PAYMENT TO THE GOVERNMENT OF DENMARK

The SPEAKER. The further unfinished business is the bill (S. 2448) to authorize a payment to the Government of Denmark.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BENTLEY moves that the bill be recommitted to the Committee on Foreign Affairs for further study and revision.

The motion to recommit was rejected.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

ADMISSION OF THE STATE OF ALASKA INTO THE UNION

The SPEAKER. The further unfinished business is the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, on which a motion to recommit is pending.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ROGERS of Texas moves to recommit the bill to the Committee on Interior and Insular Affairs.

The SPEAKER. The question is on the motion to recommit.

Mr. O'BRIEN of New York. Mr. Speaker, on that I respectfully demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 174, nays 199, answered "present" 4, not voting 52, as follows:

[Roll No. 78]

YEAS—174

Abbitt	Avery	Bennett, Mich.
Abernethy	Ayres	Betts
Adair	Bailey	Blitch
Alexander	Barden	Bolton
Alger	Bates	Bonner
Allen, Ill.	Baumhart	Bosch
Andrews	Beamer	Boykin
Arends	Becker	Brooks, Tex.
Ashmore	Belcher	Brown, Ga.
Brown, Ohio	Hiestand	Riley
Broyhill	Hill	Rivers
Budge	Hoeven	Roberts
Burleson	Hoffman	Robeson, Va.
Bush	Holt	Rogers, Fla.
Byrnes, Wis.	Hosmer	Rogers, Mass.
Cannon	Huddleston	Rogers, Tex.
Cederberg	Hyde	Rutherford
Chiperfield	Ikard	Sadlak
Clevenger	Johansen	St. George
Cooley	Jonas	Schenck
Coudert	Jones, Ala.	Scherer
Cramer	Kean	Schwengel
Cunningham, Nebr.	Kilday	Scrivner
	Kilgore	Scudder
Dague	Kitchin	Selden
Davis, Ga.	Laird	Sikes
Delaney	Landrum	Simpson, Ill.
Derounian	Latham	Simpson, Pa.
Devereux	LeCompte	Smith, Miss.
Dorn, N. Y.	McCulloch	Smith, Va.
Dorn, S. C.	McGregor	Springer
Dowdy	McIntire	Stauffer
Durham	McMillan	Taber
Elliott	McVey	Talle
Everett	Mahon	Taylor
Fenton	Martin	Teague, Calif.
Fino	Mason	Teague, Tex.
Fisher	Matthews	Thomas
Flynt	Miller, Md.	Thornberry
Forrester	Miller, N. Y.	Tuck
Fountain	Mills	Utt
Frazier	Mitchell	Van Pelt
Gary	Moore	Vursell
Gathings	Mumma	Walter
Gavin	Murray	Wharton
George	Nicholson	Whitener
Grant	O'Neill	Whitten
Gwinn	Ostertag	Wigglesworth
Haley	Patman	Williams, Miss.
Halleck	Patterson	Williams, N. Y.
Hardy	Philbin	Willis
Harris	Pilcher	Wilson, Ind.
Harrison, Va.	Pillion	Winstead
Harvey	Poage	Withrow
Hays, Ark.	Poff	Wolverton
Hemphill	Preston	Young
Henderson	Rains	Younger
Herlong	Ray	
Hess	Reed	

NAYS—199

Addonizio	Dent	Kelly, N. Y.
Albert	Denton	Keogh
Allen, Calif.	Dingell	King
Anderson, Mont.	Dixon	Kirwan
	Dollinger	Kluczynski
Anfuso	Donohue	Knutson
Ashley	Dooley	Krueger
Aspinall	Dwyer	Lafore
Baker	Eberharter	Lane
Baldwin	Edmondson	Lankford
Baring	Evins	Lesinski
Barrett	Fallon	Libonati
Bass, N. H.	Farbsteln	Lipscomb
Bass, Tenn.	Fascell	McCormack
Beckworth	Feighan	McDonough
Bennett, Fla.	Flood	McFall
Berry	Fogarty	McGovern
Blatnik	Ford	McIntosh
Boggs	Frelinghuysen	Macdonald
Boland	Friedel	Machrowicz
Bolling	Fulton	Mack, Ill.
Bow	Garmatz	Mack, Wash.
Boyle	Glenn	Madden
Bray	Gordon	Magnuson
Breeding	Granahan	Mailllard
Broomfield	Gray	May
Brown, Mo.	Green, Oreg.	Meader
Brownson	Green, Pa.	Merrow
Byrd	Griffin	Metcalf
Byrne, Ill.	Griffiths	Michel
Byrne, Pa.	Hagen	Miller, Nebr.
Canfield	Hale	Minshall
Carrigg	Harden	Montoya
Celler	Harrison, Nebr.	Morano
Chamberlain	Haskell	Morgan
Chenoweth	Hays, Ohio	Moss
Christopher	Healey	Moulder
Church	Heselton	Multer
Clark	Holifield	Natcher
Coad	Holland	Nimtz
Coffin	Holmes	Norblad
Collier	Holtzman	Norrell
Corbett	Horan	O'Brien, Ill.
Cretella	Jarman	O'Brien, N. Y.
Cunningham, Iowa	Jennings	O'Hara, Ill.
	Jensen	O'Konski
Curtin	Johnson	Osmers
Curtis, Mo.	Jones, Mo.	Passman
Davis, Tenn.	Judd	Pelly
Dawson, Ill.	Karsten	Perkins
Dawson, Utah	Kearns	Pfost
Delay	Keating	Polk
Dennison	Kee	Porter

Price	Roosevelt	Tollefson
Prouty	Santangelo	Udall
Quie	Saylor	Ullman
Rabaut	Seely-Brown	Vanik
Rees, Kans.	Sheehan	Van Zandt
Reuss	Shelley	Wainwright
Rhodes, Ariz.	Sisk	Weaver
Rhodes, Pa.	Smith, Calif.	Westland
Riehlman	Staggers	Widnall
Robison, N. Y.	Sullivan	Wier
Robsion, Ky.	Teller	Wright
Rodino	Tewes	Yates
Rogers, Colo.	Thompson, N. J.	Zablocki
Rooney	Thomson, Wyo.	Zelenko

ANSWERED "PRESENT"—4

Bentley	Scott, Pa.	Steed
Hébert		

NOT VOTING—52

Andersen, H. Carl	Hillings	Radwan
Auchincloss	Hull	Reece, Tenn.
Brooks, La.	Jackson	Saund
Buckley	James	Scott, N. C.
Burdick	Jenkins	Sheppard
Carnahan	Kearney	Shuford
Chelf	Kilburn	Sieminski
Colmer	Knox	Siler
Curtis, Mass.	Lennon	Smith, Kans.
Dies	Loser	Spence
Diggs	McCarthy	Thompson, La.
Doyle	Marshall	Thompson, Tex.
Engle	Miller, Calif.	Trimble
Forand	Morris	Vinson
Gregory	Morrison	Vorys
Gross	Neal	Watts
Gubser	O'Hara, Minn.	Wilson, Calif.
	Powell	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Colmer for, with Mr. Steed against.

Mr. Shuford for, with Mr. Hébert against.

Mr. Vinson for, with Mr. Bentley against.

Mr. James for, with Mr. Scott of Pennsylvania against.

Mr. Auchincloss for, with Mr. Kilburn against.

Mr. O'Hara of Minnesota for, with Mr. Reece of Tennessee against.

Mr. Siler for, with Mr. Knox against.

Mr. Wilson of California for, with Mr. Hillings against.

Mr. Neal for, with Mr. Kearney against.

Mr. Hull for, with Mr. Buckley against.

Mr. Brooks of Louisiana for, with Mr. McCarthy against.

Mr. Lennon for, with Mr. Engle against.

Mr. Trimble for, with Mr. Carnahan against.

Mr. Jackson for, with Mr. Thompson of Texas against.

Mr. Smith of Kansas for, with Mr. Loser against.

Mr. Andersen, H. Carl., for, with Mr. Marshall against.

Mr. Dies for, with Mr. Forand against.

Mr. Scott of North Carolina for, with Mr. Miller of California against.

Mr. Curtis of Massachusetts for, with Mr. Doyle against.

Mr. Radwan for, with Mr. Morris against.

Mr. Gregory for, with Mr. Morrison against.

Mr. Jenkins for, with Mr. Sheppard against.

Until further notice:

Mr. Thompson of Louisiana with Mr. Burdick.

Mr. Chelf with Mr. Gross.

Mr. Sieminski with Mr. Gubser.

Mr. Diggs with Mr. Vorys.

Mr. MACDONALD changed his vote from "yea" to "nay."

Mr. CUNNINGHAM of Nebraska changed his vote from "nay" to "yea."

Mr. STEED. Mr. Speaker, I have a live pair with the gentleman from Mississippi [Mr. COLMER]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. HÉBERT. Mr. Speaker, I have a live pair with the gentleman from North Carolina [Mr. SHUFORD]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. SCOTT of Pennsylvania. Mr. Speaker, I have a live pair with the gentleman from Pennsylvania [Mr. JAMES]. If he were present he would have voted "yea." I voted "nay." I therefore withdraw my vote and vote "present."

Mr. BENTLEY. Mr. Speaker, I have a live pair with the gentleman from Georgia [Mr. VINSON]. If he were present he would have voted "yea." I voted "nay." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question now recurs on the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out.

The recommendation was rejected.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 7999, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the Clerk will report the amendments that were pending in the Committee of the Whole House on the State of the Union when the Committee rose on yesterday.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. DAWSON of Utah: On page 4, line 13, strike the word "fifty" and insert the word "twenty-five."

On page 5, lines 10 and 11, strike the words "one hundred and eighty-two million" and insert "one hundred and two million five hundred and fifty thousand."

Amendment offered by Mr. ROGERS of Texas to the amendment offered by Mr. DAWSON of Utah: Strike out "102,000,000" and insert "21,000,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. ROGERS] to the amendment offered by the gentleman from Utah [Mr. DAWSON].

The question was taken; and on a division (demanded by Mr. ROGERS of Texas) there were—ayes 46, noes 74.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah [Mr. DAWSON].

The question was taken; and on a division (demanded by Mr. DAWSON of Utah) there were ayes 91, noes 8.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 7. Upon enactment of this act, it shall be the duty of the President of the United States, not later than July 3, 1958, to certify such fact to the Governor of Alaska. Thereupon the Governor, on or after July 3, 1958, and not later than August 1, 1958, shall issue his proclamation for the elections as hereinafter provided, for officers of all elective offices and in the manner provided for by the constitution of the proposed State of Alaska, but the officers so elected shall in any event include 2 Senators and 1 Representative in Congress.

SEC. 8. (a) The proclamation of the Governor of Alaska required by section 7 shall provide for holding of a primary election and a general election on dates to be fixed by the Governor of Alaska: *Provided*, That the general election shall not be held later than December 1, 1958, and at such elections the officers required to be elected as provided in section 7 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Alaska may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Alaska for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Alaska may prescribe. The Governor of Alaska shall certify the results of said elections to the President of the United States.

(b) At an election designated by proclamation of the Governor of Alaska, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) The boundaries of the State of Alaska shall be as prescribed in the act of Congress approved ——— (date of approval of this act) and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(2) All provisions of the act of Congress approved ——— (date of approval of this act) reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, are consented to fully by said State and its people."

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Alaska, ratified by the people at the election held on April 24, 1956, shall be deemed amended accordingly. In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this act shall thereupon cease to be effective.

The Governor of Alaska is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the secretary of Alaska, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Alaska, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 7 of this act, shall thereupon issue his proclamation anouncing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Alaska shall be deemed admitted into the Union as provided in section 1 of this act.

Until the said State is so admitted into the Union, all of the officers of said Territory,

including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective office. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Alaska into the Union, the officers elected at said election, and qualified under the provisions of the consitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not requlred to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representatives shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

(d) Upon admission of the State of Alaska into the Union as herein provided, all of the Territorial laws then in force in the Territory of Alaska shall be and continue in full force and effect throughout said State except as modified or changed by this act, or by the constitution of the State, or as thereafter modified or changed by the legislature of the State. All of the laws of the United States shall have the same force and effect within said State as elsewhere within the United States. As used in this paragraph, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Alaska) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Alaska at the time of the admission of the State of Alaska into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provisions of this act.

SEC. 9. The State of Alaska upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided,* That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the act of August 8, 1911 (37 Stat. 13) nor shall such temporary increase affect the basis of apportionment established by the act of November 15, 1941 (55 Stat. 761; 2 U. S. C., sec, 2a), for the 83d Congress and each Congress thereafter.

SEC. 10. (a) The President of the United States is hereby authorized to establish, by Executive order or proclamation, one or more special national defense withdrawals within the exterior boundaries of Alaska, which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President.

(b) Special national defense withdrawals established under subsection (a) of this section shall be confined to those portions of Alaska that are situated to the north or west of the following line: Beginning at the point where the Porcupine River crosses the international boundary between Alaska and Canada; thence along a line parallel to, and five miles from, the right bank of the main channel of the Porcupine River to its confluence with the Yukon River; thence along a line parallel to, and five miles from, the right bank of the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160 degrees west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along a line parallel to, and five miles from the right bank of the Kuskokwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162 degrees 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 57 degrees 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156 degrees west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50 degrees north.

(c) Effective upon the issuance of such Executive order or proclamation, exclusive jurisdiction over all special national defense withdrawals established under this section is hereby reserved to the United States, which shall have sole legislative, judicial, and executive power within such withdrawals, except as provided hereinafter. The exclusive jurisdiction so established shall extend to all lands within the exterior boundaries of each such withdrawal, and shall remain in effect with respect to any particular tract or parcel of land only so long as such tract or parcel remains within the exterior boundaries of such a withdrawal. The laws of the State of Alaska shall not apply to areas within any special national defense withdrawal established under this section while such areas remain subject to the exclusive jurisdiction hereby authorized: *Provided, however,* That such exclusive jurisdiction shall not prevent the execution of any process, civil or criminal, of the State of Alaska, upon any person found within said withdrawals: *And provided further,* That such exclusive jurisdiction shall not prohibit the State of Alaska from enacting and enforcing all laws necessary to establish voting districts, and the qualification and procedures for voting in all elections.

(d) During the continuance in effect of any special national defense withdrawal established under this section, or until the Congress otherwise provides, such exclusive jurisdiction shall be exercised within each such withdrawal in accordance with the following provisions of law:

(1) All laws enacted by the Congress that are of general application to areas under the exclusive jurisdiction of the United States, including, but without limiting the generality of the foregoing, those provisions of title 18, United States Code, that are applicable within the special maritime and territorial jurisdiction of the United States as defined in section 7 of said title, shall apply to all areas within such withdrawals.

(2) In addition, any areas within the withdrawals that are reserved by Act of Congress or by Executive action for a particular military or civilian use of the United States shall be subject to all laws enacted by the Congress that have application to lands withdrawn for that particular use, and any other areas within the withdrawals shall be subject to all laws enacted by the Congress that are of general application to lands withdrawn for defense purposes of the United States.

(3) To the extent consistent with the laws described in paragraphs (1) and (2) of this subsection and with regulations made or other actions taken under their authority, all laws in force within such withdrawals immediately prior to the creation thereof by Executive order or proclamation shall apply within the withdrawals and, for this purpose, are adopted as laws of the United States: *Provided, however,* That the laws of the State or Territory relating to the organization or powers of municipalities or local political subdivisions, and the laws or ordinances of such municipalities or political subdivisions shall not be adopted as laws of the United States.

(4) All functions vested in the United States commissioners by the laws described in this subsection shall continue to be performed within the withdrawals by such commissioners.

(5) All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporations, district, or other subdivision, and the laws of the State or the laws or ordinances of such municipalities or local political subdivision shall remain in full force and effect notwithstanding any withdrawal made under this section.

(6) All other functions vested in the government of Alaska or in any officer or agency thereof, except judicial functions over which the United States District Court for the District of Alaska is given jurisdiction by this Act or other provisions of law, shall be performed within the withdrawals by such civilian individuals or civilian agencies and in such manner as the President shall from time to time, by Executive order, direct or authorize.

(7) The United States District Court for the District of Alaska shall have original jurisdiction, without regard to the sum or value of any matter in controversy, over all civil actions arising within such withdrawals under the laws made applicable thereto by this subsection, as well as over all offenses committed within the withdrawals.

(e) Nothing contained in subsection (d) of this section shall be construed as limiting the exclusive jurisdiction established in the United States by subsection (c) of this section or the authority of the Congress to implement such exclusive jurisdiction by appropriate legislation, or as denying to persons now or hereafter residing within any portion of the areas described in subsection (b) of this section the right to vote at all elections held within the political subdivisions as prescribed by the State of Alaska where they respectively reside, or as limiting the jurisdiction conferred on the United States District Court for the District of Alaska by any other provision of law, or as continuing in effect laws relating to the Legislature of the Territory of Alaska. Nothing contained in this section shall be construed as limiting any authority otherwise vested in the Congress or the President.

SEC. 11. (a) Nothing in this act shall affect the establishment, or the right, ownership, and authority of the United States in Mount McKinley National Park, as now or hereafter constituted; but exclusive jurisdiction, in all cases, shall be exercised by the United States for the national park, as now or hereafter constituted; saving, however, to the State of Alaska the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing now or hereafter in such area the right to vote at all elections held within the respective political subdivisions of their residence in which the park is situated.

(b) Notwithstanding the admission of the State of Alaska into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are owned by the United States and held for military, naval, Air Force, or Coast Guard purposes, including naval pe-

troleum reserve No. 4, whether such lands were acquired by cession and transfer to the United States by Russia and set aside by act of Congress or by Executive order or proclamation of the President or the Governor of Alaska for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided,* (i) That the State of Alaska shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Alaska, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall rest and remain in the United States only so long as the particular tract or parcel of land involved is owned by the United States and used for military, naval, Air Force, or Coast Guard purposes. The provisions of this subsection shall not apply to lands within such special national defense withdrawal or withdrawals as may be established pursuant to section 10 of this act until such lands cease to be subject to the exclusive jurisdiction reserved to the United States by that section.

SEC. 12. Effective upon the admission of Alaska into the Union—

(a) The analysis of chapter 5 of title 28, United States Code, immediately preceding section 81 of such title, is amended by inserting immediately after and underneath item 81 of such analysis, a new item to be designated as item 81A and to read as follows:

"81A. Alaska";

(b) Title 28, United States Code, is amended by inserting immediately after section 81 thereof a new section, to be designated as section 81A, and to read as follows:

"§81A. Alaska.

"Alaska constitutes one judicial district.

"Court shall be held at Anchorage, Fairbanks, Juneau, and Nome.";

(c) Section 133 of title 28, United States Code, is amended by inserting in the table of districts and judges in such section immediately above the item: "Arizona * * * 2", a new item as follows: "Alaska * * * 1";

(d) The first paragraph of section 373 of title 28, United States Code, as heretofore amended, is further amended by striking out the words: "the District Court for the Territory of Alaska": *Provided,* That the amendment made by this subsection shall not affect the rights of any judge who may have retired before it takes effect;

(e) The words "the District Court for the Territory of Alaska," are stricken out wherever they appear insections 333, 460, 610, 753, 1252, 1291, 1292, and 1346 of title 28, United States Code;

(f) The first paragraph of section 1252 of title 28, United States Code, is further amended by striking out the word "Alaska," from the clause relating to courts of record;

(g) Subsection (2) of section 1294 of title 28, United States Code, is repealed and the later subsections of such section are renumbered accordingly;

(h) Subsection (a) of section 2410 of title 28, United States Code, is amended by striking out the words: "including the District Court for the Territory of Alaska";

(i) Section 3241 of title 18, United States Code, is amended by striking out the words: "District Court for the Territory of Alaska, the";

(j) Subsection (e) of section 3401 of title 18, United States Code, is amended by striking out the words: "for Alaska or";

(k) Section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska";

(l) Section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska";

(m) Section 2072 of title 28, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "and of the District Court for the Territory of Alaska";

(n) Subsection (q) of section 376 of title 28, United States Code, is amended by striking out the words: "the District Court for the Territory of Alaska": *Provided,* That the amendment made by this subsection shall not affect the rights under such section 376 of any present or former judge of the District Court for the Territory of Alaska or his survivors;

(o) The last paragraph of section 1963 of title 28, United States Code, is repealed;

(p) Section 2201 of title 28, United States Code, is amended by striking out the words: "and the District Court for the Territory of Alaska"; and

(q) Section 4 of the act of July 28, 1950 (64 Stat. 380; 5 U. S. C., sec. 341b) is amended by striking out the word: "Alaska".

SEC. 13. No writ, action, indictment, cause, or proceeding pending in the District Court for the Territory of Alaska on the date when said Territory shall become a State, and no case pending in an appellate court upon appeal from the District Court for the Territory of Alaska at the time said Territory shall become a State, shall abate by the admission of the State of Alaska into the Union, but the same shall be transferred and proceeded with as hereinafter provided.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Alaska in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said courts had been established prior to the accrual of said causes of action or the commission of such offenses; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Alaska.

SEC. 14. All appeals taken from the District Court for the Territory of Alaska to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit, previous to the admission of Alaska as a State, shall be prosecuted to final determination as though this act had not been passed. All cases in which final judgment has been rendered in such district court, and in which appeals might be had except for the admission of such State, may still be sued out, taken, and prosecuted to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit under the provisions of then existing law, and there held and determined in like manner; and in either case, the Supreme Court of the United States, or the United States Court of Appeals, in the event of reversal, shall remand the said cause to either the State supreme court or other final appellate court of said State, or the United States district court for said district, as the case may require: *Provided,* That the time allowed by existing law for appeals from the district court for said Territory shall not be enlarged thereby.

SEC. 15. All causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State which are of such nature as to be within the jurisdiction of a district court of the United States shall be transferred to the United States District Court for the District of Alaska for final disposition and enforcement in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts. All other causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State shall be transferred to the appropriate State court of Alaska. All final judgments and decrees rendered upon such transferred cases in the United States District Court for the District of Alaska may be reviewed by the Supreme Court of the United States or by the United States Court of Appeals for the Ninth Circuit in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts.

SEC. 16. Jurisdiction of all cases pending or determined in the District Court for the Territory of Alaska not transferred to the United States District Court for the District of Alaska shall devolve upon and be exercised by the courts of original jurisdiction created by said State, which shall be deemed to be the successor of the District Court for the Territory of Alaska with respect to cases not so transferred and, as such, shall take and retain custody of all records, dockets, journals, and files of such court pertaining to such cases. The files and papers in all cases so transferred to the United States district court, together with a transcript of all book entries to complete the record in such particular cases so transferred, shall be in like manner transferred to said district court.

SEC. 17. All cases pending in the District Court for the Territory of Alaska at the time said Territory becomes a State not transferred to the United States District Court for the District of Alaska shall be proceeded with and determined by the courts created by said State with the right to prosecute appeals to the appellate courts created by said State, and also with the same right to prosecute appeals or writs of certiorari from the final determination in said causes made by the court of last resort created by such State to the Supreme Court of the United States, as now provided by law for appeals and writs of certiorari from the court of last resort of a State to the Supreme Court of the United States.

SEC. 18. The provisions of the preceding sections with respect to the termination of the jurisdiction of the District Court for the Territory of Alaska, the continuation of suits, the succession of courts, and the satisfaction of rights of litigants in suits before such courts shall not be effective until 3 years after the effective date of this act, unless the President, by Executive order, shall sooner proclaim that the United States District Court for the District of Alaska, established in accordance with the provisions of this act, is prepared to assume the functions imposed upon it. During such period of 3 years or until such Executive order is issued, the United States District Court for the Territory of Alaska shall continue to function as heretofore. The tenure of the judges, the United States attorneys, marshals, and other officers of the United States District Court for

the Territory of Alaska shall terminate at such time as that court shall cease to function as provided in this section.

SEC. 19. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "When the State of Alaska or any State is hereafter admitted to the Union, the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within 90 days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by snbscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

SEC. 20. Section 2 of the act of October 20, 1914 (38 Stat. 742; 48 U. S. C., sec. 433), is hereby repealed.

SEC. 21. Nothing contained in this act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

SEC. 22. Section 101 (a) (36) of the Immigration and Nationality Act (66 Stat. 170, 8 U. S. C., sec. 1101 (a) (36)) is amended by deleting the word "Alaska."

SEC. 23. The first sentence of section 212 (d) (7) of the Immigration and Nationality Act (66 Stat. 188, 8 U. S. C., sec. 1182 (d) (7)) is amended by deleting the word "Alaska."

SEC. 24. Nothing contained in this act shall be held to repeal, amend, or modify the provisions of section 304 of the Immigration and Nationality Act (66 Stat. 237, 8 U. S. C., sec. 1404).

SEC. 25. The first sentence of section 310 (a) of the Immigration and Nationality Act (66 Stat. 239, 8 U. S. C., sec. 1421 (a)) is amended by deleting the words "District Courts of the United States for the Territories of Hawaii and Alaska" and substituting therefor the words "District Court of the United States for the Territory of Hawaii."

SEC. 26. Section 344 (d) of the Immigration and Nationality Act (66 Stat. 265, 8 U. S. C., sec. 1455 (d)) is amended by deleting the words "in Alaska and."

SEC. 27. The third proviso in section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C., sec. 883), is further amended by striking out the word "excluding" and inserting in lieu thereof the word "including."

SEC. 28. (a) The last sentence of section 9 of the act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 20, 1914 (48 U. S C. 439), is hereby amended to read as follows: "All net profits from operation of Government mines, and all bonuses, royalties, and rentals under leases as herein provided and all other payments received under this act shall be distributed as follows as soon as practicable after December 31 and June 30 of each year: (1) 90 percent thereof shall be paid by the Secretary of the Treasury to the State of Alaska for disposition by the legislature thereof; and (2) 10 percent shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts."

(b) Section 35 of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, as amended (30 U. S. C. 191), is hereby amended by inserting immediately before the colon preceding the first proviso thereof the following: ", and of those from Alaska 52½ percent thereof shall be paid to the State of Alaska for disposition by the legislature thereof."

SEC. 29. If any provision of this act, or any section, subsection, sentence, clause, phrase, or individual word, 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 any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

SEC. 30. All acts or parts of acts in conflict with the provisions of this act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Mr. O'BRIEN of New York (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. O'BRIEN of New York. Mr. Chairman, I move that the bill be considered as read and be opened for amendment at any point.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. O'BRIEN].

The motion was agreed to.

Mr. MILLER of Nebraska. Mr. Chairman, I have several amendments at the Clerk's desk.

The Clerk read as follows:

Amendments offered by Mr. MILLER of Nebraska: On page 15, line 2, after the comma following the word "rejection" add the following: "by separate ballot on each."

On page 15, line 3, add the following language: "(1) Shall Alaska immediately be admitted into the Union as a State?"

On page 15, lines 3 and 8, respectively, change the figures "1" to "2" and "2" to "3."

On page 15, line 14, after the word "event" add the words "each of" and change the word "are" to "is."

On page 15, line 19, after the word "event" add the words "any one of" and change the word "are" to "is."

Mr. O'BRIEN of New York. Mr. Chairman, the committee will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. MILLER].

The amendment was agreed to.

Mr. WESTLAND. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WESTLAND: On page 6, line 18, after "Federal agency" insert "*Provided*, That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of 90 legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest."

The CHAIRMAN. The gentleman from Washington [Mr. WESTLAND], is recognized.

(Mr. WESTLAND asked and was given permission to revise and extend his remarks.)

Mr. WESTLAND. Mr. Chairman, I submit this amendment not as an opponent of statehood for Alaska but rather because it deals with the important matter—conservation—a matter of national concern and particularly to me as a westerner. The conservation of natural resources—in this instance fish and wildlife—is important to every citizen of this country. I am firmly convinced that present conditions require the administration of the fish and wildlife resources of Alaska be retained by the Federal Government until it can clearly be shown that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of these resources in the broad national interest. Let me emphasize that this amendment sets up no bar to future control of these resources by the State of Alaska. But because of existing conditions, some of which are inherent and others of which are of the making of the present Territorial legislature, I feel it is essential that for the present fish and wildlife resources administration and management remain in the Federal Government.

The most important single resource in Alaska has been and continues to be the salmon fishery. The Alaskan fishery is now under the jurisdiction of the Fish and Wildlife Service. Both Fish and Wildlife and the salmon industry are engaged in a program of research in an effort to rehabilitate the Alaskan salmon run which has been severely reduced in recent years. This program has been made doubly difficult by the activities of the Japanese high seas fishing fleet. Scientific evidence shows that the Japanese fleet, although it remains outside territorial waters and, by the terms of the Japanese Peace Treaty, west of the 175th west meridian, has been netting millions of immature salmon spawned in Alaskan streams. Although recent negotiations between the United States and Japan in an effort to solve this problem have broken down, this is a matter which must be settled whether by negotiation or other means at the disposal of the Federal Government. This is a national resource and since the depredation of this resource is being done by a foreign power, it would be foolhardy to turn over the fisheries to Alaska so long as this serious international problem remains to be settled.

Furthermore, there is at the present time no competent fisheries organization which can cope with these problems other than Fish and Wildlife. Given time, as a State, Alaska could doubtless develop an effective fish and wildlife organization. But the over 200 Federal Fish and Wildlife employees in Alaska are under United States Civil Service rule and the civil service retirement program. There is considerable likelihood they would prefer to remain with Fish and Wildlife Service rather than become a part of the State program.

Going further, the 1958 Federal budget for Fish and Wildlife for Alaska totaled $1,594,000. To carry on a program in the way the Federal Government has

done would mean a considerable financial burden to Alaska. Not only that, but there is, as the Wildlife Management Federation stressed at its 1957 convention, the need for more funds for Fish and Wildlife management in Alaska. Under these circumstances, an immediate transfer would be unwise.

But what frightens all conservation-minded people and causes serious doubt as to the advisability of turning over control of fish and wildlife to Alaska has been the territorial legislature's record in the field of conservation. It is most certainly in the public interest that no commercial fishing interests—be they resident or nonresident—be allowed to gain control of Alaska's fisheries. Yet the terms of Senate bill 30, passed last year by the territorial legislature, would do precisely that. Fortunately, with Alaska in a territorial status, the management of fish and wildlife resources remains under the United States Fish and Wildlife Service and not the new Fish and Game Commission set up by Senate bill 30. But should this statehood bill pass without protective language such as is contained in this amendment, the provisions of Senate bill 30 would become a reality.

In my remarks during the general debate on this bill, I quoted extensively from the message of the Acting Governor to the Territorial legislature. Although he declined to veto the bill since its overwhelming legislative support would have made a veto a useless act, he sent a stinging message to the legislature, I will not read from the Governor's message at this time other than his statement which pretty well summarizes the objections to Senate bill 30 that "every protection is given to the commercial interests in Senate bill 30; the recreational interests are assured of no protection whatever."

In view of the expressed attitude of the Territorial legislature, this House should insist on language which would assure continued Federal jurisdiction over Alaskan fish and wildlife resources to protect the public interest until the Alaska Legislature makes adequate provision for the administration, management, and conservation of these resources in the public interest. There are resources which belong not only to the people of Alaska but to all the people of the United States. While welcoming Alaska to membership in the Union, we should take care to discharge our responsibilities and protect these national resources.

I might say at this point that this proposal has the support of the Wildlife Management Institute, the American Nature Association, the Izaak Walton League, the National Parks Association, the National Wildlife Federation of Nature Conservancy and the Wilderness Society.

I want to discuss one further facet of this problem. In the past 20 to 25 years the Territorial legislature has on at least five different occasions enacted laws discriminating against nonresident fishermen and imposing a higher tax on the right to work and fish in Alaskan fisheries as to nonresidents than as to residents. Such discriminatory legislation heretofore has been struck down by the courts, not on constitution grounds, but on grounds of limitations or inhibitions placed on the Territorial legislature. With statehood, such limitations would be removed and the discriminatory legislation would, under present indications, be enacted by an Alaskan State Legislature. The discriminatory tendencies of the Territorial legislature are well documented by past history up to and including Senate bill 30. To allow the Alaska Legislature to exercise authority over fish and wildlife without adequate provisions for the administration, management, and conservation of these resources would not only give rise to the previously mentioned objections, but would also serve to put thousands of fishery workers from the States—many hundreds of whom reside in my district—out of work. Adoption of this amendment would not only prevent usurping of Alaska's fisheries by commercial interests, but also offer some hope of protection of nonresidents dependent on Alaska fisheries for their livelihood.

Mr. Chairman, let me repeat, I support this amendment not as an opponent of statehood for Alaska. I am for statehood and I am for statehood now. But we must make certain that in admitting another State to this Federal Union we save for all the people of the United States this national resource. The amendment should be approved.

Mr. BARTLETT. Mr. Chairman, I rise in opposition to the amendment.

(Mr. BARTLETT asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT. Mr. Chairman, I am bound to oppose this proposed amendment, because it would make Alaska a State of the Union on terms of less than full equality with the other States. Very frankly I do not think it is constitutional for that very reason. At the same time I apprehend that it would take some time for the courts to make a final determination.

One of the principal reasons, of course, that Alaska desires control of her wildlife and fisheries resources is because the Federal Government has not done a very good job of conservation in those fields. The Alaska salmon fisheries are the most important in the world. Last year the take of salmon in Alaska was the smallest since 1907.

Every year the conservation organizations and all the rest of us complain that not enough money is appropriated by the Federal Government to conserve properly these game, fur, and fish resources. We Alaskans have said time after time that we are willing to do the job and able to do the job.

In connection with senate bill 30 I want to say that it is distinctly to the credit of the Territory of Alaska that they created this commission, because it is appropriating its own funds, especially in the field of fisheries, without any authority whatsoever to regulate those resources. It has spent millions of dollars in the last few years supplementing the inadequate Federal appropriation for that purpose.

I inquired of the chairman of the commission, set up under Alaska Senate bill 30, Mr. Art Hayr, of Fairbanks, Alaska, as to the attitude of commercial fishermen, and he sent this reply:

> Reurtel Board's controversies voting record of both sessions I attended as hunter make very clear that so-called commercial fishing representatives are fair-minded resident Alaskans same as other members. Differences have been minor, understandable, and easily reconcilable.

I rest my case, Mr. Chairman, upon a reiteration of the declaration that we should come into the Union completely equal in this field.

Mr. Chairman, only this morning I received from Alaska two radiograms from two different church groups in support of statehood. One was from the Reverend Fred P. McGinnis, superintendent of the Methodist Church in Alaska, and I understand that identical wires were sent by him to the Speaker of the House and the gentleman from Pennsylvania [Mr. SAYLOR]. The text of the message is as follows:

> The Alaska Mission Conference of the Methodist Church in session tonight at Juneau unanimously adopted a strong resolution supporting statehood and urged the Congress to act. This conference represents approximately 5,000 members and constituents within Alaska. Resolution calls for transmittal this action to you. I respectfully urge that the Congress give us favorable vote.

The second radiogram came from several Baptist ministers in Anchorage who wired:

> We Southern Baptist ministers of Anchorage believe self-government for Alaskans under statehood is right and overdue, would benefit the Nation as well as Alaska and would enable Alaskans to build a fine God-fearing civilization. We pray Members of House will apply the principles of brotherly love and justice by passing statehood bill.

The message was signed by the Reverend Felton H. Griffin, First Baptist Church; the Reverend James Rose, Immanuel Baptist Church; the Reverend Robert Gingrich, Fairview Baptist Church; the Reverend Jack Turner, Calvary Baptist Church; and the Reverend James Dotson, Faith Baptist Church.

Mr. Chairman, I should not like my participation in this debate to be concluded without expressing my thanks to the Delegate from Hawaii [Mr. BURNS]. During all these long months the Alaska statehood bill has been considered his has been the course of statesmanship. Men in his position less practical and less discerning might have publicly resented the fact that the statehood aspirations of Hawaii were being subordinated to those of Alaska during the 85th Congress. Had he so reacted I can readily imagine a situation arising by which once more the statehood goals of both these Territories might have been farther away than ever, instead of closer. The Delegate from Hawaii, acting as I and so many others are convinced in the very best interests of the Territory he so ably represents, chose another course. From the outset, I have believed it to be the course best calculated for the welfare of his constituents and I say that most objectively even though I had an understandable desire to move Alaska statehood along as promptly as possible.

My personal conclusion—and it is one wholly shared with many of our colleagues with whom I have talked—is that

the Delegate from Hawaii adopted the very best means to carry out his legislative program. It is my pleasure to congratulate him now on the fine service he is giving the people of Hawaii and to thank him for the valuable assistance he has rendered to Alaska.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, I can see a great deal of justice to the position taken by the Delegate from Alaska. On the other hand, it seems that inasmuch as all legislation must be a matter of compromise, here is one place where we can compromise without defeating the purpose of this bill. With that thought in mind, I shall support the amendment offered by the gentleman from Washington.

Mr. BARTLETT. I will say this in conclusion, that the amendment is so worded that the Secretary of the Interior will be in control in respect to certification, and I am sure that he will be fair minded about this, and I am sure, too, that the Alaska State Legislature will pass what he considers to be adequate laws.

Mr. O'BRIEN of New York. Mr. Chairman, I rise in support of the amendment.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I would like to join the chairman of the subcommittee in supporting the Westland amendment. I think it improves the bill. It does not take anything away from the commission in Alaska. I support the amendment.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to join the gentleman in support of this amendment. The question that has been raised is a serious one, and in view of the fact that the Wildlife Management Institute, the American Nature Association, the Isaak Walton League, the National Parks Association, National Wildlife Federation of Nature Conservancy, and the Wilderness Society have all joined in support of this amendment, I think it is only fitting that these conservation groups wish to be accredited so that this matter can be worked out by the Secretary.

Mr. O'BRIEN of New York. I thank the gentleman. I would like to add that while I agree most heartily with the Delegate from Alaska that we should preserve home rule down to the last period and comma, we have a situation here where it is left to the Secretary of the Interior to determine when Alaska is ready to handle this matter. I am very sure that no Secretary of the Interior, the present one or any one who succeeds him, would keep Alaska away from the control of its own resources one day longer than necessary. I think his approval will come very quickly, and it will allow a reasonable, brief period in which the officials of Alaska can get ready for the handling of this very important industry. For that reason I am supporting the amendment.

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PELLY. Mr. Chairman, this amendment is introduced to meet the objections raised during the committee hearings by the Wildlife Management Institute and since then by other conservation groups, including the American Nature Association, Izaak Walton League of America, the National Parks Association, National Wildlife Federation, Nature Conservancy, and the Wilderness Society.

These organizations have asked for safeguards for the future welfare of the Territory's fish and wildlife resources and have felt lack of a clarifying amendment would jeopardize the invaluable resources upon which a major part of the new State's economy would be based. Let me emphasize that the opposition to this bill of national conservation groups would be removed by inclusion of this amendment. In this connection, I have here a copy of a letter signed by C. R. Gutermuth, vice president of the Wildlife Management Institute, to the gentleman from New York, the Honorable LEO W. O'BRIEN, dated March 24, 1958. It reads:

> The national conservation organizations are not opposing statehood, and their opposition to the pending legislation could be removed entirely by the adoption of this amendment.

Since previous bills to grant statehood to Alaska have been considered by the Congress, the Alaska Territorial Legislature passed a law under which the commercial fish interests of Alaska would gain complete control over Alaska's fish and wildlife resources. And the purpose of this amendment is to require certification to Congress by the Secretary of the Interior that the Alaska Legislature has made adequate provision for the administration, management, and conservation of these resources in the broad public interest.

The concern of conservationists came with the passage in 1957 by the Territorial Legislature of senate bill 30.

As the Acting Governor of Alaska at the time said, opposition to senate bill 30 as expressed in communications to him was widespread and voluminous and came from individuals, organizations of sportsmen, and other groups, while support for the bill was limited and localized.

Let me quote as to the Governor's own objections as expressed to the president of the Alaska Senate regarding the Alaska Fish and Game Commission:

> The commission is authorized by senate bill 30 to promulgate and issue regulations which shall have the force and effect of law, but guidelines for and limitations on these regulatory powers are almost entirely lacking. For example, the rights and privileges of a large and important part of Alaska's population, our native peoples, which are safeguarded under existing legislation, have apparently been either overlooked or disregarded in senate bill 30.
>
> Senate bill 30 provides no policy or guides for commission responsibility for proper harvest or use of fur, game, or fish; for esthetic or other values to be safeguarded in the public interest in contrast to the interest of hunters, trappers, or fishermen.

The May 1958 issue of Outdoor America, a publication of the Izaak Walton League of America, Inc., has an article in it entitled "Will Statehood Help Alaskan Wildlife?" by Burton H. Atwood, the league's national secretary. I quote from this article as follows:

> The territorial commission for fish and game, as established by the last legislature, is basically unsound. It could be controlled by commercial fishing interests whose objectives are often at odds with those of sportsmen.

I want to say that I have never seen any statement that denied the Alaska fisheries would be controlled by the commercial Alaska fishermen if we fail to pass this safeguard amendment. And, may I say too, this amendment is intended to oppose any domination by fishing interests either resident or absentee.

How can any one justify transfer of the fishery to the Alaska Fish and Game Commission as presently constituted with 4 out of 7 members representing commercial fishing? How can anyone oppose an assurance that safeguards in the national interest be provided?

As a quorum, the four commercial fish representatives on that Alaska commission would establish all rules, regulations, and policies for an $80 million a year industry employing seasonally 25,000 workers.

Read the testimony before the Subcommittee on Interior and Insular Affairs. Read Governor Hendrickson's message to the president of the senate of the 23d Alaska Legislature. If any Members will read the printed hearings starting at page 418 the picture will be clear.

Otherwise, the door is left wide open for the greatest scandal in the history of Alaska—which is something.

Without this amendment, in all conscience, I would have to vote against the statehood bill because as one witness said:

> This law certainly sets the stage for looking after everything but the public's interest.

If what I say is not true about the Alaska Fish and Game Commission being weighted in favor of the commercial users, then the Secretary of the Interior tomorrow could certify to the Congress as to the Alaska Legislature having made adequate provisions for administration in the national interest.

The only valid opposition to this amendment that I could possibly contemplate would come from those who are supporting special selfish interests. The amendment simply would assure State management and regulation that will uphold and conform to the new proposed Constitution of the State of Alaska which provides for common use of natural resources and reads:

> No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State.

To conservation-minded Members of Congress who desire to protect the wildlife resources of Alaska, let me repeat adoption of this safeguarding amendment as far as this statehood bill is con-

cerned will satisfy the conservation groups and remove their objection to this bill.

I hope the committee will accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. WESTLAND].

The amendment was agreed to.

Mr. CANFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am sure that the President of the United States will be glad to hear of the vote just taken in the House. I have in my hand a dispatch taken from the ticker which reads as follows:

The President today reaffirmed his support of pending legislation that would grant statehood to Alaska. Both political parties advocated statehood in their 1956 campaign platforms, and those pledges should be carried out.

Mr. BONNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BONNER: On page 7, line 11, delete the figure "70" and insert in lieu thereof the figure "25."

Mr. BONNER. Mr. Chairman, I do not know whether it is proper to have the amendment read "25 percent." These seals are handled by treaty, an international treaty, as the Delegate from Alaska well knows. I have read the bill and the report and I cannot find where there have been any negotiations with those who are parties to the treaty to divide up the profit from the harvest of these seals.

The United States Government as all of us know, has the responsibility of protecting the seals and other animals, under this international treaty. Apparently the committee has not gone into the complications involved in the provisions of the treaty. It is proposed to give the State of Alaska 70 percent of the profits from these seals. My amendment would reduce that to 25 percent, but I do not think the matter should be dealt with in this bill at all.

I should like to ask the chairman of the committee whether he has had anybody in to consider the treaty provisions when it is proposed to give 70 percent of the profits of the seals to the State of Alaska.

Mr. O'BRIEN of New York. Specifically on that question we had a representative of the Department of State testify before our committee. He did not regard this as a point of possible international disagreement. I might point out to the gentleman that the bill itself provides that all of the expenses for administering the islands must be deducted before there are any profits taken.

Mr. BONNER. That is a provision in the treaty at the present time.

Mr. O'BRIEN of New York. Yes. We are dividing up our own money.

Mr. BONNER. Does the gentleman know whether or not they are going to take the Pribilof Islands into the State of Alaska?

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the Delegate from Alaska.

Mr. BARTLETT. They are included, they are part of Alaska. They are included within the State boundaries.

Mr. BONNER. They are included in the provisions of this bill?

Mr. BARTLETT. They are.

Mr. BONNER. As I understand the bill, Alaska has a number of years in which to select what areas of Alaska will be taken into the State?

Mr. BARTLETT. No; that is not the case, if the gentleman will permit me to say so. All of that which we now know as Alaska will become the State of Alaska. The provisions of the bill relate only to sections of land which are to be taken.

Mr. BONNER. This is a section of land that we are talking about now.

Mr. BARTLETT. Whether the State or the Federal Government owns the land, it will all be incorporated within the State of Alaska.

Mr. BONNER. I think the Delegate from Alaska realizes that this is a serious matter, though probably to Alaska and the citizens of Alaska it is a trivial matter. But the gentleman will remember that the citizens of Alaska almost depleted these seal herds and it was only through this international treaty and the supervision provided under the treaty, under the responsibility of the United States Government that we brought them back to a semblance of what they were at one time. That is the history of it.

Mr. BARTLETT. Mr. Chairman, if the gentleman will yield further, I cannot admit that the citizens of Alaska depleted the seal herd. It was depleted, but that is because so much sealing was done on the open ocean by nationals of other countries. That is why this treaty was entered into.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the gentleman.

Mr. MILLER of Nebraska. On page 19 of the report the gentleman will find the following in the analysis of this particular section. It says this:

Nothing in this act shall be construed as affecting the rights of the United States under the provisions of the act of February 26, 1944, as amended and the act of June 28, 1937, as amended.

That relates to the seals.

Mr. BONNER. I understand; I have read that. But we have entered into a treaty to protect these seals and divide up the profits from their sale. The seals are sent down to St. Louis, the pelts are then treated, and the United States Government conducts the sales; all expenses are taken out. That is in the treaty which provides for dividing up the profits.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. BONNER] has expired.

(Mr. BONNER asked and was given permission to proceed for 5 additional minutes.)

Mr. BONNER. Mr. Chairman, I am not trying to tamper with the bill, but I think you have not given proper consideration to a subject that certainly deserves it.

Mr. MILLER of Nebraska. If the gentleman will yield further, I am sure the gentleman is agitated about something that is not in the bill.

Mr. BONNER. I am not agitated at all.

Mr. MILLER of Nebraska. The treaty entered into about the handling of these seals is not affected one whit.

Mr. BONNER. I understand, but you are dealing with something here, and I am asking you whether or not you have the right to deal with it. This is an international treaty.

Mr. MILLER of Nebraska. All we are dealing with is something we have a right to deal with, and that is a certain percentage of the proceeds.

Mr. BONNER. Your part of this is 70 percent, but the property is divided among the signatories of the treaty. Do you take part from the other signatories, or does it come wholly from the United States?

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield.

Mr. O'BRIEN of New York. What we turn over to Alaska comes from the net amounts turned in to the United States Treasury.

Mr. BONNER. The United States Treasury has to pay a certain part of that to those who are signatories to the treaty.

Mr. O'BRIEN of New York. This would be after we fulfilled any international obligations we have.

Mr. BONNER. You do not say that.

Mr. O'BRIEN of New York. At the present time the amount appropriated for the maintenance of these seals is 60 percent of the net receipts for the previous fiscal year, in addition to which we pay 25 percent of the net receipts into conservation work in Alaska. Actually, Alaska, taking over these problems to a great degree, and getting 75 percent, will have 5 percent additional for conservation work.

Mr. BONNER. Do I understand the gentleman to mean that you are going to put these seals under the protection of the State of Alaska? The gentleman says Alaska is taking them over. Those are his own words.

I hope the chairman will accept this amendment, because I do think it is fair.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. It seems to me it would definitely be beyond the power of the Congress to deal with any proceeds from these seals that our treaty obligations require us to deliver to other countries. Obviously all we could be concerned with here would be the net proceeds after the other countries have received their proportion of the receipts.

Mr. BONNER. I realize that, but you have not said it.

I certainly hope the chairman will accept this amendment.

Mr. O'BRIEN of New York. Mr. Chairman, I rise very reluctantly in opposition to the amendment.

Mr. Chairman, I know very well the distinguished gentleman from North Carolina is most sincere in this. I think he is concerned about the international aspects, and so forth. But the bill, we believe, firmly protects all our treaty obligations and deals only with money which would be net in the United States Treasury. A rather substantial part of that goes back now in the Federal administration of conservation.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from North Carolina.

Mr. BONNER. Somebody on the committee just told me this was a question of Alaska's taking over its own wildlife, but here is a question of wildlife that does not stay continuously in the area of Alaska.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Colorado.

Mr. ASPINALL. I was the one to whom the gentleman referred. This is a question here of the State of Alaska taking care of its own wildlife in the Alaskan area itself and not on the Pribiloff Islands. Because they take this additional duty and this extra burden that goes with it, they should have some money to take care of that responsibility which is being carried by the National Government at the present time.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. BONNER. You are just simply breaking the treaty then, if that is the case.

Mr. ASPINALL. No; it has nothing to do with it.

Mr. BONNER. Of course, it has.

Mr. O'BRIEN of New York. Mr. Chairman, we are not breaking any treaty. The question was never raised at all by the representatives of the Department of State before our committee. I think it boils down to this, Mr. Chairman. By approving this, we are sending a great Territory off on a difficult journey to statehood. It has been difficult for practically every Territory, which has come into the Union. Here is one of the small assists that we give them—not a great deal, but it is an assist and if we strip away these little aids to the new State, we not only deny our own hope of it becoming a great State, but we are somewhat in the position of a man who sends another man out on a journey across the desert and instead of giving him a bottle of water and some food, he gives him a box of salt.

Mr. BARTLETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would especially like to say to the gentleman from North Carolina that years and years ago this question was very carefully considered by the Committee on Interior and Insular Affairs. Originally, it was proposed that the Pribiloff Islands and everything on them be turned over to the State of Alaska. But, further reflection convinced the members of the committee that in view of the fact that these seals move about that that would not be wise, and in view of the fact that there are treaty considerations here, there was written into the bill the provision which we find in it now maintaining the supervision of the Federal Government of the seal herd, but recognizing that since this primarily is an Alaskan resource and since the seals spend all their time on land in the Pribiloff Islands that the State of Alaska surely should be entitled to some money from what, after all, is one of its possessions. That is why the bill was written in its present form. Some very liberal provisions are made in the law for the administrative expenses of the Federal Government. They have to be paid first. As the gentleman knows, before Alaska will get a dollar, I do not think we are asking too much when we ask for 70 percent of the net proceeds from this vital resource which is so important. I might point this out. That during all these years although this is an Alaska resource, the treasury of Alaska has not had one thin dime from it.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I yield.

Mr. BONNER. The gentleman, of course, realizes the fact that this subject comes before the Committee on Merchant Marine and Fisheries time after time. The question of the Alaska fisheries and other matters are under the jurisdiction of the Committee on Merchant Marine and Fisheries who have shown a great interest in trying to preserve your natural resources and the resources of other areas of the west coast that are interested, not only in this but in the fisheries and so on. It is only because of that interest that I am asking for a change in the provision as to the division of the profit because you know as well as I know that if the Federal Government ever stops protecting this resource and some of the other of your natural resources, you just simply will not have them in the future, and that includes your wildlife resources. The gentleman realizes that as well as I do.

Mr. BARTLETT. I cannot agree with that for a moment because our salmon pack is almost gone and it has been under Federal supervision. But, what I do say in this particular case is that the Committee on Interior and Insular Affairs followed the precedent set by the gentleman's committee and continued Federal control and only asked for a fair share of the proceeds.

Mr. HALEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 79]

Andersen, H. Carl	Celler	Forand
Auchincloss	Chelf	Grant
Barden	Christopher	Gregory
Barrett	Colmer	Gross
Blatnik	Curtis, Mass.	Gubser
Boland	Dies	Harris
Brooks, La.	Dowdy	Hillings
Buckley	Doyle	Horan
Burdick	Engle	Hull
Carnahan	Evins	Jackson
Farbstein	James	Jenkins
Kearney	Miller, Calif.	Sieminski
Kearns	Morris	Siler
Kilburn	Morrison	Smith, Kans.
Kirwan	Neal	Smith, Miss.
Kluczynski	Norrell	Spence
Knox	O'Hara, Minn.	Thompson, La.
LeCompte	Osmers	Thompson, Tex.
Lennon	Powell	Trimble
Loser	Radwan	Vinson
McCarthy	Reece, Tenn.	Vorys
Machrowicz	Saund	Vursell
Magnuson	Scott, N. C.	Watts
Marshall	Sheppard	Wilson, Calif.
	Shuford	Winstead

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 7999, and finding itself without a quorum, he had directed the roll to be called, when 354 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. BONNER].

The amendment was rejected.

Mr. BONNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BONNER: On page 35, after line 13, insert a new subsection as follows:

"(b) Nothing contained in this or any other act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Alaska and other ports in the United States, its Territories or possessions, or as conferring upon the Interstate Commerce Commission jurisdiction over transportation by water between any such ports."

Page 35, line 10, after "SEC. 27" insert "(a)."

Mr. BONNER. Mr. Chairman, I yield to the distinguished gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN. Mr. Chairman, the committee will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. BONNER].

The amendment was agreed to.

Mr. ABBITT. Mr. Chairman, I rise in opposition to H. R. 7999. I do so without any feeling of malice toward the good people of Alaska nor in any way detracting from their ambitious efforts in behalf of statehood for the Territory.

I feel very strongly, however, that this is a matter which transcends sentiment and goes beyond the immediate question of whether attachment to the United States in the relationship of statehood is in itself a good thing. None of us questions the fact that advantages would come to the Territory by virtue of a change in its status to that of a State. The important thing, it seems to me, is to determine what is the best thing for our country as a whole.

I am firmly convinced that, even though this issue has been aired many times over the years, many people have not seriously considered what is involved. Adding a State to the Union is an important matter and one which can have, and probably will have, great effect upon

the future of the Nation. It is true that in a sense we have faced this each time a State has been added, but never before has the issue been so forcefully presented to the American people as in the case before us today.

In 1912, when Arizona came into the Union as the last of the 48 States, we completed the formal alinement of the United States. Throughout our history, up to that point, it had been more or less our goal to eventually take in all the vast territory in the West and complete the formation of the Union by the addition of all the land stretching to the Pacific coast. Had this not been our objective, untold difficulty would have come to the Nation because of an incompleteness of our continental structure. Once this was done, however, the need for further expansion, for expansion's sake, was at an end.

The territories added to this country had come in various ways—removed from the normal colonization procedure. Alaska had come to us by purchase in 1867 and Hawaii as a result of the war with Spain. It is true that our people welcomed the addition of these areas as Territories of the United States, but the very fact that they are far removed from the continental United States is in itself a valid reason for considering them in another category from the continental areas which become States.

Alaska is separated from the continental United States by many hundreds of miles. It has little direct relation to the other States and by virtue of its separation would always be aloof from the other States. What is more, its location—though admittedly strategic—would render it foreign in relation to the other States. There would never be, in my opinion, the same attitude toward Alaska as there has been toward the other States. The very fact that it is not contiguous to the United States raises a host of problems.

Our country has grown as it has, as much as anything else, because of the compactness with which it is constituted. Though more than 3,000 miles separate New York and San Francisco, there is still that feeling of direct relationship which provides a common understanding and mutuality of interests. This is not to say that there is not a common understanding between the people of Alaska and the people of the United States. On the contrary, I think definitely there is. Our interests too are similar and our objectives are closely related. But there is a great deal of difference in the two areas because of the lack of proximity.

But distance from the mainland, important as it is, is not the only reason for opposition to statehood. I believe that to bring Alaska in would set a bad precedent—and one which would plague us for years on end. If Alaska were admitted, what is to stop other areas from eventually seeking statehood and eventual alinement with the United States? The matter is not as remote as it may appear today.

If it were admitted to the Union, Alaska would become our biggest State, and it would be possessed with immeasurable resources; but most of those resources now belong to all the people of the United States. Provisions of this bill would turn over to the State vast areas of lands and vast amounts of resources—and this in itself demands close study and consideration. Ninety-nine percent of the land in Alaska is owned now by the Federal Government. Are the people of the United States fully aware of all the implications of the give-aways involved in this bill?

The proposed admission of Alaska, as provided for in H. R. 7999, is vastly different in procedure than the method employed in the admission of most of our other territories in years gone by. H. R. 7999 provides for turning over to the State of Alaska 182,800,000 acres including all mineral resources. This is by far the largest amount of land ever turned over to any State. In the last 10 statehood acts passed since 1889 only 58,139,611 acres were given to the States and of this total 50,010,000 were specifically reserved for the support of public schools. This giveaway to the State of Alaska would, therefore, be more than 3 times the total land area given to 10 States in the vast reaches of our West. What is more, by the admission of everyone concerned, the resources of Alaska are such that the value of these lands is immeasurable.

It has been pointed out that on page 8, line 14 of the bill, Alaska is given the right for a period of 25 years to make its own selections of lands in blocks of not less than 5,760 acres. This is a most important provision because of the simple fact that it gives to Alaska 25 years in which to determine which of the lands are of the most value and obviously the State would choose those lands which are most valuable. The number of resources found in Alaska is inexhaustible and it is little less than a crime to deprive the entire country of the right to these resources by turning them over in this manner. Geologists have indicated that the exploration of the resources of Alaska is just now getting underway and already they have discovered numerous strategic minerals and metals in various parts of the Territory. The list includes such items as coal, copper, lead, gas, oil, zinc, iron ores, coal, tin, mercury, antimony, chromite, nickel, tungsten, jade, and sulphur.

In my opinion, despite whatever merits there may be for or against statehood for Alaska, the provisions of this bill which provide for the giveaway of these vast resources are unnecessary.

We live in a time when the United States is hard pressed for many strategic minerals and metals. We found during World War II that even though our country is blessed beyond measure in having many resources we still were put to a disadvantage by the Japanese capture of many of our foreign sources of supply. I believe that it is vitally important for the United States to retain control of the vast resources available in the Territory of Alaska and the provisions of this bill are such that make this difficult.

Statehood would mean that the people of Alaska—now largely dependent upon the United States Government for their Territorial budget—would have to assume these obligations themselves. This is a big step and the question of their own ability to assume these obligations on the basis of the present population is a pertinent one.

The report of the committtee indicates that Alaska is dependent upon the Federal Government now for about two-thirds of its economic stability. Its tax rate is now higher per capita than any of the States and an even higher bid would be necessary in order to assume the State functions which would accompany statehood. The total income from all private industries in Alaska is about $160 million annually, while the 1958 Federal budget lists $122 million in Federal expenditures plus $350 million for Armed Forces construction.

This is an important factor because when you turn over to 160,000 people the support of a State totaling 365 million acres this is a tremendous responsibility. The cost of the burden will be the same whether it is assumed by the Federal Government or by the State government. The difference is that the money comes a great deal easier when it is coming from the Federal Treasury than when it is being extracted from the people in the form of State taxes. Admittedly, if some of the provisions of this bill remained intact, the resources of Alaska might well take care of the cost but I believe it is also important for the people to realize the tremendous immediate burden which would be theirs.

Alaska is three times as large as any of the Territories which have been admitted as States. The Federal ownership of land in Alaska—99 percent—is the largest percentage of any of the Territories which have come in as States. The Federal Government is said to own 365 million acres and 500,000 acres is privately owned. This is far and away the largest land acreage owned by the Federal Government in any other Territory at the time it was admitted as a State. The biggest previous Territory was California, which had 100,400,000 acres of which 46 million acres were owned by the Federal Government. Percentagewise, the largest Federal ownership was in Nevada, where 59 million of the 70,300,000 acres, or 84 percent, was owned by the Government.

The important thing to realize is that the Federal Government still owns tremendous areas of most of the Western States. All one needs to do is to look at a map provided by the Interior Department to see just how much of these States is owned by the Federal Government. Yet, under the provisions of H. R. 7999 half of the Territory of Alaska would be turned over to the State at one time. This, I repeat, has never been done in this proportion for any of the other territories.

Much has been said during this debate about the fact that other teritories were admitted to the Union with less development than Alaska and with far less promise as to their future. This, is of course true, but we have no basis of comparison in talking about the conditions which existed in the 19th century

in relation to most of these territories or even to those additoins which occurred in this century. So much has happened in the meantime to change the course of the entire world that it is little less than ridiculous to make the same sort of comparison. The mere fact that a table of statistics will show an area today possessing relatively the same population as one had 50 years ago counts for nothing. Granted, that Alaska today has far more in the way of development than did any of the territories which were admitted. But the entire country—and the world—has grown tremendously by comparison. The prerequisites for statehood should then be gaged accordingly.

Personally, I do not count a great deal on the question of population alone. Time will come when the population will increase and whatever objections are voiced now will be outdated because of it. The principle, it seems to me, is vastly more important in our consideration. What the population question does raise is the question of whether the 160,000 or more people will be able to finance the needs of such a vast area when they assume the role of statehood.

The possibility of eventual growth of population does not help the situation now. The obligations which they will encounter will be immediate. They will not wait this anticipated growth.

Fundamentally, the issue boils down to the fact that by our action we would be giving to a vast territory, with a very small population, the same status as States with far greater development, vastly more population and historic heritage as an integral part of the Nation. Most of the proponents seem to view the proposed admission of Alaska on the same basis as the admission of any of the other 35 States which have been added to the Union, since the original 13 formed it. I cannot agree that this should be. The action with respect to Alaska is vastly different.

We would be saying by admitting this area as a State that our borders—for 46 years compact and contiguous—are now broken by a vast stretch of area and that our 49th State is far distant from our border, yet is a part of it. This is a precedent which should be seriously considered in light of experience. True, as a Territory, Alaska would be defended in time of war as much as any State, yet the potential dangers, rendered possible by this separation, are many.

Only 13 miles separate Alaska from the Asian continent and Russia. No more strategic area could be found in time of war—and yet, the very fact of Alaska's admission as a State would not in itself make this area any more easily defended nor change this distance. In my opinion, the arguments given regarding the strategicness of Alaska are as broad as they are long. Certainly Alaska is strategic and certainly we can afford to do nothing except defend it just as we would defend any other part of the United States but the mere fact that Alaska would become a State would make it no more or no less strategic in my opinion. The vast resources of Alaska would still be there. The proximity to Russia would still be there. Our bases would still be there—whether it was a State or Territory.

In addition to all of the above reasons against statehood there is of course the compelling reason that statehood for Alaska would vitally affect our entire electoral system. In my opinion, few people have really considered the importance of this point. Many people do not realize that acceptance of Alaska as a State would automatically give to that State, with a population of about 161,000 people, two Senators and a Member of the House of Representatives. In addition, it would give to these people three electoral votes in determining who should be elected President of the United States. This population is less than any of the 435 congressional districts in the United States. In fact, it is not more than half the population of the most of the congressional districts.

In the 1956 Alaskan general election 28,767 votes were cast and yet H. R. 7999 proposes that we would turn over to this small voting population the tremendous electoral advantage of equality with many of our States. This would make a highly disproportionate share of the electoral vote and have serious consequences for the other States.

It would mean that Alaska would have one Senator for each 80,500 of its population—far more than any other State. The area would have 1 presidential elector for each 54,000 inhabitants, while the rest of the States have 1 for each 320,000 population. And, I might add, that proportion of the electors given to Alaska would be taken from the other States, since there is a constitutional limit of 531 electors for the Nation as a whole. Alaska thus would have a 6 to 1 advantage over the other States in the citizens' vote for President.

Such reasons as these are, naturally, not always considered by those who are actively interested in promoting statehood. Obviously, the people of Alaska want to have all of the advantages possible and no one can blame them for doing what they can to promote statehood. Some of the proponents of the bill in this country are not so much interested in the welfare of the people of Alaska as they are in the promotion of political advantages which would come by way of realinement of membership in the Senate and in the electoral college.

I feel that the American people should fully understand the implications involved. As meritorious as may be the campaign for statehood I feel that in 1958 it is ridiculous for us to compare the population of Alaska with that of some of our States at the time they were admitted. In the latter part of the 19th century and the early part of the 20th century the Territories which were admitted to States were, in their relation to the existing States, far more populous than is Alaska today in relation to the 48 States. Yet, Alaska would be given immediately three electoral votes and two Senators with which to bargain politically for standing in relation to the other States.

In many issues before the Congress and in a number of presidential elections over the years this voting power would have been important. We cannot escape the fact that in our system of government where equality in voting in the Senate is given to all States, the addition of a State has tremendous effect upon all of the other States.

Much more could be said on the matter but I am confident that the admission of Alaska to statehood is not feasible at this time, from the standpoint of the several points made heretofore. We are at a crossroads in the history of our country in my opinion. I feel that what the United States as a nation does today and in the years ahead has such tremendous effect upon the rest of the world that it is vitally important that the United States remain strong in every respect. I feel that to separate our borders at this time by the vast area between the northern part of the State of Washington and the southern part of Alaska—free though the intervening territory may be—would set a precedent which we may very well regret.

Mr. McGOVERN. Mr. Chairman, the issue of Alaskan statehood which is now before the House will doubtless prove to be the most historic decision that we are called upon to make in the 85th Congress. As one who believes the Alaska's admission to the Union as a State has been too long delayed, I earnestly hope that we shall not postpone this important step any longer.

My interest in the vast Territory of Alaska was first kindled a decade ago when I heard a speech at Libertyville, Ill., by the distinguished Governor of Alaska, Ernest Gruening. I am indebted to him and to the dedicated articulate Delegate from Alaska [Mr. BARTLETT] for much of my personal convictions as to the necessity of statehood for this great northern Territory.

There are several compelling reasons for the admission of Alaska to statehood. First of all, to grant statehood to this Territory would be to affirm the principle of representative government that has been so basic to the American tradition. This is the birthright that has been claimed by the several States who comprise the existing union of States. It is difficult to justify any permanent arrangement whereby the Federal Government has the power to levy taxes on a people and draft their sons for service in time of war without any representation in the Congress. The citizens of Alaska have fought bravely for the defense of us all; they have accepted the tax burdens assigned by the Congress. The time has come for us to reaffirm the principle that gave birth to this Nation—the right of Americans to freely elected, voting representatives in the legislative process.

Alaskan statehood is important, too, because it symbolizes America's capacity for growth. American history has been a dynamic, vital process of expansion and fulfillment. There has never been a time when we have assumed that all frontiers were conquered, that we had

reached our peak. Any such assumption could only mean that America had become a tired and self-satisfied nation content to rest on the achievements of the past. That assumption had been made by more than one great nation in history, but in each instance it has signaled decline, decay, and sometimes, death. No society can stand still. We must either move ahead, or prepare for a future of retrenchment and retreat.

I recognize, of course, that acquisition of new member States is not the whole story of American growth in the past or in the future. But we are confronted now with an opportunity to demonstrate to the people of the world, not least to ourselves, and to the citizens of Alaska, that this Nation still has the imagination and sense of responsibility to make good on a longstanding promise of statehood to a Territory filled with rich potentiality.

Aside from any philosophical or political considerations involved in the issue of Alaskan statehood, we are confronted by the moral obligation that is contained in the treaty which our Government signed at the time Alaska was annexed. In 1867 our Government pledged that—

> The inhabitants of the ceded Territory (Alaska) * * * shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States.

The time is long overdue for us to make good on that pledge to the people of Alaska. Certainly after nearly a century, there can be no claim made that we are acting with haste in granting statehood in 1958.

Mr. Chairman, when Alaska was first purchased by the United States, there were those who regarded this action as a folly. They so stated in ringing speeches. Those words seem humorous and unreal in the light of history. I cannot escape the thought, as I listen to some of those who now object to statehood for Alaska, that their words of alarm will one day seem equally as strange as the charges of folly that were thrown at Secretary Seward.

I firmly believe that both the citizens of Alaska and the people of the 48 States will profit richly from the creation of this 49th State.

Mr. Chairman, today is a day of triumph for the principles on which this country of ours has become great.

Today, as we vote to add the 49th star to the Stars and Stripes, we Americans once again dedicate ourselves to the ideals of democracy and once again pledge ourselves to remain faithful to those ideals.

The arguments against statehood have been strongly pressed and earnestly advocated, and I have no quarrel with statehood opponents who have questioned the timeliness of this legislation. They have fought a good fight, and this debate has been conducted upon a high plane that does credit to this body.

As an American, however, I am prouder of this vote we cast today than I am of any which we have cast since I came to the House, in 1953.

Today we proclaim to all the world that the United States is still a country of expanding frontiers and unlimited opportunity.

Today we proclaim to all the world that democracy is not a special property of the 48 States, but rather something of deep significance to free people everywhere.

Today we proclaim to all the world that this Government honors and keeps its commitments, even to the residents of territories that do not have a vote in these halls.

Today we proclaim to all the world that American citizenship and participation in American Government—the most precious rights in all the free world—are not the selfishly held possessions of a provincial people, but rather something we are ready to share freely with our territorial people who are ready for statehood.

Today we proclaim to all the world that the people of the United States still do not believe in taxation without representation and refuse to practice a narrow colonial policy, even when that policy brings economic benefit to ourselves.

In short, Mr. Chairman, by extending statehood to Alaska, we breathe new life into the spirit of 1776 and open a new frontier to the American people. If the other body and the President will join us in this action, I predict that 1975 will see a thriving State of more than 1 million Americans in Alaska—the bright and shining 49th star in America's beloved Stars and Stripes.

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SMITH of Virginia: On page 33, line 14, strike out "or any State."

Mr. SMITH of Virginia. Mr. Chairman——

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. O'BRIEN of New York. The committee will accept that amendment.

Mr. SMITH of Virginia. I want to make a speech.

Mr. O'BRIEN of New York. If the gentleman will yield, that is what I was afraid of.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I want to hear the gentleman.

Mr. SMITH of Virginia. He took all the wind out of me then.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. O'BRIEN of New York. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. O'BRIEN of New York. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. PILLION. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. PILLION. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. PILLION moves to recommit the bill H. R. 7999 to the Committee on Interior and Insular Affairs.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. PILLION. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 201, answered "present" 1, not voting 55, as follows:

[Roll No. 80]

YEAS—172

Abbitt	Dague	Hoffman
Abernethy	Davis, Ga.	Holt
Adair	Delaney	Hosmer
Alexander	Derounian	Huddleston
Alger	Devereux	Hull
Allen, Ill.	Dorn, N. Y.	Ikard
Andrews	Dorn, S. C.	Johansen
Arends	Dowdy	Jonas
Ashmore	Durham	Jones, Ala.
Avery	Elliott	Kean
Ayres	Everett	Kilday
Bailey	Feighan	Kilgore
Bates	Fenton	Kitchin
Baumhart	Fino	Laird
Beamer	Fisher	Landrum
Becker	Flynt	Latham
Belcher	Forrester	LeCompte
Bennett, Mich.	Fountain	McCulloch
Betts	Patman	McGregor
Blitch	Frazier	McIntire
Bolton	Gary	McMillan
Bonner	Gathings	McVey
Bosch	Gavin	Mahon
Boykin	George	Martin
Brooks, Tex.	Grant	Mason
Brown, Ga.	Gwinn	Matthews
Brown, Ohio	Haley	Miller, Md.
Broyhill	Halleck	Miller, N. Y.
Burleson	Hardy	Mills
Bush	Harris	Mitchell
Byrnes, Wis.	Harrison, Va.	Moore
Cannon	Harvey	Mumma
Cederberg	Hays, Ark.	Murray
Chiperfield	Hemphill	Nicholson
Clevenger	Henderson	Norrell
Cooley	Herlong	O'Neill
Coudert	Hess	Patman
Cramer	Hiestand	Philbin
Cunningham, Nebr.	Hill	Pilcher
	Hoeven	Pillion

Poage	Schwengel	Thornberry
Poff	Scrivner	Tuck
Preston	Scudder	Utt
Rains	Seiden	Van Pelt
Ray	Sikes	Vursell
Reed	Simpson, Ill.	Walter
Riley	Simpson, Pa.	Wharton
Rivers	Smith, Calif.	Whitener
Roberts	Smith, Miss.	Whitten
Robeson, Va.	Smith, Va.	Wigglesworth
Rogers, Fla.	Springer	Williams, Miss.
Rogers, Mass.	Stauffer	Williams, N. Y.
Rogers, Tex.	Taber	Wilson, Ind.
Rutherford	Taile	Winstead
Sadlak	Taylor	Withrow
St. George	Teague, Calif.	Wolverton
Schenck	Teague, Tex.	Young
Scherer	Thomas	Younger

NAYS—201

Addonizio	Fascell	Metcalf
Albert	Flood	Michel
Allen, Calif.	Fogarty	Miller, Nebr.
Anderson, Mont.	Ford	Minshall
	Frelinghuysen	Montoya
Anfuso	Friedel	Morano
Ashley	Fulton	Morgan
Aspinall	Garmatz	Moss
Baker	Glenn	Moulder
Baldwin	Gordon	Multer
Baring	Granahan	Natcher
Barrett	Gray	Nimtz
Bass, N. H.	Green, Oreg.	Norblad
Bass, Tenn.	Green, Pa.	O'Brien, Ill.
Beckworth	Griffin	O'Brien, N. Y.
Bennett, Fla.	Griffiths	O'Hara, Ill.
Bentley	Hagen	O'Konski
Berry	Hale	Osmers
Blatnik	Harden	Ostertag
Boggs	Harrison, Nebr.	Passman
Boland	Haskell	Patterson
Boiling	Hays, Ohio	Pelly
Bow	Healey	Perkins
Boyle	Hébert	Pfost
Bray	Heselton	Polk
Breeding	Holifield	Porter
Broomfield	Holland	Price
Brown, Mo.	Holmes	Prouty
Brownson	Holtzman	Quie
Burdick	Horan	Rabaut
Byrd	Hyde	Rees, Kans.
Byrne, Ill.	Jarman	Reuss
Byrne, Pa.	Jennings	Rhodes, Ariz.
Canfield	Jensen	Rhodes, Pa.
Carrigg	Johnson	Riehlman
Celler	Jones, Mo.	Robison, N. Y.
Chamberlain	Judd	Robsion, Ky.
Chenoweth	Karsten	Rodino
Christopher	Kearns	Rogers, Colo.
Church	Keating	Rooney
Clark	Kee	Roosevelt
Coad	Kelly, N. Y.	Santangelo
Coffin	Keogh	Saylor
Collier	King	Seely-Brown
Corbett	Kirwan	Sheehan
Cretella	Kluczynski	Shelley
Cunningham, Iowa	Knutson	Sisk
	Lafore	Staggers
Curtin	Lane	Sullivan
Curtis, Mo.	Lankford	Teller
Davis, Tenn.	Lesinski	Tewes
Dawson, Ill.	Libonati	Thompson, N. J.
Dawson, Utah	Lipscomb	Thomson, Wyo.
Dellay	McCormack	Tollefson
Dennison	McDonough	Udall
Dent	McFall	Ullman
Denton	McGovern	Vanik
Diggs	McIntosh	Van Zandt
Dingell	Macdonald	Wainwright
Dixon	Machrowicz	Weaver
Doilinger	Mack, Ill.	Westland
Donohue	Mack, Wash.	Widnall
Dooley	Madden	Wier
Dwyer	Magnuson	Wright
Eberharter	Mailliard	Yates
Edmondson	May	Zablocki
Falion	Meader	Zelenko
Farbstein	Merrow	

ANSWERED "PRESENT"—1

Steed

NOT VOTING—55

Andersen, H. Carl	Engle	Krueger
	Evins	Lennon
Auchincloss	Forand	Loser
Barden	Gregory	McCarthy
Brooks, La.	Gross	Marshall
Buckley	Gubser	Miller, Calif.
Budge	Hillings	Morris
Carnahan	Jackson	Morrison
Chelf	James	Neal
Colmer	Jenkins	O'Hara, Minn.
Curtis, Mass.	Kearney	Powell
Dies	Kilburn	Radwan
Doyle	Knox	Reece, Tenn.
Saund	Siler	Vinson
Scott, N. C.	Smith, Kans.	Vorys
Scott, Pa.	Spence	Watts
Sheppard	Thompson, La.	Willis
Shuford	Thompson, Tex.	Wilson, Calif.
Sieminski	Trimble	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Colmer for, with Mr. Steed against.

Mr. Auchincloss for, with Mr. Kilburn against.

Mr. O'Hara of Minnesota for, with Mr. Reece of Tennessee against.

Mr. Siler for, with Mr. Knox against.

Mr. Brooks of Louisiana for, with Mr. Buckley against.

Mr. Lennon for, with Mr. McCarthy against.

Mr. Trimble for, with Mr. Engle against.

Mr. H. Carl Andersen for, with Mr. Carnahan against.

Mr. Shuford for, Mr. Marshall against.

Mr. Vinson for, Mr. Hillings against.

Mr. James for, with Mr. Wilson of California against.

Mr. Neal for with Mr. Kearney against.

Mr. Jackson for, with Mr. Thompson of Texas against.

Mr. Smith of Kansas for, with Mr. Scott of Pennsylvania against.

Mr. Dies for, with Mr. Loser against.

Mr. Scott of North Carolina for, with Mr. Forand against.

Mr. Curtis of Massachusetts for, with Mr. Miller of California against.

Mr. Radwan for, with Mr. Doyle against.

Mr. Gregory for, with Mr. Morris against.

Mr. Jenkins for, with Mr. Morrison against.

Mr. Barden for, with Mr. Vorys against.

Mr. Willis for, with Mr. Sheppard against.

Mr. Budge for, with Mr. Spence against.

Until further notice:

Mr. Thompson of Louisiana with Mr. Gross.

Mr. Sieminski with Mr. Gubser.

Mr. Evins with Mr. Krueger.

Mr. STEED. Mr. Speaker, I have a live pair with the gentleman from Mississippi [Mr. COLMER]. If he were present he would have voted "yea." I voted "nay." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on passage of the bill.

Mr. ROGERS of Texas. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 208, nays 166, answered "present" 2, not voting 53, as follows:

[Roll No. 81]

YEAS—208

Addonizio	Bolton	Coffin
Albert	Bosch	Collier
Allen, Calif.	Bow	Corbett
Anderson, Mont.	Boyle	Cramer
	Bray	Cretella
Anfuso	Breeding	Cunningham, Iowa
Ashley	Broomfield	
Aspinall	Brown, Mo.	Curtin
Ayres	Brownson	Curtis, Mo.
Baker	Burdick	Dawson, Ill.
Baldwin	Byrd	Dawson, Utah
Baring	Byrne, Ill.	Dellay
Barrett	Byrne, Pa.	Dennison
Bass, N. H.	Canfield	Dent
Bass, Tenn.	Carrigg	Denton
Beckworth	Celler	Diggs
Bennett, Fla.	Chamberlain	Dingell
Bentley	Chenoweth	Dixon
Blatnik	Christopher	Doilinger
Boggs	Church	Dooley
Boland	Clark	Dorn, N. Y.
Boiling	Coad	Dwyer
Eberharter	Kelly, N. Y.	Patterson
Edmondson	Keogh	Pelly
Falion	King	Perkins
Farbstein	Kirwan	Pfost
Fascell	Kluczynski	Polk
Feighan	Knutson	Porter
Fino	Krueger	Price
Flood	Lane	Prouty
Fogarty	Lankford	Quie
Ford	Latham	Rabaut
Frelinghuysen	Lesinski	Rees, Kans.
Friedel	Libonati	Reuss
Fulton	Lipscomb	Rhodes, Ariz.
Garmatz	McCormack	Rhodes, Pa.
George	McDonough	Riehlman
Glenn	McFall	Robison, N. Y.
Gordon	McGovern	Robsion, Ky.
Granahan	McIntosh	Rodino
Gray	Machrowicz	Rogers, Colo.
Green, Oreg.	Mack, Ill.	Rooney
Green, Pa.	Mack, Wash.	Roosevelt
Griffin	Madden	Santangelo
Griffiths	Magnuson	Saylor
Hagen	Mailliard	Seely-Brown
Hale	May	Sheehan
Harden	Meader	Shelley
Harrison, Nebr.	Merrow	Sisk
Haskell	Metcalf	Staggers
Hays, Ohio	Michel	Steed
Healey	Miller, Nebr.	Sullivan
Hébert	Miller, N. Y.	Teller
Heselton	Minshall	Tewes
Holifield	Montoya	Thompson, N. J.
Holland	Morano	Thomson, Wyo.
Holmes	Morgan	Tollefson
Holtzman	Moss	Udall
Horan	Moulder	Ullman
Hyde	Multer	Vanik
Jarman	Natcher	Van Zandt
Jennings	Nimtz	Wainwright
Jensen	Norblad	Weaver
Johnson	O'Brien, Ill.	Westland
Jones, Mo.	O'Brien, N. Y.	Widnall
Judd	O'Hara, Ill.	Wier
Karsten	O'Konski	Wright
Kearns	Osmers	Yates
Keating	Ostertag	Zablocki
Kee	Passman	Zelenko

NAYS—166

Abbitt	Grant	Poage
Abernethy	Gwinn	Poff
Adair	Haley	Preston
Alexander	Halleck	Rains
Alger	Hardy	Ray
Allen, Ill.	Harris	Reed
Andrews	Harrison, Va.	Riley
Arends	Harvey	Rivers
Ashmore	Hays, Ark.	Roberts
Avery	Hemphill	Robeson, Va.
Bates	Henderson	Rogers, Fla.
Baumhart	Herlong	Rogers, Mass.
Beamer	Hess	Rogers, Tex.
Becker	Hiestand	Rutherford
Belcher	Hill	Sadlak
Bennett, Mich.	Hoeven	St. George
Betts	Hoffman	Schenck
Blitch	Holt	Scherer
Bonner	Hosmer	Schwengel
Boykin	Huddleston	Scrivener
Brooks, Tex.	Hull	Scudder
Brown, Ga.	Ikard	Seiden
Brown, Ohio	Johansen	Sikes
Broyhill	Jonas	Simpson, Ill.
Budge	Jones, Ala.	Simpson, Pa.
Burleson	Kean	Smith, Calif.
Bush	Kilday	Smith, Miss.
Byrnes, Wis.	Kilgore	Smith, Va.
Cannon	Kitchin	Springer
Cederberg	Lafore	Stauffer
Chiperfield	Laird	Taber
Clevenger	Landrum	Taile
Cooley	LeCompte	Taylor
Coudert	McCulloch	Teague, Calif.
Cunningham, Nebr.	McGregor	Teague, Tex.
	McIntire	Thomas
Dague	McMillan	Thornberry
Davis, Ga.	McVey	Tuck
Delaney	Macdonald	Utt
Derounian	Mahon	Van Pelt
Devereux	Martin	Vursell
Donohue	Mason	Walter
Dorn, S. C.	Matthews	Wharton
Dowdy	Miller, Md.	Whitener
Durham	Mills	Whitten
Elliott	Mitchell	Wigglesworth
Everett	Moore	Williams, Miss.
Fenton	Mumma	Williams, N. Y.
Fisher	Murray	Willis
Flynt	Nicholson	Wilson, Ind.
Forrester	Norrell	Winstead
Fountain	O'Neill	Withrow
Frazier	Patman	Wolverton
Gary	Philbin	Young
Gathings	Pilcher	Younger
Gavin	Pillion	

ANSWERED "PRESENT"—2

Bailey Berry

NOT VOTING—53

Andersen, H. Carl	Gubser	Radwan
Auchincloss	Hillings	Reece, Tenn.
Barden	Jackson	Saund
Brooks, La.	James	Scott, N. C.
Buckley	Jenkins	Scott, Pa.
Carnahan	Kearney	Sheppard
Chelf	Kilburn	Shuford
Colmer	Knox	Sieminski
Curtis, Mass	Lennon	Siler
Davis, Tenn.	Loser	Smith, Kans.
Dies	McCarthy	Spence
Doyle	Marshall	Thompson, La.
Engle	Miller, Calif.	Thompson, Tex.
Evins	Morris	Trimble
Forand	Morrison	Vinson
Gregory	Neal	Vorys
Gross	O'Hara, Minn.	Watts
	Powell	Wilson, Calif.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Engle for, with Mr. Bailey against.

Mr. Berry for, with Mr. Shuford against.

Mr. Kilburn for, with Mr. Colmer against.

Mr. Reece of Tennessee for, with Mr. Auchincloss against.

Mr. Knox for, with Mr. O'Hara of Minnesota against.

Mr. Buckley for, with Mr. Siler against.

Mr. McCarthy for, with Mr. Brooks of Louisiana against.

Mr. Carnahan for, with Mr. Lennon against.

Mr. Hillings for, with Mr. Trimble against.

Mr. Marshall for, with Mr. H. Carl Andersen against.

Mr. Wilson of California for, with Mr. Vinson against.

Mr. Kearney for, with Mr. James against.

Mr. Thompson of Texas for, with Mr. Neal against.

Mr. Scott of Pennsylvania for, with Mr. Jackson against.

Mr. Loser for, with Mr. Smith of Kansas against.

Mr. Forand for, with Mr. Dies against.

Mr. Miller of California for, with Mr. Scott of North Carolina against.

Mr. Doyle for, with Mr. Curtis of Massachusetts against.

Mr. Morris for, with Mr. Radwan against.

Mr. Morrison for, with Mr. Gregory against.

Mr. Vorys for, with Mr. Jenkins against.

Mr. Sheppard for, with Mr. Barden against.

Until further notice:

Mr. Evins with Mr. Gross.

Mr. Spence with Mr. Gubser.

Mr. BAILEY. Mr. Speaker, I would vote "nay" on this bill, but I have a live pair with the gentleman from California, Mr. ENGLE. If he were here he would vote "yea." I therefore ask to be recorded "present."

Mr. BERRY. Mr. Speaker, I have a live pair with the gentleman from North Carolina, Mr. SHUFORD, who if present would vote "nay." I therefore withdraw my vote of "nay" and vote "present."

Mr. HARVEY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CORRECTION OF ROLLCALL

Mr. MILLER of New York. Mr. Speaker, on rollcall No. 77, on May 27, a quorum call, I am recorded as absent. I was present and answered to my name. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SAYLOR. Mr. Speaker, on rollcall No. 77, on May 27, a quorum call, I am recorded as absent. I was present and answered to my name. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection

CORRECTION OF THE RECORD

Mr. JUDD. Mr. Speaker, on page A4746 in the report of a speech I made on the Mutual Security Act, the second paragraph begins, "The communist criticisms of the mutual security program." The word "communist" should read "commonest."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

DEFINING PARTS OF CERTAIN TYPES OF FOOTWEAR

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 9291, to define parts of certain types of footwear, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 22, strike out "July 1" and insert "September 1."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

(Mr. MILLS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MILLS. Mr. Speaker, as may be recalled, the purpose of H. R. 9291 in the form in which it passed the House of Representatives was to close certain loopholes in the existing tariff structure contained in paragraph 1530 (e) of the Tariff Act of 1930, as amended, regarding rubber-soled footwear. The House bill provided that the amendment was to enter into force, as soon as practicable, on a date to be specified by the President in a notice to the Secretary of the Treasury following such negotiations as might be necessary to effect a modification or termination of any international obligations of the United States with which the amendment might conflict, but in any event not later than July 1, 1958.

The Senate amended the bill in only one respect: The effective date should not be later than September 1, 1958, in lieu of July 1, 1958. This Senate amendment will afford the President an additional period of time within which to enter into such negotiations as may be necessary to effect a modification or termination of any international obligations of the United States with which the amendment made by the bill might conflict.

(Mr. REED asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. REED. Mr. Speaker, I have concurred in the request of my distinguished chairman and colleague, the gentleman from Arkansas, the Honorable WILBUR D. MILLS, in asking that the House concur in the Senate amendment to H. R. 9291.

It will be recalled that this legislation as it passed the House affected the tariff status of certain rubber-soled footwear by closing a loophole that existed, whereby foreign producers avoided the application of customs duties on such articles. As this legislation passed the House a date of July 1, 1958, was set forth as the final effective date for implementing the intent of the amendment. The Senate has substituted for the full effective date a new effective date of September 1, 1958. It would seem that this change is an appropriate one in view of the time that has passed between the House consideration of this legislation and the final Senate action thereon.

SUSPENSION OF DUTIES ON METAL SCRAP

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 10015, to continue until the close of June 30, 1959, the suspension of duties on metal scrap, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 4, insert:

"SEC. 3. Section 1 (b) of the act of March 13, 1942 (Ch. 180, 56 Stat. 171), as amended, is amended by inserting before the period at the end thereof a comma and the following: 'but does not include such nonferrous materials and articles in pig, ingot, or billet form which have passed through a smelting process and which can be commercially used without remanufacture.'"

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

(Mr. MILLS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MILLS. Mr. Speaker, the purpose of H. R. 10015, in the form in which it passed the House of Representatives, was to continue until the close of June 30, 1959, the suspension of duties and import taxes on metal scrap.

The Senate amendment, which originated in the Committee on Finance of the Senate, added an additional section to the bill which amends section 1 (b) of the act of March 13, 1942. That sec-

tion of the act of March 13, 1942, presently provides that the word "scrap," as used in that act, shall mean all ferrous and nonferrous materials and articles, of which ferrous or nonferrous material is the component material of chief value, which are second-hand or waste or refuse, or are obsolete, defective or damaged, and which are fit only to be remanufactured.

The Senate amendment would add to this section language to provide that, according to the Senate report on the bill, "primary or virgin nonferrous material in pig, ingot, or billet form which is commercially usable in the direct manufacture of articles without sweetening or other modification of its constituents would not be included in the duty-free provisions of the bill." It was explained on the Senate floor that this amendment was to tighten up the law with respect to nonferrous scrap—mainly aluminum. It was also stated on the Senate floor that importers of scrap did not object to the Senate amendment.

(Mr. REED asked and was given permission to extend his remarks at this point in the RECORD).

Mr. REED. Mr. Speaker, this legislation as it passed the House of Representatives provided for the continuation until July 1, 1959, of the suspension of duties in import taxes on metal scrap. The Senate in acting on this legislation has added an amendment to the bill providing that primary or virgin nonferrous material in certain forms which is commercially usable in the direct manufacture of articles without modification would not come within the scope of the duty-free provisions of the bill.

ADDITIONAL ASSISTANTS IN THE DOCUMENT ROOM

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution—House Resolution 565—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective June 1, 1958, there shall be paid out of the contingent fund of the House, until otherwise provided by law, compensation for the employment of two additional assistants in the document room, Office of the Doorkeeper, at the basic per annum salary of $2,200 each.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. Gladly.

Mr. LECOMPTE. Will the gentleman explain this resolution to the House?

Mr. FRIEDEL. This resolution provides for two additional clerks in the document room. They have not had an increase in personnel since 1928. At that time they had about 5,000 bills introduced a year, and at this session there have been over 12,000 bills introduced. The work has accumulated, and they need additional help.

Mr. LECOMPTE. It appears it is badly needed.

Mr. FRIEDEL. Very much so.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL CLERK HIRE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution—House Resolution 571—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That (a) the title of the positions "1. Telephone Page" and "26. Page" under the Office of the Doorkeeper are changed to "Telephone Clerk (Majority)" and "Telephone Clerk (Minority)," respectively, and the basic salary of each such position shall be at the rate of $2,100 per annum.

(b) The Clerk of the House of Representatives is authorized to pay out of the contingent fund of the House of Representatives, until otherwies provided by law, such amounts as may be necessary to carry out this resolution.

(c) As used in this resolution a reference to an existing title and a number is a reference to the position having that title and that number on the payroll of the Office of the Doorkeeper of the House of Representatives, as prepared by the Clerk of the House of Representatives for the month of April 1958.

(d) This resolution shall take effect June 1, 1958.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. LECOMRTE. As I understand it, this resolution provides for a change of title of two employees, but does not provide for any additional employees?

Mr. FRIEDEL. That is correct.

Mr. LECOMPTE. One of the employees is to be charged to the minority and one to the majority; is that correct?

Mr. FRIEDEL. That is correct.

Mr. LECOMPTE. And the appointments are to be filled through patronage channels?

Mr. FRIEDEL. That is correct.

Mr. LECOMPTE. Is there an increase in salary?

Mr. FRIEDEL. There is an increase in salary of $300 each for these two employees.

Mr. LECOMPTE. Mr. Speaker, this resolution came out of the Committee on House Administration by a unanimous vote. I know of no opposition on this side.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

WITHHOLDING CERTAIN AMOUNTS DUE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up the bill H. R. 12521 and ask unanimous consent for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LECOMPTE. Mr. Speaker, reserving the right to object—and I shall not object—this is a very important bill, in my opinion, the most important of the series of matters the gentleman from Maryland has brought before the House today. This provides simply that there will be a withholding of funds to take care of obligations of employees, all employees of the legislative branch of the Government. I think perhaps it will save the Government considerable time in bookkeeping and in the matter of undertaking to collect certain obligations.

Mr. FRIEDEL. To explain the matter more thoroughly, there is authority now to withhold funds of Members of Congress.

Mr. LECOMPTE. But not of employees.

Mr. FRIEDEL. That is correct. This will make it legal to withhold those funds.

Mr. LECOMPTE. In other words, this will give the same authority over employees as the Members?

Mr. FRIEDEL. That is correct.

Mr. LECOMPTE. Mr. Speaker, I know of no opposition to the bill on this side and withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That whenever an employee of the House of Representatives becomes indebted to the House of Representatives, or to the trust fund account in the office of the Sergeant at Arms of the House of Representatives, and such employee fails to pay such indebtedness, the chairman of the committee, or the elected officer, of the House of Representatives having jurisdiction of the activity under which such indebtedness arose, is authorized to certify to the Clerk of the House of Representatives the amount of such indebtedness. The Clerk of the House of Representatives is authorized to withhold the amount so certified from any amount which is disbursed by him and which is due to, or on behalf of, such employee. Whenever an amount is withheld under this act, the appropriate account shall be credited in an amount equal to the amount so withheld. As used in this act, the term "employee of the House of Representatives" means any person in the legislative branch of the Government whose salary, wages, or other compensation is disbursed by the Clerk of the House of Representatives.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H. R. 7999.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FLOODED COTTON ACREAGE

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 12602.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HAGEN. Mr. Speaker, reserving the right to object, I understand this involves relief to relatively small quantities of cotton acreage and is intended

Calendar No. 1674

85TH CONGRESS
2D SESSION

H. R. 7999

IN THE SENATE OF THE UNITED STATES

MAY 29 (legislative day, MAY 28), 1958
Received; read twice and ordered to be placed on the calendar

AN ACT

To provide for the admission of the State of Alaska into the Union.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 8 (c) of this Act, the State of Alaska is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Alaska entitled, "An Act to provide for the holding of a constitutional convention to prepare a constitution for the

State of Alaska; to submit the constitution to the people for adoption or rejection; to prepare for the admission of Alaska as a State; to make an appropriation; and setting an effective date", approved March 19, 1955 (Chapter 46, Session Laws of Alaska, 1955), and adopted by a vote of the people of Alaska in the election held on April 24, 1956, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska.

SEC. 3. The constitution of the State of Alaska shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Act, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property

(including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation: *Provided,* That nothing contained in this Act shall recognize, deny, enlarge, impair, or otherwise affect any claim against the United States, and any such claim shall be governed by the laws of the United States applicable thereto; and nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that any law applicable thereto authorizes, establishes, recognizes, or confirms the validity or invalidity of any such claim, and the determination of the applicability or effect of any law to any such claim shall be unaffected by anything in this Act: *And provided further,* That no taxes shall be imposed by said State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent

as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation.

SEC. 5. The State of Alaska and its political subdivisions, respectively, shall have and retain title to all property, real and personal, title to which is in the Territory of Alaska or any of the subdivisions. Except as provided in section 6 hereof, the United States shall retain title to all property, real and personal, to which it has title, including public lands.

SEC. 6. (a) For the purposes of furthering the development of and expansion of communities, the State of Alaska is hereby granted and shall be entitled to select, within twenty-five years after the date of the admission of the State of Alaska into the Union, from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection not to exceed four hundred thousand acres of land, and from the other public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection not to exceed another four hundred thousand acres of land, all of which shall be adjacent to established communities or suitable for prospective community centers and recreational areas. Such lands shall be selected by the State of Alaska with the approval of the Secretary of Agriculture as to national forest lands and with the ap-

proval of the Secretary of the Interior as to other public lands: *Provided,* That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.

(b) The State of Alaska, in addition to any other grants made in this section, is hereby granted and shall be entitled to select, within twenty-five years after the admission of Alaska into the Union, not to exceed one hundred and two million five hundred and fifty thousand acres from the public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection: *Provided,* That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the lands so occupied: *And provided further,* That no selection hereunder shall be made in the area north and west of the line described in section 10 without approval of the President or his designated representative.

(c) Block 32, and the structures and improvements thereon, in the city of Juneau are granted to the State of

Alaska for any or all of the following purposes or a combination thereof: A residence for the Governor, a State museum, or park and recreational use.

(d) Block 19, and the structures and improvements thereon, and the interests of the United States in blocks C and 7, and the structures and improvements thereon, in the city of Juneau, are hereby granted to the State of Alaska.

(e) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat. 301; 48 U. S. C., secs. 192–211), as amended, and under the provisions of the Alaska commercial fisheries laws of June 26, 1906 (34 Stat. 478; 48 U. S. C., secs. 230–239 and 241–242), and June 6, 1924 (43 Stat. 465; 48 U. S. C., secs. 221–228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: *Provided,* That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of ninety legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for

the administration, management, and conservation of said resources in the broad national interest: *Provided,* That such transfer shall not include lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife. Sums of money that are available for apportionment or which the Secretary of the Interior shall have apportioned, as of the date the State of Alaska shall be deemed to be admitted into the Union, for wildlife restoration in the Territory of Alaska, pursuant to section 8 (a) of the Act of September 2, 1937, as amended (16 U. S. C., sec. 669g–1), and for fish restoration and management in the Territory of Alaska, pursuant to section 12 of the Act of August 9, 1950 (16 U. S. C., sec. 777k), shall continue to be available for the period, and under the terms and conditions in effect at the time, the apportionments are made. Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 per centum of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea-otter skins made in accordance with the provisions of the Act of February 26, 1944 (58 Stat. 100; 16 U. S. C., secs. 631a–631q), as supplemented and

amended. In arriving at the net proceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the Act of February 26, 1944, as supplemented and amended, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands. Nothing in this Act shall be construed as affecting the rights of the United States under the provisions of the Act of February 26, 1944, as supplemented and amended, and the Act of June 28, 1937 (50 Stat. 325), as amended (16 U. S. C., sec. 772 et seq.).

(f) Five per centum of the proceeds of sale of public lands lying within said State which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to such sales, shall be paid to said State to be used for the support of the public schools within said State.

(g) Except as provided in subsection (a), all lands granted in quantity to and authorized to be selected by the State of Alaska by this Act shall be selected in such manner as the laws of the State may provide, and in conformity with such regulations as the Secretary of the Interior may prescribe. All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved, and each tract selected

shall contain at least five thousand seven hundred and sixty acres unless isolated from other tracts open to selection. The authority to make selections shall never be alienated or bargained away, in whole or in part, by the State. Upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, if subsequent to the admission of Alaska into the Union, during which period the State of Alaska shall have a preferred right of selection, subject to the requirements of this Act, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation. Such preferred right of selection shall have precedence over the preferred right of application created by section 4 of the Act of September 27, 1944 (58 Stat. 748; 43 U. S. C., sec. 282), as now or hereafter amended, but not over other preference rights now conferred by law. Where any lands desired by the State are unsurveyed at the time of their selection, the Secretary of the Interior shall survey the exterior boundaries of the area requested without any interior subdivision thereof and shall issue a patent for such selected area in terms of the exterior boundary survey; where any lands desired by the State are surveyed at the time of their selection, the

boundaries of the area requested shall conform to the public land subdivisions established by the approval of the survey. All lands duly selected by the State of Alaska pursuant to this Act shall be patented to the State by the Secretary of the Interior. Following the selection of lands by the State and the tentative approval of such selection by the Secretary of the Interior or his designee, but prior to the issuance of final patent, the State is hereby authorized to execute conditional leases and to make conditional sales of such selected lands. As used in this subsection, the words "equitable claims subject to allowance and confirmation" include, without limitation, claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands.

(h) Any lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U. S. C., sec. 432 and following), as amended, shall have the effect of withdrawing the lands subject thereto from selection by the State of Alaska under this Act, unless such lease, permit, license, or contract is in effect on the date of approval of this Act, and unless an application to select

such lands is filed with the Secretary of the Interior within a period of five years after the date of the admission of Alaska into the Union. Such selections shall be made only from lands that are otherwise open to selection under this Act, and shall include the entire area that is subject to each lease, permit, license, or contract involved in the selections. Any patent for lands so selected shall vest in the State of Alaska all right, title, and interest of the United States in and to any such lease, permit, license, or contract that remains outstanding on the effective date of the patent, including the right to all rentals, royalties, and other payments accruing after that date under such lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of such lease, permit, license, or contract: *Provided,* That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

(i) All grants made or confirmed under this Act shall include mineral deposits. The grants of mineral lands to the State of Alaska under subsections (a) and (b) of this section are made upon the express condition that all sales, grants, deeds, or patents for any of the mineral lands so granted shall be subject to and contain a reservation to the State of all of the minerals in the lands so sold, granted,

deeded, or patented, together with the right to prospect for, mine, and remove the same. Mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct: *Provided*, That any lands or minerals hereafter disposed of contrary to the provisions of this section shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States District Court for the District of Alaska.

(j) The schools and colleges provided for in this Act shall forever remain under the exclusive control of the State, or its governmental subdivisions, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

(k) Grants previously made to the Territory of Alaska are hereby confirmed and transferred to the State of Alaska upon its admission. Effective upon the admission of the State of Alaska into the Union, section 1 of the Act of March 4, 1915 (38 Stat. 1214; 48 U. S. C., sec. 353), as amended, and the last sentence of section 35 of the Act of February 25, 1920 (41 Stat. 450; 30 U. S. C., sec. 191), as amended, are repealed and all lands therein reserved under the provisions of section 1 as of the date of this Act

shall, upon the admission of said State into the Union, be granted to said State for the purposes for which they were reserved; but such repeal shall not affect any outstanding lease, permit, license, or contract issued under said section 1, as amended, or any rights or powers with respect to such lease, permit, license, or contract, and shall not affect the disposition of the proceeds or income derived prior to such repeal from any lands reserved under said section 1, as amended, or derived thereafter from any disposition of the reserved lands or an interest therein made prior to such repeal.

(l) The grants provided for in this Act shall be in lieu of the grant of land for purposes of internal improvements made to new States by section 8 of the Act of September 4, 1841 (5 Stat. 455), and sections 2378 and 2379 of the Revised Statutes (43 U. S. C., sec. 857), and in lieu of the swampland grant made by the Act of September 28, 1850 (9 Stat. 520), and section 2479 of the Revised Statutes (43 U. S. C., sec. 982), and in lieu of the grant of thirty thousand acres for each Senator and Representative in Congress made by the Act of July 2, 1862, as amended (12 Stat. 503; 7 U. S. C., secs. 301–308), which grants are hereby declared not to extend to the State of Alaska.

(m) The Submerged Lands Act of 1953 (Public Law

31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Alaska and the said State shall have the same rights as do existing States thereunder.

SEC. 7. Upon enactment of this Act, it shall be the duty of the President of the United States, not later than July 3, 1958, to certify such fact to the Governor of Alaska. Thereupon the Governor, on or after July 3, 1958, and not later than August 1, 1958, shall issue his proclamation for the elections, as hereinafter provided, for officers of all elective offices and in the manner provided for by the constitution of the proposed State of Alaska, but the officers so elected shall in any event include two Senators and one Representative in Congress.

SEC. 8. (a) The proclamation of the Governor of Alaska required by section 7 shall provide for holding of a primary election and a general election on dates to be fixed by the Governor of Alaska: *Provided*, That the general election shall not be held later than December 1, 1958, and at such elections the officers required to be elected as provided in section 7 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Alaska may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Alaska for the election of members of the proposed State

legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Alaska may prescribe. The Governor of Alaska shall certify the results of said elections to the President of the United States.

(b) At an election designated by proclamation of the Governor of Alaska, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, by separate ballot on each, the following propositions:

"(1) Shall Alaska immediately be admitted into the Union as a State?

"(2) The boundaries of the State of Alaska shall be as prescribed in the Act of Congress approved _____ (date of approval of this Act) and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(3) All provisions of the Act of Congress approved _____ (date of approval of this Act) reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, are consented to fully by said State and its people."

In the event each of the foregoing propositions is adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Alaska, ratified by the people at the election held on April 24, 1956, shall be deemed amended accordingly. In the event any one of the foregoing propositions is not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall thereupon cease to be effective.

The Governor of Alaska is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Alaska, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Alaska, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 7 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the

President, the State of Alaska shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union, all of the officers of said Territory, including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Alaska into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

(d) Upon admission of the State of Alaska into the Union as herein provided, all of the Territorial laws then in force in the Territory of Alaska shall be and continue in

full force and effect throughout said State except as modified or changed by this Act, or by the constitution of the State, or as thereafter modified or changed by the legislature of the State. All of the laws of the United States shall have the same force and effect within said State as elsewhere within the United States. As used in this paragraph, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Alaska) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Alaska at the time of the admission of the State of Alaska into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provisions of this Act.

SEC. 9. The State of Alaska upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as pre-

scribed in the Act of August 8, 1911 (37 Stat. 13) nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U. S. C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 10. (a) The President of the United States is hereby authorized to establish, by Executive order or proclamation, one or more special national defense withdrawals within the exterior boundaries of Alaska, which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President.

(b) Special national defense withdrawals established under subsection (a) of this section shall be confined to those portions of Alaska that are situated to the north or west of the following line: Beginning at the point where the Porcupine River crosses the international boundary between Alaska and Canada; thence along a line parallel to, and five miles from, the right bank of the main channel of the Porcupine River to its confluence with the Yukon River; thence along a line parallel to, and five miles from, the right bank of the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160 degrees west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along a line parallel to, and five miles from the right bank of the Kusko-

kwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162 degrees 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 57 degrees 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156 degrees west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50 degrees north.

(c) Effective upon the issuance of such Executive order or proclamation, exclusive jurisdiction over all special national defense withdrawals established under this section is hereby reserved to the United States, which shall have sole legislative, judicial, and executive power within such withdrawals, except as provided hereinafter. The exclusive jurisdiction so established shall extend to all lands within the exterior boundaries of each such withdrawal, and shall remain in effect with respect to any particular tract or parcel of land only so long as such tract or parcel remains within the exterior boundaries of such a withdrawal. The laws of the State of Alaska shall not apply to areas within any special national defense withdrawal established under this section while such areas remain subject to the exclusive jurisdiction hereby authorized: *Provided, however,* That such exclusive jurisdiction shall not prevent the execution of any process

civil or criminal, of the State of Alaska, upon any person found within said withdrawals: *And provided further*, That such exclusive jurisdiction shall not prohibit the State of Alaska from enacting and enforcing all laws necessary to establish voting districts, and the qualification and procedures for voting in all elections.

(d) During the continuance in effect of any special national defense withdrawal established under this section, or until the Congress otherwise provides, such exclusive jurisdiction shall be exercised within each such withdrawal in accordance with the following provisions of law:

(1) All laws enacted by the Congress that are of general application to areas under the exclusive jurisdiction of the United States, including, but without limiting the generality of the foregoing, those provisions of title 18, United States Code, that are applicable within the special maritime and territorial jurisdiction of the United States as defined in section 7 of said title, shall apply to all areas within such withdrawals.

(2) In addition, any areas within the withdrawals that are reserved by Act of Congress or by Executive action for a particular military or civilian use of the United States shall be subject to all laws enacted by the Congress that have application to lands withdrawn for that particular use, and any other areas within the withdrawals shall be subject to

all laws enacted by the Congress that are of general application to lands withdrawn for defense purposes of the United States.

(3) To the extent consistent with the laws described in paragraphs (1) and (2) of this subsection and with regulations made or other actions taken under their authority, all laws in force within such withdrawals immediately prior to the creation thereof by Executive order or proclamation shall apply within the withdrawals and, for this purpose, are adopted as laws of the United States: *Provided, however,* That the laws of the State or Territory relating to the organization or powers of municipalities or local political subdivisions, and the laws or ordinances of such municipalities or political subdivisions shall not be adopted as laws of the United States.

(4) All functions vested in the United States commissioners by the laws described in this subsection shall continue to be performed within the withdrawals by such commissioners.

(5) All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporation, district, or other subdivision, and the laws of the State or the laws or ordinances of such municipalities or local political subdivision

shall remain in full force and effect notwithstanding any withdrawal made under this section.

(6) All other functions vested in the government of Alaska or in any officer or agency thereof, except judicial functions over which the United States District Court for the District of Alaska is given jurisdiction by this Act or other provisions of law, shall be performed within the withdrawals by such civilian individuals or civilian agencies and in such manner as the President shall from time to time, by Executive order, direct or authorize.

(7) The United States District Court for the District of Alaska shall have original jurisdiction, without regard to the sum or value of any matter in controversy, over all civil actions arising within such withdrawals under the laws made applicable thereto by this subsection, as well as over all offenses committed within the withdrawals.

(e) Nothing contained in subsection (d) of this section shall be construed as limiting the exclusive jurisdiction established in the United States by subsection (c) of this section or the authority of the Congress to implement such exclusive jurisdiction by appropriate legislation, or as denying to persons now or hereafter residing within any portion of the areas described in subsection (b) of this section the right to vote at all elections held within the political subdivisions as prescribed by the State of Alaska where they respectively

reside, or as limiting the jurisdiction conferred on the United States District Court for the District of Alaska by any other provision of law, or as continuing in effect laws relating to the Legislature of the Territory of Alaska. Nothing contained in this section shall be construed as limiting any authority otherwise vested in the Congress or the President.

SEC. 11. (a) Nothing in this Act shall affect the establishment, or the right, ownership, and authority of the United States in Mount McKinley National Park, as now or hereafter constituted; but exclusive jurisdiction, in all cases, shall be exercised by the United States for the national park, as now or hereafter constituted; saving, however, to the State of Alaska the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing now or hereafter in such area the right to vote at all elections held within the respective political subdivisions of their residence in which the park is situated.

(b) Notwithstanding the admission of the State of Alaska into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise

by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are owned by the United States and held for military, naval, Air Force, or Coast Guard purposes, including naval petroleum reserve numbered 4, whether such lands were acquired by cession and transfer to the United States by Russia and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Alaska for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided,* (i) That the State of Alaska shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Alaska, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdic-

tion whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall rest and remain in the United States only so long as the particular tract or parcel of land involved is owned by the United States and used for military, naval, Air Force, or Coast Guard purposes. The provisions of this subsection shall not apply to lands within such special national defense withdrawal or withdrawals as may be established pursuant to section 10 of this Act until such lands cease to be subject to the exclusive jurisdiction reserved to the United States by that section.

SEC. 12. Effective upon the admission of Alaska into the Union—

(a) The analysis of chapter 5 of title 28, United States Code, immediately preceding section 81 of such title, is amended by inserting immediately after and underneath item 81 of such analysis, a new item to be designated as item 81A and to read as follows:

"81A. Alaska";

(b) Title 28, United States Code, is amended by inserting immediately after section 81 thereof a new section, to be designated as section 81A, and to read as follows:

"§ 81A. Alaska

"Alaska constitutes one judicial district.

"Court shall be held at Anchorage, Fairbanks, Juneau, and Nome.";

(c) Section 133 of title 28, United States Code, is amended by inserting in the table of districts and judges in such section immediately above the item: "Arizona * * * 2", a new item as follows: "Alaska * * * 1";

(d) The first paragraph of section 373 of title 28, United States Code, as heretofore amended, is further amended by striking out the words: "the District Court for the Territory of Alaska,": *Provided*, That the amendment made by this subsection shall not affect the rights of any judge who may have retired before it takes effect;

(e) The words "the District Court for the Territory of Alaska," are stricken out wherever they appear in sections 333, 460, 610, 753, 1252, 1291, 1292, and 1346 of title 28, United States Code;

(f) The first paragraph of section 1252 of title 28, United States Code, is further amended by striking out the word "Alaska," from the clause relating to courts of record;

(g) Subsection (2) of section 1294 of title 28, United States Code, is repealed and the later subsections of such section are renumbered accordingly;

(h) Subsection (a) of section 2410 of title 28, United States Code, is amended by striking out the words: "including the District Court for the Territory of Alaska,";

(i) Section 3241 of title 18, United States Code, is amended by striking out the words: "District Court for the Territory of Alaska, the";

(j) Subsection (e) of section 3401 of title 18, United States Code, is amended by striking out the words: "for Alaska or";

(k) Section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska,";

(l) Section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska,";

(m) Section 2072 of title 28, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "and of the District Court for the Territory of Alaska";

(n) Subsection (q) of section 376 of title 28, United States Code, is amended by striking out the words: "the District Court for the Territory of Alaska,": *Provided,* That the amendment made by this subsection shall not affect the rights under such section 376 of any present or

former judge of the District Court for the Territory of Alaska or his survivors;

(o) The last paragraph of section 1963 of title 28, United States Code, is repealed;

(p) Section 2201 of title 28, United States Code, is amended by striking out the words: "and the District Court for the Territory of Alaska"; and

(q) Section 4 of the Act of July 28, 1950 (64 Stat. 380; 5 U. S. C., sec. 341b) is amended by striking out the word: "Alaska,".

SEC. 13. No writ, action, indictment, cause, or proceeding pending in the District Court for the Territory of Alaska on the date when said Territory shall become a State, and no case pending in an appellate court upon appeal from the District Court for the Territory of Alaska at the time said Territory shall become a State, shall abate by the admission of the State of Alaska into the Union, but the same shall be transferred and proceeded with as hereinafter provided.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Alaska in like

manner, to the same extent, and with like right of appellate review, as if said State had been created and said courts had been established prior to the accrual of said causes of action or the commission of such offenses; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Alaska.

SEC. 14. All appeals taken from the District Court for the Territory of Alaska to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit, previous to the admission of Alaska as a State, shall be prosecuted to final determination as though this Act had not been passed. All cases in which final judgment has been rendered in such district court, and in which appeals might be had except for the admission of such State, may still be sued out, taken, and prosecuted to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit under the provisions of then existing law, and there held and determined in like manner; and in either case, the Supreme Court of the United States, or the United States Court of Appeals, in the event of reversal, shall

remand the said cause to either the State supreme court or other final appellate court of said State, or the United States district court for said district, as the case may require: *Provided*, That the time allowed by existing law for appeals from the district court for said Territory shall not be enlarged thereby.

SEC. 15. All causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State which are of such nature as to be within the jurisdiction of a district court of the United States shall be transferred to the United States District Court for the District of Alaska for final disposition and enforcement in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts. All other causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State shall be transferred to the appropriate State court of Alaska. All final judgments and decrees rendered upon such transferred cases in the United States District Court for the District of Alaska may be reviewed by the Supreme Court of the United States or by the United States Court of Appeals for the Ninth Circuit in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts.

SEC. 16. Jurisdiction of all cases pending or determined in the District Court for the Territory of Alaska not transferred to the United States District Court for the District of Alaska shall devolve upon and be exercised by the courts of original jurisdiction created by said State, which shall be deemed to be the successor of the District Court for the Territory of Alaska with respect to cases not so transferred and, as such, shall take and retain custody of all records, dockets, journals, and files of such court pertaining to such cases. The files and papers in all cases so transferred to the United States district court, together with a transcript of all book entries to complete the record in such particular cases so transferred, shall be in like manner transferred to said district court.

SEC. 17. All cases pending in the District Court for the Territory of Alaska at the time said Territory becomes a State not transferred to the United States District Court for the District of Alaska shall be proceeded with and determined by the courts created by said State with the right to prosecute appeals to the appellate courts created by said State, and also with the same right to prosecute appeals or writs of certiorari from the final determination in said causes made by the court of last resort created by such State to the Supreme Court of the United States, as now provided by law

for appeals and writs of certiorari from the court of last resort of a State to the Supreme Court of the United States.

SEC. 18. The provisions of the preceding sections with respect to the termination of the jurisdiction of the District Court for the Territory of Alaska, the continuation of suits, the succession of courts, and the satisfaction of rights of litigants in suits before such courts, shall not be effective until three years after the effective date of this Act, unless the President, by Executive order, shall sooner proclaim that the United States District Court for the District of Alaska, established in accordance with the provisions of this Act, is prepared to assume the functions imposed upon it. During such period of three years or until such Executive order is issued, the United States District Court for the Territory of Alaska shall continue to function as heretofore. The tenure of the judges, the United States attorneys. marshals, and other officers of the United States District Court for the Territory of Alaska shall terminate at such time as that court shall cease to function as provided in this section.

SEC. 19. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "When the State of Alaska is hereafter ad-

mitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

SEC. 20. Section 2 of the Act of October 20, 1914 (38 Stat. 742; 48 U. S. C., sec. 433), is hereby repealed.

SEC. 21. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

SEC. 22. Section 101 (a) (36) of the Immigration and Nationality Act (66 Stat. 170, 8 U. S. C., sec. 1101 (a) (36)) is amended by deleting the word "Alaska,".

SEC. 23. The first sentence of section 212 (d) (7) of the Immigration and Nationality Act (66 Stat. 188, 8

U. S. C., sec. 1182 (d) (7)) is amended by deleting the word "Alaska,".

SEC. 24. Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 304 of the Immigration and Nationality Act (66 Stat. 237, 8 U. S. C., sec. 1404).

SEC. 25. The first sentence of section 310 (a) of the Immigration and Nationality Act (66 Stat. 239, 8 U. S. C., sec. 1421 (a)) is amended by deleting the words "District Courts of the United States for the Territories of Hawaii and Alaska" and substituting therefor the words "District Court of the United States for the Territory of Hawaii".

SEC. 26. Section 344 (d) of the Immigration and Nationality Act (66 Stat. 265, 8 U. S. C., sec. 1455 (d)) is amended by deleting the words "in Alaska and".

SEC. 27. (a) The third proviso in section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C., sec. 883), is further amended by striking out the word "excluding" and inserting in lieu thereof the word "including".

(b) Nothing contained in this or any other Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Alaska and other ports in the United States, its Territories or possessions, or as conferring upon

the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

SEC. 28. (a) The last sentence of section 9 of the Act entitled "An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes", approved October 20, 1914 (48 U. S. C. 439), is hereby amended to read as follows: "All net profits from operation of Government mines, and all bonuses, royalties, and rentals under leases as herein provided and all other payments received under this Act shall be distributed as follows as soon as practicable after December 31 and June 30 of each year: (1) 90 per centum thereof shall be paid by the Secretary of the Treasury to the State of Alaska for disposition by the legislature thereof; and (2) 10 per centum shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts."

(b) Section 35 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (30 U. S. C. 191), is hereby amended by inserting immediately before the colon preceding the first proviso thereof the following: ", and of those from Alaska 52½ per centum thereof shall be paid to the State of Alaska for disposition by the legislature thereof".

SEC. 29. If any provision of this Act, or any section,

subsection, sentence, clause, phrase, or individual word, 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 any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

SEC. 30. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Passed the House of Representatives May 28, 1958.

Attest: RALPH R. ROBERTS,

Clerk.

Calendar No. 1674

85TH CONGRESS
2D SESSION

H. R. 7999

AN ACT

To provide for the admission of the State of Alaska into the Union.

MAY 29 (legislative day, MAY 28), 1958
Received; read twice and ordered to be placed on the calendar

Senate - June 23, 195

11. COTTON. Passed without amendment H. R. 11399, to authorize the Secretary to set the levels of price support for extra long-staple cotton at between 60 to 75 percent of parity. This bill will now be sent to the President. p. 10765

12. DEFENSE PRODUCTION. Passed without amendment H. R. 10969 (in place of a similar bill S. 3323), to extend the Defense Production Act for 2 years until June 30, 1960. This bill will now be sent to the President. pp. 10773-4

13. LIVESTOCK LOANS. Passed as reported H. R. 11424, to extend for 2 years, through July 14, 1961, the authority of the Secretary to extend or make supplementary advances to borrowers for special livestock loans. p. 10780

14. TOBACCO. Passed without amendment H. R. 11058, to reduce the acreage allotments of tobacco farmers who harvest more than one crop of tobacco in a year from the same acreage. This bill will now be sent to the President. p. 10780

15. NATURAL RESOURCES. Passed as reported S. 2517, to authorize the States to choose mineral lands in making selections in lieu of sections of public lands occupied before State claims were made. pp. 10781-3

16. SURPLUS FOODS. Passed without amendment H. R. 12164, to permit the donation of surplus foods to nonprofit summer camps for children without regard to the number of needy children actually enrolled. This bill will now be sent to the President. p. 10780

17. INSPECTION SERVICES. Passed without amendment S. 3873, to authorize the interchange of inspection services between executive agencies without reimbursement or transfer of funds. p. 10769

18. PROPERTY. Passed as reported S. 3142, to authorize the lease of Federal building sites until needed for actual construction. p. 10769

19. TRANSPORTATION. Passed as reported S. Res 303, to provide for a study of transportation policies in the United States by the Interstate and Foreign Commerce Committee, including the exemption provisions in the laws regulating transportation. p. 10773

20. MONOPOLIES. The Judiciary Committee ordered reported with amendment S. 11, to amend the Robinson-Patman Act to make price discrimination prima facie proof of violation of the law. p. D578

21. STATEHOOD. Began debate on H. R. 7999, to admit Alaska as a State. pp. ~~10766~~, ~~10786~~, 10803, ~~10804~~, 10804-10.

22. INFORMATION. At the request of Sen. Talmadge, passed over S. 921, to restrict the right of Federal officers to withhold information or records. p. 10765.

23. WATERSHEDS. At the request of Sen. Hruska, passed over H. R. 5497, to authorize Federal assistance for certain fish and wildlife development projects under the Watershed Protection and Flood Prevention Act. p. 10765

24. ONION FUTURES. At the request of Sen. Hruska, passed over H. R. 376, to prohibit trading in onion futures on commodity exchanges. p. 10765

25. FARMER COMMITTEES. At the request of Sen. Talmadge, passed over S. 1436, to amend various provisions of law regarding ASC committees, to provide for the administration of the farm program by farmer elected committees, etc. p. 1076

26. BUILDINGS. At the request of Sen. Hruska, passed over S. 3560, to authorize construction of a $20 million Federal building in Memphis, Tenn. p. 10766

27. TEXTILES. At the request of Sen. Talmadge, passed over H. R. 469, to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products. pp. 10766-7

28. MINERALS. At the request of Sen. Mansfield, passed over S. 3817, to encourage exploration for minerals with Federal aid. p. 10769

29. TRANSPORTATION. At the request of Sens. Talmadge and Hruska, passed over S. 3916, to extend for two years provisions of the Shipping Act of 1916 to allow continuation of existing dual-rate contract agreements. p. 10774

30. SMALL BUSINESS. At the request of Sen. Clark, passed over H. R. 7963, to extend the Small Business Act of 1953, and increase the SBA loan authority. p. 10775

31. REORGANIZATION. At the request of Sen. Talmadge, passed over S. Res. 297, to disapprove Reorganization Plan No. 1 of 1958, to merge the Office of Defense Mobilization and the Federal Civil Defense Administration. p. 10776
Sen. Potter commended the adverse report of the Government Operations Committee on S. Res. 297, and the evaluation of the proposed merger. p. 10802

32. HUMANE SLAUGHTER. At the request of Sen. Talmadge, passed over H. R. 8308, to require the use of humane methods in the slaughter of livestock and poultry. p. 10780

33. FOREIGN TRADE. Sen. Thurmond submitted amendments to H. R. 12591, the trade agreements extension bill, proposing to limit the extension to 2 years and to require Congressional assent to Presidential action reversing findings of the Tariff Commission. p. 10804

34. EXTENSION. Sen. Johnston inserted an editorial on the death of Dr. F. Franklin Poole, President of Clemson College, S. C. pp. 10783-4

35. RECLAMATION. Received from the Interior Department a report that the Bountiful, Utah, Water Subconservancy District, had applied for a loan of $3,510,000, under the Small Reclamation Projects Act. p. 10747

ITEMS IN APPENDIX

36. FOREIGN AID. Rep. Green inserted an article, "Over $63 Million in Foreign Aid Shared by Eight Oregon Communities." pp. A5696-7

37. COTTON. Extension of remarks of Sen. Sparkman urging aid for cotton farmers and inserting an article, "Cotton's Decline, Long Foreseen, Still Pains Many Dixie Farmers--Some Quit, Wind Up On City Relief Rolls; Others Find Pinch Profits Harder." pp. A5697-8

38. DAIRY INDUSTRY. Extension of remarks of Sen. Proxmire inserting 2 Grange organization resolutions in support of his bill, S. 2952. p. A5698

STATEHOOD FOR ALASKA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 1674, H. R. 7999, to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD].

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

ACQUISITION AND CONSTRUCTION OF PROPERTY IN THE DISTRICT OF COLUMBIA FOR THE UNITED STATES SENATE

Mr. CHAVEZ. Mr. President, I should like to have the attention of the acting majority leader, the Senator from Montana [Mr. MANSFIELD], with reference to Calendar No. 192, S. 495. It was intended that the Senate take up the bill earlier in the day.

Mr. MANSFIELD. The Senator is correct.

Mr. CHAVEZ. However, the Senator from Connecticut was not present. I understand the Senator from Connecticut either has returned or has sent notice he has no objection to having the bill considered.

Mr. MANSFIELD. That is my understanding.

Mr. CHAVEZ. I wonder if the Senator from Montana would allow us to have the bill passed this evening.

Mr. MANSFIELD. Yes, indeed. I understand there is no opposition to the bill. I hope the Senator will seek recognition from the Chair, present the bill, and have it passed in the shortest possible time.

Mr. CHAVEZ. I should like to have the bill passed, if it meets with approval.

Mr. MANSFIELD. It meets with the approval of the leadership on both sides of the aisle.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 192, S. 495, to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 495) to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico?

There being no objection, the Senate proceeded to consider the bill (S. 495) to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate, which had been reported from the Committee on Public Works, with an amendment to strike out all after the enacting clause and insert:

That in addition to the real property contained in square 725 in the District of Columbia heretofore acquired as a site for an additional office building for the United States Senate under the provisions of the Second Deficiency Appropriation Act, 1948, approved June 25, 1948 (62 Stat. 1028), the Architect of the Capitol, under the direction of the Senate Office Building Commission, is hereby authorized to acquire, on behalf of the United States, by purchase, condemnation, transfer, or otherwise, for purposes of extension of such site or for additions to the United States Capitol Grounds, all other publicly or privately owned real property (including alleys or parts of alleys and streets) contained in said square 725 in the District of Columbia: *Provided*, That upon the acquisition of such real property by the Architect of the Capitol on behalf of the United States, such property shall be subject to the provisions of the act of July 31, 1946 (60 Stat. 718), in the same manner and to the same extent as the present Senate Office Building and the grounds and sidewalks surrounding the same.

SEC. 2. For the purposes of this act and of such act of June 25, 1948, square 725 shall be deemed to extend to the outer face of the curbs surrounding such square.

SEC. 3. Any proceeding for condemnation brought under this act shall be conducted in accordance with the act entitled "an act to provide for the acquisition of land in the District of Columbia, for the use of the United States," approved March 1, 1929 (16 D. C. Code, secs. 619–644).

SEC. 4. Notwithstanding any other provision of law, any real property owned by the United States and contained in square 725 shall, upon request of the Architect of the Capitol, made with the approval of the Senate Office Building Commission, be transferred to the jurisdiction and control of the Architect of the Capitol, and any alley, or part thereof, contained in such square, shall be closed and vacated by the Commissioners of the District of Columbia in accordance with any request therefor made by the Architect of the Capitol with the approval of such Commission.

SEC. 5. Upon acquisition of any real property pursuant to this act, the Architect of the Capitol, when directed by the Senate Office Building Commission to so act, is authorized to provide for the demolition and/or removal of any buildings or other structures on, or constituting a part of, such property and, pending demolition, to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to provide for the maintenance and protection of such property.

SEC. 6. The jurisdiction of the Capitol Police shall extend over any real property acquired under this act. Upon completion of the acquisition of all properties in square 725, herein authorized to be acquired, the following streets shall become a part of the United States Capitol Grounds and as such shall be subject to the provisions of Public Law 570, 79th Congress, as amended: First Street NE., between Constitution Avenue and C Street; C Street NE., between First and Second Streets. Such streets shall continue under the jurisdiction and control of the Commissioners of the District of Columbia and said Commissioners shall continue to be responsible for the maintenance and improvement thereof, except that the Capitol Police Board shall have exclusive charge and control over the parking and impounding of vehicles on such streets and the Capitol Police shall be responsible for the enforcement of such parking regulations as may be promulgated by the Capitol Police Board.

SEC. 7. The Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

SEC. 8. The appropriation of such sums as may be necessary to carry out the provisions of this act is hereby authorized.

Mr. CHAVEZ. Mr. President, on both sides of the aisle we have come to an understanding as to the form in which the bill should be passed and what portion of the area should not be included. There is an amendment shown at the top of page 6 which will take care of the understanding in that regard. This bill provides for the purchase of the property directly east of the Senate Office Building, the construction of which is about completed.

Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 6, line 1, in the committee amendment, after the word "Columbia", it is proposed to insert the words and numerals ", except lots 863, 864, 885, 892, 893, 894, and 905."

Mr. CHAVEZ. Mr. President, that will take the property which is intended to be conveyed to the Government at this time, but will exclude property in Schott's Alley and other property.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. CHAVEZ. Mr. President, I hold in my hand a memorandum addressed to the chairman of the Committee on Appropriations, the distinguished Senator from Arizona, with reference to the pending bill, and I ask that it be printed in the RECORD at this point as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR HAYDEN (S. 495, CALENDAR NO. 192)

I am informed that the objection to the enactment of S. 495 would be eliminated if the bill is amended so as to exclude the real property occupied by the National Womans Party at the corner of Second and Constitution Avenue and that known as Schott's Court.

I propose to amend the bill so the headquarters of the Womans Party, all the Schott's Court area, and the Capitol Hill Apartment Building at 127 C Street NE., will be excluded.

It is estimated that all of the privately owned properties in the east half of square 725, except that of the Womans Party, Schott's Court, and the apartment building, can be acquired for approximately $625,000. Such estimates were arrived at on the basis of recent experience gained in the congressional acquisition of properties in several squares on the House side of the Capitol Grounds.

The new Senate Office Building occupies the west half of the square. The east half of the square, except for the Belmont House of the Womans Party, is seriously needed to form an adequate site for the building as well as to gradually complete acquisition for the extension of the Capitol Grounds as has been planned.

A house-to-house survey was made after several owners registered pleading complaints with the Architect and various Members of the Senate. Most of the houses are owner occupied and they all feel that Congress placed an undue burden upon them somctime ago and that they cannot be relieved of it, as long as there is a congressional attitude to take their property, until the time when the property is taken. In short, most of the buildings are in serious need of extensive repairs if they are to be occupied, but the owners hesitate or cannot afford to spend large amounts doing so when such costs probably would not be recovered in condemnation by or sale to the Government. The property owners feel the Government should be fair and take their property now.

If the Government does not take the properties now the values will increase greatly, and particularly so because serious attempts are being made to assemble individual lots into large areas for the purpose of erecting costly private structures. However, as the present Capitol Hill Apartment Building, a substantial structure, is already in existence it is deemed advisable not to incur the expense of acquiring it at this time. For similar reasons the acquisition of the Schott's Court should be postponed until a later date.

The total area of the east half of Square 725, including alleys, is 130,159 square feet. The total area, excluding alleys, is 117,159 square feet. Of the latter total, it is proposed to acquire 70,500 square feet of privately owned land, with existing improvements, at the estimated cost of $625,000.

In addition to the need for the land for the Capitol Grounds and possibly future buildings, it can immediately be used to provide temporary parking accommodations for approximately 300 automobiles.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read a third time, and passed.

The title was amended, so as to read: "A bill to authorize the acquisition of the remaining property in square 725 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate or for the purpose of addition to the United States Capitol Grounds."

EXTENSION OF TRADE AGREEMENTS ACT

Mr. THURMOND. Mr. President, I wish to give a brief explanation of certain amendments to H. R. 12591, the trade agreements extension bill of 1958, which I sent to the desk for appropriate reference earlier in the day.

These amendments have two major purposes. The first is to limit the extension of the Trade Agreements Act of 1934, as amended, from 5 years, as proposed by the President and the House of Representatives, to a period of 2 years. The second purpose is to partially restore to the Congress its proper powers to regulate foreign commerce.

My amendments would require that the President obtain the support of a majority of both Houses of Congress before he could be sustained in his refusal to implement a Tariff Commission escape-clause finding. The President would be given 90 days within which to gain approval through passage of a concurrent resolution of the two Houses of Congress. These resolutions would be regarded as privileged matter in order to insure that the Congress would act within the 90-day period.

If the President submits his report to the Congress when the Congress is not in session, or less than 90 days before the adjournment of the Congress sine die, and no action is taken by the Congress prior to adjournment, then the adjustments in the rate or rates, quotas, or other modifications specified in the recommendations of the Commission would go into effect provisionally until 90 days after the Congress reconvenes. If the Congress does not then sustain the President during the first 90 days of the session, the Commission's recommendations would become finally effective at the end of the 90-day period.

Mr. President, I request that the text of these amendments be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER The amendments will lie on the table and be printed; and, without objection, the will be printed in the RECORD.

The amendments submitted by Mr. THURMOND intended to be proposed by himself to the bill (H. R. 12591) to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes, are as follows:

On page 1, line 9, strike out "1963" and insert in lieu thereof "1960."

On page 9, beginning with line 11, strike out through line 16, on page 10, and insert in lieu thereof the following:

"SEC. 6. Subsection (c) of section 7 of the Trade Agreements Extension Act of 1951, as amended (19 U. S. C., sec. 1364 (c)), is amended to read as follows:

"'(c) (1) Within 30 days after receipt of the Tariff Commission's recommendations, the President shall proclaim such adjustments in the rate or rates of duty, impose such quotas, or make such other modifications as are recommended by the Commission to be necessary to prevent or remedy serious injury to the respective domestic industry, unless, prior to the expiration of such 30 days, the President shall have submitted a report to the Congress recommending that no such adjustments or modifications be made, or no such quotas be imposed, or recommending a rate of duty as an alternate to that recommended by the Tariff Commission, or recommending a quota as an alternate to that recommended by the Tariff Commission, or recommending a rate of duty as an alternate to a quota recommended by the Tariff Commission, or recommending a quota as an alternate to a rate of duty recommended by the Tariff Commission, as a means of preventing or remedying serious injury to the respective domestic industry be adopted. If either the Senate or the House of Representatives, or both, are not in session at the time of such submission, such report shall be filed with the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be.

"'(2) If the President submits his report to the Congress while the Congress is in session and more than 90 days before the date on which the Congress adjourns sine die, he shall, within 90 days after the submission of such report, proclaim such adjustments, quotas, or other modifications as have been recommended by the Commission, unless, prior to the expiration of such 90 days, both Houses of Congress shall have adopted a concurrent resolution stating in effect that the Senate and House of Representatives approve the recommendations made by the President, in which event the President shall proclaim the recommendations so approved. If the President submits his report—

"'(A) when the Congress is not in session, or

"'(B) less than 90 days before the adjournment of the Congress sine die and the Congress before such adjournment has not acted on a concurrent resolution approving the recommendations made by the President, the adjustments in the rate or rates, quotas, or other modifications specified in the recommendations of the Commission shall become finally effective 90 days after the date on which the next session of the Congress begins, unless during such 90-day period the Congress, by concurrent resolution, shall have approved the President's recommendations.'"

On page 11, strike out lines 8 to 24, inclusive, and insert in lieu thereof the following:

"(b) As used in this section the term 'resolution' means only a concurrent resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the Senate and House of Representatives approve the action recommended by the President in his report (dated ——— 19—) pursuant to paragraph (1) of section 7 (c) of the Trade Agreements Extension Act of 1951, as amended, disapproving in whole or in part the action found and reported by the United States Tariff Commission to be necessary to prevent or remedy serious injury to the respective domestic industry, in its report to the President dated ——— 19— on its escape clause investigation No. — under the provisions of section 7 of such act.'"

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. MURRAY. Mr. President, in our great Union of States, the admission of a new State always is a momentous and historic event.

On 30 separate occasions the Congress of the United States, pursuant to the powers granted to it in the Constitution, has acted favorably on bills similar in intent and purpose to the measure now before us for the admission of Alaska. As a result, 35 States have been admitted to the Union on the free and equal basis established by the Founding Fathers.

Our history and our present greatness show that our predecessors in Congress acted wisely. They did not make a mistake in any one of those 30 instances. Statehood never has failed. The admission of each of the 35 States, no matter

how distant or noncontiguous it seemed, nor how undeveloped its resources or sparse its population, relatively, at the time, invariably and unfailingly has added to our strength as a Nation and has contributed to the richness of our national life. Statehood has invariably and unfailingly brought great economic and political development to the people of each new State.

Let me emphasize the fact that statehood never once has failed. Always has it enriched and strengthened our Nation. Always has it proved a benefit to the people of the new State, greatly stimulating their growth and development, both economically and politically.

ESTABLISH FREEDOM AT DOOR OF RUSSIAN IMPERIALISM

Each of these occasions of the admission of new States, spanning 121 years from the admission of Vermont in 1791 through that of Arizona in 1912, has been of historic significance to the United States. But none of the 35 instances has been more freighted with destiny, has been of more potential epoch-making significance, than is the admission of Alaska.

As Members of the Senate know, less than 3 miles of shallow sea separate the American Island of Little Diomede from the Russian Island of Big Diomede. The mainland of Communist Siberia is only about 50 miles distant across the Bering Straits from the mainland of free America. By granting to our quarter of a million fellow Americans in Alaska full citizenship, on a basis of full equality, we would be extending our great American system to the very edge of the Soviet empire. We would end colonialism and establish freedom and equality at the very door to totalitarianism and imperialism.

Statehood for Alaska would say to all the peoples of all the world far louder than mere words, that we are a Nation that practices what it preaches with respect to freedom and equality. Statehood for Alaska would be irrefutable proof that American democracy is a living, dynamic force in the world today, that it is not static; but that, on the contrary, America is still advancing as a great democratic Nation.

And, as has resulted without exception each of the 35 times in the past, statehood would add to the political and economic strength of our country as a whole and to the people of Alaska in particular.

Mr. President, it is not my intention to discuss today the details of the pending legislation. The distinguished and able junior Senator from Washington [Mr. JACKSON], who is chairman of the Subcommittee on Territories which conducted the hearings on statehood, will give a complete analysis of it, aided and supported by other members of the Subcommittee on Territories, from both sides of the aisle.

NO SUBSTANTIAL DIFFERENCE BETWEEN HOUSE AND SENATE BILLS

The measure on which the Territories Subcommittee held its hearings and worked exhaustively in executive session was the Senate bill, symbolically numbered 49, which I had the honor of introducing for myself and 23 other Senators of both parties. This measure has been pending on the Senate Calendar, Calendar No. 1197, since the closing days of the first session of this Congress. Meanwhile, the other body has considered and passed, by impressive bipartisan majority, its bill, H. R. 7999. Since it is substantially identical with the pending Senate bill, H. R. 7999 likewise was placed on the calendar, Calendar No. 1674.

The Interior Committee has compared these bills, line for line. I can state that there is no difference of policy or principle between the two measures, S. 49 and H. R. 7999. I am authorized to state that the House-passed measure, H. R. 7999, is completely acceptable to the Committee on Interior and Insular Affairs. On behalf of the committee I urge acceptance of H. R. 7999, as it passed the House, without change. The House measure has the approval of the administration, and I am convinced, of the overwhelming majority of the one quarter million American citizens of Alaska. It is the best Alaska statehood bill ever to come before a Congress of the United States. It needs no amendment.

Before the details of this measure are discussed by the subcommittee chairman, I wish to speak openly and frankly on 1 or 2 questions of basic policy involved in our present consideration of statehood for Alaska. The first of these is statehood for Hawaii.

STATEHOOD FOR HAWAII

As to Hawaii, my record will show that I have fought as long, and as vigorously, for statehood for Hawaii as I have for Alaska. I introduced the Hawaii statehood bill, S. 50, which is now on the Senate Calendar. In previous Congresses I sponsored similar legislation. I went to the Territory of Hawaii 2 years ago and conducted a personal, territorywide investigation of conditions there and of the readiness of Hawaii for statehood. I came away from my personal inspection even more convinced than I had been from my study that Hawaii, like Alaska, has met every traditional and historic test of readiness and qualification for statehood. I am still firmly convinced that this is the fact despite some disconcerting actions on the part of certain laborbaiting organizations in the Hawaiian Islands, which, under the guise of fighting unions, are in fact fighting statehood.

Mr. President, however much I personally support and am eager for Hawaii statehood, we must be realists. We must face the facts, the political facts. Not one of us would be sitting here in this body were we not able to face political facts.

The fact is that a bill for statehood for Hawaii does not stand a chance for enactment this session of the Congress. In the House, the measure is not even out of committee. The chairman of the House Territories Subcommittee, the distinguished Representative O'BRIEN, of New York, who fought so valiantly, and so successfully, for House approval of the Alaska bill, has been quoted publicly as saying:

Anyone who believes Hawaii has a chance for statehood this session is completely unrealistic.

There is not the support for Hawaii statehood in the House, either on the part of the leadership or the membership, that there was and is for Alaska. It follows inevitably, therefore, that any attempt to join the Hawaii bill to the Alaska bill would have the effect of ending completely—of "killing"—statehood for both Territories, Alaska as well as Hawaii, in this session of Congress.

No friend of statehood for either Alaska or Hawaii can possibly support any motion in the Senate this year for joinder of Hawaii and Alaska.

NO NEED FOR JOINDER NOW

I am well aware of the fact that I and a number of other Democrats joined by some Republicans, voted to join Alaska to Hawaii in 1954 in the 83d Congress. But the situation then was completely different. In that Congress, in 1954, President Eisenhower had taken a firm stand against statehood for Alaska. That meant, of course, that the administration was against Alaska. We could not even get replies from the executive agencies to our repeated requests on our Alaska statehood bill.

Thus, then, in 1954, there was no chance whatever that Alaska statehood could be considered on its merits, or be considered at all, other than by joining it to the Hawaii bill.

Now the situation is entirely different. President Eisenhower, greatly to his credit, has changed his position and now is urging statehood for both Alaska and Hawaii. The administration has endorsed the Alaska bill as well as the Hawaii bill. Now each Territory can be given full bipartisan consideration on its own merits.

PEOPLE OF HAWAII BACK ACTION ON ALASKA

Happily, the people of Hawaii—one-half million American citizens who have given such irrefutable proof of their loyalty and patriotism—agree with and accept this fact. The one person holding Territorywide elective office in Hawaii is the able Delegate to Congress, Honorable JACK BURNS. He is, therefore, the most qualified person to speak for the people of Hawaii.

On February 18, this year, Delegate BURNS wrote me, as chairman of the Senate Interior Committee, as follows:

As the only one with authority to speak for the people of Hawaii, I support your stand that all friends of statehood should unite in permitting Alaska to go forward alone. On October 15, 1957, I was quoted in a Honolulu newspaper as saying: "I will work hard for Alaskan statehood. If it becomes necessary to drop Hawaii statehood in order to get Alaska through, I will do just that."

My statement has been supported by the people of Hawaii. Other than a few partisan efforts to make political capital of the statement, no objections, public or private, have been voiced.

Mr. President, I ask unanimous consent that the complete text of Delegate BURNS' statesmanlike letter appear in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 18, 1958.

The Honorable JAMES E. MURRAY,
Senator from Montana,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR MURRAY: Your statement in the Senate on February 10, 1958, merits the careful consideration of every American. The importance of statehood for Alaska and Hawaii should not be minimized. No issue before the Congress transcends statehood in its effect upon the present and the future of the United States. Just as integrity of character in an individual is more important than health and wealth, so, too, must be our integrity as a Nation.

Your statement reveals your wisdom and understanding, as well as prescience, qualities which have earned for you the highest respect. In this issue, as in others that you have faced in your distinguished career, your forthrightness has removed the clouds of confusion. The appreciation of the people of Hawaii is heartfelt. All Americans should join them.

As the only one with the authority to speak for the people of Hawaii, I support your stand that all friends of statehood should unite in permitting Alaska to go forward alone. On October 15, 1957, I was quoted in a Honolulu newspaper as saying: "I will work hard for Alaskan statehood. If it becomes necessary to drop Hawaii statehood in order to get Alaska through, I will do just that."

My statement has been supported by the people of Hawaii. Other than a few partisan efforts to make political capital of the statement, no objections, public or private, have been voiced.

I now repeat that statement as the Representative duly elected to speak for the people of Hawaii—the only one. Alaska and Hawaii should be considered separately. Since, as you point out, Alaska is presently before both the House and Senate with favorable reports from the respective committees of each body, Alaska is ready for consideration.

Enlightened self-interest demands application of the Golden Rule in this instance to our just claim. Hawaii does not want to be a means of killing statehood for both. She would rather withdraw to "clear the track." The sincerity of her desire for statehood would be suspect if she followed any other course.

In a matter so vital to our national best interest, Hawaii will not be found wanting. She has never been found wanting in her response to the needs of the great Nation of which she is an integral part. Hawaii always will respond willingly and wholeheartedly.

Your great confidence and your support are deeply appreciated with heartfelt thanks.

Warmest personal regards. May the Almighty be with you and yours always and in all ways.

Sincerely,

JOHN A. BURNS.

Mr. MURRAY. Also, the committee has been receiving many petitions and messages from Hawaii to the same effect. The board of supervisors of wealthy Maui County, who are popularly elected local officials, on June 6, unanimously adopted a resolution petitioning Congress to consider the Alaska and Hawaii bills separately, and not to combine them. I would like to read a particularly significant paragraph from this resolution of the popularly elected local officials:

Each of the said Territories (Alaska and Hawaii) should be considered separately on the matter of authorizing the establishment of a State government for each, and the said bills should not be joined, but the same should be considered and acted upon separately on the merits of each.

Similarly, the board of supervisors of Oahu County, the most populous of all of Hawaii's counties and the one in which is situated the capital city of Honolulu, unanimously adopted a similar resolution. I ask unanimous consent that the full text of these resolutions be printed in the RECORD as a part of my remarks.

There being no objection, the resolutions were ordered to be printed in the RECORD as follows:

OFFICE OF COUNTY CLERK,
COUNTY OF MAUI,
Wailuku, Maui, T. H., June 9, 1958.

Re Resolution No. 40.

Hon. JAMES E. MURRAY,
Chairman, Senate Interior and Insular Affairs Committee, Congress of the United States, Washington, D. C.

DEAR SIR: By direction of the Board of Supervisors of the County of Maui, we transmit herewith a certified copy of resolution No. 40, requesting and urging the Congress of the United States to consider the bills now pending before it to grant statehood to the Territory of Alaska and to the Territory of Hawaii separately and without combining the same.

Please be advised that the said resolution No. 40 was adopted by the Board of Supervisors of the County of Maui at its meeting held on June 6, 1958.

Very truly yours,

G. N. TOSHI ENOMOTO,
County Clerk.

Resolution No. 40

Resolution requesting the Congress of the United States to separately consider and approve the bills to grant statehood to Hawaii and Alaska without combining the same

Whereas a bill to grant statehood to the Territory of Alaska is now pending for consideration before the Congress of the United States, and the said bill has passed the United States House of Representatives; and

Whereas the said bill is scheduled for debate and voting before and by the United States Senate; and

Whereas a bill to grant statehood to the Territory of Hawaii is now pending for like consideration by the United States Senate; and

Whereas it is very likely that attempts will be made to combine and consolidate the bill to grant statehood to the Territory of Hawaii with the bill to grant statehood to the Territory of Alaska, which has already received the approval of the United States House of Representatives; and

Whereas each of the said Territories [Alaska and Hawaii] should be considered separately on the matter of authorizing the establishment of a State government for each, and the said bills should not be joined, but the same should be considered and acted upon separately on the merits of each; and

Whereas the favorable consideration of statehood for Hawaii and Alaska will be greatly lessened if these matters are not considered in separate bills; and

Whereas the Board of Supervisors of the County of Maui, Territory of Hawaii, acting for and on behalf of the people of the said county, is opposed to the merger of the bills as aforesaid: Now, therefore, be it

Resolved by the Board of Supervisors of the County of Maui, Territory of Hawaii, That it does hereby respectfully request and urge the Congress of the United States to consider the bills now pending before it to grant statehood to the Territory of Alaska and to the Territory of Hawaii separately and without combining the same; and be it further

Resolved, That this resolution may be forwarded to the Honorable RICHARD M. NIXON, President of the United States Senate; to the Honorable LYNDON B. JOHNSON, Senate majority leader; to the Honorable JAMES E. MURRAY, chairman of Interior and Insular Affairs of the Senate; to the Honorable SAM RAYBURN, Speaker of the United States House of Representatives; to the Honorable JOHN W. MCCORMACK, House majority leader; to the Honorable CLAIR ENGLE, chairman of Interior and Insular Affairs of the House of Representatives; to the Honorable JOHN A. BURNS, Delegate to Congress from Hawaii; and to the Honorable Frederick A. Seaton, Secretary of the Interior.

Resolution No. 385

Whereas the House of Representatives of the Congress of the United States has passed a bill providing for the granting of statehood to the Territory of Alaska; and

Whereas the Alaskan statehood bill is now before the Senate of the United States for consideration; and

Whereas reports have been received from Washington, D. C., strongly indicating that an effort will be made in the Senate to amend the Alaskan statehood bill to include a provision for the granting of statehood to both Alaska and Hawaii; and

Whereas competent observers are of the opinion that the coupling of the Alaskan and Hawaii statehood legislation under a single act would weaken support for the passage of the bill and ultimately end in its defeat—thereby killing statehood for both Alaska and Hawaii for some time to come; and

Whereas experience has shown that the interests of both Alaska and Hawaii can best be served by having their statehood legislation considered separately by the Congress; and

Whereas passage of the Alaska statehood bill by both Houses of the Congress will pave the way for similar action on the Hawaii statehood bill: Now, therefore, be it

Resolved by the mayor and board of supervisors of the city and county of Honolulu, That the Senate of the United States be urged to act upon the Alaskan statehood bill in its present form; and be it further

Resolved, That signed copies of this resolution be transmitted by the city and county clerk, to the Senate of the United States, the House of Representatives, JOHN A. BURNS, Delegate to Congress from Hawaii; and Gov. William F. Quinn.

Mr. MURRAY. I have received also the following cablegram from William Richardson, territorial chairman of the Democratic Party of Hawaii:

Your strong support in the past of Hawaiian statehood is greatly appreciated. Hawaii Democrats urge strong support of Alaska bill on own merits.

I submit that these statesmanlike expressions of willingness on the part of the people of Hawaii to let Alaska go ahead, alone, on its own merits, are further proof of Hawaii's political maturity.

HAWAII AND ALASKA MUST BE CONSIDERED SEPARATELY

In order that the situation as I see it may be clear I will summarize:

Any action to tie Hawaii into the Alaska bill would, if successful, irreparably harm the cause of statehood for both Territories. Both Territories can, and should be considered separately,

each on its own merits and in its own time.

To the people of the progressive and prosperous American Territory of Hawaii, and to Delegate BURNS, who is a true statesman, I here renew my pledge to support, at the appropriate time, their desire for statehood with all of the strength at my command.

Mr. President, before concluding, I wish to touch on another aspect of Alaskan statehood in answer to a question which very likely will be asked. That question is: Why should the Alaskans have statehood? They are better off under the Federal Government.

The very same question could well have been asked concerning the aspirations of the people of any of the States admitted subsequent to the formation of the Union, including those of the people of my own great State of Montana in 1889.

In the case of each of the States that have been admitted in the manner now sought by the one-quarter million American citizens of Alaska, the same question could have been posed: Why should they have statehood? They are better off under the Federal Government.

FREEDOM THE CORNERSTONE OF AMERICAN TRADITION

The facts with respect to all of these States speak for themselves. I am glad that each of the other 34 States was admitted, and I hope the Senators from those States join me in being glad that Montana was admitted.

However forcefully the facts with respect to the reasons why Alaska should be admitted to statehood speak for themselves in the light of our history and our unvarying precedents with respect to incorporated Territories, I should like to touch briefly upon 1 or 2 points in specific answer to the question of why there should be statehood for Alaska.

For a more complete discussion, with Supreme Court citations of the status of incorporated Territories, I refer Members of the Senate to the committee reports on the Alaska statehood bills reported favorably by the Committee on Interior and Insular Affairs in the 81st, 82d, 83d, and 85th Congresses.

But the primary reason statehood should be granted Alaska is that the cornerstone of our American tradition is freedom—freedom to be governed by officials of our own choosing; freedom to participate, on a basis of equality, in the formulation of the laws and policies under which we live.

There is not a scintilla of doubt in my mind, or in the minds of any other members of the committee, I believe, that the overwhelming majority of the people of Alaska want statehood, want it with whole hearts, and want it now. They have fulfilled every historic requirement for statehood, and it is statehood they want, and not any other status.

TAXATION WITHOUT REPRESENTATION

Alaskans pay the same taxes into the Federal Treasury that the constituents of every Member of this body pays. Yet Alaskans have no voice whatever in the levying of such taxes, or in the manner in which the tax moneys are spent.

Alaskans are subject to the same military service to which our sons are subject. Yet they have no voice whatever in the making of war, or in the writing of peace treaties. With respect to war, it is significant that certain of the outlying Alaskan islands were the only part of the American Continent actually invaded and occupied by enemy forces during World War II. Yet, as I say, Alaskans had no voice whatever in the conduct of the war nor in the peace that followed.

Alaska is possessed of vast natural resources. There is wealth in the seas around her, in her mineral-bearing mountains and subsoil, and in her broad forests. Yet the people of Alaska, under Territorial status, have very little control over the development of the natural resources of Alaska.

In government, the one-quarter million American citizens of Alaska cannot elect their own Governor, nor choose their own judges. Their daily lives are subject to the whims of distant bureaucrats and, yes, even of makers of laws for Alaska who sit in Washington and have little or no knowledge of conditions in Alaska.

STATEHOOD THE KEY TO FREEDOM AND DEVELOPMENT

All this would, of course, be changed by statehood. Only through statehood can the American citizens of Alaska free themselves from these and other shackles, political and economic.

Some Members of this body would say, "All those reasons for statehood for Alaska would be equally true with respect to granting statehood to the people of Puerto Rico, or Guam, or the Virgin Islands."

I find it difficult to believe that any Senator who puts forth that argument has bothered to learn anything about the history of our Federal Union and our historic precedents for statehood.

Those precedents are well established, having been followed more than 30 times over a period of 167 years. The constitutional requirement is, of course, very simple. Article IV, section 3, of the Constitution provides:

> New States may be admitted by the Congress into this Union.

In every instance, except that of Texas and California, in which Congress has exercised this authority, the area involved had been an incorporated Territory. That is, the Constitution and the laws of the United States had been previously extended to it, and its people had undergone a period of tutelage—living under the Constitution and laws of the United States for some years.

The Supreme Court of the United States has described an incorporated Territory as "an inchoate State."

Mr. President, there are but two incorporated Territories or "inchoate States" remaining in the American political system. They are Alaska and Hawaii. That is all. Neither Puerto Rico, nor Guam, nor the Virgin Islands are incorporated Territories.

No areas other than Alaska and Hawaii are "inchoate States" under all of our political precedents and the decisions of our highest tribunal. Hence, no other areas have any historically honored claim for admission as States.

THREE REQUIREMENTS FOR STATEHOOD

In addition to those basic conditions precedent, analysis of the history of the admission of incorporated Territories shows that there have been 3 requirements followed in each of the 35 instances. They are:

First. That the inhabitants of the proposed new State are imbued with and are sympathetic toward the principles of democracy as exemplified in the American form of government and have proved their political maturity;

Second. That a majority of the electorate wish statehood;

Third. That the proposed new State has sufficient population and resources to support State government and at the same time carry its share of the cost of the Federal Government.

This has been the historic pattern under which new States have been admitted and by which our Nation has grown to greatness.

By each of these historic standards, Alaska is ready and qualified for statehood now.

No areas under the American flag—nor, of course, under any other flag—except Alaska and Hawaii do or can fulfill these requirements.

NO PRECEDENT FOR NONINCORPORATED TERRITORIES

So I can state categorically here on the floor of the Senate, with all of the responsibility of a senior Senator and committee chairman: By approving the Alaska statehood bill we are not establishing a precedent for the admission of any other area. Statehood for Puerto Rico, or Guam, or the Virgin Islands is in no way involved, and can in no way be involved, in our action on Alaska statehood.

I respect any Senator's right to disagree with me on the issue of whether Alaska should be admitted as a State. But I find it difficult to recognize that the objection is made in good faith that, by admitting Alaska, we are opening the door to Puerto Rico, Guam, and the Virgin Islands, and other areas not under the American flag.

Such an argument is not in any way in accord with the facts.

Such an argument is not a valid argument.

STATEHOOD IN BEST INTEREST OF NATION

Mr. President, in bringing to a conclusion my remarks, I realize I have dwelt much on the past—on our great forward progress as a Nation. As a lawyer I have profound respect for precedent and tradition, but as a Member of the Senate I realize the Congress is not bound by precedent. I realize the question of admitting, in 1958, the richly endowed and strategically situated American Territory of Alaska to full equality in our Union of States is within the sound discretion of the 85th Congress.

However, I believe the past can be used as a useful guide for the present and future. Therefore, I feel justified in calling the attention of the Senate

to the historic precedents, and in pointing out that refusal to pass the measure would be breaking the historic pattern under which our Nation has expanded and grown great.

After thorough hearings and careful study, I have found that our fellow-Americans in Alaska merit statehood, that they desire it and that they are ready, willing, and able to support it. I believe that statehood for Alaska would be in the best interests of the United States as a whole and of the people of Alaska. I therefore earnestly recommend that the Senate take prompt, affirmative action on this measure which is a major plank in the platforms of both political parties.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to the Senator from New Mexico.

Mr. CHAVEZ. The Senator's reasoning is correct. It is in keeping with precedents and American ideals. So far as I am concerned, I am ready to vote for statehood for Alaska. Notwithstanding that no other Territory of the United States should be considered in connection with the Alaska statehood bill, I still do not see any difference so far as other Territories or holdings of the United States are concerned. I do not see why we should discriminate against American veterans who live in Hawaii or in Puerto Rico, who have worn the American military uniform. I cannot see at the proper time, if those Territories are ready, and meet all other requirements that are necessary for statehood, why Puerto Rico, for example, should not be granted statehood. I hope it will be.

I do not like the status of Puerto Rico at the present time. I have a married daughter who is living in Puerto Rico. She is married to a veteran, who wore the American military uniform. I do not want my grandchildren or my son-in-law or my daughter to be merely associated with the United States. I want them to be a part of the United States.

Therefore, while I agree that we should not consider any other Territory in connection with the Alaska statehood bill—and I am ready to vote now, because I believe Alaska is entitled to statehood—I do not see any reason why other Territories should not also be admitted to statehood. Kodiak, Alaska, for example, is farther from the United States than is San Juan, Puerto Rico.

I see no reason why we should not at the proper time admit also Hawaii and Puerto Rico. I thank the Senator.

Mr. MURRAY. I thank the Senator for his observations. His views on the areas other than Hawaii he has mentioned merit the most careful consideration. I want to assure the Senator that I have an open mind on the issues he raises, but, as he has pointed out, it is the precedents respecting incorporated Territories—areas to which the United States Constitution and the Federal statutes have been extended and made applicable—that I was discussing. No incorporated Territory ever has had any destiny other than statehood in all American history. The other areas the Senator mentioned are not incorporated Territories and hence would have to be considered under different principles.

Mr. JACKSON. Mr. President, I wish to commend the distinguished chairman of the committee, the Senator from Montana, for his excellent presentation in behalf of statehood for Alaska. I should also like to extend to him my appreciation for his outstanding leadership, not only this year but over many years in behalf of Alaska statehood.

Mr. MURRAY. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to my colleague from Montana.

Mr. MANSFIELD. Mr. President, I wish to join my colleagues in extending comendation to the distinguished senior Senator from the State of Montana, my senior colleague and chairman of the Committee on Interior and Insular Affairs.

I am extremely happy that the pending business before the Senate is the bill granting statehood to Alaska. I am happy because it is long overdue and happy that it is my colleague who is responsible for bringing the proposed legislation to the floor of the Senate.

It is my hope that on the basis of the cogent arguments set forth by the senior Senator from Montana we will be able to consider the bill on its merits, and that we will pass it without any kind of amendment whatever, so that, if we are successful in passing the bill in this form, it will go directly from the Senate to the President of the United States for his signature, which I am sure will be forthcoming.

Again I wish to congratulate and commend my distinguished colleague for the fine work he has done. As the Senator from Washington has said, not only has he done fine work on the bill this year, but also down through the years, most especially in being responsible for bringing this important measure to the floor of the Senate at this time.

Mr. MURRAY. I thank the Senator.

Mr. CHURCH. Mr. President, I should like very much to join my colleagues in commending the able and eminent senior Senator from Montana, the chairman of the Committee on Interior and Insular Affairs, for the leadership he has shown with respect to the pending proposed legislation. Not only in this session of Congress, but for many years in the past, the distinguished senior Senator from Montana has been recognized as the champion of statehood for Alaska.

The pending measure is not commonplace legislation. We have labored long and hard in this session, and we have passed much legislation which is of value and importance to the people of the United States. However, the measures we have passed, to a large extent, have been transient in nature. They have related to the meeting of exigencies of the present.

In the course of history, in the long span of events, that legislation will be little remembered and little remarked upon. Not so the pending bill. The Alaska statehood bill confronts us with a historic challenge. If we rise to meet that challenge, if we enact a bill which will admit Alaska to statehood within the next few days, our action will be remembered and remarked upon for as long as the American saga is a great chapter in the chronicles of western civilization.

The bill, Mr. President, if passed by the Senate and approved by the President, will constitute the towering achievement of this session, just as the enactment of the civil rights law was the significant accomplishment of the last session.

On May 5, 1958, I spoke at length on the floor, urging statehood for Alaska. I was deeply gratified at the reaction which my address received. By mail, by telephone calls, and by telegrams, I was given assurances that the American people are wholeheartedly ready to welcome Alaska as a full partner in our Union of States.

From many parts of the Nation, too, came approving comment from the newspapers. I ask unanimous consent to have printed at this point in the RECORD a sampling of the editorials which reveal that the American press is fully aware of the significance of Alaskan statehood, and is ardent in the support of it, as are the American people themselves.

There being no objection, the editorials were orderd to be printed in the RECORD, as follows:

[From the Caldwell (Idaho) Times of June 5, 1958]

STATEHOOD FOR ALASKA

Statehood for Alaska has passed the United States House of Representatives and now faces action by the United States Senate. The Alaska statehood bill should pass.

Idaho's Senator FRANK CHURCH has been in the forefront of the battle for Alaska's admission as a sovereign and equal State of the Union. We trust that Senator HENRY DWORSHAK will likewise support this move to increase the 48-star constellation into a new array of 49.

In the House our district's Representative GRACIE PFOST voted for Alaska. The other Idaho Congressman added to his strange record by voting his usual "nay."

Alaskan statehood is a must. Alaska faces the Soviet Union across the narrow Bering Straits as the American continent's outpost and guardian. Likely to bear the brunt of a future war, the deserved recognition of statehood would strengthen the Nation's support for the Territory.

Alaska today is stronger as a potential State than any State, excepting Texas, when admitted to the Union. Alaska has untold riches and is the Nation's last frontier. Alaska today pays more in taxes than any State, including Texas, did when it became a State.

Alaska fits into the economy, the culture, and the outlook of the Northwest. Admitted to the Union it would strengthen the West's position in the councils of the Nation.

Let Alaska into our family of States now.

[From the Idaho County (Idaho) Free Press of May 8, 1958]

A 49TH STATE

Senator CHURCH pin-pointed the only real barrier to granting of Alaskan statehood as due to congressional fears of changing the status quo of Representatives.

CHURCH made the argument in a noted speech Monday before the Senate urging that the body act now to grant statehood to the Territory.

In his oration, CHURCH also declared that not allowing statehood for Alaska means a deliberate flouting of the popular will. The United States has also been practicing taxation without representation in Alaska.

He explained that no Alaskan may vote to determine what his taxes are to be, nor how his money should be spent.

The Senator spoke frankly and with candor on the statehood issue.

Again, the only reason the Territory is not a State is due to the fine democratic two-party system of politicians who do not wish to disturb the status quo by allowing Alaska representatives into the Congress. For shame. For shame.—RLA.

[From the Fairbanks (Alaska) News-Miner of May 6, 1958]

FOR ALASKA—FOR THE NATION

A speech which we think is significant not only in the Alaska statehood struggle but in the history of the Nation was made on the floor of the United States Senate yesterday by Senator FRANK CHURCH, of Idaho, one of Alaska's greatest champions in the Congress.

"In 1776, we proclaimed an idea that has fired the hearts of men, ever since, who would be free," CHURCH said. "In all the years that followed, we remained true to that idea, by extending the rights of statehood, full and equal participation within the Union, to the Territories which met, one by one, our historic tests. * * *

"If, in the days of our infancy, we could ignite a flame of freedom so bright as to shine like a beacon around the world, then now, in the days of our greatness, we must do no less.

"We do less so long as we withhold the bounty of statehood from Alaska. We do less as we allow yet another day, yet another hour to pass, without action on the bill to admit Alaska to the Union. The world is watching. The hour is late."

Those are stirring words, worthy of the attention they received in the greatest deliberative body in the world, and worthy of the treatment they had in the press of the Nation.

There are many signs that a great popular ground swell of support for Alaska's statehood aspirations is rising all across the Nation. Senator CHURCH referred to that, telling his fellow Members of Congress that "so preponderantly do the people we represent favor Alaskan statehood, that our continued failure to grant it can only be regarded as a deliberate flouting of the popular will."

The Senator noted that Alaska already has been a possession of the United States for 90 years and "has served the longest apprenticeship for statehood in our history."

He noted that Alaska has returned to the United States 425 times the $7.2 million paid for its purchase from imperial Russia in 1867. The United States, Senator CHURCH declared, has been practicing "taxation without representation" in Alaska.

"Regularly, by our votes, we have levied taxes on the people of Alaska," he said. "Yet no Alaskan may vote here to determine what their taxes are to be, nor how their money should be spent."

"Surely the historic principle that lit the fires of the American revolution requires no advocate on this floor," CHURCH said.

Senator CHURCH spoke with rare cogency on a subject which appears to be concerning some people at the other end of the Capitol when he reviewed evidences that the majority of Alaskans have demonstrated again and again that they want statehood, and no new referendum is needed.

He noted that the 1946 referendum resulted in a 3-to-2 majority in favor of statehood. "A decade later, in 1956," he went on, "the people of Alaska again passed upon the issue of statehood by ratifying a proposed constitution for the new State, this time by a majority of more than 2-to-1. Only last year, the members of the Territorial Legislature, the elected representatives of the Alaskan people, passed unanimously a joint resolution calling for statehood by March 30, 1957."

Senator CHURCH'S scholarly address was accompanied by an appendix of six exhibits which he put in the RECORD. These documented with facts the points he made in his speech.

Alaska is fortunate in having such friends as FRANK CHURCH, Fred Seaton, LEO O'BRIEN, JAMES MURRAY, CLAIR ENGLE, and others, who are willing to work and speak for the rights of distant Americans who are not even their constituents. Their fighting support of statehood for Alaska is in the best traditions of our history as a Nation.

[From the Houston Press of May 9, 1958]

ALASKA QUALIFIES

In one speech, Senator FRANK CHURCH, of Idaho has balanced all the arguments, pro and con, that have been put up in years of debate over admitting Alaska to the Union.

The arguments in opposition:

Alaska is too sparsely settled.

This ignores the historic fact that 13 States had even less population when they were admitted.

Adding 2 votes in the Senate might dilute the influence of the present 96 Senators. One or the other of the political parties might lose control.

If that kind of partisanship, or the specter of it, had prevailed in the past, we still would have 13 States, with 35 adjoining colonies.

The Territory is not contiguous to the United States mainland.

In this jet age, Alaska is nearer to Washington than Philadelphia was when Thomas Jefferson was inaugurated.

The clinching arguments rounded up by Senator CHURCH are familiar to most Americans because the residents of the 48 States, one way and another, repeatedly have endorsed Alaska statehood: Taxation without representation, government monopoly of the land, the proven patriotism of Alaska's citizens, resources frozen by Washington bureaucracy.

"Yet the straitjacketed economy of Alaska has had the vitality, without a sales tax and without a property tax except in incorporated cities and districts, to provide a surplus in the territorial budget of some $11 million over-appropriated expenditures during the last 8 years.

"And this was accomplished while the Alaskan people bore their full share of the cost of maintaining the Federal Government in Washington."

Can there be more deserving qualification for the right of self-government and full citizenship?

[From the Milwaukee Journal]

WESTWARD MARCH IS NOT OVER

One argument used against Alaskan and Hawaiian statehood is that the Union is complete. Not, so, Senator CHURCH, Democrat, of Idaho, told the Senate, Monday.

"Our westward march is not over, ours is not a finished country," he said, "as long as hundreds of thousands of American citizens, in our two incorporated Territories of Alaska and Hawaii, are barred entry and wait upon the doorstep of our Union for the rights which are their legacy."

CHURCH also criticized those who argue that statehood would bring new Senators who would affect the party alinement and further dilute the voting strength of the more populous States.

"Such arguments," the Idahoan declared, "have been with us from the time of our national origin. Had we heeded them in the past, the United States would still be comprised of the thin tier of 13 States that stretch along the Atlantic coastline of our mighty continent."

Speaking particularly of statehood for Alaska, which could come up for action shortly, CHURCH warned that continued failure to grant it can only be regarded as a deliberate flouting of the popular will. Various polls, many newspaper editorials, and action of Democratic and Republican national conventions of 1956 evidence that this is true.

Mr. CHURCH. Mr. President, I join with the distinguished Senator from Montana, the chairman of the Committee on Interior and Insular Affairs [Mr. MURRAY], and with the junior Senator from Washington [Mr. JACKSON], as a fellow member of the Committee on Interior and Insular Affairs and as a cosponsor of the proposed Alaska statehood legislation, in the remarks which have been made and which I believe to be a fitting introduction to the historic debate which is about to commence in the Senate upon the question of the admission of the Territory of Alaska as the 49th State in the American Union.

Mr. MURRAY. Mr. President, first I congratulate my colleague, the able junior Senator from Idaho [Mr. CHURCH], on the great interest he has taken in the subject of statehood for Alaska. I thank him for the assistance he has given me throughout my efforts in this connection.

Mr. CHURCH. I thank the Senator from Montana.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. KUCHEL. Let me, as a Senator on the Republican side of the aisle, salute the able Senator on the other side of the aisle. In his capacity as the head of the Committee on Interior and Insular Affairs he is in large measure responsible for making it possible for the Senate of the United States to have an opportunity at this time to stand up and be counted on the question of statehood for Alaska.

Like all other Senators who have served under the very able senior Senator from Montana, I have been very glad of the participation, completely devoid of partisanship, in which the members of the Committee on Interior and Insular Affairs, carefully and painstakingly, under the direction of the chairman, fashioned the proposed legislation to provide for statehood for Alaska and also, it should be said, for statehood for Hawaii, too.

I salute the Senator from Montana. I am glad to be able to participate in this debate, which I hope very much will result in the admission of a new State to the American Union. Admission of Alaska will demonstrate to all the world that our Nation lives up to its commitments, both at home and abroad; and will demonstrate also the dynamism which is represented in Congress by able Democratic Senators like my friend, the Senator from Montana.

Mr. MURRAY. I thank the very able Senator from California for his most kind remarks. He has been of great help to me in my capacity as chairman of the committee; has taken a conscientious interest in every matter which has come before us, and has been most help-

ful in working out solutions to the various problems we have had.

I appreciate his support in the statehood struggle. The junior Senator from California has been a true statesman in his contributions to the work of the committee. I feel certain that as a result of our joint efforts—bipartisan efforts—and the great merit of the cause, statehood will be a reality for Alaska.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a telegram from the Young Democrats of the Western States, advocating the passage by the Senate of the House of Representatives bill for statehood for Alaska, without amendment.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH,
June 23, 1958.

Senator MIKE MANSFIELD,
Senate Office Building,
Washington, D. C.:

The young Democrats of the Western States realizing that the time is soon at hand for both parties to demonstrate their integrity by keeping faith with their platforms; therefore, unanimously urge the adoption of the House of Representatives bill for statehood for Alaska without amendment.

The Young Democratic Clubs specifically call public attention to the parliamentary fact that any amendment to the House bill would automatically send the bill back to be buried in the House committee. Any vote in favor of any amendment is, therefore, a vote to kill statehood for Alaska, and a betrayal of Americans and the political platforms of both parties.

William Younger, Wood, Ariz.; Mike Gravel, Alaska; James Heavey, California; Patricia Burbin, California; A Phillip Burton, California; David Bunn, Colorado; Wanda Edward, Colorado; Edna Haubrick, Colorado; J. Tim Brennan, Idaho; Wayne Loveless, Idaho; Harold Gunderson, Montana; David Kemp, Montana; Mary Pat Peoples, Montana; Lorella Montoya Salazar, New Mexico; Bruce Bishop, Oregon; Claire Jones, Oregon; Merlyn Smith, Oregon; Maco Stewart, Texas; Dean Mitchell, Utah; Allan Howe, Utah; Nancy Lou Larson, Utah; Robert Larsen, Washington; Frank Warnke, Washington; Paul Wieck, Wyoming; John Richard, Wyoming.

ORDER FOR ADJOURNMENT UNTIL 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to meet early for the rest of the week, and perhaps beginning tomorrow night to meet late. It is the hope of the leadership that on that basis the bill can be considered fully and passed during this week.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 23, 1958, he presented to the President of the United States the enrolled bill (S. 2224) to amend the Federal Property and Administrative Services Act of 1949, as amended, regarding advertised and negotiated disposals of surplus property.

ADJOURNMENT TO 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, I move that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 58 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Tuesday, June 24, 1958, at 11 o'clock a. m.

13. STATEHOOD. Continued debate on H. R. 7999, to admit Alaska into the Union as a State. pp. 10864-81, 10883-10910.

14. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment S. 4009, to increase the authorization for the Washoe reclamation project, Nev. and Calif. (S. Rept. 1749). p. 10848

The Interior and Insular Affairs Committee approved a committee resolution (pursuant to the Small Projects Act) authorizing $3,510,000 to the Bountiful Subconservancy District in Utah. p. D584

15. TRANSPORTATION. Sen. Morse inserted certain sample letters which he said had been prepared to influence support for enactment of transportation legislation. pp. 10914-16

16. FARM PRICES. Sen. Morse inserted an article stating that Oregon's cash farm income for chickens, broilers, and eggs was lower in 1957 than in 1956, and asserted that this showed a poorer farm situation than that presented by the Secretary. p. 10916

17. FUTURE FARMERS. Sen. Morse inserted an article on the participation of FFA members in Ore. in a campaign against ragweed. p. 10914

18. HOUSING. Sen. Clark inserted Sen. Sparkman's speech to the National Housing Conference on the need for the proposed housing bill. pp. 10861-3

19. NATURAL RESOURCES. Sen. Wiley urged the Senators to come to Wisconsin for a vacation, and inserted an article on the study of U. S. recreation needs. pp. 10881-3

ITEMS IN APPENDIX

20. RESEARCH. Extension of remarks of Rep. McDonough commenting on the importance of the small independent laboratory in scientific research and inserting a speech "Who Is Responsible for What Research?" pp. A5731-3

21. FOOD PRICES. Extension of remarks of Rep. Johnson inserting an article, "High Consumer Prices Don't Benefit Farmer," and stating that it "serves to illustrate quite vividly that farmers are getting very little of recent increases in retail food prices." p. A5743

22. FARM PROGRAM. Rep. Beamer inserted an article, "Road Gets Smoother," commending the Secretary's farm policies. p. A5745

23. CONSERVATION. Rep. Rains inserted an award winning Future Farmer of America speech expressing the need for intense conservation efforts. pp. A5751-2

24. TRANSPORTATION. Extension of remarks of Rep. Byrne urging passage of his bills to repeal excise taxes on freight and passenger transportation. pp. A5757-8

Rep. Green inserted telegrams from her constitutents urging repeal of tax on transportation. p. A5758

Rep. Lane inserted a telegram from several railroad president's urging his support for legislation to repeal these taxes. p. A5763

BILLS INTRODUCED

25. WILDLIFE. S. 4043, by Sen. Wiley, to amend the act providing aid for the States in wildlife-restoration projects with respect to the apportionment of such aid; to Interstate and Foreign Commerce Committee. Remarks of author. pp. 10849-50

H. R. 13100, by Rep. O'Hara, Ill., to establish a national wilderness preservation system for the permanent good of the whole people; to Interior and Insular Affairs Committee.

26. MILK. S. J. Res. 181, by Sen. Humphrey, extending for 60 days the special milk program; to Agriculture and Forestry Committee. Remarks of author. p. 10850

27. DEPRESSED AREAS. H. R. 13083, by Rep. Bennett, Mich., to establish an effectiv program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to Banking and Currency Committee.

28. SURPLUS PROPERTY. H. R. 13085, by Rep. Carnahan, to amend section 203 of the Federal Property and Administrative Services Act of 1949 to provide for the donation of surplus property to public libraries; to Government Operations Committee.

29. RESEARCH. H. R. 13091, by Rep. Harris, to authorize the expenditure of funds through grants for support of scientific research; to Interstate and Foreign Commerce Committee.

30. RENEGOTIATION. H. R. 13092, by Rep. King, to extend the Renegotiation Act of 1951 for 2 years, to apply the requirements of the Administrative Procedure Act to the functions exercised by the Renegotiation Board, to permit appeals from decisions of the Tax Court in renegotiation cases; to Ways and Means Committee.

31. FORESTS. H. R. 13101, by Rep. Porter, to extend the boundaries of the Siskiyo National Forest in the State of Oregon; to Interior and Insular Affairs Committee.

32. BUILDINGS. H. R. 13108, by Rep. Brooks, La., to provide for the erection of a Federal and post office building in Bossier City, La.; to Public Works Committee.

33. EDUCATION. H. R. 13109, by Rep. Dellay, to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; to Education and Labor Committee.

PRINTED HEARINGS RECEIVED IN THIS OFFICE

34. APPROPRIATIONS. District of Columbia appropriations, 1959. H. Appropriations Committee.

National Science Foundation (Review of the first eleven months of the International Geophysical Year). H. Appropriations Committee.

Legislative branch appropriations for 1959. H. Appropriations Committee.

35. REORGANIZATION. S. Res. 297, disapproving Reorganization Plan No. 1 of 1958, merging of FCDA and ODM. S. Government Operations Committee.

Calendar No. 1674

85TH CONGRESS
2D SESSION

H. R. 7999

IN THE SENATE OF THE UNITED STATES

JUNE 24, 1958

Ordered to lie on the table and to be printed

POINTS OF ORDER

Intended to be submitted by Mr. EASTLAND against the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, together with supporting arguments, viz:

POINT OF ORDER NUMBER ONE

SECTION 10 OF H. R. 7999 VIOLATES THE CONSTITUTIONAL REQUIREMENTS FOR EQUALITY OF STATES

Historically new States have been admitted into the Union on an equal footing with all other States.

This legislation, as presently pending before the Senate, states that the State of Alaska is declared to be a State of the United States of America and is declared admitted into the Union on an equal footing with the other States of the Union in all respects whatever. This language of the bill declaring that this new State of Alaska will enter the Union on an equal footing with all other States of the Union must mean that this new State will enter into the Union equal in all respects with every State in the Union at the present time, and it, therefore, follows that the State of Alaska should be accepted into the Union upon the same footing as States previously entering the Union. It is well settled that equality of constitutional right and power is the condition of all of the States of the Union—old and new. Time and time again in adjudicating the rights and duties of States admitted into the Union after 1789, the Supreme Court has referred to the condition of equality of States as if it were an inherent attribute of the Federal Union of States.

Mr. Justice Lurton, in *Coyle* v. *Oklahoma*, 221 U. S. 559, pages 566 and 567, stated:

> "The definition of 'a State' is found in the powers possessed by the original States which adopted the Constitution, a definition emphasized

by the terms employed in all subsequent acts of Congress admitting new States into the Union. The first two States admitted into the Union were the States of Vermont and Kentucky, one as of March 4, 1791, and the other as of June 1, 1792. No terms or conditions were exacted from either. Each act declares that the State is admitted 'as a new and entire member of the United States of America.' 1 Stat. 189, 191.

"Emphatic and significant as is the phrase admitted as 'an entire member', even stronger was the declaration upon the admission in 1796 of Tennessee, as the third new State, it being declared to be 'one of the United States of America,' 'on an equal footing with the original States in all respects whatsoever,' phraseology which has ever since been substantially followed in admission acts, concluding with the Oklahoma act, which declares that Oklahoma shall be admitted 'on an equal footing with the original States.'

"The power is to admit 'new States into this Union.'

" 'This Union' was and is a union of States, equal in power, dignity and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. To maintain otherwise would be to say that the Union, through the power of Congress to admit new States, might come to be a union of States unequal in power, as including States whose powers were restricted only by the Constitution, with others whose powers had been further restricted by an act of Congress accepted as a condition of admission. Thus it would result, first, that the powers of Congress would not be defined by the Constitution alone, but in respect to new States, enlarged or restricted by the conditions imposed upon new States by its own legislation admitting them into the Union; and, second, that such new States might not exercise all of the powers which had not been delegated by the Constitution, but only such as had not been further bargained away as conditions of admission."

Mr. Justice Lurton, in the *Coyle* case, concluded that:

"When a new state is admitted into the union it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original states and that such powers may not be constitutionally diminished, impaired or shorn away by any conditions, compacts or stipulations embraced in the act under which the new State came into the Union, which would not be valid and effectual if the subject of congressional legislation after admission."

For this new State of Alaska, therefore, to enter into the Union upon an equal footing with all States must mean that the new State cannot be deprived of any of its constitutional rights and powers as a condition precedent to its admission.

With this constitutional requirement in mind, it would be well to examine Section 10 of these proposals with the view of determining whether this section squares with the equal footing concept so long established.

The purpose of this section of the bill is to provide an area in northern and western Alaska from which the President of the United States may make withdrawals of certain areas to be used for national defense purposes. Pursuant to presidential proclamations or executive orders certain areas are established wherein the administration of government shall be exercised by Federal authority exclusively. It further provides that the administration of government authority will be based upon the Federal Constitution, Congressional enactments, and State laws to the extent that they are not inconsistent with Federal laws applicable to the area.

Prior to the exercise of any such authority by the President, the State of Alaska will have concurrent jurisdiction with the Federal Government over all public lands not otherwise areas of exclusive jurisdiction such as military reservations established prior to statehood. This state jurisdiction would extend to the police power exercised by the State through legislative and executive action. The courts of the State would have jurisdiction over criminal and civil actions throughout Alaska. Municipalities would be the creation of, and subject to, Alaska State law.

Whenever the President of the United States, pursuant to the authority contained in this proposal, exercises this authority to establish a special national defense area, the executive order or proclamation would specify the area and would delineate exceptions from the requirement of exclusive Federal jurisdiction.

Upon the issuance of such an order by the Chief Executive all Alaska State laws applicable in the area covered by the order become Federal laws for the purposes of administration and enforcement except those pertaining to municipalities and voting privileges. These laws would be enforced by the person or persons designated by the President of the United States. It could be United States marshals or local police officials so authorized by the President.

Mr. President, I wish to direct the attention of the Senate to this fact, that after the issuance of an order by the Chief Executive establishing a national defense area, the Congress of the United States could amend, revise, or even suspend such State laws during the period of exclusive Federal jurisdiction. Furthermore, in the event any State law as adopted pursuant to this proposeed section is in conflict with Federal law, such State law will not be adopted as Federal law.

This section exempts from the State laws which would be adopted as Federal laws those relating to or pertaining to municipalities and State laws relating to elections. The intent of this is to allow the municipalities and other local subdivisions to continue to function under State law within the special national defense areas.

Jurisdiction over all causes of actions occurring or arising within established national defense areas, whether based on Federal law or State law adopted as Federal law, will be vested in the Federal District Court for the District of Alaska. The civil rights of any civilian within an established special national defense area would be determined by the Federal Constitution, laws passed by the Congress, and to the extent that they are not in conflict with Federal law, the laws of Alaska as adopted under this act.

This section does not provide for the establishment of a compact between the new State and the Federal Government limiting or restricting its future actions in matters competent for a compact. It is in no sense a compact at all, but an exaction of sovereignty in an exchange for statehood. It is a condition which I doubt is within the authority of Congress to exact. It permits the Commander in Chief to declare by executive order that certain areas of the new States are necessary for the national defense, and to carry out this purpose, the new State must give to the Federal Government virtually complete sovereignty over the area so withdrawn during the withdrawal period.

Furthermore, the legislation does not limit this authority to a single withdrawal so that the powers of the State with respect to the area so withdrawn may be at times a part of the State for the entire purposes of administration and at other times a geographic island within the boundaries of the State subject to administration by the Federal Government.

I think that Senator Church put his finger on this point when, during the hearings, he commented:

> "Except that here, and this is the unique feature in the Alaskan case, this very, very large area is being marked off, and the Federal Government *is given in effect the power to suspend full statehood in that area*, and the justification for doing this is that it will enhance the defense of the country; that it will facilitate the defense of Alaska and the country. And I just cannot find from the testimony how this is so. Because there is nothing that has been testified to yet to indicate what the military cannot do, if it is just an ordinary State, that it can do under this proposal, that has some defense significance." (Italic supplied.)

While I have quoted the entire statement of Senator Church to place it in its proper context I desire to draw specific attention to his observation that what is proposed here is to give the Federal Government the power to suspend full statehood in the withdrawal area.

During the course of the hearings on the Senate bill, it was stated several times that a number of States entering the Union had ceded certain areas to the Federal Government for Federal purposes, but I submit, Mr. President, that those actions referring to previous admissions of other States is a far cry from the conditions imposed upon the State of Alaska before it is admitted into the Union. In those instances, where various States in the enabling acts have ceded certain tracts to the Federal Government for exclusive Federal domain, that act of cession to the Federal Government for the use of State lands did in no wise abrogate any attribute of State sovereignty, nor did it in any way suspend statehood. In the situation that we are discussing here respecting Alaska before the State can enter the Union, it must agree that certain of its lands and control over at least 24,000 of its citizens shall be taken from its exclusive control and placed under the complete jurisdiction of the Federal Government for indefinite periods. This is a high price to pay for admission into the Union of States, and certainly does violence to the long standing doctrine of equal footing.

Mr. President, this section of the bill causes me great concern. This section was inserted by the Committee on Interior and Insular Affairs at the specific request of the Defense Department and the Department of Interior, the primary reason urged upon the Committee by departmental officials being that this authority is necessary in the interest of national defense.

During the course of the hearings, considerable doubt as to the necessity of this provision was raised by various Committee Members. Defense officials were questioned as to the necessity of this specific authorization in the statehood bill. They were asked, has not the military been able to use lands necessary to the national defense heretofore without any authority such as requested herein? There must be some strong showing of military justification for this authority granted to the Chief Executive to carve out certain areas for defense purposes. The Defense officials answered that this section is necessary to give the United States freedom of action in these areas in time of emergency if the President determines that withdrawal is necessary.

I might note here in this connection that the bill does not limit the authorization or withdrawals by the Chief Executive to a period of emergency but that this withdrawal authority can be used at any time, emergency or not. Under repeated questioning as to the need for this authority, the departmental witnesses stated that this request for withdrawal authority is needed more in the nature of an insurance policy, that this power should be reserved to the Chief Executive as Commander in Chief so that at any future time it is felt necessary to withdraw certain areas from the new State that authority should

be placed in the admitting legislation in order to guarantee that authority be reserved to the Federal Government and without recourse to the consent of the State itself at a later date.

In the same context of this discussion during the hearings, Committee Members pointed out that since 99 percent of the lands subject to the possible withdrawal authority constitutes Federal lands, it appeared to the Committee Members that no justification was necessary for the inclusion of this withdrawal authority. Counsel for the Defense Department then stated that it was not so much the concern of the military establishment over the property involved but what actually was involved was the question of moving people around and exercising Federal police power in the area involved.

What the Defense Department is aiming at here, Mr. President, is not so much the authority to reserve these land areas as it is the concern of the Defense Department that without a declaration of martial law the Federal Government could not move people out of this area unless this statutory authority is conferred on the Federal Government. As the general counsel for the Defense Department explained, unless this authority is granted by statute, the President could not move or evacuate people in this area without the imposition of martial law, but with this authority contained in the bill the President could evacuate people in this area without resorting to martial law. As these officials stated, they want this for insurance purposes in order to insure that the government will have freedom of action in the event of an emergency so that the President can act alone without resorting to acquiescence of the State authorities and without resorting to martial law. In broad terms, Mr. President, this authorization contained in Section 10 would be carte blanche authority to the President to evacuate any or all of the 24,000 persons presently residing in this 276,000 square mile area contemplated to be within the possible withdrawal area needed for defense purposes.

It will be recalled, Mr. President, that this situation is somewhat analogous to the situation existing in the State of California during World War II, when substantial numbers of persons of Japanese ancestry were evacuated from the coastal areas. The difference being in this instance, however, that this would be blanket authority conferred upon the Chief Executive which could be done by a presidential proclamation without the invocation of martial law or without the necessity of resorting to State acquiescence, and need not even be in wartime. This, Mr. President, I submit is the sum and substance of the purpose of Section 10 as urged by the Defense people that, be it necessary or not, be it in time of necessary defense emergency or not, the new State of Alaska is being asked to give up any jurisdiction and authority over certain areas in order that its own citizens may be evacuated at a moment's notice upon the declaration of the Chief Executive that it is necessary to do so. It is the evacuation of people that is the primary concern of the Defense Department seeking this authority and not the property in the confines of this withdrawal area.

Therefore, Mr. President, we arrive at the crux of this section of the bill—that the Congress is establishing a condition for the admission of the State of Alaska to the Federal Union that it consent in advance to exclusive authority in the Federal Government to abrogate State sovereignty over a portion of its citizens. This amounts to the suspension of statehood for this portion of the new State's people and the area located in this withdrawal sphere.

Mr. President, is this condition which this enabling legislation seeks to impose upon the new State of Alaska before it can become admitted to the Federal Union, consistent with the equal footing doctrine which has been

observed by the Congress in prior admissions of new States to the Federal Union? I believe that this condition, if allowed to remain in the legislation, does violence to the equal footing doctrine.

Article IV, Section 3, of the Constitution confers upon Congress the power to admit new States into the Union. The Union was and is a Union of States equal in power, dignity and authority, and each State competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. Further, the power of Congress is to admit States upon an equal footing with all of the other States. This power does not mean that Congress can impose conditions upon a State which would make it unequal with the other States of the Union at the time of its admission. If, under the guise of the constitutional power to admit new States into this Union, the Congress is permitted to impose conditions upon a State for admission which would deprive a State of some of its sovereignty and place it upon a plane of inequality with other States in the Union, then I submit, Mr. President, that the Congress itself is extending its authority far beyond the power conferred upon it by the Constitution under Article IV, Section 3. If this were to be so, Mr. President, in effect would be to say that the Union through the power of Congress to admit new States might come to be a Union of States unequal in power and whose powers had been restricted by an act of Congress accepted by that State as a condition of admission, meaning that new States could not exercise those powers which it had bargained away as a condition of admission. This, I know, is not intended by the Congress in its consideration of statehood for Alaska, but I submit that there is a grave question here which needs to be thoroughly examined before the authority of this section is conferred upon the Chief Executive. The Defense Department in advocating the inclusion of this section in the proposed legislation, points out that some 25 States had given authority to the Federal Government for the use of lands within the admitted States' area. However, this is not the case in the present instance. This present instance is unique. Here the Federal Government is imposing a condition upon the State that in order to be admitted into the Union it must give up part of its sovereignty over its own citizens. This is a far cry from the 25 other States who have given some authority to the Federal Government over property within its boundaries. This confers not so much property but actual control and power over citizens in a State.

The Supreme Court many times in past years has found occasion to pass on the various enabling acts admitting new States into the Union, and I find nowhere in those decided cases any sanction for the proposition that a new State may be deprived of any of the powers constitutionally possessed by other States as States by reason of the terms in which the acts admitting them to the Union have been framed. I find no decision of our Supreme Court which sanctions any authority of the Congress to impose conditions in an enabling act to deprive a new State of any attribute essential to its equality, dignity, and power with other States. In that framework of court decisions, I submit, Mr. President, that this Section 10 of the bill permitting the Federal Government through its Chief Executive to withdraw certain areas from the new State and exercise complete domination and sovereignty over a substantial number of its citizens, including the power to summarily remove any or all of the 24,000 residents of this withdrawal area, is contrary to the theory of equal footing, a denial to a State of the equal power, dignity and authority of that residuum of sovereignty not delegated to the United States by the Constitution itself. This authority would place this new State upon a plane beneath the other States by denying that residuum of sovereignty reserved to the States by the Tenth Amendment.

Mr. President, to further buttress the argument as to the unconstitutionality of Section 10, I now direct the attention of this Senate to Section 8 (b) of the proposed bill, which sets up the machinery for the calling of an election by the Governor of Alaska, at which time the qualified electors are called upon to adopt or reject three propositions—

(1) Shall Alaska immediately be admitted into the Union as a State?

(2) The boundaries of the State of Alaska shall be as prescribed in the Act of Congress and all claims of the State to any areas of land or sea outside the boundaries are irrevocably relinquished to the United States.

(3) All provisions of the Act of Congress approved on the date of approval of this Act reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property made to the State of Alaska, are consented to fully by said State of Alaska and its people.

Section 8 (c) then prescribes that when the President of the United States finds that the propositions set forth have been adopted by the people of Alaska, the President shall issue his proclamation announcing the results of said election, and then upon the issuance of the presidential proclamation the State of Alaska shall be deemed admitted into the Union as provided in Section 1 of the enabling act.

Now, just what does this proposition of Section 8 (b) (3) of the bill mean? What are the *rights* or *powers* that the electorate of Alaska are required to give their consent to? It is the power to exercise full sovereignty and dominion over a part of its citizens. This language calls upon the citizens of Alaska to ratify a condition to which they must agree, imposed by the Congress, before they can achieve statehood. This means giving up an attribute of sovereignty—an attribute consisting of power and dominion over some of its own citizens. In other words, this legislation, in effect, says to Alaskans—"If you want to become a State of these United States, you come in under the condition that you give to the Federal Government a part of your sovereignty and control over your citizens. If you do not agree, you cannot be admitted into the Union of States." Is this not a club which Congress is hanging over the head of Alaska?

This to me is so obvious, on its face, a denial of the equal footing doctrine. Can it be said that the State of Alaska shall enter into the Union of States, equal in all respects whatever, to its sister States when, before it can enter, it must agree that a part of its sovereignty shall be given to the Federal Union? This makes a mockery out of statehood for Alaska, for it amounts to statehood for a part of Alaska and for a part reserved to the Federal Government, including power and control over its own citizens, Federal dominion rather than State dominion.

I repeat, Mr. President, that serious constitutional questions are raised by this legislation and the requirements of Section 8 of the bill add to the grave doubts that I had previously expressed concerning the constitutionality of this proposal. I do not believe that any member of this body would sanction the proposition that a new State may be deprived of any of the powers constitutionally possessed by other States, as States, by reason of the terms in which the enabling acts are framed. But, I submit that the language of Section 8 providing the machinery for the people of Alaska being required to accept as a condition for admission into the Union that it agree to a denial of a portion of its sovereignty over its own property and citizens, does violence to the equal footing doctrine which has, historically, been adhered to by the Congress in admitting new States into the Union. I can only repeat that Article IV, Section 3 of the Constitution, sets up the power of the Congress by legislation to

admit States in the Union, but it does not confer upon the Congress the authority to diminish an attribute of sovereignty of a new State as a condition precedent for admission to the Union. Equal footing means just that—that each new State entering this Union is equal in all respects to its sister States and yet, here by this legislation, we are saying that Alaska enters the Union on an equal footing with all other States *except* that if it wants to come into the Union it must give up part of its sovereignty to the Federal Government before it can become a sister State. This, in effect, is giving the new State something less than full statehood and, therefore, denying to the State of Alaska equal footing with all the other States. This, Mr. President, is a denial to this State of the equal power, dignity and authority of that residuum of sovereignty not delegated to the United States by the Constitution itself.

Mr. President, I respectfully submit that this Point of Order should be sustained and Section 10 of H. R. 7999 be stricken from the bill.

POINT OF ORDER NUMBER TWO

Section 8 of the Alaskan Constitution Is in Direct Violation of the Constitution of the United States in Providing the Manner and Terms for the Election of United States Senators

The last clause of Section 1 of S. 49 and H. R. 7999 confirms, ratifies and accepts a Constitution previously approved by the residents of the Territory of Alaska. One of the provisions of this Constitution directly violates a provision of the United States Constitution.

This is Section 8 of Article XV which attempts to provide for the election of one United States Senator for a short term and the election of one United States Senator for a long term.

The exact language of this Section 8 of the proposed Constitution of the proposed State of Alaska is as follows:

> "SECTION 8. The officers to be elected at the first general election shall include two Senators and one representative to serve in the Congress of the United States, unless senators and a representative have been previously elected and seated. One senator shall be elected for the long term and one senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States. The term of the representative shall expire on the third day of January in the odd-numbered year immediately following his assuming office. If the first representative is elected in an even numbered year to take office in that year, a representative shall be elected at the same time to fill the full term commencing on the third day of January of the following year, and the same person may be elected for both terms."

The Constitution of the United States provides in the first Article of the Constitution that the Senate of the United States shall be composed of Senators chosen for six years.

Any attempt to elect a Senator for what is called "a short term" is clearly in direct violation of the Constitution of the United States. This is no idle matter.

Even if it is considered to be only an attempt by the Alaska Constitutional Convention to designate that one Senator from the proposed new State of Alaska shall belong to one class and the other Senator shall belong to another class of Senators, it is equally beyond the authority of any State to make such a designation.

Mr. President, no one of my colleagues needs to do any more to satisfy himself on this point than to pick up the admirable new volume, entitled

"Senate Procedure: Precedents and Practices" by our distinguished parliamentarian and assistant parliamentarian, Charles L. Watkins and Floyd M. Riddick, and turn to page 553 of that work, to the section captioned "Senators", and examine the paragraph on "Senators—Classification of" and read the simple, direct, and unequivocal statement as follows:

> "The legislature of a new State has no authority to designate the particular class to which Senators first elected shall be assigned."

(See Exhibit "A" to Point of Order Number Two)

This statement, as you may be sure, is amply supported by the precedents.

Indeed, Mr. President, there are, as all of us are aware, not two, but three classes of Senators and the terms of one third of this body expire at two year intervals.

It cannot be said, Mr. President, until the classification of new Senators is accomplished, whether, indeed, a new Senator is to be assigned to Class 1, Class 2, or Class 3.

In any event, Mr. President, any attempt to elect a Senator for a "short term" is in direct violation of the Constitution of the United States; and any attempt on the part of a proposed new State to determine in advance the classifications to be assigned to its two new Senators, is in direct violation of the practice which has been followed without exception in regard to the classification of Senators from new States from the time of the organization of this Republic.

There have been at least two previous instances in which there has been an attempt made to designate the classification of Senators. In both of those instances, however, no attempt was made to designate that classification by a proposed Constitutional provision or even by legislation. As a matter of fact, it was done by resolutions accompanying the certificates of election. In both cases, the Senators themselves were actually elected for a six-year term.

The first instance to which I refer occurred when the new State of Minnesota was admitted to the Union. In the Journal of the Senate for Wednesday, May 12, 1858 (Journal, P. 441), there appears the following:

> "Mr. Toombs presented a resolution of the Legislature of the State of Minnesota, in joint convention, in favor of the Hon. Henry M. Rice, representing that State in the Senate of the United States for the long term; which was referred to the Committee on the Judiciary."

At that time, Mr. Toombs remarked, as reported in the Congressional Globe:

> "Mr. Toombs. The Legislature of the State of Minnesota in the joint convention which elected Senators passed a resolution on the subject of their tenure. It is a question of some trouble and difficulty, and I move that it be referred to the Committee on the Judiciary."

Let me digress at this point to call the attention of the Senate to the fact that in the Minnesota case the matter of tenure of Senators was recognized as the business and jurisdiction of the Committee on the Judiciary. I think it still is and that any legislation, proposed Constitution or resolution dealing with the tenure and classification of Senators should be referred to the Committee on the Judiciary of the United States Senate.

Continuing with the procedure in regard to Minnesota, two days later, Mr. President, Mr. Bayard from the Committee on the Judiciary, to whom was referred the resolution of the State of Minnesota, filed the Committee's

report to the Senate. The Committee on the Judiciary reported a resolution setting forth the procedure for classifying the two new Senators from Minnesota in precisely the same manner in which the Senators from new States had been classified by the Senate of the United States, without exception, from the first session of the First Congress.

The Committee on the Judiciary in that instance recommended as follows:

"*Resolved*, That the Senate proceed to ascertain the classes in which the Senators from the State of Minnesota shall be inserted, in conformity with the resolution of the 14th of May, 1789, and as the Constitution requires."

"The resolution was considered by unanimous consent, and agreed ."

"MR. BAYARD. Now I ask that the order accompanying the resolution from the committee be read and considered.

"The Secretary read it, as follows:

"*Ordered*, That the Secretary put into the ballot-box two papers of equal size, one of which shall be numbered 1, and the other shall be a blank. Each of the Senators of the State of Minnesota shall draw out one paper, and the Senator who shall draw the paper numbered 1, shall be inserted in the class of Senators whose term of service will expire on the 3d of March, 1859; that the Secretary shall then put into the ballot-box two papers of equal size, one of which shall be numbered 2, and the other shall be numbered 3. The other Senator shall draw out one paper. If the paper drawn be numbered 2, the Senator shall be inserted in the class of Senators whose terms of service will expire on the 3rd day of March, 1861; and if the paper drawn be numbered 3, the Senator shall be inserted in the class of Senators whose terms of service will expire the 3rd day of March, 1863."

Mr. Bayard's comments upon the resolution on behalf of the Committee on the Judiciary laid the question to rest with clarity beyond question in his following remarks:

"MR. BAYARD. I will merely state, on behalf of the committee, that the request made by the Legislature of Minnesota—it is but a request—is entirely inconsistent with the settled practice of the Government under the resolution of the Senate in 1789, when the Senate was first organized. The Committee have seen no reason for changing that practice. The Senate had then to determine how they would classify Senators, and they have always adhered to the practice then adopted. The Constitution of the United States authorizes the election of Senators for six years, and provides for their classification. In the first instance, in organizing the Senate, they might do it in one of two modes—either by lot or by arbitrary determination. They decided that lot was the best mode to do it; and thus the term is determined on the first coming in of a Senator; and that has been the mode of proceeding since the first origin of the Government."

The following year the State of Oregon was admitted to the Union, and the two Senators from the new State of Oregon were classified in accordance with the provisions of the Constitution and the long established customs of the Senate. The matter raised by the resolution of the Legislature of the State of Minnesota had been effectively settled.

The other case to which I should like to advert is the case of the State of North Dakota, when the credentials of the two Senators from that new State were presented. On December 4, 1889, the credentials of the two Senators from the new State of North Dakota were presented to the Senate. The Vice President directed the reading of a resolution reported by the Committee on Privileges and Elections which set forth the time-honored procedure of classifi-

cation of Senators in this body. After that resolution was read, Senator Cullom, who had presented the credentials of the two new Senators, addressed the Senate as follows:

"MR. CULLOM. Mr. President, before action is taken upon the resolution just read, I desire to present some resolutions adopted by the two Houses of the Legislature of North Dakota touching upon the question of the term of one of the Senators from that State. I ask to have them read by the Secretary so that they may be placed upon record."

The Chief Clerk read as follows:

"Senate Chamber, Bismarck,
N. Dak.,
November 29, 1889.

"It is herewith certified that on Wednesday, the 20th day of November, A. D. 1889, and subsequent to the election of Hon. Gilbert A. Pierce as Senator in the Congress of the United States, the senate of the first session of the Legislative Assembly of the State of North Dakota adopted the following resolution:

" 'Whereas Hon. Gilbert A. Pierce, the unanimous choice of the Republican senators of the State of North Dakota, has been chosen by vote of the senate, one of the United States Senators to represent said State in the Congress of the United States:

" '*Be it resolved by the Senate of the State of North Dakota*, That he be, and is hereby designated to represent the State of North Dakota in the Congress of the United States for the long term.' "

"Said resolution being recorded on page 2 of the senate journal of November 20, 1889.

ALFRED DICKEY
Lieutenant-Governor and President of the Senate."

Senator Hoar then addressed the Senate and spoke as follows:

"MR. HOAR. Mr. President, the Constitution of the United States provides that after the assembling of the Senate, in consequence of the first election, 'they (the Senators) shall be divided as equally as may be into three classes.' The Constitution did not expressly provide by what authority that designation should be made, but it has been the uninterrupted usage since the Government was inaugurated for the Senate to exercise that authority. Indeed, no other authority could be for a moment supposed to have been intended to be charged with this duty.

"The Legislature of the State of North Dakota, the two houses of that Legislature, after the election, have expressed a desire that one of the two gentlemen elected to the Senate of the United States from that State should hold the seat for the long term. Of course, that matter did not enter into the election there, and if it had done so, it is obvious that the State Legislature had no constitutional authority in relation to the subject. Indeed, it was not then known, and is not yet known, what length of term will be assigned to either of the Senators from that State. Either of them may, in accordance with the lot, be assigned to the six years', the four years', or the two years' term. All that the Senate now knows is that, if this resolution be adopted, no two Senators will be assigned, from any one of the States that have just been admitted, to a term of the same length. Perhaps the desire of the Legislature of the State of North Dakota may be accomplished as the result of the proceedings of the Senate, but that must be the result of the lot, and I can not see that the Senate may justly

or properly exercise any authority in regard to it by way of departure from its duty."

Mr. President, the statement of Senator Hoar is but recognition of what was then and is now an inescapable conclusion, namely that the State legislature has no constitutional authority in relation to this subject; that it has been the uninterrupted usage, since the Government was inaugurated, for the Senate itself to exercise this authority, and that no other authority can properly be considered. Yet, Mr. President, one hundred years after this matter has been discussed and has been settled, the proposed State of Alaska, through its proposed Constitution, again wants to renew the discussions and the debates on this subject. It is absolutely clear in my mind that this provision of the proposed Constitution for the State of Alaska lacks authority in law and violates the express provisions of the Constitution of the United States. I want to make the point that there has been either a lack of understanding of the structure of the Senate in the drafting of this provision or, if it was known, then completely ignored.

Mr. President, I have taken the time to go into this subject quite carefully in order that the Senate shall know that there are errors of major importance with the legislation now pending relating to the admission of Alaska to statehood. In my opinion, in view of the errors and inconsistencies which have been made in relation to the classification and tenure of Senators, the probability is there are others. I find nowhere in the reports or the hearings on this matter where these questions I pose have ever been raised or resolved, and I do not believe that the Senate could approve this Constitution or the legislation until there has been a great deal more study given to many of its phases. Let me point out again that House Report No. 624 to accompany H. R. 7999, on page 5 thereof, states as follows:

> "By enactment of H. R. 7999 this Constitution will be accepted, ratified and confirmed by the Congress of the United States."

I do not believe Senators should vote for the acceptance, ratification or confirmation of a Constitution which contains a provision which does violence to such a basic concept of this body as its method of classification for purposes of tenure. So, there can be no doubt as to what the proposed Constitution for the new State of Alaska provides in this respect. Let me again set forth that provision.

Section 8 of Article XV reads:

> "The officers to be elected at the first general election shall include two senators and one representative to serve in the Congress of the United States, unless senators and a representative have been previously elected and seated. One senator shall be elected for the long term and one senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States. The term of the representative shall expire on the third day of January in the odd-numbered year immediately following his assuming office. If the first representative is elected in an even-numbered year to take office in that year, a representative shall be elected at the same time to fill the full term commencing on the third day of January of the following year, and the same person may be elected for both terms."

The proposal which this body, in its approval of H. R. 7999 would be ratifying, accepting and confirming is, on its face, completely inconsistent with the Constitution of the United States, which requires that Senators be chosen for a term of six years and which further requires that the Senate divide itself into three classes. What is proposed in the case of Alaska has never been done in the history of this country, and should not be done now.

Mr. President, I respectfully submit that on this Point of Order no further consideration can be given to this proposed legislation until the proposed Alaskan Constitution is brought into conformity of the Constitution of the United States of America in regard to the selection of members for the United States Senate.

EXHIBIT "A" TO POINT OF ORDER NUMBER TWO

SENATORS

Absent:

See "Attendance of Senators," pp. 91–97

Blind Senator:

In 1928, Senator Schall, a blind Senator was authorized, by resolution, to appoint a messenger to act as personal attendant in lieu of a page previously appointed.[1]

Certificates of Election:

See "Credentials and Oath of Office," pp. 230–240.

Classification Of:

The legislature of a State has no authority to designate the particular class to which Senators first elected shall be assigned.[2]

The procedure used for classification of the Senators from New Mexico and Arizona, the last States admitted into the Union, was set forth in the following resolution adopted for that purpose on April 2, 1912:[3]

> Mr. Dillingham submitted the following resolution, which was considered by unanimous consent and agreed to:
>
> *Resolved*, That the Senate proceed to ascertain the classes to which the Senators from the States of Arizona and New Mexico shall be assigned, in conformity with the resolution of the Senate of the 14th of May 1789, and as the Constitution requires.
>
> *Resolved*, That the Secretary put two papers of equal size in each of two separate ballot boxes, and in each instance one of such papers shall be numbered *one* and the other shall be a blank. The Senators from the State of Arizona shall proceed to draw the papers from one of such ballot boxes, and the Senators from the State of New Mexico shall proceed to draw the papers from the other ballot box, proceeding to draw in the alphabetical order of their names. The Senators who draw papers numbered *one* shall be assigned to the class of Senators whose terms of service will expire on the 3d day of March, 1917. That the Secretary then put into one ballot box two papers of equal size, one of which shall be numbered *two* and the other shall be numbered *three*. The two Senators who in the first instance drew blank ballots shall, in the alphabetical order of their names, each draw one paper from said ballot box and the Senator who shall draw the paper numbered *two* shall be assigned to the class of Senators whose terms of service will expire on the 3d day of March, 1913, and the Senator who shall draw the paper numbered *three* shall be assigned to the class of Senators whose terms of service will expire on the 3d day of March, 1915.

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[1] May 21 and 25, 1928, 70–1, *Journal*, pp. 495, 542, *Record*, pp. 9322, 9860.

[2] Dec. 4, 1889, 51–1, *Record*, p. 92.

[3] Found at p. 244 of *Journal* for 2d sess. of the 62d Cong.

POINT OF ORDER NUMBER THREE

Section 10, H. R. 7999, Violates the Due Process Clause of the Fifth Amendment to the Constitution

This Point of Order stems from the authority conferred on the Commander-in-Chief by Section 10 of the bill, by authorizing the President to evacuate people in the withdrawal area without resorting to martial law. Such authority conferred upon the President by Section 10 violates the due process clause of the Constitution. That clause guarantees that no person may be deprived of life, liberty or property without due process of law.

Due process of law means a course of legal proceeding according to those rules and principles which have been established in our system of jurisprudence for the enforcement and protection of private rights. To give such proceedings any validity, there must be a tribunal competent to pass upon the subject matter of the suit. Due process of law implies the right of the person affected thereby to be present before the tribunal which pronounces judgment upon the question of life, liberty or property in its most comprehensive sense to be heard by testimony or otherwise, and to have the right of contraverting by proof every material fact which bears on the question of right in the matter involved. The liberty guaranteed by the Constitution is that power of locomotion without imprisonment or restraint unless by due course of law. Liberty also connotes the absence of arbitrary restraint but not immunity from reasonable regulations and prohibitions imposed in the interest of all the community.

Within the framework of the Constitution due process of law guarantees to every person his day in court and reasonable opportunity to be heard or defend, and requires orderly proceeding in competent tribunals in accordance with generally established rules not violative of fundamental rights. *Rosenblum v. Rosenblum Misc. 1943, 42 N. Y. S. 2d 626.*

The due process clauses of both the 5th Amendment and the 14th Amendment are directed at the protection of the individual who is entitled to the immunity thereof as much against the State as against the National Government. *Curry v. McCanless, Tenn. 1939, 59 S. Ct. 900, 307 U. S. 357, 83 L. Ed. 1339, 123 A. L. R. 162.*

Due process of law, as guaranteed by the 5th Amendment, means that any law enacted by the Congress shall not be unreasonable, arbitrary nor capricious. I submit that Sec. 10 of this bill is unconstitutional as violative of the 5th Amendment, as it deprives these citizens of rights guaranteed by the Constitution without due process of law. This is accomplished by denying these citizens in the withdrawal area of their liberty remaining in that area, for under Sec. 10 the President, by executive order, can summarily evacuate any or all of these residents at a moment's notice without any opportunity to have their rights adjudicated. These people are, in effect, deprived of the equal protection of the laws inasmuch as this withdrawal authority affects the rights of a part of the area of the proposed State. Subsection (c) of Sec. 10 of the bill confers exclusive jurisdiction to the United States, thereby depriving the citizen of that withdrawal area of the rights which citizens of the areas not withdrawn of access to the State Courts. This sets up two standards for citizens of the new State. Part of its citizens have the right to access to the State Courts, while those citizens in the withdrawal area are denied that right by virtue of the fact that once the President, by proclamation, withdraws an area jurisdiction and

dominion over the citizens therein are taken over by the Federal Government and any redress that they seek must be in the Federal tribunal rather than the State. This provision discriminates against one segment of the citizens of the new State by depriving them of the liberty of action without having any semblance of protection by judicial process. I submit that the constitutional question involved here should be thoroughly explored by this body.

A case of recent vintage in which the due process clause was invoked, was the case of *Korematsu* v. *United States*, reported in 323 U. S. commencing at page 214. In that case it was held that the orders requiring persons of Japanese ancestry to be removed from military areas and to relocation centers was constitutional. However, it will be noted from a reading of the case that the constitutionality was based solely on the proposition that the United States was at war and it was within the war powers of the government to exercise that authority. This situation, of course, differed utterly and completely from the case of Alaska, which is neither at war not under martial law. In fact, I think a portion of the dissenting opinion in the Korematsu case, cited supra, and which appears on page 234, expresses the constitutional point that I am making and which, I believe, shows the violation clearly of Sec. 10 of this legislation as it affects the constitutional rights under the 5th Amendment to the Constitution of the United States. Mr. Justice Murphy, in his dissenting opinion, states as follows:

> "At the same time, however, it is essential that there be definite limits to military discretion, especially where martial law has not been declared. Individuals must not be left impoverished of their constitutional rights on a plea of military necessity that has neither substance nor support. Thus, like other claims conflicting with the asserted constitutional rights of the individual, the military claim must subject itself to the judicial process of having its reasonableness determined and its conflicts with other interests reconciled. 'What are the allowable limits of military discretion, and whether or not they have been overstepped in a particular case, are judicial questions.' *Sterling v. Constantin*, 287 U. S. 378, 401.
>
> "The judicial test of whether the Government, on a plea of military necessity, can validly deprive an individual of any of his constitutional rights is whether the deprivation is reasonably related to a public danger that is so 'immediate, imminent, and impending' as not to admit of delay and not to permit the intervention of ordinary constitutional processes to alleviate the danger. *United States* v. *Russell*, 13 Wall. 623, 627–8; *Mitchell v. Harmony*, 13 How. 115, 134–5; *Raymond v. Thomas*, 91 U. S. 712, 716. Civilian Exclusion Order No. 34, banishing from a prescribed area of the Pacific Coast 'all persons of Japanese ancestry, both alien and non-alien,' clearly does not meet that test. Being an obvious racial discrimination, the order deprives all those within its scope of the equal protection of the laws as guaranteed by the Fifth Amendment. It further deprives these individuals of their constitutional rights to live and work where they will, to establish a home where they choose and to move about freely. In excommunicating them without benefit of hearings, this order also deprives them of all their constitutional rights to procedural due process. Yet no reasonable relation to an 'immediate, imminent, and impending' public danger is evident to support this racial restriction which is one of the most sweeping and complete deprivations of constitutional rights in the history of this nation in the absence of martial law."

Let me say at this point, in addition to the dissent of Mr. Justice Murphy, there were also dissents by Justices Jackson and Roberts.

In conclusion, I submit that the views of Mr. Justice Murphy in the Korematsu case are equally applicable to the present instance, for here we have legislation based on military necessity which deprives individuals of their constitutional rights and that Sec. 10 deprives those citizens of the withdrawal area the equal protection of the laws as guaranteed under the 5th Amendment.

It will be noted that the opinion of Mr. Justice Murphy not holding with the constitutionality of the order in the Korematsu case was voiced by him when the United States was at war with Japan. How much more to the point is that dissenting opinion as it applies to Alaska in time of peace and when no emergency is imminent.

From the date of admission to the Union until a proclamation of the President, the 24,000 citizens within the withdrawal area reside there with a "Sword of Damocles" hanging over their heads.

Calendar No. 1674

85TH CONGRESS
2D SESSION

H. R. 7999

POINTS OF ORDER

Intended to be submitted by Mr. EASTLAND against the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, together with supporting arguments.

JUNE 24, 1958

Ordered to lie on the table and to be printed

when found practical and feasible. If not feasible, such tenants could be left in occupancy if no reasonably-priced private housing is available to them.

There is another feature of the bill which deserves bipartisan support. It establishes a plan for low-income families to pull themselves up by the bootstraps. It gives the family a home, encouraging it to work harder and to improve its financial position. Under present law, a hard-working and industrious family winds up either losing its incentive, or being evicted from its home. The new law would award industry and hard work by holding out the goal of home ownership.

I am hopeful that the real-estate people will come to like this new provision because it is a plan for returning public-housing units to the private-housing field.

These new public-housing features of the bill are good, it seems to me. If properly administered, they should result in a revival of interest in this vital part of our Federal housing program. All the legislation in the world will go for naught if we do not have good administration. This is particularly true at the local level. I am hopeful that the public-housing title of the committee bill will inspire a resurgence of strength in local authorities.

Public housing was initially a crusade for decency in American family life; it must not lose that crusading spirit. New legislation will help, but it will succeed only if you make it succeed.

In closing, I want to join all of you in expressing profound and sincere regret over the departure of Lee Johnson. So many good things have already been said about him that there is little I can add. Even so, I know we all share the feeling that his contributions toward helping to make it possible for all Americans to have decent homes have been exceedingly great.

Lee has been the Washington workhorse in the field of housing. With one o fthe smallest staffs on the Washington scene, the volume of useful information made available has been truly remarkable.

One need not agree with everything he has proposed—and I am sure we all know opponents of the National Housing Conference's views—to appreciate his untiring efforts and his complete and unselfish devotion to the cause of better housing.

Lee is truly one of the most effective housing champions of all time.

I am delighted to join with you to wish him well in his new grassroots assignment. If the committee bill is enacted into law, Lee Johnson and people like him in other parts of the country will hold the key to its success. In fact, the Lee Johnsons of our Nation, operating with dedication at the local level, will, I am confident, make the program work.

SEVEN DAYS UNTIL JULY 1—PROSPECTIVE INCREASE IN THE PRICE OF STEEL

Mr. KEFAUVER. Mr. President, on yesterday I put in the RECORD letters written by Mr. W. L. Litle, chairman of the board and president of the Bucyrus-Erie Co., to President Eisenhower and Secretary Mitchell, together with a reply from Secretary Mitchell. In his letter to the President, Mr. Litle, whose firm is the world's foremost manufacturer of power cranes and excavators, stated that unless the inflationary spiral is stopped, American manufacturers will have priced themselves out of the world markets. This would mean that firms such as his could compete in world markets only by building branch plants abroad, which of course would deprive American workers of employment.

They may, in addition, be pricing themselves out of the domestic market as well. The Wall Street Journal of June 23 quotes an official of one automobile company as stating:

> Our prices are too high now. We know it, and we are determined to hold the line if at all possible.

If one can judge from recent surveys which were made by the Wall Street Journal and the magazine Steel, the prospect of having to face another increase in the price of their basic raw material fills many American manufacturers with gloom. The reason for their apprehension is not difficult to determine. In a number of industries, there still exists a considerable degree of true price competition. As a result of the current recession, there also exists a buyers market. Under these circumstances, no single producer in such an industry can be sure—as United States Steel appears to be sure—that any price increase which it makes would be paralleled by a comparable increase on the part of its competitors. It is this lack of certainty as to what the reactions of their competitors will probably be that sharply distinguishes competitive industries from the steel industry.

In its survey which covered 40 midwestern steel-using firms, the Wall Street Journal found that they are reluctant to raise prices even if they have to pay more for steel—June 23, 1958. The survey cited particular firms, of which the following appear to be typical:

Mr. John E. Carroll, president of the American Hoist & Derrick Co., of St. Paul, Minn., said:

> We cannot pass along any price increases on our products. Even if we were in the red, which we are not, we couldn't raise prices because we'd lose too much business by doing so.

Mr. Francis J. Trecker, president of Kearney & Trecker Corp., Milwaukee, Wis., is quoted as saying:

> There is no possible chance of increasing prices on machine tools at this time. Any added cost of steel would have to come from our profit—if there is a profit.

Mr. Ben F. Lease, president of Athey Products Corp., a Chicago heavy-duty trailer manufacturer, said:

> Price cutting now is widespread in our industry. I don't know how you can pass along any steel price increase in those circumstances.

In its survey of manufacturers of metal-working equipment—in which steel is an important cost element—the trade magazine Steel found that because of competition it would be difficult, if not impossible, for many equipment manufacturers to pass on any increase in steel prices. The magazine cites a manufacturer of belt conveyors as stating:

> There is definite price weakness in this field. Even the most ethical blue-chip producers are cutting quotations.

A producer of hydraulic presses is quoted as saying:

> Some manufacturers want to fill their shop so badly they'll not only operate at smaller per unit profit but sometimes quote under cost.

A manufacturer of presses reports:

> Some companies are accepting business at a loss to keep their plants operating.

This is not to say that none of the increase in the price of steel will be passed on to the consumer. But it is to say that if the recession continues, companies in competitive industries will find it much more difficult than last year to pass along the cost of a steel price rise, which in some cases will spell hardship, if not insolvency. No such difficulty is to be expected, of course, in industries where price competition no longer exists. There, the full increase will undoubtedly be passed on—with probably something more, to boot.

Mr. President, if the steel companies do raise their prices, their gain in unit profits will be at the expense of the American consumer in cases in which the increase can be passed on, and at the expense of steel-using firms in competitive industries when in which it cannot be passed on. In either event, the steel companies' gain would be the Nation's loss.

There remain only 7 more days for President Eisenhower to act to prevent the expected price increase.

FEDERAL AID-FOR-WILDLIFE PROGRAM

Mr. WILEY. Mr. President, recently I received a copy of a resolution adoped by the Wisconsin Conservation Commission at its 23d annual meeting in Madison, Wis. The resolution stresses the need for a change in the formula for distributing funds for wildlife projects under the Pittman-Robertson Act. Under this act, funds are collected through an excise tax on guns and ammunition. After administrative costs and certain statutory outlays to territories are deducted, the money is reapportioned to the States on a 25 percent matching basis by the States.

However, there are now serious inequities in the program.

For example, under present methods of distribution, Wisconsin last year received only 83 cents per license issued. By contrast, other States received up to $8.50 per license. This is definitely unfair.

Currently, there are two approaches being considered for improving this law: First, the resolution proposes to change the formula so as to give greater consideration to the number of licenses issued, to license holders, rather than to land area. This is on a 50–50 basis.

Incidentally, such a proposal is contained in S. 3920, now pending before the Senate Interior and Insular Affairs Committee. This measure would change the formula from a 50–50 basis, to allocating 60 percent of the funds on the basis of licenses issued to holders, and 40 percent on land area.

Second, the bill I introduced today would, if enacted, help to assure that the formula would not be further distorted, as now being considered by the Department of the Interior.

As Senators know, a change is being considered which would require that funds now be allocated on the basis of the number of license holders—rather than on the traditional basis of the number of licenses issued.

To avoid prolonging or increasing the inequities in the law, I respectfully urge that the Senate Interior and Insular Affairs Committee consider these two bills as soon as possible.

To indicate the deep concern with which the Wisconsin Conservation Congress views the need for improving this program, I request unanimous consent to have the resolution printed in the body of the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the national wildlife conservation program has been benefited tremendously through the Federal Aid to Wildlife Restoration Act, better known as the Pittman-Robertson program;

Whereas the Wisconsin Conservation Department Game Management Division's program has been strengthened and increased through the receipt of Federal aid to wildlife restoration funds;

Whereas the Fish and Wildlife Service of the United States Department of the Interior now plans to change the method of apportionment of the Federal aid to wildlife restoration funds to the States;

Whereas such change in computing the apportionment will have a damaging effect on the Wisconsin wildlife conservation program by reducing funds available to Wisconsin;

Whereas the change in the apportionment procedure is apparently the result of political pressure on the part of certain States;

Whereas the change in the apportionment procedure will result in each State having to institute costly sampling procedures to determine the number of paid license holders; and

Whereas the change in the apportionment procedure fails to recognize the need of the States for funds to conduct a wildlife management program: Therefore be it

Resolved by this 23d meeting of the Wisconsin Conservation Congress, That the apportionment procedure which has been in effect for almost 20 years and which has proven to be highly acceptable be continued, that if the United States Fish and Wildlife Service insists on a change in the procedure along with a required expensive sampling procedure that the representatives of the State of Wisconsin in the Congress of the United States introduce suitable legislation to amend the Federal Aid to Wildlife Restoration Act to give in the apportionment formula more consideration to numbers of license holders and less consideration to land area of the States. * * *

Resolutions committee: Glen L. Garlock, chairman (Forest County); Donald L. Hollman (Adams County); Edward F. Keip (Manitowoc County).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 3057) to amend the District of Columbia Teachers' Salary Act of 1955, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendments to the bill (S. 1850) to adjust conditions of employment in departments or agencies in the Canal Zone, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MURRAY, Mr. YOUNG, Mr. HEMPHILL, Mr. SCOTT of North Carolina, Mr. REES of Kansas, Mr. CUNNINGHAM of Nebraska, and Mr. DENNISON were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 11246. An act to amend the act of July 1, 1902, to exempt certain common carriers of passengers from the mileage tax imposed by that act and from certain other taxes;

H. R. 12643. An act to amend the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia,' to create 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes," approved April 1, 1942, as amended; and

H. J. Res. 582. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the Middle Atlantic Shrine Association meeting of A. A. O. N. M. S. in September 1958, to authorize the granting of certain permits to Almas Temple Shrine Activities, Inc., on the occasions of such meetings, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 2548. An act to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project;

H. R. 4260. An act to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material;

H. R. 4683. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam;

H. R. 5033. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

H. R. 6641. An act to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes;

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 9381. An act to designate the lake above the diversion dam of the Solano project in California as Lake Solano;

H. R. 9382. An act to designate the main dam of the Solano project in California as Monticello Dam;

H. R. 10009. An act to provide for the reconveyance of certain surplus real property to Newaygo, Mich.;

H. R. 10035. An act for the relief of Federico Luss;

H. R. 10349. An act to authorize the acquisition by exchange of certain properties within Death Valley National Monument, Calif., and for other purposes;

H. R. 10969. An act to extend the Defense Production Act of 1950, as amended;

H. R. 11058. An act to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments;

H. R. 11399. An act relating to price support for the 1958 and subsequent crops of extra long staple cotton;

H. R. 12052. An act to designate the dam and reservoir to be constructed at Stewarts Ferry, Tenn., as the J. Percy Priest Dam and Reservoir;

H. R. 12164. An act to permit use of Federal surplus foods in nonprofit summer camps for children;

H. H. 12521. An act to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives;

H. R. 12586. An act to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury;

H. R. 12613. An act to designate the lock and dam to be constructed on the Calumet River, Ill., as the Thomas J. O'Brien lock and dam; and

H. J. Res. 577. A joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

STATEHOOD FOR ALASKA

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Pursuant to the unanimous consent order previously entered, the Chair lays before the Senate the unfinished business, which is H. R. 7999.

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Washington [Mr. JACKSON] may, during the consideration on the Alaska statehood bill, have present with him on the floor of the Senate, to assist him, a member of his staff, Mr. Jack Howard.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

TIME FOR STATEHOOD PAST DUE

Mr. JACKSON. Mr. President, the time is past due for the admission of Alaska to the Union. The issue has been defined in each of the last seven Congresses, and now has come before the Senate in this 85th Congress. All possible arguments in support of and in opposition to Alaska statehood have been raised and discussed. Both parties have time and again pledged support to statehood. The issue is not new, it is not partisan. There is no need for an exhaustive review of the facts and arguments, nor for partisan attacks on one another.

From the beginning, the emphasis of the Territories Subcommittee of the Committee on Interior and Insular Affairs has been on getting at the basic provisions that would achieve statehood.

As a result of this approach, the subcommittee recommended unanimously a statehood bill, and the full committee voted with but one dissent to report a statehood bill. Members on both sides of the aisle worked hard on this issue, and it is only proper that the presentation of the bill be a bipartisan effort. Certainly one of the hardest-working members of the Territories Subcommittee, and its ranking minority member, was the distinguished junior Senator from California. I am grateful to him and all the members of my committee for their generous support.

First let me make perfectly clear the legislative situation in which we find ourselves. We face the almost unbelievable situation in which Alaska statehood could be voted by both the Senate and the House of Representatives, and still not go to the President for signature. It is possible and probable that the Senate's will thus could be frustrated by the parliamentary rules of the House of Representatives. It is for this reason that we are taking up H. R. 7999, which has already been passed by the other body. These are the legislative facts of life: if, as the result of any action taken by the Senate, the statehood bill must return to the other body, Alaska statehood could die in the House of Representatives.

Now, I am not demanding that the Senate accept without question the action of the House of Representatives. Certainly there are several approaches to the goal of statehood for Alaska.

Nevertheless, in all candor and honesty, it must be made clear to the Senate and to the Nation that if the bill now before us is sent back to the other body for conference or for concurrence in Senate amendments, there is the possibility that the bill will end up in the Rules Committee and will die there. Every Senator should recognize this fact, and should reflect on the situation as we proceed to consideration of the bill. If the Senate truly wants statehood for Alaska, we must make certain that the will of the Senate—shared by a strong majority of the other body—shall not be overturned by a small committee of the other body.

DIFFERENCES NOT GREAT

So let us first examine the differences between the House and Senate bills. They are not great. Both bills originally were identical. Many amendments added by the Senate subcommittee also were adopted in toto by the House committee. But there were additional amendments added on the House floor, and these now provide the main distinguishing features of H. R. 7999.

Let me review briefly the outstanding differences between the bill now under consideration, and the bill previously reported by the Senate committee. It should be quickly obvious that the differences are of wording and language rather than policy.

At the outset, the House bill requires the voters of Alaska to answer the question, "Shall Alaska immediately be admitted into the Union as a State?" No one could object to such a plebescite, and there is certainly no policy issue interjected by this question.

Another difference between the bills is to be found in the provision for land surveys. S. 49 authorizes an appropriation of $15 million to survey lands in the new State. The House bill does not. Since our bill was reported by the committee, Alaska has found new sources of revenue to finance her development—sources that will far exceed the $15 million we originally proposed to authorize. If our bill were being reported now instead of a year ago, we, too, would have made this change.

There is a difference in approach between the two bills with reference to management and administration of Alaska's fish and wildlife resources. S. 49 would permit the new State to assume immediate jurisdiction over such resources. The House bill would delay the transfer of jurisdiction until the Secretary of the Interior determines that adequate provision has been made by Alaska to assume its responsibilities. In both bills the end result would be achieved; the only difference is one of timing, because the intent of both bills is clearly that Alaska is ultimately to manage her own resources.

LEGAL AND TECHNICAL DIFFERENCES

Many of the remaining differences are purely legal or technical. They are designed to define more clearly some of the jurisdictional problems involved between Alaska and the huge areas of the State that may be reserved by the Federal Government. The objective of both bills is identical. There is strong evidence that the end product of both bills would be identical.

Among the other differences is a provision in the Senate bill restating the existing constitutional law forbidding discrimination by one State against citizens of another State. Another difference relates to providing the use of water areas to aid in the performance of national forest logging operations. So that all Members of the Senate may have a clear understanding of the exact differences between the two bills, I ask unanimous consent that there be printed in the RECORD at this point in my remarks a section-by-section comparison of the two bills.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

SECTION BY SECTION COMPARISON OF S. 49 AND H. R. 7999

S. 49	H. R. 7999
Section 1: Admission of Alaska to the Union.	Identical.
Section 2: Defines boundaries.	Identical.
Section 3: State constitution shall be republican in form.	Identical.
Section 4: Compact between the United States and the people and State of Alaska.	Identical except as below:
Page 3, lines 11–12: "[Federal lands and Indian lands] shall be and remain under the absolute control of the United States."	Page 3, lines 6 and 7: "shall be and remain under the absolute *jurisdiction and* control of the United States."
Page 4, lines 8–14: The State may not unreasonably discriminate against nonresidents.	No provision.
Section 5: Title to Territorial United States lands confirmed in present owners.	Identical.
Section 6: (a) Land selection for community development.	Identical except as below:
No time limit.	Twenty-five-year limit for selection of 800,000 acres of public land.
Page 5, lines 12–13: Selection not to "affect *the validity of any existing contract* or any valid."	Page 5, lines 2–3: Selection not to "affect any valid."
(b) Land selection for other purposes.	Identical.
(c) Grant of land in Juneau.	Identical.
(d) Additional grant in Juneau.	Identical.
(e) Administration fish and wildlife resources.	Identical except as below:
Administration turned over to State since no provision made for Federal Government to retain control.	Administration retained by Federal Government until the Secretary of the Interior certifies that the State has made "adequate provision." Pages 6–7, lines 19–25, 1–2, respectively.
Page 7, lines 8–9: "or *such lands and personal property utilized* in connection with" fish and wildlife research retained by the United States.	Page 7, line 5: "or in connection with * * *."
(f) Support of public schools.	Identical.
(g) 12½ percent of timber sales to go to State in addition to the 25 percent as paid to other States.	No provision.
(h) Method of selecting land.	(g) Identical except as below:
Page 9, lines 6–7: "Except as provided *for national-forest lands* in subsection (a), all lands granted" in conformity with regulations of the Secretary.	Page 8, lines 18–19: "Except as provided in subsection (a), all lands granted * * *."
(i) Leases under Mineral Leasing Act and Alaska Coal Leasing Act.	(h) Identical.
(j) Grants include mineral deposits.	(i) Identical.
(k) Notice of intent to select land prevents Federal withdrawal for 5 years except for military or naval purposes or by Act of Congress.	No provision.

SECTION BY SECTION COMPARISON OF S. 49 AND H. R. 7999—Continued

S. 49	H. R. 7999
(1) Schools provided for shall remain public and no proceeds from land grants to be used for sectarian or denominational schools.	(j) Identical.
(m) Previous grants confirmed.	(k) Identical except as below.
Page 14, lines 16–18: "all lands * * * *including the interests, powers and rights of the United States under any contract, lease, permit or license outstanding with relation to any of such lands,* shall * * *."	Pages 12–13, lines 25 and 1, respectively: "all lands * * * shall * * *."
Page 14, lines 21–23: "but such repeal *and grant* shall not affect *the terms or validity of* any outstanding lease, permit, license, or contract issued under said section 1, as amended, *or otherwise*, or any * * *."	Page 13, lines 3–5: "but such repeal shall not affect any outstanding lease, permit, license or contract issued under said section 1, as amended, or any * * *."
Page 15, lines 2–4: "as amended."	Page 13, lines 8–11: "as amended, *or derived thereafter from any disposition of the reserved lands or an interest therein made prior to such repeal.*"
Page 15, line 1: "such repeal *and grant* from * * *."	Page 13, lines 7–8: "such repeal from * * *."
(n) Grants in lieu of internal improvement grants.	(l) Identical.
(o) Applicability of Submerged Lands Act.	(m) Identical except as below:
Pages 15–16, lines 20–25 and 1–8, respectively: Alaska must provide access over tidelands and necessary water areas to aid performance of national forest logging contracts.	No provision.
Section 7: Proclamation for elections.	Identical.
Section 8: (a) Procedure for calling election.	Identical except as below:
Page 17, line 10: "said elections, *as so ascertained*, to the President * * *."	Page 15, line 4: "said elections to the President * * *."
(b) Ballot to be submitted.	Identical except as below:
Page 17, line 17: "or rejection, the following propositions:"	Page 15, line 11: "or rejection, *by separate ballot on each*, the following propositions:"
No provision.	Page 15, lines 13–14: "(1) Shall Alaska immediately be admitted into the Union as a State?"
Page 18, line 6: "In the event the foregoing propositions are adopted * * *."	Page 16, line 1: "In the event *each of* the foregoing propositions *is* adopted * * *."
Page 18, lines 10–11: "In the event the foregoing propositions are not * * *."	Page 16, lines 5–6: "In the event *any one of* the foregoing propositions *is* not * * *."
(c) Presidential proclamation.	Identical.
(d) Territorial laws continue in effect.	Identical.
Section 9: State entitled to one Representative.	Identical.
Section 10: (a) Defense withdrawals authorized.	Identical.
(b) Area for such withdrawals defined.	Identical.
(c) State jurisdiction within withdrawals.	Identical except as below:
Pages 23–24, lines 16–24, and 1–5, respectively: State may enact new tax laws affecting persons and corporations within withdrawals.	No provision.
(d) State authority within withdrawals.	Identical except as below:
(1) General laws of Congress.	Identical.
(2) Military enactments.	Identical.
(3) Existing laws in withdrawals.	Identical.
(4) United States Commissioners.	Identical.
(5) Municipal corporations.	Identical except as below:
Pages 25–26, 19–25 and 1–5, respectively: "All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection, *including the function of enacting and enforcing new or amendatory laws, rules or regulations*, shall continue to be performed within the withdrawals by such corporations, district or other subdivision, and the *existing and future* laws and ordinances of such municipalities or local political subdivisions, shall *be* in full force and effect notwithstanding any withdrawals made under this section:"	Pages 22–23, lines 20–25 and 1–2, respectively: "All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporation, district, or other subdivision, and thhe laws of the State or the laws or ordinances of such municipalities or local political subdivision shall remain in full force and effect notwithstanding any withdrawals made under this section.
Page 26, lines 5–13: Inconsistent ordinances and State laws designed for the purpose of defeating Federal jurisdiction inoperative.	No specific provision.
(6) Performancce of functions otherwise performed by State officers or agencies.	Identical except as below:
Page 26, line 19: "by such persons or agencies * * * [to be appointed by the President]."	Page 23, line 8: "by such *civilian individuals or civilian* agencies * * *."
(7) United States District Court jurisdiction.	Identical.
(e) United States jurisdiction not limited by the description of laws to be in effect.	Identical.
(f) Specific protection of rights under eminent domain.	
Section 11: (a) Mount McKinley National Park.	
(b) Military reservations.	
Page 28, lines 24–25: "[owned by the] * * * United States and *used and* held for Defense or Coast * * *."	
Section 12: Technical changes in existing laws.	
Page 30, lines 6–7: "Effective upon the admission of *the State of* Alaska into * * *."	
Section 13: Pending litigation shall not abate.	
Section 14: Appeals from District Court of Alaska.	
Section 15: Pending litigation transferred.	
Section 16: Jurisdiction of State courts.	
Section 17: Appeals from State courts to United States Supreme Court.	
Section 18: Termination of Territorial district court.	
Page 36, line 19: "The provisions of this act relating to the * * *".	
Page 37, lines 6–13: Territorial court to handle cases in State jurisdiction until State asserts readiness to assume.	
Section 19: Federal Reserve Act amended.	
Page 37, line 21: "'When the State of Alaska or any State is hereafter * * *."	
Section 20: Repeal coal withdrawal act of 1914.	
Section 21: Authorizes appropriation of $15 million for land surveys.	
Section 22: (a) Distribution of coal profits.	
(b) Distribution of mineral profits.	
Section 23: Federal Maritime Board jurisdiction.	
No provision.	
Section 24: Nationality.	
Section 25: Immigration Act.	
Section 26: Immigration Act.	
Section 27: Immigration Act.	
Section 28: Immigration Act.	
Section 29: Immigration Act.	
Section 30: Separability clause.	
Section 31: All acts in conflict repealed.	

Mr. JACKSON. Mr. President, what are the provisions of the statehood bill?

To begin with, the usual provisions are included relating to a republican form of State government, definition of boundaries, transfer of court jurisdiction, and a popular referendum on the act of statehood itself. These are provisions that were included in the last 10 statehood bills passed by Congress since 1889.

Sections 1 through 5 of H. R. 7999 deal with all of these subjects—except the referendum—plus the subject of land rights and titles. Section 6 relates to public lands in the Territory—a subject which, I might add, has formed an important part of every statehood bill enacted by Congress since 1889. This section can correctly be described as an important key to statehood.

LAND-GRANT PROVISIONS

Basically, the new State of Alaska would be granted the right to select 103,550,000 acres of land now owned by the Federal Government. There are restrictions, of course, so that defense installations and other land needed by the Federal Government will not be affected. Part of this grant—800,000 acres—will be for the express purpose of community development and the expansion of recreational areas. The remainder will be for the purpose of getting the land out of

S. 49 AND H. R. 7999—Continued

H. R. 7999
No provision.
Identical.
Identical except as below: Page 25, lines 6–7: "United States and held for military, naval, Air Force or Coast * * *."
Identical except as below:
Page 26, line 14: "Effective upon the admission of Alaska into * * *." Identical.
Identical.
Identical. Identical. Identical.
Identical except as below.
Page 33, lines 3–4: "The provisions of *the preceding sections with respect* to the * * *." No provision.
Identical except as below: Page 33, line 24: "'When the State of Alaska is hereafter * * *." Identical.
No provision.
Section 28: (a) Identical.
Section 28: (b) Identical. Section 27: (b) Identical.
Section 27: (a) Applies to Alaska an exemption from the coastwise cabotage law now applicable to all other States. Section 21: Identical. Section 22: Identical. Section 23: Identical. Section 24: Identical. Section 25: Identical. Section 26: Identical. Section 29: Identical. Section 30: Identical.

Federal ownership and onto the tax rolls to help expand the existing base for self-government.

These grants should be considered in light of the fact that 99.9 percent of the entire land area in Alaska is owned by the Federal Government. State ownership of some of these lands will provide the necessary encouragement for the complete and efficient development of the natural resources they contain. Just as previous States received lands for railroads and schools and other purposes, Alaska would be given land with which to encourage the internal improvements necessary to her future growth and development.

This is not to suggest that the land selection is needed to keep the new State from going into deficit spending. Alaska is a going concern. As a matter of fact, Alaska is currently financing, by means of its own revenues, all functions and services it is permitted to carry on. The Territorial government has no debt, and actually has a cash surplus. The additional activities Alaska would engage in after statehood is granted can normally be expected to be financed through the additional revenues which also would become available to Alaska as a State.

ALASKA'S FAIR SHARE

The need for land grants is instead related to the right of the people of Alaska to enjoy a fair share of their own resources. All that is being proposed in the statehood bill is to transfer to the people of Alaska a part of the resources of the Territory so that the people of the new State may use and develop their land for the general good and welfare. Today the people of Alaska find themselves in a sort of Federal trusteeship—without the right to vote, without the right to develop their resources, without the right to the fullest enjoyment of economic and political democracy. Statehood would change all that for Alaska, just as it has done for the people in other territories when they became full and equal members of the Union.

It should be noted that the grants provided for by the statehood bill are in lieu of internal improvement grants given other States under existing statutes. In the historical context, the grants to Alaska are a smaller proportion of available public land than were the grants made to many States admitted to the Union during the past 100 years. In previous cases of statehood, private land ownership had developed to the point were substantial holdings had been recorded, thereby reducing the proportion of Federal land in the State. Thus, grants of public lands in those States—ranging as high as 31 percent of the State's total area, in the case of North Dakota—actually represented significantly higher proportions of available Federal land than the land Alaska will receive under the provisions of House bill 7999.

CHARGES OF GIVEAWAY

While we are looking at this question in the historical context, it may be interesting to examine the charge of giveaway that has been made against the land selection provision of House bill 7999. As each Territory came to be admitted to the Union, large areas of federally-held land were transferred to the new State for support of schools, for development of communities and community facilities, and for encouragement of industries such as railroads. For example, in North Dakota, 24 percent of her entire land area was given by the Federal Government directly to railroad companies. Another 7 percent of the State's total land area was given directly to the State government. In the case of California, 12 percent of the State's total land area was given to the railroads, and another 9 percent was given directly to the new State. All these figures refer to transfers of Federal land holdings. To cite another example, my own State of Washington received in Federal grants about 7 percent of its total land area, while another 22 percent was given directly to the railroads by the Federal Government.

In the case of Alaska, the total land grant amounts to about 28 percent, a figure that is not out of line with the Federal Government's previous grants of public lands in North Dakota, Washington, Arizona, and Kansas, to name only a few.

There is another aspect to this giveaway charge. Let us look not only at what the Federal Government is giving away, but also at what the Federal Government will keep. In many States, the Federal Government has kept less land than it gave away. Examples which might be cited include South Dakota. There, the Federal Government granted 7 percent of the total land area to the State, and now retains only 6.2 percent. In Oklahoma, the Federal Government today holds 2.3 percent of the State area, but its grants to the State government totaled approximately 7 percent. In my own State of Washington, where 29 percent of the State's area was given away in grants, the Federal Government retains about 30 percent of the area of the State.

FEDERAL HOLDINGS NOT DESIRABLE

The point is not that Federal landholdings are to be desired; as a matter of fact, excessive holdings of Federal land in the West are a continuing problem to our expanding industries and cities. The point, instead, is to put the giveaway charge in its proper perspective. When all the grants in Alaska will have been exercised by the new State, the Federal Government will still retain nearly 72 percent of the total area of the new State. Only in the case of the State of Nevada will Federal holdings be a greater proportion. Certainly this cannot be characterized as a giveaway. Any attempt to do so ignores the fact that the Federal Government has given greater proportions of its holdings to other States and private companies than it proposes to give to Alaska. These earlier grants were not called giveaways; they were hailed as a necessary encouragement for the future development of the new States.

For the information of my colleagues, I ask unanimous consent that there be printed in the RECORD, at this point in my remarks, a table indicating the various grants of public land made in a number of States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

State	Total acres	Present Federal land	Present Federal reserves	Grants to railroad corporations	Federal grants to States	Federal grants (State)	Total Federal grants
		Percent	*Percent*	*Percent*	*Acres*	*Percent*	*Percent*
Arizona	72,688,000	44.5	40.6	11	10,543,753	14	25
California	100,313,600	47.0	29.6	12	8,832,893	9	21
Colorado	66,510,080	36.3	20.9	3	4,471,604	7	10
Idaho	52,972,160	65.2	42.7	2	4,267,866	8	10
Kansas	52,549,120	.6		8	7,794,668	15	23
Montana	93,361,920	29.9	22.8	16	5,963,338	6	22
Nebraska	49,064,320	1.4		15	3,458,711	7	22

State	Total acres	Present Federal land	Present Federal reserves	Grants to railroad corporations	Federal grants to States	Federal grants (State)	Total Federal grants
		Percent	*Percent*	*Percent*	*Acres*	*Percent*	*Percent*
Nevada	70, 264, 960	87. 1	19. 3	7	2, 725, 826	3	10
New Mexico	77, 767, 040	33. 7	15. 0	4	12, 803, 113	14	18
North Dakota	44, 836, 480	4. 2	3. 8	24	3, 163, 552	7	31
Oklahoma	44, 179, 840	2. 3	2. 2	----------	3, 095, 760	7	7
Oregon	61, 641, 600	51. 3	26. 2	6	7, 032, 847	11	17
South Dakota	48, 983, 040	6. 2	5. 5	----------	3, 435, 373	7	7
Texas	168, 648, 320	1. 5	----------	----------	189, 000	. 001	. 001
Utah	52, 701, 440	70. 2	47. 9	4	7, 523, 942	14	18
Washington	42, 743, 040	29. 9	28. 6	22	3, 045, 751	7	29
Wyoming	62, 403, 840	47. 8	20. 5	9	4, 342, 520	7	16
Alaska	365, 481, 600	[1] 99. 9	[2] 25. 0	----------	(103, 350, 000)	28	28

[1] This would be reduced to 71.7 percent under H. R. 7999.
[2] Plus defense withdrawal area of 176,588,800 acres. Unduplicated reserves and withdrawals could constitute as much as 70 percent.

Mr. JACKSON. Other parts of section 6 of the bill before us deal with the method of selecting the land grants, protection of existing contracts for use of public lands, and application of existing laws to land usage and rights in Alaska.

Next in sequence are sections outlining Alaska's representation in Congress and the method of holding a vote to confirm that the people want statehood and are willing to assume the obligations of statehood. These are found in sections 7, 8, and 9.

One of the most important sections of the bill, one which erased the opposition of the administration, is section 10, which provides for the national defense withdrawal areas. Because of Alaska's strategic position in today's polar-oriented age, provision has been made for the President to establish national defense withdrawals in the area that can be roughly described as the northern and western half of the Territory. At any time after passage of the statehood bill, the President can, by proclamation, withdraw as much land in this area as he feels necessary for the national defense. Immediately upon such a proclamation, the Federal Government will assume complete jurisdiction and sole legislative, judicial, and executive power within the area. There are specific exceptions, of course, in making allowance for cities and other political subdivisions. But the overriding concern is for the national defense, a concern fully shared and accepted by the people of Alaska. This section of the statehood bill was written by the Department of Interior, in consultation with the Department of Defense, and bears the specific approval of the administration.

ADMINISTRATION SUPPORTS DEFENSE WITHDRAWALS

To make perfectly clear the position of the administration with regard to Federal control of the defense-withdrawal area, I ask unanimous consent that there be printed in the RECORD at this point in my remarks a statement entitled "Governmental Powers in Established National Defense Areas," together with a letter from the Acting Secretary of the Interior to me transmitting the statement.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., April 23, 1957.

Hon. HENRY M. JACKSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JACKSON: During the hearings on S. 49, you asked that we prepare for the record a statement pertaining to the civil rights of residents of Alaska in the event the President exercised the authority to establish special national defense areas in accordance with the provisions of our proposed section 10 of S. 49.

It is, of course, difficult to catalog civil rights as such, and we would not like to appear to foreclose the existence of any civil right to any resident of Alaska merely because of an inadvertence on our part. In addition, the discussion which took place at the hearing when the request was made, indicated that there was a need to clarify the relationship of Federal, State, and local authorities to one another upon the establishment of such a national defense withdrawal. Therefore, we trust you will agree that the enclosed statement setting forth not what civil rights exist, but the authority and the source thereof, the exercise of which might affect the rights of Alaskans, will clarify the position taken by the administration and provide a further record to indicate our intent in regard to the amendments we proposed.

Sincerely yours,
HATFIELD CHILSON,
Acting Secretary of the Interior.

GOVERNMENTAL POWERS IN ESTABLISHED NATIONAL DEFENSE AREAS

Subject to certain specified exceptions, the basic concept on which the proposed section 10 is founded may be stated to be designed, in general, to specify that in such areas that are established, the administration of Government shall be exercised by Federal authority exclusively. Such administration of Government shall be based upon the Federal Constitution, congressional enactments, and State laws, to the extent that they are not inconsistent with Federal laws applicable to the area.

Prior to the exercise of the authority by the President, the State will have concurrent jurisdiction with the Federal Government over all public lands, not otherwise areas of exclusive jurisdiction, such as military reservations established prior to statehood. This State jurisdiction would extend to police power, exercised by the State through legislative and executive action. The courts of the State would have jurisdiction over criminal and civil actions throughout Alaska. Municipalities, of course, would be the creation of and subject to State law.

If the President should exercise the authority to establish a special national defense area, the Executive order or proclamation would specify the area and could delineate exceptions from the requirement of exclusive Federal jurisdiction. In this statement, for the purpose of an example only, we assume that the President will issue an order which will acquire for the Federal Government complete Federal jurisdiction, subject to the specific exceptions set forth in our proposed section 10.

Upon the issuance of such an order, all State laws applicable in the area covered by the order become Federal laws for the purposes of administration and enforcement, except those of, or pertaining to, municipalities and voting privileges. All such laws would be enforced by the person or persons designated by the President. The Congress could, after the issuance of an order establishing a national defense area, amend, revise, or suspend such State laws during the period of exclusive Federal jurisdiction. In the event any State law, as adopted pursuant to proposed section 10, is in conflict with Federal law, such State law will not be adopted as Federal law for it is our intent to incorporate into these amendments a rule which is similar to the rule of international law which operates to continue in effect those laws of the former sovereign applicable in the area at the time jurisdiction is ceded to another sovereign to the extent that such laws are not in conflict with the laws or policies of the new sovereign, until such laws are modified or changed by the new sovereign.

However, our amendments specifically except from the State laws which would be adopted as Federal laws, those laws of, or pertaining to, municipalities, and State laws relating to elections. Also, the municipalities and other local subdivisions will continue to function under State law within the special national defense areas. One particular reason for this exception is the desire to preserve the right of such entities to carry out their school and local welfare programs. Outside of local political subdivisions, most of the burden of these programs is now on the Federal Government and will continue to be a Federal responsibility, regardless of statehood, so long as the native population continues under Federal supervision.

Jurisdiction over all causes of actions occurring or arising within established national defense areas, whether based on Federal law or State law adopted as Federal law, will be vested in the Federal District Court for the District of Alaska. The civil rights of any civilian within an established special national defense area would be determined by the Federal Constitution, laws passed by the Congress, and, to the extent that they are not in conflict with Federal law, the laws of Alaska as adopted by this act.

These amendments are designed to give the President authority to act, without the existence of a national emergency, to establish special areas which the President determines necessary for the defense of the United States. This proposal is not intended to authorize the creation of an area in which martial law would govern and it is not related to those conditions which would give rise to the exercise of martial law. If private property must be utilized for the defense effort within an established national defense area, it will be acquired through normal purchase or condemnation processes. Since 99 percent of the land north and west of the line is federally owned at this time, the problem of land acquisition should not be too acute. We believe that all private and personal rights of residents of any area, established under the terms of the proposed section 10 for special national defense purposes, will be adequately protected under the Constitution of the United States, the laws

passed by the Congress, and the laws of the State not inconsistent with Federal law. The establishment of special national defense areas would in no way affect the continued applicability of the Bill of Rights and other constitutional safeguards to persons and property located within the area.

In summary, it might be stated that the only substantial change which would result from the establishment of such areas, insofar as persons or property would be affected, is that their rights would be enforceable only in the Federal court, whereas prior to the establishment of the special national defense area, rights of persons or in property would be litigated in a Federal or a State court, depending upon the established rules of court jurisdiction.

Mr. JACKSON. Mr. President, section 11 of the bill provides for continuing Federal jurisdiction over Mount McKinley National Park and existing military reservations. Sections 12 through 18 deal with the changeover from Territorial courts to State courts and a Federal district court. All of the remaining sections of the statehood bill provide the necessary amendments to existing laws, so that Alaska will have equal treatment with the other States with reference to immigration, Federal Reserve bank requirements, and other laws. There is also a provision to retain the jurisdiction of the Federal Maritime Board over waterborne commerce.

These, then, are the terms under which Alaska would be admitted to the Union of States as a full and equal partner. These are the terms that have been worked over and refined through years of study and thousands of pages of hearings. The first bill for Alaska statehood was introduced 42 years ago, and additional bills have been introduced in every Congress since 1943. Eleven hearings have been held—2 of them in Alaska, the others here in Washington. More than 4,000 pages of testimony have been published.

A TIME FOR DECISION

There can be no doubt that the record is complete. The facts are before us. All that remains is the decision. Certainly, no bill is perfect, whether it comes from the Senate or from the House. As an attorney, I might look at the bill before us and might point to language that—if no other considerations were present—I might want to change. But, as an attorney and as a Senator, I can look at the bill before us and can say with all honesty that it is a better statehood bill than has ever before been voted on by the Senate.

Our objective is statehood. It can be achieved now. Subsequent legislation may become necessary, as indeed has been the case following the admission of other States. But as we consider this bill, let us address ourselves to the one, single question: Are we for statehood for Alaska, or are we not? Let history record our answer.

During the delivery of Mr. JACKSON's speech:

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. CHURCH. I commend the distinguished junior Senator from Washington for pointing up at this early stage in the debate the dangers which confront statehood in the event the Senate should choose to amend the bill. In that connection, the chairman of the Committee on Interior and Insular Affairs, the senior Senator from Montana [Mr. MURRAY], circulated a letter to the Members of the Senate stating the reasons why, owing to the peculiar parliamentary situation in the House, any amendment to the bill before the Senate might place statehood itself in fatal jeopardy.

Mr. President, I ask unanimous consent, with the permission of the junior Senator from Washington, to have printed in the RECORD the text of the letter signed by Senator JAMES E. MURRAY, chairman of the committee, and circulated to all Members of the Senate, so that it may become a part of the RECORD in the remarks of the Senator from Washington.

Mr. JACKSON. Mr. President, I ask unanimous consent, further, that this colloquy, together with the letter of the senior Senator from Montana, appear at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter ordered to be printed in the RECORD is, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
June 17, 1958.

Hon. FRANK CHURCH,
United States Senate,
Washington, D. C.

DEAR SENATOR: The Alaska statehood bill, H. R. 7999, passed by the House on May 28, has been scheduled for action on the floor of the Senate in the very near future.

This bill does not differ in any important respect from S. 49, reported last spring by the Senate Committee on Interior and Insular Affairs. Thus, on the face of it, the situation is favorable.

However, if the Senate injects any amendments, a serious parliamentary entanglement would ensue. So far as I can now determine, there are only two methods whereby the House could send the bill to a conference. One would be by securing unanimous consent, and the other would be by way of clearance from the Rules Committee. It is apparent that unanimous consent could not be obtained, and previous experience with the bill before the Rules Committee indicates that affirmative action would not be forthcoming.

I therefore earnestly hope that all supporters of Alaska statehood, in the interest of the overall objective, will oppose any amendments and pass the bill as is. It is sufficiently satisfactory to E. L. BARTLETT, Delegate from Alaska, and Alaska's Ernest Gruening and William A. Egan, both Senators-elect, and Ralph J. Rivers, Representative-elect, under the Alaska-Tennessee plan, so they feel it would be better to pass it in this form than to risk its being lost in a procedural snarl.

Sincerely yours,

JAMES E. MURRAY,
Chairman.

Mr. NEUBERGER. Mr. President, will the Senator from Washington yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Washington yield to the Senator from Oregon?

Mr. JACKSON. I am happy to yield.

Mr. NEUBERGER. I wish to commend the Senator from Washington, who, as chairman of the Territories Subcommittee, on which I am privileged to serve, is our floor leader in the historic effort to add a 49th star to the flag of our country. I think the Senator from Washington deserves a great deal of credit for the statesmanlike way he has presided over the hearings and the deliberations in our subcommittee, which have resulted in bringing this crucial issue for consideration to the floor of the Senate today.

He, like myself, has a geographic interest in this measure, because I think our two States of Washington and Oregon are the closest to Alaska and have the greatest ties and bonds with Alaska.

I should like to ask the able Senator from Washington a question, which has come to my desk a number of times, in regard to one of the provisions of the bill as passed by the House of Representatives. I shall do so because he has very correctly emphasized the importance of the passage, without amendment, of the bill as passed by the House of Representatives, so it can then go directly to the desk of the President for his signature.

In the bill as passed by the House we find a provision which deals with the great fisheries and wildlife resources of the present Territory of Alaska. It provides that the new State itself cannot take over the management of these wildlife resources—and by "wildlife" I mean big game, fisheries, and waterfowl and other bird life—until the management plan drafted by the new State government has been approved by the Secretary of the Interior. Of course, that means the Fish and Wildlife Service, which technically advises the Secretary of the Interior in regard to these matters.

It has been my impression that this provision is reasonable, that there is no reason for our even considering deleting it from the bill as passed by the House of Representatives, and that the Senate should approve it.

I particularly ask this question because, as the Senator from Washington knows, I have taken an especial interest in wildlife, in general; and in wildlife conservation, in particular.

So I should like to have him comment on that provision of the bill.

Mr. JACKSON. It is my understanding that this language was included after having been offered as an amendment on the floor of the House. I also understand that it was accepted by the chairman of the Territories Subcommittee of the House, and was accepted by the House unanimously.

I see nothing in the provision that will injure the new State or will be unworkable.

PROPER RESOURCE MANAGEMENT

As I understand, the philosophy behind this provision is that, inasmuch as fish and wildlife resources are a tremendous part of the overall resources of Alaska, it is the intent of the Congress to make sure that those resources are properly managed in the interests of the people of the new State. That being the case, it is the intent of the Congress to make sure that adequate provision has been made by the new State before its resources are turned over to it.

As the Senator from Oregon knows, the Fish and Wildlife Service now administers both fish and wildlife resources in the Territory. It has a very large number of personnel engaged in that effort. I understand the Department has no objection to this provision in the bill, because its ultimate objective is to provide for more effective management during the period of transition from Federal control to State control.

Mr. NEUBERGER. I am very pleased to have that explanation of this particular wildlife and fisheries provision from the Senator from Washington. I felt it was necessary to have the explanation in the RECORD because a number of Senators have asked about it. I join the Senator from Washington in believing, and stating very clearly, this provision should stay in the bill. I think it is reasonable. I know that the representatives of the Territory have no objection to it, and, we trust, those of the new State of Alaska will have no objection to it. I know outstanding conservation and wildlife and outdoor groups in our country support it. I feel our Fish and Wildlife Service, which has had such long experience in Alaska, will be reasonable and fair and equitable with respect to administering this particular section of the bill.

Mr. JACKSON. I think the fact that it was adopted unanimously by the House of Representatives speaks eloquently for it so far as the other side of the Capitol is concerned. To my knowledge, the members of the subcommittee are in agreement that it shall be our objective to pass the House bill without amendment, in order to avoid the possibility of the failure of the House and the Senate to enact this bill.

Mr. NEUBERGER. I quite agree with the Senator from Washington.

Mr. JACKSON. I should like to take this opportunity once again to express my appreciation, first to the ranking Republican member of the subcommittee, the Senator from California [Mr. KUCHEL], and then our colleagues, the Senator from Arizona [Mr. GOLDWATER], the Senator from Oregon [Mr. NEUBERGER], and the Senator from Colorado [Mr. CARROLL], for the invaluable help given to our subcommittee, ably supported by the chairman of our full committee, the senior Senator from Montana [Mr. MURRAY].

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. JACKSON. I am very happy to yield to the Senator from California.

Mr. KUCHEL. I should like the RECORD very clearly to indicate my own pride in my membership on the subcommittee which drafted the bill. The subcommittee has been ably presided over by my friend from Washington, the distinguished junior Senator from that State [Mr. JACKSON], and he and I had the pleasure—and it was a pleasure—to listen, as members of the subcommittee, to the testimony which was adduced before us in support of statehood for Alaska. After hearing once again the evidence, we of the Territories Subcommittee painstakingly prepared a bill which subsequently was approved by the full committee on Interior and Insular Affairs and was reported to the Senate without one dissenting vote.

The patience and the ability, legal and otherwise, of the distinguished junior Senator from Washington have put their indelible stamp on the work of the Committee on Interior and Insular Affairs preparing and reporting the bill to the Senate. We now have before us the statehood for Alaska bill as passed by the House of Representatives.

I should like to ask my able friend whether, in his opinion, if the Senate approves the pending House bill, H. R. 7999, in its present form, the measure will substantially reflect the spirit and legislative intent of the bill so carefully and painstakingly worked out by his subcommittee providing for statehood for Alaska.

Mr. JACKSON. I am glad the distinguished junior Senator from California has asked that question, because it should be made clear that the Senate committee believes that most of the amendments were clarifying in nature and do not constitute a change in the policy of the bill. I have already described some of the major differences and their effect, and I shall mention two others in order to make clear what I mean.

LOGGING CONTRACTS

The Senate committee inserted some specific language to indicate that existing logging contracts, for instance, relating to timber in national forests, will remain in effect and that suitable water areas will be provided to allow the performance of those contracts as it was contemplated by all parties when they were executed several years ago. The Senate committee does not believe that the State of Alaska would, under any circumstances, attempt to interfere with the proper performance of such contracts, and, of course, the contracts are protected by the Constitution of the United States.

I refer specifically to contracts between private companies—pulp and per companies—with the Forest Service.

Moreover, the committee believes the contracts themselves, which contemplate long periods of time for performance, carry the implied, if not the specific, provision that the operators will be entitled to use necessary means of access and water areas to fulfill the terms of the contract. Since we believe these conditions are required and will not in any event be interfered with, we do not consider it necessary to make specific mention of it in the act.

RIGHTS OF NONRESIDENTS

Another example is the provision the Senate committee included in section 4 of the bill, by which the future State was admonished not to discriminate against nonresidents—referring to individuals, partnerships, corporations, business entities of all kinds as well as to individual persons. This provision is, of course, a restatement of the constitutional law on this point, and we do not believe that it is necessary to restate it specifically in the bill. Obviously the lack of specific mention is not intended as meaning, and certainly will not be construed to indicate, that we favor any relaxation of the Constitution as it applies to other States.

In other words, the situation in which we find ourselves in connection with the discussion of the statehood bill on the floor of the Senate is that, in order to get a bill passed, we must pass the House bill without amendment. By taking up the House bill and not taking up the Senate committee bill, we do not want to create the legislative impression that we have dropped provisions in the Senate committee bill which were intended to clarify what might be construed as certain ambiguities in the House bill. In other words, it is our purpose to make it clear, and to make it a part of the legislative history and the record of this debate, that the action taken to get the House bill passed is purely a procedural one, and we do not intend to minimize the action previously taken by the committee.

I take it my colleague, who is the ranking minority member of the subcommittee, is of the same impression.

Mr. KUCHEL. I am, indeed, and I think it is extremely important that the RECORD demonstrate that the answer which the able junior Senator from Washington has just given represents the unanimous feeling of the Members of the Senate Interior and Insular Affairs Committee as it finally reported the bill to the Senate; and, beyond that, the legislative history as the junior Senator from Washington has made it in answer to my question represents, I feel sure, the intention by which the Senate will stand up to be counted on the House approved bill.

Mr. JACKSON. We believe the provisions referred to in the bill reported by the Senate committee are covered in the House bill. Our only point was that we thought our language was a little more clear, shall we say, on the specific points which were contained in the amendments as approved by the committee.

Mr. President, I yield the floor.

Mr. ROBERTSON. Mr. President, with all due deference to my distinguished colleague, the chairman of the committee [Mr. MURRAY], who devoted most of his remarks yesterday to the defense of the proposition that the bill to be acted on is pretty much like the bill the Senate committee previously reported, and therefore we should not be too critical of the differences; and with all due deference to my able and esteemed colleague from Washington [Mr. JACKSON], who has worked for years on this subject, who knows it as possibly no other man does, and who is as sincere in believing Alaska should have statehood now as I am in believing Alaska should not; let me say I can understand the uneasiness expressed by our colleague from California when he asks, "Can you assure the Senate that the House bill, which contains so many things different from the Senate committee bill, is to all intents and purposes the same as the Senate committee bill, and therefore Members of the Senate should stand up and be counted?"

Mr. President, let me remind my distinguished colleagues from the west coast that in April 1865, General Grant told us in the South substantially this: "There was a provision in the Constitution for you to come into the Union, but there is no provision for you to leave it." That settled that issue.

We are asked to vote on something which is irrevocable. It is as irrevocable as the laws of the Medes and the Persians. Whatever we do now for about 100,000 Americans in Alaska, who are fine citizens, is going to stand permanently. Whatever advantages we give them over the public domain, which now belongs to all the people of the United States, will stand as long as the Union endures.

The Senator says there is not much difference between the two bills. There is one little difference about how many acres are to be given to Alaska. I think there is a difference of about 80 million acres between what the House proposes to give and what the Senate committee is willing to give.

The House bill would provide that for 25 years Alaska can select the choicest areas which may subsequently be developed for oil and strategic minerals, and claim that land in tracts of a little over 5,000 acres. That provision was not in the Senate committee bill.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. We have an illustration in the civil rights bill.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I will yield in a moment.

Last year the Senate would not let the House civil rights bill go to the committee, as the rules provide, where it could have been analyzed before it came before the Senate for consideration and Senators could have been put on notice that the bill carried some provisions regarding the use of force, for instance, in the enforcement of civil rights decrees. That provision was in the House bill, but nobody knew it was there until the bill came on the floor and was subjected to debate.

It is now asked that we again bypass a committee. We have the hearings of last year with respect to Alaska statehood. There have been no hearings this year. We have no analysis of the House bill. We are asked to forget about what is in the Senate committee bill and accept an assurance that the differences are not too material.

Even though we know we could get a better bill, and even though we know when we vote, assuming the bill passes—and all the proponents say it is bound to pass—that we cannot later change it, we are asked to take this action. The proponents say, "You cannot stop this bill. Everybody is for it except a few, perhaps, from the South, and they are probably misguided."

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. No chance is afforded to do what we could do. We are asked to forget about the limitation on territorial waters. We are asked to give Alaska something no State has ever had. We are asked to give them natural resources, of the Territory which no State has ever gotten before. We are asked to give them twice or three times as much of the public domain as all the last 10 Territories granted statehood have gotten together. Why? Because quick action is desired.

I will yield to the Senator from Washington in a moment.

There is a point I take exception to in the statement of my distinguished colleague, the Senator from Washington [Mr. JACKSON]. The Senator says the bill would be bottled up in the Rules Committee of the House, and that that matter is covered by the rules of the House. When a House bill comes back from the Senate with amendments, there are two ways by which the bill can be sent to conference. One is by asking unanimous consent to take the bill from the Speaker's desk and send it to conference. The other is by a motion to send the bill to the Rules Committee and get a rule to send it to conference.

My distinguished friend assumes that the bill would have to be acted on in one of those ways; that it would not be possible to get unanimous consent, and that if the bill went to the Rules Committee the bill might not come out again.

I invite the attention of the Senator to the fact that a motion to recede and concur in Senate amendments would take precedence over the rule governing sending bills to conference.

Mr. JACKSON. Mr. President, will the Senator yield on that point?

Mr. ROBERTSON. I yield.

Mr. JACKSON. Under the House rules, in order to move to recede and concur in a Senate amendment, the Member of the House must first ask unanimous consent to take the bill from the Speaker's table and then move to recede and concur in the Senate amendment.

If the course were followed in the House of adopting the Senate amendment, or if it were desired to send the bill to conference, as a condition precedent to either course it would be necessary to obtain unanimous consent.

I will admit to the Senator that I was a little "rusty" on this point, and I checked it with the House Parliamentarian.

Mr. ROBERTSON. The junior Senator from Virginia admits he has not been a Member of the House for 12 years, and he also is more familiar with the Senate rules. The Senate Parliamentarian informed me what the ruling in the Senate would be; that a motion to recede and concur would take precedence over a motion to send the bill to conference, and I assumed the ruling in the House would be the same.

Mr. JACKSON. The House Parliamentarian was my adviser on this subject, as the question would arise in the House.

Mr. ROBERTSON. I cannot argue with the House Parliamentarian about the interpretation of the House rules. Even if the House Parliamentarian be right, the Senator from Virginia still contends that, since this is our last chance to do what should be done, not only for Alaska but for the 172 million people of the United States who will be affected if around 100,000 people in Alaska are to be represented by 2 Senators, a representation equal to that of the 15 million people of New York, who are represented by only 2 Senators, we ought to be sure we are doing the right thing, because we cannot change it later.

Mr. JACKSON. Mr. President, will the Senator yield for two points of clarification?

Mr. ROBERTSON. I yield.

Mr. JACKSON. First, as to the amount of land to be granted, the amount in the House bill is identical with that in the Senate committee bill.

Mr. ROBERTSON. I believe I saw a report giving the figure as about 180 million acres.

Mr. JACKSON. It is 103,550,000 acres. That is the amount in the House bill, and that is the amount in the Senate committee bill.

On another point, with reference to a breakdown as to the differences between the House bill and the Senate committee bill, I included in my remarks and had printed in the RECORD earlier today a detailed analysis of the differences, which analysis is available.

Mr. ROBERTSON. That will be interesting information. As I said, we normally permit a House bill to go to the proper Senate committee. Then if the bill is reported by the committee, or if a Senate committee bill has already been reported, the committee states the differences and indicates to the Senate whether it wants to recede from its previous position.

In any event, those of us who do not serve on the committee should know what the differences are. I am sure that there are some material differences, although the objective, of course, is statehood.

I do not believe that the House bill properly settles the ownership and control of the offshore islands. I think there is vague language as to the jurisdiction over the land.

As I recall, there was no provision in the Senate bill that for 25 years the new State could select certain areas of its promised land and say, "This will be ours from now on."

I invite attention to another provision in the House bill. The Constitution provides that Senators shall be elected for 6 years. I think the House bill authorizes the election of one Senator for a long term and the other for a short term. That has never been done in connection with any other State. Senators were elected for the full 6 years. They then came before the Senate and were assigned to certain classes. One Senator was assigned to a class to hold office for a certain period, and another Senator to another. There was no attempt to run a bulldozer through the Constitution, as is proposed here.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JACKSON. It is my understanding that in all the States Senators come up for election at different times, for

their 6-year term. That being the case, it would seem, in order to have a logical base, that there must have been a short term and a long term in the beginning. How does the Senator account for the difference?

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I am glad to yield to the distinguished Senator from Mississippi.

Mr. EASTLAND. Is not the question of the class to which a Senator is assigned a matter for the determination of the Senate itself?

Mr. ROBERTSON. That is correct.

Mr. EASTLAND. It is beyond the power of a State to assign Senators to classes. Such a provision in the State constitution of Alaska would make it unconstitutional; and we would be called upon to ratify an unconstitutional instrument.

Mr. ROBERTSON. That is correct. That is one more objection to the bill. We took an oath to uphold and support the Constitution of the United States. As the Senator from Mississippi says, if the proposed State constitution is clearly unconstitutional, to vote for it would be to violate our oath. We ought not to vote for it.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JACKSON. I am sure the Senator will agree that it is rather difficult to predict how the Supreme Court would interpret the State constitution.

Mr. ROBERTSON. The Senator is getting into a subject with respect to which I am at a disadvantage.

Mr. JACKSON. The only guaranty we can give to the new State is that its government will be republican in form. That word has no partisan significance. I am speaking of "republican" in the sense in which a political scientist uses the term.

That is our constitutional responsibility. In enacting the bill we make a finding that the government is republican in form. This requirement dates back to the Ordinance of 1787, in which the philosophy was first expounded. It was later confirmed by the Constitution, in Article IV, section 3, and Article IV, section 4.

Mr. ROBERTSON. The Senator from Virginia points out that in all previous instances, so far as he can recall, there was a simple motion to admit a State. The proposal then went to the Judiciary Committee for the arrangement of the terms, and to see that the State Constitution provided what was intended to be provided. With all due deference, the bill should be reduced to a motion to admit, and then sent to the Judiciary Committee.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. EASTLAND. The distinguished Senator from Washington is very able. I have read the record of the hearings. He asked some very intelligent questions. Later in the debate I shall comment on some of the statements he made.

In the present instance we would have a State which was neither in the Union nor out. My distinguished friend from Idaho stated that statehood could be suspended for a while. The Senator realizes that that is something utterly unknown to the law.

Is not the distinguished Senator from Virginia amazed that the able and distinguished Senator from Washington should say that we should vote for something which is patently unconstitutional, in the hope that the Supreme Court would declare it to be constitutional?

Mr. ROBERTSON. I did not know that my friend went quite that far. He pointed to the decision in Brown versus Board of Education, in 1954, which greatly surprised the Senator from Virginia. On the basis of that decision, he asked, "Why should we be surprised at anything the Supreme Court does?" I think that was a general argument.

Mr. EASTLAND. The Senator from Virginia stated that the Senator from Washington said that we need not be surprised at anything the Supreme Court might hold. If that is what my friend from Washington said, I am in agreement. I do not believe he said it.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JACKSON. The junior Senator from Washington merely made the observation that it would be rather difficult, perhaps, for the junior Senator from Virginia and the senior Senator from Mississippi to predict whether the Supreme Court would or would not hold the provisions in the Alaskan constitution to be constitutional. Am I to understand——

Mr. ROBERTSON. The reply of the Senator from Virginia was that the Senator from Washington had him at a disadvantage, because, if the Senator from Virginia were to proceed to make answer, he would have to admit that he could not predict anything the Supreme Court might be expected to say.

Mr. JACKSON. Therefore, I ask my distinguished and able colleagues, who are brilliant in the field of constitutional law, whether they do not feel that it would be almost impossible for this body to attempt to predict whether the Supreme Court would hold any provision in the State constitution to be unconstitutional.

Mr. ROBERTSON. When President Franklin Roosevelt was trying to push through the Guffey coal bill, and it was sent to the House Committee on Ways and Means, the President said, "If you have any doubts about constitutionality, resolve them in favor of those who want the legislation, and let the case go to the Supreme Court."

I did not take that viewpoint. I thought I was elected and took an oath to support and uphold the Constitution of the United States to as great a degree as members of the Supreme Court or anyone else, and that if a particular bill was unconstitutional, I should vote accordingly. I voted against the Guffey coal bill. The case went to the Supreme Court, and the Supreme Court declared the Guffey Coal Act to be unconstitutional.

If we think the pending bill is unconstitutional, we have as great an obligation to uphold and support the Constitution as has any member of the Supreme Court. We do not need to speculate as to whether the Supreme Court would or would not interpret the Constitution as it was written, or whether it would go far afield, on another Myrdal expedition, and say, "We cannot turn the clock back; statehood for Alaska has been long deferred and the action must go forward"—forgetting all the technicalities and the provisions of the Constitution. The Supreme Court might hold that statehood should be granted in the interest of sociology or for whatever other reason one might wish to assign.

Mr. EASTLAND. Mr. President, will the Senator from Virginia yield to me?

Mr. ROBERTSON. I yield.

Mr. EASTLAND. Mr. President, I ask unanimous consent to file three points of order against the pending bill. I ask that they lie on the table and be printed, to be called up at the discretion of the Senator from Mississippi.

The PRESIDING OFFICER. Without objection, the points of order will lie on the table and be printed.

Mr. EASTLAND. I should like to ask the distinguished Senator from Virginia a question.

Of course, the Senator realizes that the United States Supreme Court has held time and again that a State must come into the Union on a basis of absolute equality with other States. We must assume that the Supreme Court of the United States will adhere to its decisions since the founding of the Republic. That being true, does not the Senator realize that, with the withdrawal provisions in the bill, the State of Alaska could not come into the Union on a basis of equality with the other States, and that therefore the bill flies in the face of the Constitution?

Mr. ROBERTSON. The Senator from Virginia is opposed to the bill from every standpoint, including the constitutional standpoint.

Mr. EASTLAND. The Senator knows very well that, according to the testimony at the hearings, there would not be a uniform system of State taxation in the new State of Alaska. If the President should withdraw a certain area, that action would supersede the laws of the State; and the testimony was that the State of Alaska could not even enact a sales tax.

In addition, the public officials in vast areas would be out of office. They would be superseded by Federal employees appointed by the President of the United States.

The Senator realizes that that would be flying in the face of the Constitution of the United States, does he not?

Mr. ROBERTSON. Undoubtedly so. As the Senator recalls, in the very fine speech of the junior Senator from Washington he made reference to the fact that the national interest was protected because the Federal Government could go back into Alaska and withdraw anything that was absolutely needed for the national defense, or in the national interest. I assume that is the point

mentioned by the Senator from Mississippi.

Mr. EASTLAND. I should like to read a statement by Mr. Stevens, of the Department of the Interior. He said: "Of course the Federal Government could not adopt such law, for instance taxing laws, which are inconsistent with the Federal Constitution."

Mr. ROBERTSON. That is correct.

Mr. JACKSON. Mr. President, will the Senator yield on that point?

Mr. ROBERTSON. I shall yield as soon as I have finished yielding to my colleague.

Mr. JACKSON. Will the Senator yield so that I may answer the Senator from Mississippi on that point?

Mr. ROBERTSON. I yield.

Mr. JACKSON. I should like to invite attention to the fact that in the withdrawal area, for purposes of national security, which area is roughly north of the Brooks Range and west of Fairbanks, the Federal Government retains the authority to withdraw a little over half of all the land in Alaska. Therefore ample authority is provided to do it.

Mr. EASTLAND. Under the Constitution of the United States it is not possible to do it. Even without declaration of martial law, under the provisions of the bill it would be possible to move 24,000 people who now inhabit that area.

Mr. JACKSON. "The Lord giveth and the Lord taketh away."

Mr. EASTLAND. That is exactly it. It is a State and it is not a State. Membership in the Union would not be as firm, even, as the membership of a college student in a college fraternity. "The Lord giveth and the Lord taketh away." We can give statehood to Alaska and the President can take it away. That is in violation of our system of government, that States are admitted to the Union only on the basis of absolute equality. That equality would be denied to the State of Alaska.

Mr. JACKSON. The land is granted to the new State. It is subject to certain conditions, of course, and there are ample precedents to support such procedure.

Mr. EASTLAND. I know the Senator is referring to what happened in New Mexico and Arizona. That involved an entirely different situation, and I shall discuss it at length later. It is impossible under the Constitution to give statehood with a limitation.

I should like to read what the Senator from Idaho [Mr. CHURCH], who is a very able Senator, has had to say:

> So far I have not heard any testimony to indicate what handicap there would be to defense of either Alaska or the country if we granted statehood without limitation to the entire Alaska area.

The point is that statehood must be granted without limitation; otherwise, it is of no effect.

Mr. ROBERTSON. The distinguished Senator from Washington quoted from Job, but he did not quite finish the quotation. He said:

> The Lord giveth and the Lord taketh away. Blessed be the name of the Lord.

I wish to quote from what Benjamin Franklin said when he was helping to frame the Constitution, which the Senator from Mississippi and I are trying to defend and preserve. Franklin said:

> In this situation of this assembly, groping as it were in the dark to find political truth and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of Light to illuminate our understanding?

The junior Senator from Virginia is speaking in opposition to statehood, and he hopes that what he has to say will set off real debate on the whole matter.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. EASTLAND. The distinguished Senator from Virginia knows that any sovereign State has the power to pass laws which are effective within the State in fields in which the State is empowered to act. That is fundamental.

Mr. ROBERTSON. Yes. We believe that there is a definite separation of powers between the Federal Government and the States, and that when the 13 States formed the central government, they were sovereign States, and they retained that portion of their sovereignty which was not, either through express provision or necessary implication, conferred upon the central government; and that the powers of the central government, especially under the provisions of the 10th amendment to the Constitution, were specifically limited.

Mr. EASTLAND. And that would apply to the entire area of a new State, of course.

Mr. ROBERTSON. Of course.

Mr. EASTLAND. I should like to read from the testimony of the Under Secretary of the Interior, Mr. Chilson, which I submit is directly opposite to the provisions of the Constitution of the United States.

Mr. Chilson said:

> Now, whether or not under our wording here Alaska could pass new laws to take effect within the withdrawal area—as the thing is written I have some doubts.

We are talking about a State which cannot even enforce sovereignty in half of its area. It is neither in the Union nor out of the Union. I am sure the Senator from West Virginia will agree that the bill flies in the face of the Constitution. If we were to admit Alaska, we would be committing an act which would violate the Constitution, and therefore would be void.

Mr. ROBERTSON. I believe that the proper thing to do with the bill would be to send it to the Committee on the Judiciary, to clear up the legal provisions, and either have a bill brought before us which would confer statehood upon Alaska in a constitutional way, or not confer statehood at all.

Mr. EASTLAND. I should like to read from what Mr. Stevens, the Solicitor for the Department of the Interior had to say:

> The President, of course, could turn right around and appoint the Territorial or the State chief of police, and he could continue to enforce his own laws.

The Senator realizes that Alaska could not be admitted on the basis of equality when the President of the United States could supersede State officials and discharge them and appoint Federal officers and enforce laws of the State.

Mr. ROBERTSON. That is correct. Not one of the original States would have stood for anything like that.

Mr. EASTLAND. The fact that the new State would not have the power of other States is conclusive proof, is it not, that Alaska would not be admitted on the basis of equality with the other 48 States?

Mr. ROBERTSON. The conclusion is inevitable. This is a different procedure from that heretofore followed. The Senator from Virginia had already pointed it out. It is proposed to admit Alaska on terms different from those under which any other State has been admitted since the Union was formed. The Senator from Virginia does not see the necessity for all the rush now, when very serious problems have not been adequately considered and not resolved, and which cannot hereafter, as the Senator from Virginia has pointed out, be changed no matter how wrong the decision may be.

Mr. EASTLAND. The distinguished Senator from Virginia realizes that the testimony shows that if the State of Alaska, after withdrawal of half of its area, should enact a sales tax, which every other State in the Union has power to do and to make it effective within the confines of the State, such a sales tax would not be effective and enforceable in half of the land area of the proposed new State of Alaska. Is that a basis of equality?

Mr. ROBERTSON. The Senator from Virginia had not thought about that phase of it, but that certainly would raise additional serious objection to the plan here proposed.

Mr. EASTLAND. I have offered three points of order, and I believe they are absolutely well taken. I think the bill violates the Constitution of the United States.

If the points of order should not be sustained by the Senate, then I am prepared to move that the bill be referred to the Committee on the Judiciary. There has been no study made of the constitution of the new State. The Reorganization Act gives the Committee on the Judiciary the exclusive power to fix the boundaries of States. The Reorganization Act gives the Committee on the Judiciary exclusive power to consider legislation concerning the Federal court system in a State. All of that is being violated. It is being done after only 2 days of hearings on 1 bill; and, as I understand, the bill on which hearings were held is not the bill which is now being considered by the Senate.

Mr. ROBERTSON. The Senator is correct. Hearings were held on the Senate bill as reported last August; but on the House bill which is now before the Senate, only short Senate hearings were held. Only today was a statement placed in the RECORD on behalf of the subcommittee to show the differences between the two bills. As the Senator from Mississippi has so clearly pointed out, the very vital constitutional objec-

tion to the bill has never been considered by any committee.

Mr. EASTLAND. That is absolutely correct. Does the Senator from Virginia realize that the House committee inserted 69 amendments in the bill, and those 69 amendments have not even been considered by any Senate committee. What kind of legislative procedure is that?

Mr. ROBERTSON. The Senator from Virginia has just been glancing through some of the provisions relating to immigration laws. There are a number of such provisions coming from the original bill. We do not know what it is all about. No hearings have been held. There has been no analysis. We have no committee report to tell us why certain things were done.

All we are asked to do now is to abandon the bill which was reported by the Senate committee, and to take without question and without change, the House bill, for fear, because of what it was said would be the ruling of the House Parliamentarian—I am not too sure about this; but that is what is claimed by the proponents—that the bill would go back to the House Committee on Rules, which would keep it bottled up to the end of the session. That is what we, who took an oath to uphold and support the Constitution, are asked to do. We are asked to forget about the best interests of 172 million people of the United States in behalf of 100,000 people in Alaska, and to act on a statehood bill which in every respect is different from any such bill which has ever been enacted heretofore. The bill gives away millions of acres of public domain; it does not, as has always been done before, even reserve the mineral rights and the oil rights. It leaves up in the air how far out in the ocean the rights of Alaska shall extend.

A researcher who acted on my behalf has said that Alaska will extend out 100 miles and claim all the islands within that distance. Certainly even Louisiana and Texas never claimed that they could claim any rights more than 12 miles off the gulf coast. That is all they claimed. Texas claimed she had that right when she was an independent State, and presented a good argument to show that she had never relinquished her claim beyond the 3-mile limit.

But in this situation no limitation is definitely fixed as to the jurisdiction over oil under the waters, the fishing rights in the water, and the control of contiguous islands, even though they may be 50 miles away from the shore of the proposed new State.

I have stated so far one point. The population is too small to deserve the privileges or to discharge adequately all the obligations of a State.

The second point is that the resources have not been developed to such a point that they can support properly all the functions of State and local government.

In that connection, if I wished to do so, I could place in the RECORD a letter I received a few days ago from a person who said he had been in Juneau for 45 years. He said that the taxes in Alaska are higher than they are in any State in the Union. He said that Alaskans could not raise the taxes which would devolve on them if it became necessary to institute State courts to take the place of Federal courts; State police to take the place of Federal marshals; and to assume all the operations which are now being paid for by the Federal Government. He said that if it became necessary for Alaskans to provide all those services, they could not support statehood.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. EASTLAND. I think it is recognized by all, as I have said—and as I shall continue to contend—that any State which comes into the Union must come in on an equal footing with the other States. That is the only basis on which a State should be admitted. If conditions are imposed which impugn the sovereignty of the State, or which do not place it on an even footing with the other States, the action is void. I wish to read, on that point, from the hearings:

> Senator JACKSON. I think it might be well, before we go through all of the amendments, if you could give to the committee, through counsel, here, the exact situation insofar as local police power, if any, will exist in the withdrawal areas.
>
> The Chair understands that in the areas of withdrawal, local law will become Federal law—

That is admitted throughout the hearings—

> and will be enforced by Federal authorities, save and except the right to serve civil and criminal process and the right to exercise the voting franchise in those areas. And that local law will be invalidated where inconsistent with Federal law.

Does that place this proposed new State on an even footing with other States, which is a rule governing the admission of new States into the Union?

Mr. ROBERTSON. Absolutely not. It is different from anything which was required of the 48 States now in the Union.

Mr. EASTLAND. The answer made by the representative of the Department of Defense, who was presenting this amendment, was:

> Mr. DECHERT. Mr. Chairman, that is correct only, I think, after a withdrawal is made. Until the withdrawal is made, the land subject to withdrawal remains fully subject to the laws of the State.

The point is that with a withdrawal provision, Alaska would not be placed on an even footing with the other States of the Union.

Mr. ROBERTSON. If she were not, Congress would not be performing a constitutional act. We have no constitutional authority to create a second-class State.

I shall enumerate one other general objection. The geographic location of Alaska imposes a permanent handicap to the integration of its population as a homogeneous unit in our Union of States.

Senators may accept those objections, as I do, as adequate grounds for voting against the pending bill, or they may agree with those proponents of immediate statehood who argue that potential advantages outweigh the disadvantages. It is interesting to note, however, that the majorities of both the House and Senate committees which favorably reported H. R. 7999 and S. 49 last year seemed to find it easier to state the objections, which they then tried to refute, than to list and document positive benefits which the United States would derive from granting Alaska statehood now.

For example, the House report on H. R. 7999 devoted four pages to stating arguments against statehood and trying to answer them. It used another three and a half pages to discuss peculiar problems of Alaska and a page and a half arguing the readiness of the Territory for statehood at this time. In contrast, the section headed "Primary Reasons for Statehood," was only a little more than one page in length.

The first peculiar problem mentioned in this report arises from the fact that more than 99 percent of the land area of Alaska is owned by the Federal Government—a condition which the committee recognized as unprecedented at the time of the admission of any of the existing States."

The report pointed out that approximately 95 million acres, or more than one-fourth of the total area of Alaska, is enclosed within various types of Federal withdrawals or reservations for the furtherance of the programs of Federal agencies, and said:

> Much of the remaining area of Alaska is covered by glaciers, mountains, and worthless tundra. Thus it appeared to the committee that this tremendous acreage of withdrawals might well embrace a preponderance of the more valuable resources needed by the new State to develop flourishing industries with which to support itself and its people.

Another problem recognized by this committee report, as in some respects the most serious of all is that of financing the basic functions of State government and especially road maintenance and construction in an area where great distances must be covered and costs per mile are exceptionally high.

At this point I digress to mention to the distinguished Senator from Mississippi the point he has been urging about what does not go to Alaska and what can subsequently be withdrawn, and to ask him, if he knows, who will build and maintain all the highways which will be necessary to connect the areas which will still be held by the Federal Government and the areas held by the State, when there is a great necessity to unite both parts? How will the road system be placed under single control for financing, maintenance, and general supervision?

Mr. EASTLAND. Mr. President, the distinguished Senator from Virginia knows that Alaska will not be a self-supporting State.

Mr. ROBERTSON. That is a conclusion I have reached. If Alaska will not be a self-supporting State, that is one reason why I will not vote to unload that expense onto the taxpayers of Virginia and the taxpayers of the other 47 States of the Union.

Mr. EASTLAND. I should like to call the attention of the Senator from Virginia—if he will yield briefly to me—to article 1, section 3, of the Constitution:

SEC. 3. The Senate of the United States shall be composed of 2 Senators from each State, chosen by the legislature thereof, for 6 years; and each Senator shall have 1 vote. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year.

Is not that plain?

Mr. ROBERTSON. It is very plain. But the pending bill violates that clear provision of the Constitution. In doing so, the Congress would permit Alaska to have a State constitution which would provide for 2 Senators, neither of whom would be elected, as I recall, for 6 years. Instead, one Senator would have what is called a short term, whereas all the present States had to comply with the constitutional provision that Senators shall be elected for 6 years; and when their Senators reached the Congress, they were divided into the 3 classes.

Mr. EASTLAND. But the Senate itself did that.

Mr. ROBERTSON. Yes.

Mr. EASTLAND. But in this case, the constitution of Alaska would attempt to make the arrangement to which we have referred.

Mr. ROBERTSON. Yes.

Mr. CHURCH. Mr. President, will the Senator from Virginia yield to me?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Virginia yield to the Senator from Idaho?

Mr. ROBERTSON. I yield.

Mr. CHURCH. How would the Senator from Virginia propose to divide the 2 Alaskan Senators into 3 classes?

Mr. ROBERTSON. The three classes were formed at the time of the convening of the 1st Congress, so that one-third of the Members of the Senate would be elected every 2 years. But in the case of 2 Senators, they would go into two-thirds of 3 classes.

Mr. CHURCH. I think the answer the Senator from Virginia has given suggests the point I should like to make, namely, that the constitutional provision was designed to accommodate the situation which existed when the First Congress convened, when the Senate then consisted of 2 Senators from 13 States, but that that arrangement obviously is impractical in respect to a single State.

Mr. ROBERTSON. But our point is that it is not proper to disregard a constitutional provision merely because some may choose to regard it as impractical. For instance, the Chief Justice and the Supreme Court stated that it is impractical in these modern days to have segregation in the schools, and, therefore, he stated that he would write into the Constitution a provision that is not in it. Similarly, it is said that it is impractical to elect 2 Senators for 6 years, as the Constitution provides, and that, therefore, a different arrangement will be made.

Mr. EASTLAND. The Constitution provides that each State shall have two Senators, and that Senators shall be elected for 6-year terms. Yet the Constitution authorizes the Senate to divide Senators into three classes.

Mr. ROBERTSON. That is correct.

Mr. EASTLAND. As the distinguished and very able Senator from Idaho has stated, it might be regarded by some as impracticable to follow the procedure and precedents which without exception have prevailed during the history of this country, namely, that new Senators draw lots. One Senator may draw lot No. 1, and then he would be in class 1, and would have either a 2-year term or a 6-year term.

Another Senator might draw lot No. 2, in which case he would have either a 4-year term or, if the Senator who drew lot No. 1 received a 2-year term, the Senator who drew lot No. 2 would receive a 6-year term. That is the way the arrangement has worked throughout the entire history of this country. That arrangement has been followed without exception.

When Arizona was admitted, when New Mexico was admitted, when Colorado was admitted, when Iowa was admitted, when California was admitted, that system prevailed without exception. We cannot now say it is impractical, and that, therefore, the Senate can change the Constitution of the United States.

So this measure is void.

Mr. ROBERTSON. Mr. President, the Senator from Mississippi is entirely correct.

Mr. President, I shall proceed now with a brief discussion of what I believe is a close approach to doubletalk in the committee report. The report says that the proposed legislation would take care of the distorted landownership pattern, and would provide sources of State revenue by land grants to the new State aggregating 182,800,000 acres—a figure, incidentally, which was reduced to 103,350,000 acres in the bill as passed by the House. So the report is in error, because the bill we are now considering calls for land grants totaling 103,350,000 acres, or materially less acreage than the amount set forth in the committee report.

Except for 400,000 acres to be taken from national forests and 400,000 acres adjacent to established communities for prospective community centers and recreation areas, however, all of this land would have to be selected from public lands which are "vacant, unappropriated and unreserved and which are not included in areas subject to military withdrawal, unless specifically approved by the President."

The question arises, If, as stated on the preceding page of the report, the "preponderance of the more valuable resources" of Alaska already are included within acreage withdrawn by the Federal Government and reserved for its agencies, and if much of the remainder is indeed "glaciers, mountains and worthless tundra," how can the new State expect, even with such an extensive land grant, to find the resources to support itself and its people?

The uniqueness of the Alaska land situation is further emphasized in the committee report, which points out that on the occasion of admission of existing States land grants amounted to a maximum of 6 to 11 percent of the total land area, and much acreage already had passed into private taxpaying ownership, whereas in Alaska, even after a grant of unprecedented proportions to the proposed State, the Federal Government would continue to control more than two-thirds of the total acreage and an even larger percentage of the resources.

To alleviate this situation to some extent, the bill proposes to share with the State profits from Government coal mines, mineral leases, and the fur monopoly, which, of course, would make the State government a pensioner dependent on the Central Government to a much greater extent than the existing States which already, in my opinion, have jeopardized their constitutional rights by too ready acceptance of Federal handouts for a variety of public works and welfare programs.

The report to which I have been referring suggests that a long list of potential basic industries can exist in Alaska now only as tenants of the Federal Government and on the sufferance of various Federal agencies, and implies that there will be a great rush of private capital to the new State. There is a dual danger involved in this change, however. On the one hand, the State, if it succeeded in obtaining valuable resources through its choice of unreserved public lands, might prove to be fully as unsatisfactory a landlord as the Federal Government. On the other hand, if the State sought to dispose of these assets in rapid order, to raise funds for its operation, the process, especially in the hands of inexperienced public employees, might involve favoritism and irregularities which would make the Teapot Dome affair seem trivial by comparison.

Another example of contradictory statements is found on page 9 of the committee report. In one paragraph it is stated that committee members recognize there will be added costs of statehood that are now being borne by the Federal Government, but that Territorial legislators expect this to be offset by participation in Federal programs from which Alaska has been omitted. Another paragraph says the grant of statehood would mean some saving to the Federal Government, as the people of Alaska take over part of the burden of supporting governmental functions. Mr. President, either the Federal Government will save money by shifting the burden of some functions to Alaska, or the new State will gain by obtaining more grants from the Federal Government, but the balance of saving cannot be on both sides at once. And, of course, insofar as statehood involves additional government organization and more levels of employees, there will be increased costs for someone to pay.

The statement to which I have just referred—about the possibility of the Federal Government saving money through statehood—is part of the brief section headed "Primary Reasons for Statehood."

That section frankly admits that in considering extension of statehood to any Territory "it has never been possible in our history to specify in precise terms the exact benefits to be derived," and says that "it is not possible to say definitely in what particular respect the admission of Alaska will strengthen the Nation."

Aside from the vague and contradictory claim I have quoted, that the Federal Government might save some money by granting statehood, this part of the report suggests that matters of local concern can best be determined and most efficiently managed by those most directly affected, and that statehood will permit and encourage a more rapid growth in the economy of the Territory by opening up resources and by providing representation in Congress to advocate policy changes that would stimulate growth.

I am a firm believer in maximum use of State and local authority and a minimum of Federal interference, in line with the philosophy of Thomas Jefferson, who believed the central government should do only those things which the smaller units cannot do for themselves. As a matter of practical application, however, I find it difficult to equate the concept of a State control which would be superior to Federal control because it is closer to the people, with the situation in Alaska, which stretches over an area practically as wide, from east to west and from north to south, as the continental United States.

Local governmental units can, and will, exist, regardless of whether the area is a Territory or is a State. The question is whether members of a State legislative body representing Attu and Ketchikan, which are as far apart as Los Angeles and Savannah, Ga., and representing Point Barrow and of parts of the Aleutian Island chain, which are as far apart as the Canadian border and El Paso, Tex., will have a sense of unity that will create a control much more localized than that which can be provided under the delegated authority given to the Territorial government.

Whether a State government would promote more rapid economic development than would a Territorial government, would depend on the amount of confidencec the State government could inspire among businessmen and investors. A stable State government might reassure those who have feared shifting Federal-control policies. On the other hand, a State government torn by local politics and subject to pressures which could be applied in sparsely settled areas where one man or corporation may wield a powerful influence, might inspire even less confidence.

The only additional ressons for statehood advanced in this section of the report are that it would strengthen our foreign policy by proving Americans still believe in equal rights and justice for all, and that it would demonstrate to the world that Alaska is an indisoluble part of the body of the Nation. Our actions during World War II and our present defenses instsallations in Alaska should leave little room for doubt in any part of the world as to our intention to protect the integrity of the Territory against any form of invasion. So far as equal rights and justice are concerned, the treaty of 1867, by which we acquired Alaska, assured full rights of citizenship to its inhabitants; and the act of 1912, which created the Territory gave it full protection of the Constitution and laws of the United States.

In short, the House committee report on H. R. 7999 was a fumbling and apologetic document which failed to make out a positively convincing case for statehood and did not answer, to my satisfaction at least, the opposition arguments which it was frank enough to recognize.

Its weakness was made more apparent, also, by the minority report signed by six members of the House Judiciary Committee, which pointed out the exaggerated political power which would be given to a small group of voters if Alaska were allowed to name a Representative and two Senators, and the dubious financial basis on which the proposed State government would be launched.

Now, let us look at the Senate Judiciary Committee report on S. 49, which was issued last August. Here again we find that the authors required three pages to discuss argument against statehood, but only a page and a half to state all thhe reasons they could think of favorable to statehood.

In summarizing the positive argument, this report said:

> There are four primary reasons why Alaska should be granted statehood: It would fulfill a long-standing legal and moral obligation to 200,000 Americans, it wold benefit Alaska, it would strengthen the Nation internally, and it would prove our adherence to the principles that guide the free world.

The brief reasoning in support of these points follows the same line as the House report, and the observations I made in that connection would apply here as well. It might be added, however, that the first point as to an alleged legal and moral obligation to grant statehood at this time is refuted on its face by the report's own quotation from the 1867 treaty, which said inhabitants who chose to remain in the ceded Territory "shall be admitted to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, subject to such laws and regulations as the United States may, from time to time adopt in regard to aboriginal tribes of that country."

That treaty has not been violated under the territorial form of government, and the treaty made no specific promise of statehood. It is true, as the report states, that the Supreme Court has said an incorporated Territory is an inchoate State and that its incorporated status is considered an apprenticeship for statehood. There is no argument about Alaska being a potential candidate for statehood, and I certainly would not say that form of government never should be granted. I merely say the period of apprenticeship has not yet been satisfactorily completed, for reasons which I have mentioned briefly, and which I shall discuss at more length later.

The desperate efforts of proponents to make their case look good is illustrated, incidentally, in the part of the Senate report where reference is made to "200,000 Americans" to whom we are legally and morally obligated to give statehood rights. Now, the total population claimed for Alaska, on the basis of latest census estimates, is 212,000, and that includes 35,000 Aleuts, Eskimos, and Indians, who, under terms of the pending bill, would remain wards of the Federal Government. That leaves only 177,000 Americans, and even that total includes about 47,000 who are in military service and another 20,000 military dependents. These 67,000 Americans, who were sent to Alaska as a result of military orders, and who will be removed and replaced in time by other military orders, are citizens for the most part of existing States. They would not acquire Alaska State citizenship, and as loyal citizens of other States, even though temporary residents of Alaska, they would not want it. Therefore, any possible moral or legal obligation would apply to only about 110,000 Americans, rather than 200,000, to whom statehood rights might conceivably be owed.

At this point I wish to refer to the fact that in the very able and splendid speech of Judge HOWARD SMITH, of the Eighth Congressional District of Virginia, he gave figures which showed that there are less than 100,000 American citizens, exclusive of the military, now in Alaska.

But I am taking the census figures and the figures of the military and, for the sake of argument, accepting the proper figure, although there seems to be no real agreement on the subject, as being 110,000, or less than one-third the population of a normal congressional district, as the 48 States are now organized—with all due deference to my distinguished friend from Louisiana [Mr. LONG], who is present on the floor. The election of a Representative in Congress from Alaska would result in a loss of a Representative by one of the existing States. Perhaps it would be applicable to Louisiana, because it would have to apply somewhere. Both Virginia and Louisiana are on the borderline, and Virginians would much rather that a Representative be taken away from Louisiana than from Virginia.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LONG. The Senator from Virginia is making a notable argument, but how can we States Righters vote against statehood? Personally, being a States Righter, I shall support statehood for Alaska.

Mr. ROBERTSON. The first obligation of the Senator from Louisiana is to the 172 million people of the 48 States. We cannot do justice to them if we ad-

mit a noncontiguous Territory with a population of about 100,000. If it is done, we will dilute the rights the people of the 48 States now have. That is the first point.

Second, this country would have to give support to the new State far and above anything that has ever been done before.

Mr. LONG. If the Senator will yield further, a great Virginian by the name of Thomas Jefferson and another great Virginian who was President at the time made it possible that certain territory be acquired so that Louisianians might share some of the power of the great State of Virginia. It would seem to me that perhaps we should show some of the same deference to a great area the people of which want to become a State. I wonder if we should not cast some bread upon the water.

Mr. ROBERTSON. The Senator from Virginia appreciates the reference to Thomas Jefferson, who was one of the greatest of philosophers. Nothing illustrated his wisdom more than his buying, for 15 cents an acre, a great area that included what was to become the great State of Louisiana. There were fine people in that area. They were cultured people. They were self-supporting people. The port of New Orleans was the greatest port in the South. We obtained an area which already had a cultural and economic development. When we bought that territory the good people of Louisiana became a part and parcel of the Union.

The facts I have stated would not apply to an area which lies beyond the boundaries of Canada and in the frozen wastes. We are spending a great deal of money in that Territory. Much of the money which goes into that Territory is for the support of 50,000 military personnel and for construction work going on there, money spent on the DEW line, airfields, and other activities.

As I had stated before the Senator from Louisiana came on the floor, it was specifically provided that the people of that Territory should have all the freedom guaranteed under our laws. We have given them that freedom. We did not agree to give them the privilege of State government, and control of the area as a State.

As pointed out by the distinguished Senator from Mississippi before the Senator from Louisiana came to the floor, it is not proposed that we do that in this bill. We shall have a kind of halfway provision. There would be mixed control in Alaska.

We reserve the right, if an emergency should arise, to take from the State some of the land which was thought to be theirs. Under the fundamental law, we do not have a constitutional right to do that. Neither do we have a constitutional right to permit the adoption of a State constitution which prescribes how Senators shall be classified as to their terms, since the Constitution of the United States stipulates that Senators shall be elected for 6 years and the Senate shall provide 3 classes. A Senator must go into one or another class, and in that way only one-third of the entire membership comes up for election at one time. Thereby, the Senate became what the House is not, a continuous legislative body.

I respect the views of the Senator from Louisiana. I know he is in favor of the bill, and is sincere in his advocacy of it.

The Senator from Louisiana has just as much right—I would not say he has good reasons, but he has just as much right to be in favor of the bill as the Senator from Virginia has to be against it. At any rate, the Senator will have a full opportunity, before the debate is over, to tell the Senate the reasons he has for supporting the bill.

In the meantime, as the Senator from Virginia indicated at the start, he is simply offering some points for discussion. We are a long way, in the opinion of the Senator from Virginia—unless we are kept here until 12 o'clock tonight, to beat Senators down—from reaching a final vote on the bill. There are many points which need to be looked into and discussed. I do not mean the discussion will be aimless, simply to kill time. The discussion will be on matters which vitally affect the principle that we have heretofore never gone beyond the continental confines to admit a Territory to statehood.

If we take this action, we will be urged undoubtedly, to admit Hawaii as a State. After all, is there not as much a commitment in the demagogic planks of both parties for Guam and Puerto Rico as for Hawaii and Alaska? I do not know how we will be able to provide statehood for Alaska and not for other Territories. All of those are covered. If we are to be bound by what is done in a convention, which everybody expects after the election to be forgotten, we are as bound with respect to all four as we are bound with respect to Alaska.

We are now told, "No, we will not admit Hawaii." The distinguished chairman of the committee said yesterday, "I am in favor of statehood for Hawaii, but if we put Hawaii in this bill some of the Members of the Senate who will be afraid of Communist control and other things in Hawaii will vote against the whole bill." Therefore the Senator says, "Let us leave Hawaii out of the bill now and take up that matter later."

I understand the distinguished majority leader has put us on notice that when the bill presently under consideration has passed he is going to make an immediate motion to take up the bill providing statehood for Hawaii. I may be a little late in the session to get action on both in the Senate and in the House on statehood for Hawaii, but nobody should feel, once we establish the precedent of admitting into the Union a Territory which is noncontiguous, that there will ever be much argument against taking in Hawaii as a State, since the population in Hawaii is so much larger, and the climate is extremely salubrious. It is 72 degrees in the winter and the summer. Flowers bloom in such profusion that the people there can put garlands around their necks without any cost whatever. It is a lovely place. Everyone who goes to the Hawaiian Hotel, puts a longhandled spoon into a ripe pineapple, sees the dancers, hears the music and views the moonlight, comes away to say, "We must have Hawaii in the Union as a State. It is not fair to that wonderful island that it should be kept in a colonial peonage status."

The same is true of those who like the roughness of the wild, who love the softness of the snow under their feet. They go to Alaska, and recite the beautiful words of Robert William Service:

I've stood in some mighty-mouthed hollow
That's plumb-full of hush to the brim;
I've watched the big, husky sun wallow
In crimson and gold, and grow dim.

They say, "Certainly a wonderful Territory such as Alaska must be given statehood."

I am trying to get down to Terra firma. I am trying to get my feet on the earth. I should like to look at the facts, separated from emotionalism and favoritism.

When we talk about a wilderness spot such as Alaska, on the one hand, or a beauty spot like Hawaii on the other, or any other beauty spot, one might wish that they were contiguous to the mainland. I say, however, we are asked to set a dangerous precedent and, once the precedent is established, we will be pressed to extend it to other noncontiguous Territory.

How many in Alaska want statehood, how many are opposed to it, and how many simply do not care is an unanswered question. The only official referendum on the subject was held in 1946 and although statehood advocates boast that the vote was 2 to 1 for statehood, they usually do not mention that the actual vote cast was only 9,630 for and 6,822 against. Neither do they make clear that the question asked was whether the voters approved statehood as such, not whether they thought the time had come to grant it. Therefore, all we can be sure of is that 12 years ago about 10,000 persons in Alaska thought they wanted statehood at some unspecified time.

The Territorial legislature has acted since then on the assumption that a majority of the residents want statehood now and the voice of the legislature has been accepted as the voice of the people. Last year, however, an informal newspaper and radio poll of sentiment brought a response of more than 2 to 1 against statehood, and Mr. William Prescott Allen reported to the Senate committee that a survey covering 75 percent of the people of Alaska indicated they stood more than 2 to 1 against statehood.

The truth of the matter is that on the basis of House and Senate committee reports and other statements of its advocates, the case for immediate statehood for Alaska should be thrown out for lack of convincing evidence.

The proponents themselves boast of the progress the Territory has been making during the past few years, in population growth, in tax collections, and in economic development. If things are going that well, no hasty action is required. We can afford to wait a little longer and find out whether the popu-

lation trend is on a permanent upgrade or whether it has only been temporarily inflated by defense activities. We can afford to observe the trend of economic indicators when military building programs are completed and lessening of world tensions permits withdrawal of some personnel. In other words, the status quo involves no emergency except for those with political debts to pay or political axes to grind, but a change to statehood is not reversible and if we make a mistake in taking that step now, the penalty may be heavy.

Now let us consider the specific objections to immediate statehood which I mentioned at the outset of this statement.

First, there is the population question.

As I have just indicated, the presently estimated total population of 212,000 includes only about 110,000 American civilians. Proponents of statehood speak impressively of the percentage increase in population of Alaska in recent years, but slur over the small number of persons involved in a change which started from a low-base figure. On the other hand, when they compare Alaska's present population with that of other States at the time of their admission, they like to use numbers of people and ignore percentages. For example, it sounds fine to compare Alaska's current estimated population of 212,000 with California's population of 92,000 in 1850. But California's 1850 population represented approximately 0.4 percent of a total United States population of 23 million while Alaska's 1957 population amounted to a little more than one-thousandth of our total population of 171 million.

Growth factors also are distorted by assuming, without sound justification, that Alaska's future population changes will be entirely different from what they have been in the past. Again using California for comparison: The 1850 population of 92,000 existed 2 years after the start of the gold rush of 1848. By 1860 the population of California had increased to 379,000 and by 1890 it was 1,213,000. The upward trend continued steadily with a count of 2,377,000 in 1910 and 3,426,000 in 1920, showing obviously that those who went in search of quick fortunes found the land to their liking and attracted a steady stream of others who wanted to make it their permanent home.

In contrast, Alaska which had a population of about 30,000 when it was acquired in 1867 and of 32,000 in 1890 jumped to 63,000 in 1900, following the Klondike gold rush of 1896, but in 1910 the population remained at 64,000 and in 1920 it had dropped back to 55,000. In 1930 it still was only 59,000, demonstrating that this area did not have characteristics which appealed to large numbers of permanent settlers.

The lure of quick fortunes attracted adventurers and some hardy pioneers remained, to whom all honor is due. They are fine citizens and worthy successors to our early American pioneers. But their kind of life does not appeal to the average man, who wants to give immediate advantages to his family and to develop the kind of home which was made by those who settled the Valley of Virginia, the great plains of the Midwest or the sunny valleys of California. It was in vain that the Federal Government offered bounty lands to veterans of World War I and spent more than $1,000 an acre on subsidized farms. The population has nearly tripled since 1940 only because thousands of men in uniform were sent there under orders and other thousands were attracted by high rates of compensation to provide housing and other facilities and services needed by these involuntary colonizers. There is as yet, however, no real evidence of a genuine boom in population.

The static nature of Alaska's population figures is not a cause for serious concern in itself, but it is important that it be recognized when we start to talk about statehood which would involve a seat in the House of Representatives and two seats in the United States Senate.

The average congressional district has three times the American civilian population of Alaska, which means that the Alaskan voter would have three times the influence of the average voter in the continental United States on legislation in the House of Representatives. In the Senate two men from Alaska representing less than 150,000 civilian residents, including the protected natives, would have the same voting power as the Senators from the largest States of the Union.

I realize, of course, that if Alaska becomes a State, it must have two Senators under our system of government, but to say that this small segment of isolated people is entitled as a matter of right to such disproportionate representation is to misunderstand the basis of our Government.

The compromise reached by the authors of our Constitution in their effort to establish a workable Federal Government and at the same time protect local rights and individual liberties by recognizing some elements of State sovereignty included a House of Representatives where representation was based on population and a Senate in which each State would be equally represented.

When this was done, however, each State had vested interests which it was sacrificing in return for the right of Senate equality. As new States were admitted after adoption of the Constitution, no such fundamental right was involved, but only the question of whether or not the existing States were willing to share their privileges with new groups and the favorable decisions were encouraged by the fact that in many cases new States were carved out of older ones and it was a case of the parent recognizing the maturing of a child. In the case of areas obtained by treaty, there still was the bond of settlers who had gone from the original States and that, of course, applies also to Alaska.

But, while it is quite in order to give Alaska two Senators whenever the present States feel such representation is deserved, there is no basic right of Alaskans to demand such representation at any particular time. The analogy might be suggested of a group of businessmen who form a corporation with each contributing assets and in return receiving an equal number of shares of stock. Later on employees may make contributions of services to the company on the basis of which they are given blocks of voting stock, but in such cases the reward must first be earned and the decision lies within the discretion of the existing stockholders.

My point is simply that as of now the Territory of Alaska does not have enough population to deserve full shareholder's rights in the Senate of the United States, and to grant that privilege would be an injustice to the other States.

I must confess that I feel strongly on this point because of my personal fear that Alaska, with the pressing need for development funds and the heavy burden of taxation, to which I shall presently refer, would be represented in the Senate by men who would gravitate naturally to the side of liberal spenders and proponents of more and bigger grants from the Federal Treasury.

The people of Virginia generally stand for conservatism in fiscal policies and for limiting activities of the central government. I do not want to see the 2 votes by which 3½ million Virginians are reprcsented in the Senate nullified on questions of economy and other basic issues by Senators who will speak for less than 200,000 residents of Alaska.

My second point is that Alaska is unprepared for statehood today, not only from the standpoint of population, but also from the standpoint of developed resources and ability to carry the financial burdens.

One reason that previous efforts to give Alaska statchood failed was the obvious difficulty the State government would encounter in raising revenue from an area 99 percent of which was owned by the Federal Government. To attempt to meet this problem, each succeeding bill proposed to give the new State a larger grant of lands, culminating in the House bill offered last year which would have assigned 182,800,000 acres, or nearly half the total area. That amount was scaled down before the bill was passed to around a third of the total and, as I have indicated, the value of what the State could get is left in doubt because of restrictions on the takings.

In hearings held in 1950, Father Hubbard, the glacier priest who had lived in Alaska for 23 years, said he was for eventual statehood but did not want to see Alaska precipitated into it with too many problems unsolved. He said he fully approved the American attitude toward taxation without representation, but in the case of Alaska he wondered if there would not be too much representation with too little taxation. That question still can be raised with justification.

A witness at the Senate hearings last year said S. 49 was one of the most beautiful bills ever produced on statehood. She said she also believed the Cadillac is a very beautiful car but "if I cannot afford to buy a Cadillac, I would rather do with my Ford until I can afford one."

Last year's House minority report on H. R. 7999 said there was a serious question as to whether the Alaskan economy

could finance the added burdens of statehood, pointing out that it is on an artificial basis, bolstered by huge Federal handouts. It said the 1958 budget provides for a total civil-Federal expenditure in Alaska of $122 million, not counting military expense and construction expenditure at a $350 million annual rate, and contrasted these figures with total income from all private industry in Alaska of only $160 million a year. It suggested that territorial taxes, already higher than those of any State in the Union on a per capita basis, might well become prohibitive under statehood and discourage the saving of capital for investment, thus retarding development of the economy.

I previously have referred to the problems recognized by sponsor of this legislation of building the tremendously expensive roads Alaska will need before its natural resources can be unlocked and of providing the civil services needed to encourage growth of the tiny population spread over an area a fifth as large as the United States—a population density of only 22.5 persons per hundred square miles.

There is danger, on the one hand, that development will not be rapid enough to meet the financial demands of an efficient State government. There is danger, on the other hand, that in trying to meet those demands resources which are assets of the whole United States will be wasted or improperly distributed to favored interests.

My Senate colleagues know of my lifelong interest in outdoor life and in conservation of wildlife and other natural resources; and because of this background I am especially concerned by possible abuses under the proposed terms of statehood.

Since the House passed H. R. 7999, I have received a letter signed by representatives of the Wildlife Management Institute, the American Nature Association, the National Parks Association, the National Wildlife Association, Nature Conservancy, and the Wilderness Society, warning that "the stage already is set in Alaska for the commercial interests to take over the administration of the invaluable fish and wildlife resources upon statehood."

This letter pointed out that under a law passed last year by the Alaskan Legislature commercial interests are assured complete domination of the Territory's fish and wildlife resources. These conservation groups are strongly opposed to the Federal Government relinquishing management of these resources until the new State legislature makes provision to protect the broad national interest in them.

An amendment providing that the Federal Government shall temporarily retain management of these resources was adopted before the House passed the bill, but, as I have indicated, the private conservation groups which want to be sure that amendment is retained by the Senate have seen evidence of an intended resource grab and they remain concerned. I shall not discuss this in detail now, but would refer my colleagues to the debate on pages 8738–8740 of the CONGRESSIONAL RECORD of May 28, 1958.

There may well be concern also about possible attempts to grab resources of untold commercial value in what is now recognized as one of the most popular areas in the world for oil wildcatting.

These possibilities point up the importance of giving full statehood powers only to a governmental organization which will be politically mature and which will be representative of a group large enough and sufficiently diverse to require that the public interest prevail over greedy manipulators.

Mr. President, I already have talked longer than is perhaps worthwhile in view of the improbability that what I say here will influence those who have committed themselves to passage of this bill, but I want to conclude with a renewal of the plea I made on this floor in 1954 against establishing a new precedent of national expansion by admission of a State not contiguous to the continental United States.

Opposing the entry of Texas into the Union in 1845 Daniel Webster spoke of a very dangerous tendency and of doubtful consequence to enlarge the boundaries of our Government, and said:

> There must be some limit to the extent of our territory, if we are to make our institutions permanent.

We may concede now that damage Webster feared as a result of admitting Texas to the Union and the admission a few years later of California have not materialized. The fact remains, however, that we must by policy fix some limit to our expansion and Alaskan statehood would represent a shift in policy.

Texas, California and the Northwest Territory were remote from the standpoint of travel time and travel difficulties when previous statehood questions were decided and it may be admitted that those who are willing to fly over wild and undeveloped country can make quick trips today to and from Alaska. However, all travel was in a comparatively primitive stage in the early days of our Nation and as communication facilities improved, the Western area of the United States responded with rapid population increases and resource development. Comparatively speaking, Alaska still is much more remote and isolated from day-to-day dealings with the United States than the last States previously admitted and this difference always will remain.

Our ties with Alaska consist of a single highway traversing a foreign nation, ocean routes which are closed by ice for long periods, and very limited air transportation. The workingman from New England or Virginia can get in his car and take his family for a vacation visit to California or Oregon, and the ordinary man on the west coast can make similar visits to the metropolitan areas and historic shrines of the eastern seaboard. Their contacts promote homogeneity in information, ideas and ideals which cannot be achieved in the same way between the average resident of Alaska and of the continental United States.

I am not implying that Alaskans are un-American in their attitudes and beliefs. A majority of them come from American backgrounds and their very presence in a largely undeveloped area indicates laudable qualities of initiative and courage. In that respect, I might say, that I feel the population of Alaska as a whole is much more suited to assume statehood responsibilities than the larger population of Hawaii.

But, the physical separation of these people from the main body of United States citizens makes it more difficult for them to understand national problems and viewpoints, and I therefore fear the influence on our national welfare which might be exercised by representatives in the Congress casting votes to represent them.

More serious than the question of bringing such a new influence into our national legislative body to the extent of 1 vote in the House and 2 in the Senate, however, is the tendency which granting statehood to Alaska would have to bring about similar action in the case of Hawaii and then Puerto Rico and then perhaps more remote areas such as Guam.

As the late Dr. Nicholas Murray Butler soundly argued a decade ago, once we go over the line by admitting a State outside this continent, the action is not reversible and the next generation may find itself with a United States of the Pacific and other ocean islands, instead of a United States of America.

> To add outlying territory hundreds or thousands of miles away, with what certainly must be different interests from ours and very different background—

Dr. Butler said—

> might easily mark the beginning of the end of the United States as we have known it and as it has become so familiar and so useful to the world.

I fully recognize, Mr. President, that my voice in urging preservation of the kind of Union our forefathers brought forth on this continent may be as unheeded as the voices of the gloomy prophets who centuries ago warned the Hebrews of disasters ahead. But my conscience would not allow me to see this statehood bill passed without crying out, as did the writer of Proverbs who said:

> Remove not the ancient landmarks which thy fathers have set.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the Senator from Mississippi.

Mr. STENNIS. I commend the Senator for his very fine presentation in connection with a highly important bill, perhaps the most far-reaching bill which will be considered by the Senate at this session. The Senator from Virginia always does exceptionally when he sets himself to a task, and this case is no exception.

The Senator from Virginia has brought out some very important points. I invite his attention to one particular point. It has often been alleged—but I have never heard it proved—that the granting

of statehood to Alaska would greatly strengthen the national defenses. I did not have an opportunity to hear all of the Senator's speech. Did any of his research cover that problem?

Mr. ROBERTSON. First, I thank my colleague from Mississippi for his kind and complimentary reference to my service and my discussion of this important question.

I assure the Senator that I gave some study to the question to which he has referred—perhaps not so exhaustive a study as might have been possible, but I did consider the question as to whether or not statehood would add anything to our defenses in Alaska, and I could find no worthwhile evidence to indicate that it would unless it be in the realm of psychology and morale. I found no evidence to indicate that statehood would improve by one iota our national defenses in Alaska.

I stated in my prepared remarks that we always had assumed responsibility for the defense of Alaska. Ever since the signing of the treaty under which we acquired it, we have given the people of Alaska all the freedom guaranteed to the people of the 48 States. We have protected them, and we intend, until such time as statehood may be appropriate by reason of their own development, to give them all the defense and protection that we give any physical part of the Union.

Mr. STENNIS. The Senator is exactly correct. By reason of the geographical location of this area and the nature of the very fine people of Alaska, the defense of Alaska is a part of our national defense system. In that area we have expended untold hundreds of millions of dollars. Some of the finest military installations in the world are located there. From a purely military standpoint, statehood, involving a State government and local governments with which the military would have to deal, would certainly not have a tendency to increase the strength of the Nation. It would create possible barriers. Any additional government is a barrier, in a sense.

Mr. ROBERTSON. The Senator from Virginia mentioned the fact that even among the people of Alaska there is not full agreement with respect to statehood.

The last poll showed that a very substantial number of the people were opposed to statehood. The majority in favor of it was not very large. Not many people responded to the poll. The Senator from Virginia has given the figures with reference to the military expenditures of our Government in Alaska and he has pointed out that they are running at the rate of about $360 million a year. The total private income in Alaska is $120 million.

Let us suppose that we could get a bona fide international program of disarmament, and let us suppose that we could forget about atomic weapons and the DEW line, and all about our airfields in Alaska. Let us suppose, also, that we could withdraw the 60,000 or 70,000 military men from Alaska. Let us assume also that we could stop the expenditures in Alaska for future defense. Let us consider where we would be left in such a situation. The 110,000 native population of Alaska would have to assume all the burdens of operating the State, which are now being assumed and paid for by the Federal Treasury. They could not survive.

Mr. STENNIS. The Senator from Virginia has raised another serious aspect with reference to the pending bill. In my years of service on the Committee on Armed Services I have from time to time asked various military leaders to give their reasons to sustain the general assertion that statehood for Alaska would strengthen our national defense. I have never heard any one of them give any substantial reason or bill of particulars.

I had a further experience, which I should like to relate. A few years ago, when a similar bill was being debated, I looked into the question of strengthening the national defense, and I found a statement which had been made by one of the assistant secretaries of what now is the Department of Defense, in support of the bill. I read those paragraphs. When the bill came up again before the same committee 4 years later, another Secretary, who was then in office, made the identical statement, word for word, sentence for sentence, period for period. That proved to me that it is all a canned product and has become related to politics, and has no substance in it, so far as bearing on the point at issue is concerned. I repeat that I have never heard a responsible military man give any substantial bill of particulars as to how statehood for Alaska would strengthen our national defense.

Mr. ROBERTSON. I wish to assure my colleagues, as they know, of course, that the distinguished Senator from Mississippi serves with distinction on the Committee on Armed Services and the Committee on Appropriations, which handle these problems from the standpoint of policy and the standpoint of funds. He is well informed on the question of whether statehood would promote the national defense. He states, and the Senator from Virginia agrees, that it would make no difference whatever, unless we enter the realm of psychology, and say, "Well, if the Americans there were called upon in a state of emergency, they would do this or that or the other thing." However, from the standpoint of military science and tactics and firepower and equipment, there would be no difference.

Mr. STENNIS. I believe it would add an additional burden. I say that with all due respect to the people of Alaska, because that would be true also of any other area.

Mr. CHURCH subsequently said: Mr. President, a few minutes ago, in a colloquy between the distinguished Senator from Mississippi [Mr. STENNIS] and the distinguished Senator from Virginia [Mr. ROBERTSON] the subject of Alaskan statehood and its possible influence or effect upon the defenses of Alaska and the military situation there was discussed. It was agreed in that colloquy between the two Senators that statehood would be no enhancement, no advantage, no benefit to the military and, indeed, at the time it was even suggested, surprisingly enough, statehood might in fact be some kind of impediment to the military.

In view of that discussion, I think it appropriate to read into the RECORD the testimony given by Gen. Nathan Twining, Acting Chairman of the Joint Chiefs of Staff, at the hearings of the Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs of the House of Representatives. The testimony appears on page 127 of the committee hearings. Mr. BARTLETT, the Delegate from Alaska, was the questioner:

Mr. BARTLETT. Now, General Twining, you testified on this subject in 1950, on the subject of Alaska statehood, before the Senate committee. And you were asked by Senator ANDERSON, of New Mexico, if you thought statehood would be advantageous. I am going to read your reply. You said:

"Yes; I feel statehood for Alaska would help the military."

May I ask you, General Twining, if that is your thought today?

General TWINING. I feel it would; yes.

Mr. BARTLETT. Perhaps it would be fairer if I were to go ahead and quote your other remarks there. You said:

"For one reason, it would improve the economy of the population in Alaska and would be a great asset to military development."

Then Senator ANDERSON asked you this: "Do you think statehood for Alaska would help in your defense plan?"

And your answer was: "Yes."

And Senator ANDERSON then asked: "Could you give us any indication of ways in which it might be helpful?" And your reply was in these words:

"Well, we can obtain more materials from the increased economy of Alaska. We would not have to send them up from the States. It would be cheaper to build them up there. The people up there would help, and a more stable form of government would help. I think that is about it."

I think the remarks on the subject by the Acting Chairman of our Joint Chiefs of Staff General Twining, are very appropriate, and I ask unanimous consent that these remarks, together with my comments pertaining to them, be included in the RECORD immediately following the colloquy between the Senators to which I alluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I yield.

Mr. JACKSON. I should like to make this one brief addition to the testimony to which the able Senator from Idaho has just alluded. General Twining for a number of years commanded all of the military forces in Alaska. They included not only the Air Force, but the Army and the naval forces. I therefore feel, and I am sure my colleague agrees with me, that not only as Chairman of the Joint Chiefs of Staff is he in a position to speak, but he is in the unique position of having had several years' experience with military problems within the Territory of Alaska.

Mr. CHURCH. I do appreciate that addition. I think it is very pertinent, because General Twining is not only one of the foremost military experts in the

country today, but he is a man who personally had experience in Alaska.

Mr. STENNIS. Mr. President, I should like to ask the Senator from Virginia one more question with respect to farming and its critical situation in Alaska.

Mr. ROBERTSON. That point was not covered in my prepared remarks. However, I have looked into it, and I am glad to tell the Senator that I know that after World War II we tried our best to get veterans to go to Alaska to settle on free land. We could not get them to go there. Then we made an appropriation, because we felt it would be helpful if Alaska could produce more food and become a little more self-supporting. We were told that they have to import their eggs and their beef and their flour, and practically everything else, with the exception of a few vegetables that grow in a 90-day season in the subarctic summer. We sent more than a thousand farmers to Alaska, and spent more than a thousand dollars an acre for land for them. They were experimental farms. Only three farmers out that group stayed there. The others had to give up. They could not make a go of it.

Mr. STENNIS. I think that adds a great point to the Senator's speech.

Mr. ROBERTSON. The Senator from Virginia has given a good many facts. He did not intend his remarks to be exhaustive, but merely an attempt to stimulate others to look into this subject and look at the facts. If any Member of the Senate will look at the facts, he will be forced to the conclusion that Alaska is not yet ready for statehood. He will be forced to the conclusion that there is nothing comparable in the future development of Alaska to that of any other States. Outside the military, there are no more native people there than there were in 1896, right after the gold rush. The population has not grown appreciably since the 1900 census.

Mr. STENNIS. I appreciate the Senator's statement. I have a memorandum which states that there are only about 600 farms in Alaska. That not only shows the inability to farm there, but also the lack of food production for the people. That brings up a major point which cannot be overcome, and that is the point with reference to the climate. The climate is what puts a definite limitation on the economy of Alaska, whether it be farming or industry or anything else.

Mr. ROBERTSON. The persons who go there and come back enthusiastic visit very few places. They come back and say it has a wonderful climate. It is true that in 1 or 2 places the climate is better than in the District of Columbia; it does not get so cold in the winter and it does not become so hot in the summer. There are wonderful spots, but they are few. Most of the area has temperatures of 50° and 60° degrees below zero. The ground freezes down to 15 or 20 feet. It is not the kind of place in which the average white man of this country prefers to live.

We would like people from the Scandinavian countries and Great Britain, who never fill their quotas for immigration, to move there. They do not go there either. The population has remained relatively static. That is why we see no immediate hope that there will be a population increase in Alaska or a development of resources through their own capital which would qualify the people of Alaska for statehood status. Therefore, the movement for statehood for Alaska is premature, and is giving entirely too much emphasis to the political angle involved.

Mr. STENNIS. If the Senator will yield to me for the last time, I should like to ask him a question with respect to the form of government. The question has been before the Senate, and I have given a great deal of thought to it. If the people of Alaska were permitted to elect their own governor, I am sure such a bill would be readily passed.

Mr. ROBERTSON. The Senator is referring to commonwealth status, I believe.

Mr. STENNIS. Yes; the proposal has been made to give Alaska full commonwealth status. I believe that would get a fine response. All such suggestions are rather quickly rejected and more or less spurned. That leads me to believe that political power is one of the prime objects of the entire idea of the statehood bill.

Mr. ROBERTSON. Evidently. The object is to give Alaska a voice in the Senate equal to that of the Representatives of New York, Texas, California, or any other State, although they would actually represent only one-hundredth as many native Americans.

Mr. STENNIS. That is one of the most serious phases of the entire problem.

Mr. ROBERTSON. There is no question about any personal freedom or about any colonialism or mistreatment or anything like that being involved. That is merely dust in the eyes—or "poudre," as the French call it, I believe.

Mr. STENNIS. The Senator is correct. Anyone who has been to Alaska recognizes the correctness of his statement. I know it from my own experience.

Mr. ROBERTSON. I thank the Senator.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. RUSSELL. I wish to commend the distinguished Senator from Virginia for the very able statement he has made. That Congress should blind itself to the facts which the Senator has laid before it, and should treat the matter so casually, is both appalling and incomprehensible to me. I desire to express my appreciation to the Senator from Virginia for the very able and fair treatment he has given to the issue. I only wish that the people of the United States could have available to them the sound reasoning in the Senator's statement.

Mr. ROBERTSON. The distinguished senior Senator from Georgia, who is our top parliamentarian, knows that the pending proposal is different from anything which has previously been considered concerning the admission of a State. As one of our best students of history, if not the best, he knows that if Congress violated the injunction of the Founding Fathers to keep the area of our Nation intact, and not to include offshore territories, a precedent would be established. Even though the Territory is in the same land mass, there is a nation between the United States and Alaska. Having established this precedent, we would be more or less defenseless to resist the demands of the offshore islands and other Territories which might seek to come into the Union through statehood.

If we yield to the propaganda of the Communists of the Nation, who try to stir up racial troubles for us, and who try to make it appear that we are engaged in colonialism of the most reprehensible character in Alaska and if we endeavor to meet this criticism by admitting Alaska into the Union, we shall have to yield every time they raise the same question concerning other Territories. That we could not do.

After all, let us not forget the political implications of the seating in this body of 8 or 10 new Senators from here, there, and yonder. That is no mere dream.

Mr. WILEY. Mr. President, I rose for another purpose, but I have listened with particular interest to the discussion this afternoon. I am one who has never given real study to this problem. None of the questions involved has come before any of the committees of which I am a member.

I think there are simply two questions: What is best for the interests of the United States? What is best for the interests of Alaska? The answers can be set forth in two columns: Would it be of advantage to the United States to have Alaska become a State? Would it be of advantage to Alaska to become a State? I, for one, shall approach the question from that particular angle.

I compliment the distinguished Senator from Virginia [Mr. ROBERTSON] and the distinguished Senator from Mississippi [Mr. EASTLAND] for bringing light into a picture which, so far as I am concerned, has been not filled with light until the present time.

Mr. ROBERTSON. I thank the Senator from Wisconsin.

WELCOME TO WONDERFUL WISCONSIN

Mr. WILEY. Mr. President, the trout and the pike and the muskies and the bass are striking in Wisconsin. That gets a smile from the Senator from Virginia.

This is America's vacation time. The great tourist industry of the United States—one of our great industries, I may say—is now enjoying what will undoubtedly prove to be its most prosperous season in American history.

Representing, in part, as I do, a State which is known as America's vacationland, it is my pleasure to renew to my tired colleagues an annual invitation to come to God's country—Wisconsin.

I know that all Senators are in need of fresh air; they need fresh water; they need to see the fish strike.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. WILEY. No, not at this time. I know the Senator wants to talk about Virginia. But never mind. [Laughter.]

Mr. ROBERTSON. I was merely going to say that Wisconsin once belonged to Virginia. [Laughter.]

Mr. WILEY. When Congress recesses, I want all Senators to come to enjoy wonderful Wisconsin. I want them to enjoy its lakes and streams, its great tradition of hospitality, its splendid resort facilities, its hotels, motels, lodges, and restaurants.

I want Senators to bring their families and have all of them enjoy the varied attractions of the Badger State, with its incomparable facilities for fishing, hunting, swimming, golfing, and plain relaxing.

Congress may not recess until mid-August, but those of my colleagues who are in the Midwest over weekends will, I hope, have a chance to go to the Lake country of Wisconsin and enjoy a weekend, at the minimum.

But, then, when Congress has terminated its labors of the 2d session, I hope that as many Senators as possible will accept, as they have in years past, this invitation from wonderful Wisconsin.

Today, it is my pleasure to introduce a bill to amend the Pitman-Robinson Act, dealing with the allocation of funds for wildlife projects. Wisconsin has wildlife in abundance. It offers nature, with all its beauty and variety. It has, for example, no less than 1,475 trout streams, with a total length of 8,930 miles.

Our State conservation department lists 39 separate State forests and parks, 31 of which have facilities for camping. Swimming in crystal-clear lakes is available in 17 of these parks.

In Wisconsin, there is a great tradition of having facilities available for the public, as well as for private use.

That is why, for example, no less than 978 miles of lake and stream frontage are held by the State conservation department for public use. That means, for example, that our citizens—all our citizens—can enjoy water sports, such as boating, swimming, water skiing, and fishing.

Naturally, every Member of the Senate is proud of his own State. Naturally, too, each of us likes to comment upon the attractions of his State.

But I submit that the record of America's tourist visits and tourist expenditures documents the fact that, when I speak of wonderful Wisconsin, as America's vacation State supreme, I am speaking not simply from a deep personal preference, but from a record attested to by the American people themselves.

What is more, it is the tradition of my State's tourist industry constantly to excel in its reputation. We do not rest on our laurels. Each day brings news to me of efforts to improve further our splendid facilities so that guests will enjoy the best vacation in the world.

Each day I get literature from hotels, resorts, and fishing lodges, from chambers of commerce and regional groups, pointing up some new additions—some splendid new additions—to our State's excellent road system, for example, so as to help make for the best possible vacation.

The muskies are biting as are the brook trout and all the wonderful other varieties of fish.

It may seem almost incongruous to refer to the pleasures of leisuretime here on the Senate floor when we are so crowded with legislative duties. Nevertheless, I believe that this very fact of the heavy burdens upon us emphasizes why it is so important that we get a bit of wholesome refreshment from our labors, and renew ourselves and revitalize ourselves in wonderful Wisconsin.

It is a sportsman's paradise; it is a haven for the tired, the weary, the rushed, the harassed. One can breathe clean, fresh air and swim in clean, fresh water. One can enjoy himself as he has always longed to do.

Vacationing is good sense; vacationing is, in itself, a great industry—long one of Wisconsin's top three industries.

There are facilities for every type of vacation which the tourist may have in mind.

And so, I renew this warm invitation to my colleagues.

Fortunately, I may say, we of the Congress have taken one of the vital steps to strengthen America's recreation industry and to make sure that there will always be adequate facilities for Americans to enjoy themselves. For that reason I send to the desk the text of an article which appeared in the Sunday, June 22, issue of the Milwaukee Journal. It describes the progress toward the new Presidential Commission on the Nation's Recreation Needs.

I ask unanimous consent that the text of this article be printed in the body of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES PLANS BROAD STUDY OF RECREATIONAL NEEDS—DEFINITE PLANNING TO BE UNDERTAKEN WITH A $2,500,000 FUND SET UP BY CONGRESS

(By R. G. Lynch)

Definite planning to meet the Nation's recreation needs in the next half century will be undertaken by a special commission, with a $2,500,000 appropriation, as the result of a bill sent to President Eisenhower last week.

The project originated with the Izaak Walton League of America and had the support of all leading conservation organizations. It passed the Senate last week by a voice vote, without debate. This is another manifestation of Congress' recognition of growing demands for recreational opportunities.

The President will appoint seven citizens who are interested in outdoor recreation resources and opportunities and experienced in resource conservation. One of them will be designated as chairman.

EIGHT OTHERS TO BE NAMED

In addition, 2 majority and 2 minority members of the Interior and Insular Affairs committee in each House will be appointed to the new commission by the President of the Senate and the Speaker of the House.

The Commission will create an advisory council which will include liaison representatives of all interested Federal agencies and 25 representatives of State game and fish, parks, forestry, pollution, and water development agencies; private organizations in the outdoor recreation field; commercial outdoor recreation interests; commercial fishing interests; industry, labor, public utilities, education, and municipal governments.

Grants may be made by the Commission to States, and contracts may be made with public or private agencies to carry out various aspects of the review.

The Commission is to establish headquarters in the Capital and employ an executive secretary and whatever additional personnel it needs.

SURVEY IS FIRST PROJECT

This Commisison's first job is to inventory outdoor recreation resources and compile data on trends in population, leisure, transportation and other factors bearing on recreational needs. On the basis of these studies, it is to make recommendations to Congress by September 1, 1961, on a State-by-State, region-by-region, and overall national basis.

The responsibilities of local, State and Federal Governments are to be taken into consideration, as well as possibllities of recreation on forest, range, and wildlife lands and other lands and waters, where such use can be coordinated with primary uses.

The Nation's people, with shorter working hours and more time and money for enjoyment, have been on the move more and more since World War II and the Korean conflict ended. In summer highways are crowded with family automobiles hauling trailers loaded with boats or camping equipment, or both.

MILLIONS VISIT PARKS

National parks and forests draw more than 50 million visits a year; State parks, more than 183 million visits. Hunters and fishermen are buying more than 25 million licenses annually, and other millions hunt and fish who are not required to buy licenses.

Congress approved a 10-year Mission 66 program of the National Park Service in 1956 and a 5-year Operation Outdoors program of the Forest Service in 1957. Both call for improvement and expansion of public facilities involving many millions of dollars.

The Army Corps of Engineers and the Reclamation Bureau, awakened to public demand by swarms of visitors to their reservoirs, have increased recreation facilities and provided more access.

INDUSTRIES HELP, TOO

Forest industries have yielded to pressure for public use of their lands, in many cases have welcomed the opportunity for improved public relations.

At their own expense, they have provided picnic and camping areas, access to lakes and streams, even in a few cases game and fish habitat management.

Now Congress has authorized and financed a nationwide effort to find out what the Nation has and what it is going to need to take care of outdoor recreation for the people.

Mr. WILEY. Mr. President, I observe the distinguished Senator from Minnesota [Mr. HUMPHREY] on his feet. I am certain that he wants to talk a little about Minnesota's recreational grounds. I yield for a question.

Mr. HUMPHREY. I rise only to commend the Senator from Wisconsin for his lyrical remarks about the State of Wisconsin.

I simply add, for the edification of the Senate and for our guests in the galleries, that Wisconsin is a good place in which to stop over on the way to Minnesota.

I may also add, if the Senator has no objection, that the speech to which we have just listened was an excellent presentation about a fine, great State, by a fine and good man. I would only do this: I would ask unanimous consent to strike from the Senator's speech "Wisconsin" and insert in lieu thereof "Minnesota." [Laughter.] Having done that, the speech would take on new meaning, new glory, and, may I say, new justification. [Laughter.]

I wish to thank the Senator from Wisconsin for his generosity in presenting this factual statement about the great upper Midwest. What he has said is so true about his beloved State of Wisconsin, and is even more true about the great North Star State of Minnesota.

Mr. WILEY. Mr. President, I am glad there is this evidence of unanimity of opinion of Senators about the best place in the Nation to be visited by tired people. Of course, between my State of Wisconsin and Minnesota there are two rivers—the Mississippi and the St. Croix, whereas north of Wisconsin is the greatest inland lake in the world, Lake Superior. On the other hand, Minnesota has only that river boundary. But to the east of Wisconsin is Lake Michigan. Although Minnesota claims about 10,000 lakes——

Mr. HUMPHREY. Eleven thousand three hundred and forty-two. [Laughter.]

Mr. WILEY. Wisconsin may not have as many little lakes, but Wisconsin has purer water, because Wisconsin is bounded on the north by Lake Superior and on the east by Lake Michigan; and down through the heartland of Wisconsin are the great rivers and creeks and lakes.

Wisconsin will welcome my good friend, the Senator from Minnesota, when he flies back home. We urge him to stop in Wisconsin and really see some things he cannot see in Minnesota.

Mr. JACKSON. Mr. President, will the Senator from Wisconsin yield to me?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. WILEY. I yield.

Mr. JACKSON. I should like to observe that if the colloquy is to continue——

Mr. WILEY. Let me ask what State the Senator represents. [Laughter.]

Mr. JACKSON. Mr. President, if the colloquy is to continue, I should like to offer a substitute unanimous-consent request, in place of the one offered by the distinguished Senator from Minnesota.

Mr. HUMPHREY. I object. [Laughter.]

Mr. JACKSON. Namely, to strike out "Minnesota" and "Wisconsin," and substitute "Washington."

In support of my suggestion, I offer as proof the fact that there are living in the great State of Washington thousands and thousands of people who formerly lived in Wisconsin or in Minnesota. [Laughter.]

They are enjoying our wonderful lakes, snowcapped mountains, delightful warm weather without humidity, and numerous other advantages.

So I invite my colleagues to make a brief stopover in Minnesota and Wisconsin as they travel on their way to the great State of Washington.

Mr. WILEY. Mr. President, I must attend a committee meeting which commenced at 2 o'clock. I am glad I began this discussion, inasmuch as all Senators already seem refreshed merely from having contemplated the beauty of Wisconsin. [Laughter.]

Mr. KUCHEL. Mr. President, if it were not for my burning desire to speak in behalf of Alaskan statehood, I should like to speak for about 30 minutes in expressing encomiums of my own great State of California. However, at this time I desire to address the Senate for another purpose.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. KEFAUVER. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

Mr. KEFAUVER. Mr. President, in Tennessee we are very proud of our many, fine, thoughtful newspapers and of the editorial positions which many of them take.

It is very infrequent that the leading newspapers of the Volunteer State are so unanimous on any subject as they are in support of statehood for Alaska.

I ask unanimous consent to have printed at this point in the RECORD, an editorial from the Nashville Tennessean, one from the Chattanooga Times, one from the Memphis Press-Scimitar, one from the Nashville Banner, one from the Clarksville Leaf-Chronicle, and one from the Knoxville Journal.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Nashville (Tenn.) Tennessean of May 30, 1958]

SENATE MUST KEEP ALASKAN PROMISE

With a commendable reversal of form, the House staved off efforts to amend or send back to committee the Alaska statehood bill and passed the measure 208 to 166.

Proponents of statehood for the Territory have only a breathing spell before going on to a new and possibly stronger challenge in the Senate, where the measure has been on the calendar since last June.

Various reasons have been advanced in the Senate for opposing the bill, including the fear of the Southern bloc that its balance of power will be upset by admission of two more Senators.

The people of Alaska have voted overwhelmingly to become a State and have sent congressional representatives to Washington under the so-called Tennessee plan. The people of the United States favor admission of Alaska; polls have shown the sentiment for admission to range from 5 to 1 to as high as 10 to 1.

Alaska holds rich resources, some yet untapped, many yet undeveloped to anything near full potential. Its products have benefited the United States hundreds of times beyond the price we paid Russia for the area.

It is a key area in our outer defense system and its strategic importance is beyond estimation. Its population is growing fast—almost 49 percent in the first 6 years after the 1950 census.

Its admission is in the best tradition of the past. Both parties have repeatedly vowed in their platforms to work for admisison of this rich area in the northwest, and its high time Congress made good on those promises.

[From the Chattanooga (Tenn.) Times of May 25, 1958]

ALASKA'S CHANCE

The bill to grant statehood to Alaska at last is before the House of Representatives. What the legislators do with it now is to be seen, but surely anything less than approval will be regarded as a prime example of congressional irresponsibility and an affront to the conscience of all America.

It is hard to see on what basis Congress can refuse admission. In 1956 both Democratic and Republican platforms contained planks promising statehood for Alaska, and in a series of public opinion polls taken from 1946 to 1958 United States citizens have increased their support of admission from 5 to 1 to 12 to 1.

At the time the United States purchased the Territory from Russia this Government entered into a solemn agreement with the people there, by which it pledged inhabitants "all the rights, advantages and immunities of the United States." Surely, this must be interpreted as a promise of eventual statehood when the people were ready to assume that responsibility. The time has come when we must redeem that pledge.

[From the Memphis (Tenn.) Press Scimitar of May 29, 1958]

FORTY-NINTH STAR JUST BELOW THE HORIZON

The House finally got a chance to vote on Alaskan statehood yesterday and passed the bill.

Now it is the Senate's turn.

The Senate twice before has approved similar legislation. Its committees have held a multitude of hearings and repeatedly have endorsed admission of this rich Territory to the Union.

The Senate is thus in a position to act promptly and send the bill to President Eisenhower who yesterday, renewed his plea that it be passed.

Only last August the Senate's Committee on Interior, reporting out a statehood bill for the fourth time, stated the case eloquently and concisely. It said:

"Over a period of many generations and under conditions that would stop a weaker breed, Alaskans have tamed a great land and have offered it to the Nation for its many values, all in justifiable reliance on Alaska's ultimate destiny as a full member of our proud Union of States. Now is the proper time for Congress to fulfill this destiny."

The 49th star awaits only the Senate's signal to rise and shine.

[From the Nashville (Tenn.) Banner of May 29, 1958]

NOW LET THE SENATE FINISH IT

Statehood for Alaska advanced a long and welcome step Wednesday, with the House approving admission, 208 to 166.

None can say this issue has not been thoroughly deliberated. Congress after Congress has debated it in committee. The pros and cons have been heard. The opinions for and against creating out of tihs Territory a 49th State have been explored. It is in the light of acquaintance with the facts that the House has rendered an affirmative decision.

That Alaska is ready for statehood there can be no doubt.

That such a step is to the mutual advantage of Territory and Nation, in point both of economic interest and security, is beyond reasonable dispute.

It would fulfill a promise on whose fulfillment America can in justice hedge no longer.

It is to the credit of Tennessee that 6 members of its House delegation voted "Yes." These are Representatives BAKER, BASS, DAVIS, and EVINS, voting "yes," and Representatives REECE and LOSER paired for it.

It is to be earnestly hoped that the two Tennessee Senators will stand behind this statehood bill when it comes to a vote in the Senate.

That must not be unduly delayed.

An important piece of public business is well begun. Let the Senate finish it quickly.

[From the Clarksville (Tenn.) Leaf-Chronicle of May 30, 1958]

ALASKA DUE STATEHOOD

The House has passed a bill to admit Alaska to the Union and the measure now goes to the Senate. The House passage was by a substantial majority—208 to 166. It is unlikely that the Senate will give the bill a proportionately majority, even if it passes it.

None other than politics is keeping Alaska a Territory. Its population is growing rapidly and would grow even faster if the Territory became a State. It is fabulously rich in mineral wealth, fish, and furs. It is strategically located atop the continent and separated from Soviet Russia by only the narrow Bering Strait.

The Alcan Highway and air transportation has brought Alaska closer to the United States.

As a Territory, Alaska is treated as a stepchild and its residents denied representation in Washington. Yet it is our last frontier, and, in time of war, would be the nearest striking point at Soviet Russia.

It is time that a territory one-sixth the size of the United States is recognized and admitted to the Union as our 49th State.

[From the Knoxville (Tenn.) Journal of May 29, 1958]

ALASKA NOT ONLY TREASURES VAST RESOURCES BUT IT IS VITAL OUTPOST FOR OUR DEFENSE AGAINST RUSSIA

Yesterday the House, disregarding a teller vote the previous day which made Alaskan statehood more than doubtful, whooped through the statehood bill by a husky 208 to 166.

Capital observers give the bill a possible chance of being passed by the Senate, whose action would bring to a successful conclusion years of effort on the part of citizens of this country in Alaska and in the States.

With this final action in view, it may be an appropriate time to review a few of the facts about the new State. The first thing that occurs to anyone on the subject is that Alaska covers some 586,400 square miles, including, of course, a good many miles of ice and snow not now marketable. However, the new State will be more than twice the size of Texas, which perhaps accounts for the bitter fight which was made in the House against taking Alaska into the sisterhood of States. It should be comforting to the transplanted Tennesseans who now make up the bulk of the Lone Star State, however, that more hot air will continue to come out of Texas than Alaska, no matter if the size of the latter is double.

When it comes to population, the new State falls short of its pretensions so far as area is concerned. In 1950 the total was 128,643 which compared with the more than 7 million population of Texas and the more than 3 million in Tennessee.

When originally purchased from Russia, there was a great deal of dissatisfaction expressed by many taxpayers who felt the Czar of Russia had perpetrated a swindle when he sold this vast piece of land for $7,200,000. Incidentally, and of interest to Tennesseans, Alaska was bought under the Presidency of Andrew Johnson and history has thoroughly established that the purchase was one of the few, and possibly the last, good trades made with a foreign government by our Federal Government.

Passing over the statistics on natural resources which are yet untapped in this Territory, attention should be directed to the great importance of this land to the United States even if it were as barren as a desert and was known to be totally without resources. It is not only the part of our possessions nearest to Russia but it is also a necessary outpost for the defense of the rest of the country.

We hope the Senate acts before it adjourns to bring Alaska into the Union.

Mr. CHURCH. Mr. President, will the Senator from California yield for the purpose of suggesting the absence of a quorum?

Mr. KUCHEL. I yield, with the understanding that I do not lose my right to the floor.

Mr. CHURCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PAYNE rose.

Mr. KUCHEL. Mr. President, I observe my able friend from Maine [Mr. PAYNE] is standing. I ask unanimous consent that I may briefly yield to the Senator from Maine without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. PAYNE. Mr. President, it is necessary for me to be absent from the Chamber. In order to place my remarks concerning the pending measure on the record, in full support of statehood for Alaska, which position I have maintained firmly for more than 10 years, I ask unanimous consent that a statement which I have prepared in this connection be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE ON ALASKA STATEHOOD

For many years one of the great questions before the Nation has been whether to provide for the admission of Alaska into the Union. It is vital that this question should now be answered, and that we grant to the people of Alaska those same full rights and privileges enjoyed by all Americans and which the people of Alaska so justly deserve.

The Constitution of the United States does not establish any specific requirements for statehood, but traditionally three standards have been required for the admission of a new territory. The first is that the inhabitants of the proposed new State be imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government. Another is that a majority of the inhabitants desire statehood; and the third is that the proposed new State have enough population and economic resources to support a State government and provide its share of the cost of the Federal Government. It is most important to note that the Senate Committee on Interior and Insular Affairs at the end of its inquiry into the question of Alaska statehood last year reported that it was convinced that Alaska has met each of these requirements and is in all ways prepared for statehood.

There is no doubt that the people of Alaska have satisfied the first requirement. Their institutions, schools, laws and homes are as American as those of any State in the Union. During World War II when Alaska was the only continental area actually invaded, the people of Alaska displayed a sense of patriotism and loyalty equal to any of the 48 States by the outstanding support they gave to the armed services throughout the war. Morale and stability never faltered at a time when wartime conditions in Alaska were much worse than anywhere else within the continental United States.

As for the second requirement, it is undeniable that a majority of Alaskans desire immediate statehood. The first Alaska statehood bill was submitted to the Congress in 1916, and since 1947 statehood bills have been before the Congress almost continuously. In 1956 the voters of Alaska ratified the constitution for the future State by a 2-to-1 majority. And in 1957 the Senate and the House of the Legislature of the Territory of Alaska passed by unanimous vote a joint resolution requesting statehood.

Alaska also meets the third traditional requirement for statehood: A population and economic resources adequate to support State government and to contribute a share of the cost of the Federal Government. Alaska now has a greater population than was the case with at least 25 States at the time of their admission to the Union, and the Territory has exceeded all of the States in percentage population growth since 1940. Alaska's natural resources are vast and include timber, iron ore, copper, oil, coal, tin, nickel, and many others. New industries are emerging, and the Territory's financial position is stable. For the last 4 years Alaska has had a net surplus in its budget and has provided the basic services of State government, except those precluded by Territorial status. There is no question that Alaska has met all the requirements for statehood and is ready for admission into the Union.

The United States is trusted today because it has traditionally espoused the cause of self-determination and has crusaded in behalf of all people seeking to fulfill their political aspirations. Alaskans have requested admission into the Union in order that they be granted full and equal participation in the American system of government. We must not fail to heed the wishes of these Americans who have lived under our flag for 90 years, who are in all ways ready for statehood, and who could contribute to the Nation as a whole some of the great qualities which have allowed them to tame a great land under conditions which would have stopped weaker men. To grant statehood to Alaska at this time would be irrefutable proof that the United States lives in accordance with its principles of self-determination and full political freedom for all men.

Mr. PAYNE. I thank my colleague from California very much for his usual courtesy.

The PRESIDING OFFICER. The Senator from California.

Mr. KUCHEL. Mr. President, last night marked the beginning of intensive debate in the Senate on a highly important American problem. It could culminate, and I hope it will, in Senate approval of proposed legislation to bring the Territory of Alaska into the American Union as an American State. We would thus fulfill a moral and a legal obligation to the people of Alaska dating from our treaty of purchase of the Terri-

tory from Russia when we solemnly promised "enjoyment of all the rights, advantages, and immunities of citizens of the United States" to the people of the Territory.

We would demonstrate that solemn promises to our country by the platforms of both the Republican and Democratic Parties are neither hypocritical nor sham. We would show the world that the democracy which we preach we also practice. We would convincingly re-affirm our patriotic delight in the story of the Boston Tea Party, and we would rededicate ourselves to the American doctrine that taxation without representation still constitutes tyranny, in our view.

Thus, we would participate in no ordinary rollcall. It would be an impressive decision, for all the world to note, that the United States continues as a growing, dynamic adventure in the self-government of human beings, and thus add to the strength of American leadership in the continuing struggle for freedom and self-determination for mankind.

We would concur in the overwhelming decision of the House of Representatives that the time for admission of Alaska to statehood is now. And we would fend off parliamentary maneuvers, no matter how honestly advocated, which, if adopted, would destroy Alaska's righteous prayers for statehood one more ugly time.

SIMILARITY TO CALIFORNIA

As a United States Senator from California, I urge, wholeheartedly, that the Senate approve statehood for Alaska. Both these great American areas have much in common. Alaska and California have been pricelessly endowed by nature. Both have great rugged mountains in and under which lie tremendous mineral wealth; both have broad, fertile valleys and plains, areas on which grow abundant crops and livestock forage; each has its vast forests, and the seas around both are rich with great schools of highly prized food fish.

But more important than the geographic and economic similarities are the similarities in the people. By the very nature of the areas, California and Alaska had to be settled by rugged, adventuresome, pioneer stock, restless, energetic, and daring in mind and body.

Of course, California, being nearer to the sources of the westward trek of our people, was settled first. Thus, her resources are much more highly developed, and her population much larger. Her century of statehood has been the solid and sound basis on which she has grown to greatness.

But I state unhesitatingly that the basic raw materials of political and economic eminence: Natural resources, geography, and above all, people, out of which has come the great State of California of today are present, and in abundance, in Alaska, as well. With the stimulus of statehood, I prophesy a growth and development in Alaska not at all dissimilar to the unprecedented achievements of my beloved California since the Gold Rush days 100 years ago.

STATEHOOD ENVISIONED IN 1869

There are similarities in the political history of Alaska and California. The two are the only areas on the North American Continent where the Russians were among the first white men to settle and wield political power. Everyone knows, of course, that until 1867 Alaska belonged to Imperial Russia and that we made a wonderfully shrewd "deal" in purchasing that area with all of its riches for $7½ million. It is interesting and revealing to observe that many of the same arguments which were advanced against Secretary of State Seward's proposal to purchase Alaska are being used today against admitting this American Territory to statehood. "Seward's Icebox," it was called, and "Seward's Folly."

Seward, himself, envisioned Alaska as a State, as is shown by his famous address at Sitka, which was then the Capital of Alaska.

On August 12, 1869, the former United States Senator and Secretary of State under the sainted Abraham Lincoln told the citizens of the newly acquired Territory:

> Within the period of my own recollection, I have seen 20 new States added to the 18 which before that time constituted the American Union; and now I see, besides Alaska, 10 Territories in a forward condition of preparation for entering into the same great political family. * * *
>
> Nor do I doubt that the political society to be constituted here, first as a Territory, ultimately as a State or many States, will prove a worthy constituency of the Republic. To doubt that it will be intelligent, virtuous, prosperous and enterprising is to doubt the existence of Scotland, Denmark, Sweden, Holland, and Belgium and of New England and New York.

Mr. President, Mr. Seward thus spoke of Denmark and Sweden by way of comparison. Let me now speak by way of comparison, 90 years later, of all four Scandinavian countries: Norway, Sweden, Finland, and Denmark.

These northern European countries correspond closely to Alaska's position of latitude, and geographical identities are similar. Their combined area of 445,173 square miles compares with Alaska's 586,400 square miles. The total areas of these four countries is approximately 76 percent of Alaska, yet these European countries support a population in excess of 19½ million on lands which I am sure any careful scrutiny will show are less hospitable and not so rich in natural resources as is the case in Alaska.

ALASKA MORE RICHLY ENDOWED THAN SCANDINAVIA

For example, in Norway, the largest of the Scandinavian countries, with 3,470,000 square miles, only 4,300 square miles are cultivated and more than 70 percent of her land is classed as unproductive. Norway lacks coal but has developed her water power. In comparison, conservative estimates are that Alaska has in excess of 100 billion tons of coal in already known deposits—much of it readily accessible in the vast coalfields of the railbelt. The Bureau of Reclamation estimates Alaska's hydroclectric potential at more than 8 million kilowatts. That is four-fifths of the combined existing capacity of the three Pacific coast States of Washington, Oregon, and my own great State of California, the greatest hydropower producers in the Union. Norway is home to 3,470,000 people.

Of Sweden's 173,378 square miles only 9.2 percent is cultivated, 54 percent is forests, and one-third is classified as unreclaimable. Yet her resources support 7,341,122 citizens. Incidentally, 90 percent of Sweden's economy is in private hands; however, the Government has developed hydropower and owns and operates the railroads.

Finland, northernmost of the Scandinavian countries, has a population of 4,288,000. Although 70 percent of her land area is forest, the primary occupation of her citizens is agriculture.

Mr. President, tiny Denmark's 16,576 square miles are only 5 times the size of Alaska's Mt. McKinley National Park. Yet Denmark is home to 4,439,000 souls.

GEN. BILLY MITCHELL'S JUDGMENT

All Members of this body, and all Americans everywhere, have reason for profound gratitude for Seward's vision and foresight in purchasing Alaska, and the tenacity with which he successfully pursued his object, despite inelegant and immature obstruction, which, as I say, is strikingly similar to the regrettable criticism lodged against the statehood bill today.

In speaking of Alaska and her strategic importance to our country, the late Gen. Billy Mitchell said, "He who holds Alaska holds the world." I suggest that the wisdom of Seward's treaty of purchase has grown more clear with each passing day. It is the United States, not Russia, which holds Alaska. And now, with her statehood, I hope, about to become a reality, she will take her rightful role in the Nation's future as the 49th member of our Union.

Not as well remembered as the fact that Russia, until less than a century ago, owned Alaska is the fact that the Russians also settled in California. Their colonies did not last, but they were there, giving us still another interesting historical similarity between Alaska and California.

OPPOSITION ARGUMENTS PROVEN INVALID

But the most striking similarity, and the most significant, is that of the arguments used against the admission of California a little over a century ago and these against the admission of Alaska today. The Congressional Globe, which was the publication recording the proceedings of the Senate in that day as is the CONGRESSIONAL RECORD of today, makes fascinating reading, especially in the light of the arguments which were iterated and reiterated against Alaska in each Congress during the 9 years in which her statehood has been under debate.

California was too distant—noncontiguous that is; it could not support statehood; it was a wilderness inhabited by savages.

How like the arguments against Alaska today. It is noncontiguous; it does not have sufficient population for a State; it is not sufficiently developed economically to support statehood.

I wish to quote some of the remarks made on the floor of the Senate, as taken from the Congressional Globe for August

6, 1850, when the California Admission Act was being debated:

Listed to Senator Stephen A. Douglas, of Illinois:

I have always thought that the boundaries of California are too large. I have laid upon the table an amendment proposing to divide it into three States.

Listen to Senator Thomas Ewing, of Ohio:

With all the extent of California, it will never sustain one-half the population of the small State of Ohio, not one-half. The population will be very small indeed.

Hear the words of Senator David L. Yulee, of Florida, who tried to filibuster California down the drain:

The first important fact is the insufficiency of the actual population of California. Among 35,500 of the immigrant population, the number of females could not have exceeded 900. This indicates immaturity of social organization.

Let us go over to the House of Representatives on April 10, 1850, when Representative Thomas Ross, of Pennsylvania, inquired:

Mr. Chairman, what was the population of California when this Constitution was formed, and what is it now: When I speak of population, I do not mean gold seekers and other adventurers who have gone there for a temporary object; but what is the number of her resident population? No one can tell. But one fact we do know, and that is that the whole number of votes polled was only about 12,800, and that, too, without any regard to residence or any other qualification of the voter. No single district in Pennsylvania, or in any other State, that polls only 12,800 votes is entitled to even 1 Representative in Congress. My own district polls more than 16,000 votes. But California is to be admitted as a State, with 2 Senators and 2 Representatives, when her entire vote polled was but 12,800. The admission of California, under all these circumstances, will not only be a violation of every rule by which we have been heretofore governed in the admission of States, but will be an act of great injustice to the other States who have for so many years borne all the burdens and the perils of the Government in its most trying period.

Even Senator William Seward, of New York, a friend of California statehood, who was later to become Abraham Lincoln's Secretary of State, said on July 29, 1852:

Nor is California yet conveniently accessible. * * * The emigrant to the Atlantic coast arrives speedily and cheaply from whatever quarter of the world, while he who would seek the Pacific shore encounters charges and delays which few can sustain.

Nevertheless, the commercial, social, and political movements of the world are now in the direction of California. Separated as it is from us by foreign lands, or more impassable mountains, we are establishing there a customhouse, a mint, a drydock, Indian agencies, and ordinary and extraordinary tribunals of justice. Without waiting for perfect or safe channels, a strong and steady stream of emigration flows thither from every State and every district eastward of the Rocky Mountains. Similar torrents of emigration are pouring into California and Australia from the South American States, from Europe, and from Asia. This movement is not a sudden, or accidental, or irregular, or convulsive 1; but it is 1 for which men and nature have been preparing through near 400 years.

And Senator Seward was a friend of California statehood.

The intervening decades have seen the Golden State march down the road to preeminence among her sister States in many, many important fields, and those passing years have vindicated the Senate majority which favored California statehood over shoddy fallacies and counterfeit arguments which were vainly urged by a few.

OPPOSITION ARGUMENTS ANSWERED IN FULL

And I say to my brethren who oppose Alaska statehood that history will, just as irrefutably, in my judgment, demonstrate the utter invalidity of the position which they take. Their arguments, of course, are made in all sincerity and honesty. They are made by Senators who are good friends of mine. They should be answered, and happily they can and will be answered, fully and completely.

The facts are that Alaska is not in any sense of the word distant. I can go into the cloakroom, pick up a telephone, and talk with the Governor of Alaska in the capital of Alaska within a few moments. Within a matter of hours, any Senator can be in any part of Alaska.

Contiguity has never been a requirement for statehood. If it ever was a precedent, which I deny, it was broken almost as soon as, and maybe before, it was uttered, for Louisiana did not border upon any State of the United States when she was admitted in 1812. Her boundaries were many miles distant from her nearest neighboring States, Tennessee and Georgia.

Eevn more noncontiguous was California in 1850. Hundreds of miles of wilderness, infested by hostile Indians, separated California's eastern boundary from those of Texas, Missouri, Iowa, or Wisconsin, the nearest States at the time of our admission to statehood.

As to the population, the Department of the Interior recently stated that Alaska's population today is 220,000.

ALASKA'S POPULATION MATCHES THAT OF OTHERS

Now, let us consider the population of the 17 States which have come into the Union in the past century. Only six of them had more people at the time of entry than Alaska now has. Eight of them had less: Arizona, Minnesota, Kansas, Colorado, Montana, Wyoming, Oregon, Nevada. Arizona was the largest in population, with 217,000; Nevada the smallest, only 21,000 claimed residence there. Before 1958, 16 States—apart from the original 13—were admitted to the Union with populations smaller than Alaska's today.

Mr. President, I wish to call attention to one of the appendixes appearing in the House hearings, which sets forth the population of every State when it was admitted into the Union, and the population increase in each State.

This brings us, Mr. President, to the highly important, and very technical, question of the matter of the finances of the proposed new State. As pointed out so forcefully by the distinguished chairman of the Interior Committee [Mr. MURRAY], who now presides in the Senate, Statehood never has failed—never once in any of the 35 instances in which new States have been admitted into our Union of States has statehood failed as a political and social institution.

But that is not by any means the full answer. State governments and their expenditures must of course be financed primarily by State revenue laws, and we have a duty to look at whether the State of Alaska has the resources and the development sufficient to support State government, and, secondly, whether her people are ready and willing to tax themselves to provide the services of statehood.

Mr. President, as the controller of the State of California for almost 7 years, first by appointment from the Honorable Earl Warren, then the great Governor of California, and thereafter by election and reelection, I think I can lay some claim to being at least a student of State finances.

ALASKA CAN AND WILL SUPPORT STATEHOOD

It is my considered judgment, based on my experience in the fiscal field in my own California State government, that Alaska does, in fact, have the means to support a State government, and that she does, in fact, have the will to do so.

So that the Members of the Senate may have before them the factual background, I ask unanimous consent that the official statement of the tax commissioner of Alaska may appear at this point in the RECORD:

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF LICENSES AND TAXES COLLECTED BY THE DEPARTMENT OF TAXATION OF THE TERRITORY OF ALASKA, FOR THE PERIOD JANUARY 1, 1957, TO DECEMBER 31, 1957

Title 48, chapter 2, section 17, ACLA 1949, states that the tax commissioner shall prepare and annually publish statistics with respect to the revenues derived under the tax laws administered by him. In keeping with this statute the following is submitted for publication:

Revenues—Taxes collected account classification	Total collections	Percent of total
Amusement and gaming devices	$76,379.50	0.34
Automobile license registrations	818,591.45	3.61
Business licenses	1,694,068.48	7.47
Certificates of title	97,574.50	.43
Motor vehicle lien fees	26,666.00	.12
Dog licenses	289.00	
Drivers' licenses	113,307.50	.50
Fisheries:		
Cold storage and fish processors	94,852.36	.42
Cold storage, freezer ships	13,114.62	.06
Fish trap licenses	47,200.00	.21
Fishermen's licenses, resident	78,650.00	.35
Fishermen's licenses, nonresident	81,415.00	.36
Gill net licenses	9,568.00	.04
Raw fish tax	2,119,705.90	9.34
Seine net licenses	18,460.00	.08
Sport fishing and hunting licenses	164,309.78	.72
Inheritance tax, interest	3,830.48	.02
Inheritance tax, principal	44,592.14	.20
Liquor, excise taxes	2,055,472.60	9.06
Mines and mining	30,289.11	.13
Miscellaneous fees	119.05	
Motor fuel oil tax	3,508,502.24	15.46
Motor fuel refund permits	320.50	
Net income tax	9,486,744.84	41.82
Property tax	524.76	
Punchboard tax	1,980.00	.01
School tax	557,582.15	2.46
Tobacco tax	1,051,606.82	4.64
Prepaid taxes, suspense account	11,565.20	.05
Liquor license application fees	20,750.00	.09
Liquor licenses	456,500.00	2.01
Total	22,684,531.98	100.00

Territory of Alaska, first judicial division.

I, R. D. Stevenson, tax commissioner, Department of Taxation of the Territory of Alaska, do hereby affirm that the above statement is correct and true to the best of my knowledge and belief.

R. D. STEVENSON,
Tax Commissioner.

Mr. KUCHEL. Mr. President, those official figures bring us up to the end of the calendar year 1957. For the current situation, I present to the Senate a report from the governor's tax committee, published in the Fairbanks News-Miner of June 6, under the headline "Reports Show Cash Balance for Alaska State Treasury."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REPORTS SHOW CASH BALANCE FOR ALASKA STATE TREASURY

(By Jack De Yonge)

Should statehood come to Alaska this year, the territory will change status in a healthy financial condition, reports from the departments of taxation and finance showed today.

The figures, received by John Butrovich, Jr., of the governor's tax committee, shows that total tax collections in Alaska are running more than 2 percent ahead of estimates for the first 11 months of the biennium and that the Territory had a cash balance of $5,154,844.23 in its general fund as of the end of April.

From July 1, 1957, to May 31, 1958, the Territory collected $22,707,300, or 48.2 percent of the total estimated gross collections for the 24-month period ending June 3, 1959—an amount 2.4 percent above estimates for the 11 months.

Biggest single item in the collections was the income tax, which brought in $9,376,807.77 during the periods, leaving $10,623,192.23 to be collected in the remaining 13 months.

"And there was no income tax from the workers on the Sitka pulp mill construction in these figures," Butrovich pointed out. "The heavy payroll there will be from July 1 of this year to July of 1959." Approximately 1,500 men will be working at Sitka building the mill.

Total estimated revenues from taxes for the biennium are $47,098,600. A total of $24,391,299.68 remains to be collected in the next 13 months.

SIGNIFICANT BALANCE

Butrovich called the cash balance in the general fund significant in that expenses for the biennium thus far have been paid and yet over $5 million remains.

He estimated that nontax revenues from oil and mineral leases will bring the Territory $6 million over the biennium and that income from the insurance tax will run to over a million dollars for the same period.

The motor fuel oil tax was second in importance to the income tax for putting money in the Territorial coffers, bringing in $3,540,678.61. However, this money is ear marked for airfields and roads, not general fund use.

Next in importance was the $1,678,323.38. Others were: alcoholic beverage excise tax with a total of $1,795,578.79 collected, followed by the business license revenue.

Raw fish tax, $1,647,944.27; motor vehicle registrations $1,337,018.05; cigarette tax, $944,328.79.

Mr. KUCHEL. Mr. President, as will be seen from the Tax Commissioner's report, Alaska's present revenue structure is based principally on an income tax designed on a percentage of the Federal income tax. It thus permits flexibility, the percentage capable of being altered by each legislature according to the people's need. It obviates for the taxpayers the annual headache of having to figure out two different income-tax returns; it makes for ease of audit, since the Territorial tax department has access to the Federal returns; it hereby saves collection costs.

Other taxes are a per case tax on salmon based on the value of the pack, business license taxes, and a variety of excise levies on liquor and tobacco as well as a head tax on every adult receiving income in the Territory. There is a gasoline tax, earmarked for highways. There is neither a Territorial property tax nor a Territorial sales tax. These are left to the lesser political units—municipalities and school districts—but they remain, of course, available should more State revenue be required.

NO TERRITORIAL DEBT

Alaska has no indebtedness. Alaska has no counties and hence no county taxes. Alaska now performs, as stated previously, all the needed services of government except those which Congress has specifically prohibited. These, which will be added under statehood, and the estimated annual costs of operating them are, in round figures, as follows:

Courts, $2 million; Governor's office and legislature, $500,000, totaling an additional $2½ million a year.

But against these additional liabilities there are substantial offsets.

Approximately $1,500,000 annually will be forthcoming from 70 percent of the net revenues of the Pribilof Islands Seal fisheries. This has for 47 years been wholly a Federal operation in which, though an Alaskan resource, Alaska has not shared. The statehood bill properly provides for such sharing.

Fines, fees, and forfeitures of the court system, revenues derived from the State lands, and miscellaneous receipts make up an amount estimated at $500,000 annually.

Last year, Congress, an anticipation of statehood, and in lieu of participation in the Federal reclamation program, awarded Alaska 90 percent of gross receipts from the oil, gas, and coal leases on the public domain. Oil was struck last summer on the Kenai Peninsula, and since then oil leases have been filed on 25 million acres, which though only one-fifteenth of Alaska's area and a small part of its potential oil lands, already presents an accrual of approximately $2 million a year. And the filing is continuing.

With the establishment of a second pulp mill—another year 'round industry—at Sitka, which will go into operation in 1960, national forest receipts, now running to about $150,000 annually, will be doubled.

Thus it will be seen that the safely anticipated revenues closely approximate the added costs of statehood.

AMPLE SOURCES OF NEW TAXATION

To meet any additional costs, the State of Alaska will, as I say, have the opportunity to levy a sales tax and, if it so desires, an ad valorem tax on property. They supply an ample margin for additional income. But Alaskans' expectations, which history has shown to be warranted, are that the greatly increased development brought about by statehood will substantially augment her existing sources of revenue.

An example of Alaska's expectations is contained in the report of the Legislative Council of Alaska. In a meeting of the council at Nome, Alaska, on June 9, Phil Holdsworth, Territorial Commissioner of Mines, reported to the council that the Territory can reasonably expect income to Alaska from oil and gas operations as follows: 1958–59, $2,600,000; 1959–60, $8,200,000; 1960–61, $13 million; and up to $15 million in 1964. This estimate does not include the possible development of oil and gas in the Gubik area.

STATES SET OWN LEVELS OF EXPENDITURE

As a former participant in the fiscal affairs of a State, there is no doubt in my mind that Alaska can and will support statehood adequately from her own revenues.

Also, there is this fact: There is no set level for State expenditures. In our Union now we all know there is a wide divergence between the services, such as education, public health, roads, parks, and the like, supplied to their citizens by the States of New York and California, for example, and those supplied by some of the less-privileged States. The States can and do base their expenditures on their income. Alaska will do likewise.

The bill before the Senate carries out the intelligent, conscientious effort first begun in the 83d Congress by the late Senator Hugh Butler, of Nebraska, then the chairman of the Committee on Interior and Insular Affairs, and a friend of the present distinguished occupant of the chair [Mr. MURRAY] and a friend of mine and of other members of the committee, to enable Alaska to support statehood. I remember those days; they were my first days in the Senate. Senator BUTLER at first had been opposed to Alaska statehood. He headed a group of 6 Senators from the Interior Committee which visited Alaska in the summer of 1953. The then committee chairman's avowed purpose was to try to prove, first, that Alaskans did not want statehood; and second, that they could not support it.

EXTENSIVE HEARINGS THROUGHOUT ALASKA

Hearings were held in all of the major cities of Alaska, and scores of persons were interviewed privately.

Hugh Butler was a big man. From the hearings he conducted, he realized that he had been wrong on both counts. He acknowledged his error and took prompt steps to rectify it. As a result, the Alaska statehood bill in the 83d Congress was drastically amended to provide the proposed State with enough of its natural resources to enable it to enter the Union on a truly free and equal basis.

The measure now before the Senate is substantially the measure Hugh Butler

sponsored and fought for in the 83d Congress.

I pay tribute to the late Senator Hugh Butler of Nebraska for his greatness of mind and heart, and his genuine intellectual honesty, in changing his position on Alaska statehood, not only in words, but in deeds. I trust that all of the people of Alaska, both now and when it becomes a State, will join me in revering his memory. He was one of the best friends the people of Alaska could have.

LEGISLATIVE HISTORY

Now that I am on the subject of legislative history, I shall sketch, briefly, some of that long, arduous, history.

Mr. President, what is now before the Senate is a measure which has been worked over—and very well worked over—to combine the desirabilities of statehood with the necessities of national defense and economic development. Such a combination is not easy to achieve; the gestation period of statehood has already run for 90 years and the baby has not yet been born. But we think that advocates of statehood have profited by the hearings and examinations of the past, and that this bill does in fact present a proper vehicle for statehood.

Let me review briefly what has gone before, to give Senators an indication of the years of study and preparation which lie behind the proposed legislation now before the Senate. The first statehood bill was introduced by the then Alaskan Delegate James Wickersham on March 30, 1916. Incidentally and parenthetically, Judge Wickersham was a Republican. I point this out to indicate, not only to Senators on both sides of the aisle, but to the people of the country, that this is in no sense a partisan struggle. It represents an opportunity to discharge a commitment to the people of Alaska, and is concurred in by both major parties, as I indicated earlier, in their convention platforms.

ACTION IN EARNEST IN 80TH CONGRESS

Only 10 years earlier Alaska had been authorized to send a delegate to Congress, although it was organized as a Territory in 1884—almost three-quarters of a century ago.

In both the 78th and 79th Congresses, statehood bills were introduced, but little action was taken on them. The real preparation for statehood began in 1947, in the 80th Congress.

At that time bills were introduced in the House of Representatives; and after referral to committee, hearings were held both in Alaska and in Washington. A statehood bill based on the hearings was reported to the House, but no further action was taken.

In the 81st Congress, bills were introduced in both the Senate and the House of Representatives. The House passed Delegate BARTLETT'S H. R. 331, and the Senate Interior Committee held extensive hearings on it. The bill was reported favorably—the first time Alaska statehood had ever been reported to the Senate. The motion to consider it was debated for 8 days, and was finally withdrawn when it was clear that a full-scale filibuster was in progress.

The roles on statehood were reversed in the 82d Congress. Statehood bills were introduced into both Houses, but only the Senate acted. Its action, however, was to recommit the measure to committee—by a one-vote margin.

JOINDER OF ALASKA FATAL

In the 83d Congress, the tempo of the statehood fight was stepped up. Both Houses had statehood bills before them, and committees of both Houses held hearings on Alaska statehood both in Washington and in the major cities of the prospective State. The House of Representatives approved a Hawaii statehood bill but took no action on Alaska. The Senate took the House approved Hawaii bill and proceeded to add to it an amendment providing for Alaska statehood. I opposed that amendment. I think I was correct in opposing it. On March 11, 1954, when the question of tying the 2 together in 1 parliamentary package was before us, I said:

Mr. KUCHEL. Mr. President, so that there may be no misunderstanding, I desire to say that I shall vote for statehood for Hawaii; I shall vote for statehood for Alaska; and I shall cast my vote in that fashion whether the bills are presented separately or whether they are tied together.

The question which is now before the Senate does not touch the merits of the case for statehood for either Territory. The question now before the Senate is parliamentary in nature. It has been presented by my friend the able Senator from New Mexico [Mr. ANDERSON], and it takes the form of an amendment to tie the 2 statehood proposals together in 1 bill. The Senator from New Mexico is in favor of statehood for both Hawaii and Alaska, and it is his sincere desire, in offering his amendment, to make it easier for each Territory to be admitted as a State.

But, Mr. President, we are confronted with an extremely paradoxical situation, because there are Senators who will join in supporting the amendment of the Senator from New Mexico for exactly the opposite reason, and they will vote in favor of his amendment, not because they want statehood for either Territory, but because they are opposed to statehood for both.

So, Mr. President, under the circumstances, I think those of us who desire to vote for statehood for each Territory will best serve the purposes of each Territory by opposing the amendment of the Senator from New Mexico and, after having discussed the merits of each one at a time, vote first, on the issue of Hawaiian statehood, and then, as my colleague, the majority leader, has suggested, immediately following that, vote on the question of statehood for Alaska.

I do not quarrel with those in this Chamber who take a different position regarding the future status of the two Territories than that at which I have arrived, but I feel that in opposing the amendment of the Senator from New Mexico I am lending what little strength I possess to having the Senate ultimately pass on the merits of the question of statehood for both Hawaii and Alaska.

I regret very much that by a vote of 46 to 43, the Senate proceeded to tie the 2 bills together. After the combined statehood bill was approved, it was sent to the House, where it died. I mention this simply to argue, on the record, that legislative tampering has sometimes resulted—did result in this instance—in destroying Hawaii statehood and Alaskan statehood as well.

HAWAII DELEGATE BACKS SEPARATE CONSIDERATION

In passing, I pay tribute to the delegate from the Territory of Hawaii, Hon. JACK BURNS, who has said that he hopes the Senate will consider statehood for Alaska separate and apart from statehood for Hawaii.

Eight statehood bills were introduced in both Houses of the 84th Congress, and committees of both the Senate and the House of Representatives held hearings on Alaska statehood. The only Chamber action taken was in the House of Representatives, which recommitted a combined Hawaii-Alaska statehood bill.

In this Congress, 11 Alaska statehood bills have been introduced. The measure before us is backed by the findings of hearings held last year by committees of both Houses, and bears the imprint of the hearings and studies of Alaska statehood that have been conducted, both in and out of the Congress, for more than a quarter century.

There can be little doubt that the legislative preparation for statehood is profound and complete. There is also excellent evidence that the people of Alaska have prepared, and are prepared, to assume the obligations of statehood.

Twelve years ago, the voters of Alaska approved a referendum on statehood. Again and again, the Territorial legislature has memorialized Congress on behalf of statehood. Last year, the Territorial legislature voted unanimously to ask immediate statehood for Alaska.

ALASKANS WANT IMMEDIATE STATEHOOD

But more to the point than such formal action is the impressive manner in which the people of Alaska have set about to establish the machinery for statehood, once such status should be granted. In 1955, a state constitutional convention was authorized, and in the following year a constitution draw up by that convention was overwhelmingly ratified by the voters in a Territory-wide referendum. That constitution has been described as a model for republican government, and has been found to be strictly in accord with the Federal Constitution. The text of Alaska's constitution may be found in the committee reports accompanying Senate bill 49 and House bill 7999.

Mr. President, before I conclude, I want to say one word more about the most important resource that Alaska or any other area can have—her people. Alaska's population, like that of California, is vigorous, youthful in its dynamic approach to its problems, growing, and expanding. It is a population that has accepted the responsibility for self-government, and now is asking for the opportunity to discharge that responsibility. Alaska has a well-educated population. On the basis of the 1950 census, the figure for the median school years completed by Alaska residents was 11.3—practically the equivalent to high-school graduation. That accomplishment ranks Alaska ahead of nearly every State now in the Union. Alaska has a fine land-grant university, which is

training her people for their future roles in what will become a great State. Of the last 17 States admitted to the Union, more than half had no such land-grant college or university at the time of admission.

NO HONORABLE ALTERNATIVE TO STATEHOOD

Within the limitations of Territorial status, Alaska is a going concern. The people of Alaska have organized a government fully capable of dealing with the responsibilities and demands of statehood. They have organized an educational system that reaches throughout the Territory. The people of Alaska are supporting their government, their educational system, and their economy in the same successful manner employed by citizens of all of the fully self-governing States of the Union. While the accomplishments of Alaska are significant, and her people are dong all they can under Territorial status, the full measure of achievement is denied to Alaska. There can be no doubt but that Alaska's already tremendous growth will be insignificant, as compared to her expansion and development once statehood is granted.

Alaska has earned statehood. She is worthy of the honor. She is ready for the responsibilities of statehood.

To deny Alaska statehood would be to deny ourselves the fullest use of her enormous natural and human resources.

To deny Alaska statehood would be to deny her people the fullest enjoyment of liberty that has been the touchstone of our Nation since Revolutionary days.

To deny Alaska statehood would be to break America's word and to breach the commitments of the two great political organizations of this country.

Mr. President, the Senate has no honorable alternative to granting statehood to the people of Alaska.

Mr. President, I ask unanimous consent that an excellent editorial in the Los Angeles Examiner of June 21, 1958, entitled "Statehood Now," be incorporated at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STATEHOOD NOW

With the campaign for Alaskan statehood nearing the moment of final decision in the United States Senate, there is new and vital public interest in the fact that the potential oil resources in Alaska probably constitute the greatest remaining pool in the whole world.

It dramatically underlines the wisdom and necessity of statehood for Alaska that the oil-bearing regions of our northern Territorial outpost may be richer than Texas, and not only bigger than the fields of the Middle East but of easier access to us and more easily defended in the event of war.

The fact that the Free World as a whole, and America itself in some degree, is dependent for oil in a large measure upon the Middle Eastern fields which are menaced by Soviet Russia even now and would be vulnerable to Communist control or destruction in war, is a worrisome thing.

But with the prospects so good that Alaskan oil reservers will give us independence in this respect, within the limits of our own continent, the withholding of statehood not only reflects American indifference and complacency in an urgent situation, but becomes stupid and absurd.

To continue the colonial status of Alaska in the light of the fact that the Alaskan resources, not only of oil but of many other strategic minerals and products, may some day mean the difference between our survival and our defeat in a major war, is shortsighted beyond excuse or understanding.

It has been said that the failure of the statehood program for Alaska at this session of Congress will mean its postponement for an unforeseeable time—a gamble with American security and prosperity that makes sense only to our enemies, and that makes fools of all the rest of us.

Mr. JACKSON and Mr. SMITH of New Jersey addressed the Chair.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from California yield; and if so, to whom?

Mr. KUCHEL. I yield first to the able chairman of my Subcommittee on Territories.

Mr. JACKSON. Mr. President, I wish to congratulate my able colleague from California for an exceedingly fine presentation of the statehood issue.

I particularly wish to commend him for his brilliant citation of historical precedents which clearly support statehood for Alaska.

Last of all, let me say that I was very much impressed with the data and other material submitted in support of the financial integrity of Alaska and the ability of this new state-to-be to handle its fiscal affairs.

I believe the distinguished junior Senator from California has made a very helpful suggestion in calling the attention of the Senate to the development of an entirely new resource in Alaska, namely, oil. I know that those of us who serve on the committee have been impressed by the total number of acres either under lease or applied for, which aggregate approximately 32 million. It is my understanding that, in addition, all the major oil companies and an untold number of independent oil companies are now in the process, at one stage or another, of exploratory and development work in Alaska. This will provide, as the Senator from California has so ably pointed out, an entirely new source of revenue to support the new State—a source which heretofore has not been properly calculated.

Again, I wish to commend the Senator from California for his very effective presentation of this issue.

Mr. KUCHEL. I thank my friend very, very much, indeed.

Mr. SMITH of New Jersey. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield to the distinguished Senator from New Jersey.

Mr. SMITH of New Jersey. As the Senator from California knows, for some years I have been very much interested in the subject; and of course I have associated the admission of Alaska with the admission of Hawaii. I believe the Senator from California was correct in taking his position in favor of the admission of both of them as States.

I assume that the Senator from California believes that when Alaska is admitted, Hawaii should also be admited.

Mr. KUCHEL. Indeed I do.

Mr. SMITH of New Jersey. A great many questions have been asked me, and I shall submit a few of the basic ones, on which I should like to have the Senator from California expound.

But, first, I should like to congratulate him on his very able presentation. As the Senator from Washington [Mr. JACKSON] has said, the Senator from California has given a very impressive exposition of historic facts and data.

Mr. KUCHEL. I thank the Senator from New Jersey.

Mr. SMITH of New Jersey. Of course, I am concerned from the standpoint of the national security interests and the Nation's foreign policy.

Questions have been asked me along the following lines:

First, am I correct when I say that approximately 70 percent plus of the area will be in the Federal strategic area which the United States will need for its security?

Mr. KUCHEL. The actual fact is that when the new State has made all of its withdrawals, the Government of the United States will still own approximately 72 percent of the area. But the pending bill provides specific authority for the President of the United States to take such area as may be necessary for the defense of our country and to make it, to that extent, subject to the jurisdiction of the Federal Government.

Mr. SMITH of New Jersey. I am very glad to obtain that answer.

Does the Senator from California, from his study of the matter in committee, feel that from the security standpoint alone—without regard to the other arguments in regard to admission—Alaska as a State would be of more importance strategically for the United States than as a Territory over which the Federal Government would have complete control?

Mr. KUCHEL. I wish to answer that question, first, by referring to the hearings which were held in the Senate committee 8 years ago—in 1950—on this question. I now read a letter, which appears at page 45 of those hearings—from the then Secretary of Defense under the then President, Mr. Truman:

THE SECRETARY OF DEFENSE,
Washington, April 18, 1950.

Hon. JOSEPH C. O'MAHONEY,
Chairman, Committee on Interior and Insular Affairs,
United States Senate.

MY DEAR SENATOR: This letter is further in response to your communication of March 30, 1950, in which you make reference to 2 bills. H. R. 331 and H. R. 49, which, if enacted, would admit the Territories of Alaska and Hawaii, respectively, into the Federal Union as States. Because I understand that your committee intends on April 24 to commence hearings on H. R. 331, which concerns Alaska, and to hold hearings beginning May 1 on H. R. 49, the Hawaiian proposal, I address this letter to you for the purpose of expressing the concurrence of the Department of Defense in both proposals.

As you know, the administration has repeatedly expressed itself as favoring Hawaiian and Alaskan statehood and both proposals have again and again been introduced by the President. On January 4, in his state of the Union message, President Truman urged that the Congress during 1950 "grant statehood to Alaska and Hawaii." The enactment of H. R.

49 and H. R. 331 would, I believe, effectively accomplish this objective.

You asked in your letter of March 30 as to whether from the point of view of national defense, it would be advantageous to extend statehood to Alaska and Hawaii, and you inquired specifically as to whether statehood would give greater strength to our military position in those areas than does the present Territorial type of local government. It is obvious that the more stable a local government can be, the more successful would be the control and defense of the area in case of sudden attack. There can be no question but that in the event of an attack any State would be immensely aided in the initial stages of the emergency by the effective use of the State and local instrumentalities of law and order. By the same token it would seem to me that, as persons in a position to assist the Federal garrisons which might exist in Hawaii or Alaska, the locally elected governors, sheriffs, and the locally selected constabulary and civil defense units all would be of tremendous value in cases of sudden peril. Therefore, my answer to your question is that statehood for Alaska and Hawaii would undoubtedly give a considerable added measure of strength to the overall defense of both areas in event of emergency.

I am not attempting in this letter to endorse the specific language of either of the bills under consideration, but I do wish strongly to support the principle of granting immediate statehood to both the Territories of Alaska and Hawaii as in the best interests of the United States and of all of its peoples both here and in the Territories.

With kindest personal regards, I am,

Sincerely yours,

LOUIS JOHNSON.

I think the letter officially and, in my judgment excellently contains an answer by one in a position of high responsibility to the relevant question which my friend the Senator from New Jersey has asked.

Mr. SMITH of New Jersey. Since the statement was made some 8 years ago, is the Senator from California, as a member of the subcommittee, satisfied that today, with changing world conditions, the same statement would be true, and that we would be taking the right step, from the national security standpoint, in admitting Alaska as a State?

Mr. KUCHEL. Yes. In the hearings which were held last year, Gen. Nathan Twining, then the Acting Chairman and subsequently the Chairman of the Joint Chiefs of Staff, appeared before the committee. I was there. I recall his testimony very well. He testified both officially and personally. He appeared there in favor of statehood for Alaska, as had been recommended by our Commander in Chief, President Eisenhower.

Earlier today a part of the testimony of the Chairman of the Joint Chiefs of Staff before the House Committee on Interior and Insular Affairs was placed in the RECORD, and I shall not detain the Senate by reading it again; but the Chairman of the Joint Chiefs of Staff indicated that the Defense Department unhesitatingly favored statehood for Alaska, under provisions which the President himself had favored, and which are in the bill before the Senate.

Mr. SMITH of New Jersey. I should like to ask one more question, if I may. The Senator from California has very ably discussed the fiscal situation and the extent to which Alaska can balance its budget. A large part of the State of Alaska would be under Federal control and probably exempt from taxation. That is the problem faced by many Western States. I lived for a time in Colorado, and I know what it means to have large areas under Federal control and not subject to taxation. Would that fact influence and seriously affect the figures cited by the Senator with regard to the balancing of its budget by Alaska today?

Mr. KUCHEL. That question is highly important, and is certainly relevant. Provision is made in the House bill, as was done in the Senate bill, for the acquisition by the State of Alaska, over the next 25 years, of roughly 25 percent of the vast expanse of territory which Alaska has within its confines. When Federal control terminates, the holding will be placed in the hands of the State government. The State would, I think, be able to act with the some constructive influence which in the early days of the Senator's State and my State characterized the actions of our predecessors there. Surely, the question of Federal ownership is one which some day we shall have to face up to all across the country. My State of California is owned 50 percent by the Federal Government, and thus ad valorem taxes fall on only one-half of the land in the State.

The point of the Senator from New Jersey is a valid and sharply relevant one. I believe, however, on the basis of the values of property in Alaska as they have been estimated, the tremendous wealth in the ground in minerals, and on top of the ground in timber, plus the other great natural resources, the State of Alaska will be able to make maximum use of the property which it will obtain under the bill from the Federal Government. This provision constitutes one additional assurance. I feel sure that economically the new government will succeed.

Mr. SMITH of New Jersey. I thank the Senator for his replies and for his very clear presentation, which has been helpful to me in my thinking.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado.

Mr. DIRKSEN. Mr. President, I wanted to ask the acting majority leader [Mr. MANSFIELD] whether he anticipates any record votes today.

Mr. MANSFIELD. No. I believe the Senate will remain in session quite late, but only speeches will be made. I understand there are three points of order against the bill at the desk. I hope we can consider them tomorrow. So far as today is concerned, the remainder of the session will be used for speeches on the subject before the Senate.

Will the Senator from Colorado yield further?

Mr. ALLOTT. I yield.

ORDER FOR RECESS UNTIL 11 O'CLOCK A. M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today it recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTION OF CERTAIN LEADERS OF REVOLT IN HUNGARY

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. KNOWLAND. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield to the minority leader.

Mr. KNOWLAND. On June 19 the Senate adopted by unanimous vote—the yea-and-nay vote was 91 to 0, as I recall—Senate Concurrent Resolution 94, on the Hungarian situation. The House has adopted a comparable concurrent resolution, which is identical in all details with the language of the Senate concurrent resolution. I refer to House Concurrent Resolution 343.

Because both the Senator from Minnesota [Mr. HUMPHREY], who submitted the concurrent resolution, and I feel it is far more important that a resolution be promptly acted on than have it tied up in a conference or have a problem arise as to which House is adopting which resolution, we are prepared to recommend to the Senate, and I do now recommend, that it agree to the House concurrent resolution, which deals with the same subject matter, so that action by the Congress of the United States can be completed on one of the concurrent resolutions expressing the feeling of the Congress regarding the executions of Premier Nagy, General Maleter, and their associates, by the puppet government of Premier Kadar, of Hungary, and his Soviet masters.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California that the Senate temporarily lay aside the unfinished business and proceed to the consideration of House Concurrent Resolution 343?

There being no objection, the Senate proceeded to consider the House concurrent resolution.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the text of House Concurrent Resolution 343, which is identical with the Senate concurrent resolution on the same subject, be printed in the RECORD at this point.

There being no objection, the concurrent resolution (H. Con. Res. 343) was ordered to be printed in the RECORD, as follows:

Whereas the revolt of the Hungarian people in 1956 against Soviet control was acclaimed by freedom-loving people throughout the world; and

Whereas the suppression of the Hungarian revolt of 1956 by the armed forces of the Soviet Union was condemned by the General Assembly of the United Nations; and

Whereas the leader of the Hungarian Government and people in the unsuccessful revolt against Soviet oppression was induced to leave the sanctuary of the Yugoslavian Embassy in Budapest on promises of safe conduct and fair treatment on the part of the Hungarian Communist regime which was not in a position to take such action without the approval of the Soviet Union; and

Whereas these promises were treacherously ignored by Soviet forces and Imre Nagy was seized and held incommunicado; and

Whereas the Soviet imposed Communist regime of Hungary has now announced that Imre Nagy, together with his colleagues Miklos Gimes, Pal Maleter, and Jozsef Szilagyi have been tried and executed in secret; and

Whereas this brutal political reprisal shocks the conscience of decent mankind: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress of the United States that the President of the United States express through the organs of the United Nations and through all other appropriate channels, the deep sense of indignation of the United States at this act of barbarism and perfidy of the Government of the Soviet Union and its instrument for the suppression of the independence of Hungary, the Hungarian Communist regime; and be it further

Resolved, That it is the sense of the Congress of the United States that the President of the United States express through all appropriate channels the sympathy of the people of the United States for the people of Hungary on the occasion of this new expression of their ordeal of political oppression and terror.

The PRESIDING OFFICER. The question is on agreeing to House Concurrent Resolution 343.

The concurrent resolution was agreed to.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

Mr. KNOWLAND. I wish to thank the distinguished Senator from Colorado for his courtesy in yielding.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6322) to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. DIRKSEN. Mr. President, I ask unanimous consent, if the Senator is willing to yield for this purpose, that the Senator from Colorado may yield to me without losing his right to the floor, so that I may suggest the absence of a quorum.

Mr. ALLOTT. I should be happy to yield for that purpose.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORTON in the chair). Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, before beginning my address, I should like publicly to comment upon the very excellent statement made by the junior Senator from California [Mr. KUCHEL], who preceded me upon the subject of Alaska statehood. In my judgment, the Senator made an outstanding statement and advanced an outstanding argument for the case of statehood for Alaska. I certainly would not want this opportunity to pass without complimenting the Senator for the excellent way in which he handled his subject.

Prefatory to my own remarks, I should like to say my own statement will cover primarily the historical and legislative background of the Alaskan situation.

Mr. President, on March 19 I made a short statement setting forth some of the reasons for immediate action on statehood for Alaska and Hawaii. At this time, I want to expand by statement on Alaska. To prevent misunderstanding, however, let me begin by saying that I still adhere to this view I expressed on March 19:

It is my understanding the administration opposes the joining of the Alaska bill with the Hawaii bill. For myself, I shall oppose any motion to join the two bills.

I am for statehood for both Territories, and I am in accord with our distinguished minority leader in the hope that we will have an opportunity to vote on each of the bills so that the qualifications may be determined for each Territory on its own merits.

Since that statement was made, the Senator from California [Mr. KNOWLAND] has reaffirmed his stand; on June 12 he announced that he will vote for Alaskan statehood and oppose any move to join the bills. Despite the fact that the majority leader has not seen fit to give an assurance that the Hawaii bill will be considered by this body after the Alaska bill, the senior Senator from California has said that he will do everything possible to get this body to consider a separate Hawaii bill this year—his last year in the Senate.

I am happy again to associate myself completely with the objectives of our minority leader.

Mr. President, I say in all sincerity that, in my opinion, there should be no fewer than 70 affirmative votes in this body on the issue of the admission of Alaska into the Union. For 70 Members of the Senate would not be here today if, in considering the admission of their 35 States, our forefathers had heeded such objections as those now raised against statehood for Alaska. Moreover, if the Senators from our Original Thirteen States follow the example of their illustrious predecessors, they, too, will vote to admit Alaska. How significant it would be if after 91 years of apprenticeship this great land—Alaska—would receive a unanimous vote of confidence.

Alaska has been a part of the United States since 1867. By the Treaty of Purchase with Russia, we acquired almost 376 million acres for $7,200,000—52 acres for every dollar. And many called this historic transaction Seward's Folly, Representative N. P. Banks, of Massachusetts, however, was not one of them. Here is what he said on June 30, 1868, as he led the fight for an appropriation to put into effect the Treaty of Purchase for Alaska:

It is said that this Territory is worthless, that we do not want it, that the Government had no right to buy it. These are objections that have been urged at every step in the progress of this country from the day when the forefathers from England landed in Virginia or in Massachusetts up to this hour. Whenever and wherever we have extended our possessions we have encountered these identical objections—the country is worthless, we do not want it—the Government has no right to buy it. * * *

If we read the early accounts of the colonists when they abandoned Virginia, or of the colonists of Massachusetts who did not desert their settlements, and what was said by their friends at home, we should learn something of the features of a worthless country.

They remember what they said about Louisiana at the time of its purchase; when a Senator from Massachusetts declared that it would benefit the Atlantic States to shut up the Mississippi River, and he should be glad to see it done. We remember what was said about Texas, that part of the country which from the same disregard of its value had been surrendered by the United States in its negotiations with Spain for the acquisition of Florida; that the country was barren; sterile, a wilderness never wanted by us; that it would cost more than it was worth to keep it. With declarations like these we gave Texas—not to Spain; for before Spain could get possession, Mexico conquered its independence from Spain and with its liberty acquired the province of Texas. There had never been, by any nation, a more unnecessary surrender of territory. We recovered it after the lapse of a quarter of a century with an expenditure of treasure and the sacrifice of life that did not terminate with those who fought or fell in the struggle for the reannexation of Texas to the United States.

The acquisition of California brought with it the same reproaches. It was called the end of creation, and it was said nobody would ever go there. I have many times heard the governor of one of the Western Territories speak of a debate upon a memorial he presented to the Senate at the session of 1845 or 1846 for an overland mail across the continent. One of the first Senators of this country said:

"What use, Mr. President, have the American people for the sandy deserts and arid wastes of the vast interior of the continent, or the rocky coast of the Pacific, destitute of harbors and unprofitable to commerce? Nothing whatever. I will not vote 1 red cent from the Treasury to place the rock-bound shores of the Pacific 1 inch nearer the Atlantic than it now is."

It was said at a later day in the Senate that the valley of the Columbia River was useless to us, costing more every year for its government than its entire value. "We are going to war," it was said, "for the navigation of an unnavigable river."

Upon representations like these we surrendered British Columbia to Great Britain. Mr. John Quincy Adams said in this House that she had no title to it whatever. We acquired it by the treaty of Ghent, then unsettled our title by joint occupation, and finally gave it up altogether upon the pretext now urged in regard to Russian America, that it was worth nothing, costing more than its value every year to govern it.

It is but a few years since the whole world regarded the country between the hundredth meridian of longitude and the Oregon cascade as barren and worthless. It was compared by the officers of the Government in 1863 to the Asiatic deserts. This country is now organized into prosperous States and Territories, and in 1870 will contain more than 600,000 people; and 1 of the States of this region has given us in 5 years an industrial product of more than $50 million.

Many people argued that we should not pay for Alaska because it was a frozen wasteland—and too far away. To these arguments, Representative H. Maynard of Tennessee, on July 1, 1868, answered:

We must not forget that * * * the southern portion * * * is in the same latitude as the British Isles, and the northern * * * in the same as Norway and Sweden. The probabilities certain are that it will be found equally habitable * * *. Distance, so far as it respects human intercourse, is measured by time, not by space. So reckoning, Alaska is nearer the Capital today than was California when admitted as a State. We all recollect when the distance from Boston to St. Louis was longer than it now is from Boston to Sitka.

Mr. President, we all know what our position would be today if the Russian sword hung like the sword of Damocles over the northern portion of this continent. Alaska is the key to our global defense. Brig. Gen. Billy Mitchell said in 1935:

I believe in the future he who holds Alaska will hold the world, and I think it is the most strategic place in the world.

We must continue to fortify Alaska and build up our Nation's defenses in the north. But if Alaska, the cornerstone of our northern defense, is worth defending, is it not also worth developing? And how can it be developed fully without admission into the Union? The answer is simple: It cannot.

Why has the development of Alaska not already taken place? Listen to what a California Representative [Mr. Higby] said on July 7, 1868:

When the American people get hold or a country there is something about them which quickens, vitalizes, and energizes it * * *. Under Russian rule * * * Alaska has been useful only to a fur company * * *. Let American enterprise go there, and as if by electricity all that country will waken into life and possess values.

I repeat, Why has this new land not been vitalized and energized? In the first place, Congress has not responded to the needs of this Territory. For at least seventeen years, we provided no government and no laws to stabilize development. Even after Alaska was made an organized district, in 1884, it was powerless to create even a Territorial legislature, and it continued to flounder in a situation which found the laws of Oregon specially applicable to it—laws constructed upon the framework of organized, local, self-governing entities, counties and municipalities, which Alaska did not have. For 28 years Alaska did not even have any Federal laws pertaining to the disposition of public land; yet the Federal Government owned 100 percent of the land.

Finally, nearly three decades after Alaska's acquisition, Congress established an organized government. The Organic Act of 1912 permitted Alaskans to elect a legislature, to organize municipalities, and to begin to mould a Territorial cocoon, in the traditional sense. The Territory became an embryo State. Again, however, the Congress imposed stringent limitations on the power of the Territory; no law was to be passed interfering "with the primary disposal of the soil." Because, the Federal Government still owned about 100 percent of the soil, Alaskans therefore still had no means of accelerating the creation of a tax base, and no means of encouraging private enterprise to come to Alaska. The legislature could not grant any exclusive privilege or franchise without approval of Congress. It could not create county governments without affirmative action by Congress; and it could not create its own judicial system.

Notwithstanding these limitations, the first Territorial legislature met in 1913 in Alaska. It immediately memorialized Congress to help the Territory's development. This procedure has now continued for 45 years, and history continues to repeat itself. Examine with me some of the memorials of that first Alaskan legislature:

First. House Joint Memorial No. 4 of the Alaskan Legislature asked that the homestead laws be amended in their application to Alaska. Those laws, designed for the Midwest and the West, placed hardships on Alaska pioneers as they attempted to subdue the elements and carve out a new life in the climate of the north. Alaskans asked (1) that a small portion of the homestead—one-fortieth in the first 2 years, one-twentieth in the third, instead of one-sixteenth and one-eighth as in the States—need be reduced to cultivation; (2) that absence from the homestead for 6 months, instead of 5, in any one year, be permitted; (3) that the prior acquisition of a homestead elsewhere should not be a bar to filing for a homestead in Alaska; and (4) that a homestead entry be completed without a survey. This last request was particularly important, for the public land surveys had not been extended to Alaska, and the cost of private surveys was prohibitive.

It took 3 years to fulfill item 3, 5 years to accomplish item 4, both in Memorial No. 4. And no action has been taken to this day on either the first or second request in the same Memorial No. 4.

Second. House Joint Memorial No. 6 asked that the act of June 22, 1910, permitting agricultural entries on coal lands, be extended to Alaska. The request was never granted, but the act of March 8, 1922, achieved substantially the same result. That request, then, was almost fulfilled in 9 years.

Third. House Joint Memorial No. 14 asked that oil lands in Alaska be opened for development. They had all been withdrawn by Executive order in 1910. This request was partially fulfilled by the 1920 Mineral Leasing Act; it only took 7 years. Alaskans are still extremely conscious of the withdrawal question; about 92 million acres are withdrawn from entry today. Only recently, the Secretary of the Interior, Fred A. Seaton, started the procedure to open for mineral entry some 23 million acres above the Arctic Circle in Alaska.

Fourth. House Joint Memorial No. 15 informed the Congress of the limited area available for the extension and development of Juneau, the capital of Alaska, made the capital by act of Congress in 1912. The memorial pointed out that available areas could not be used for extension or development because they were not open to entry. These were the tidal areas, lands held in trust for the future State. All the legislature asked was that these lands be surveyed and made available to the city of Juneau on whatever terms and conditions the United States deemed desirable. When was this request fulfilled? This Congress—the 85th Congress—44 years later, by the act of September 7, 1957, provided a mechanism to make the lands available. As Senators recall, this act makes available for transfer to the Territory the so-called tidal flat areas adjacent to surveyed townsites.

Statehood for Alaska would have solved the Juneau problem immediately.

While the house side of this determined Alaskan Legislature was thus engaged, so, too, was the senate. There were further memorials:

Fifth. Senate Joint Memorial No. 1 of that 1913 Alaskan Legislature petitioned Congress to repeal the act of June 7, 1910. That act, applicable only to Alaska, gives adverse claimants an additional 8 months in which to make adverse applications for mineral entries in Alaska. The law has never been repealed.

Sixth. Senate Joint Memorial No. 9 asked that coal lands be opened for development. This request was promptly fulfilled by the Alaska Coal Leasing Act of 1914.

Seventh. Senate Joint Memorial No. 28 asked that assessment work requirements under the mining laws be modified with respect to Alaska. In lieu of performing assessment work, Alaskans sought the right to make a payment of $100 per claim to be used for road construction. Although the request has never been fulfilled, as late as the 84th Congress, H. R. 5554 was introduced to accomplish this purpose. The Department of the Interior offered no objection to H. R. 5554 in principle, but requested that the locator be required to comply with existing law for 5 years, after which the Alaskan suggestion should be followed. In Alaska, I might add, because of another act applicable only to Alaska, failure to perform assessment work on mining claims results in forfeiture of the claim; whereas in all of the States the claim is open to relocation but not forfeited. So a matter of particular importance to the economy of Alaska remains unresolved, despite the fact that Alaskans operate under a special statute

not applicable elsewhere under the American flag.

Of all these memorials, pertaining to lands development and subjects upon which the Territory was powerless to act, 1 was accomplished in 1 year, 1 in 7 years, 1 in 9 years, and 1 in 44 years. Others were partially fulfilled: 1 in 3 years and 1 in 5 years. Two have never been acted upon.

Eighth. The last of these memorials of that first Alaskan Legislature which I will discuss at this point is Senate Joint Memorial No. 17. This memorial requested congressional attention to the problems of mentally ill Alaskans; in particular it emphasized the need for mental hospitals in Alaska so that these people could be near their loved ones. The act of July 28, 1956—43 years later—responded to this request.

Lest I leave an impression apparently critical of the present Members of this body, let me endorse the following statement made by Secretary Seaton in a statement to the Interior and Insular Affairs Committee on March 26, 1957:

Members of the Senate and the House of Representatives deserve unqualified commendation for the long hours, the energy, and the careful thought which they devote to the problems of the Nation's Territories and island possessions.

* * * * *

To confirm my own impression on that point, I had a check made as to the volume of territorial legislation considered by Congress recently. No less than 59 separate bills handled by this Territories Subcommittee were enacted into law dring the last Congress; 30 of those laws (just over half) related solely to Alaska.

I do, however, hold the belief that many of these problems would not occupy the time of the Congress if Alaska were a State. If the issues were to be presented to the Congress in any event, we could do our part much more intelligently if Alaska had two Senators here to plead her causes.

On March 16, I also mentioned briefly our implied pledge of statehood to Alaska. That pledge is derived from the third article of the Treaty of Purchase, which provides:

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years; but if they should prefer to remain in the ceded territory, they, with the exemption of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion.

It is interesting that this wording is almost identical with that of article III of the Louisiana Purchase Treaty of 1803. For myself, I do not believe this language compels Congress to admit Alaska, but I do believe it was a solemn pledge that Alaska would be admitted into the Union. And how was the Louisiana Treaty interpreted? Let me read a statement made by Representative R. M. Johnson of Kentucky on January 14, 18—during debate upon the admission of the Territory of Orleans, which, of course, is Louisiana:

The 30th day of April 1803, the United States acquired the Territory of Louisiana, the Orleans being a part, by a convention entered into with France at Paris, which convention was ratified by the President of the United States and the Senate, and the Congress made provision for the purchase money. The people of the Orleans Territory have been incorporated into the Union by purchase and adoption, and are entitled to all the rights of American citizens. The third article of said treaty specifies—"That the inhabitants of Louisiana (the ceded territory) shall be incorporated into the Union of the United States." We are thus solemnly bound by compact to admit this Territory into the Union as a State, as soon as possible, consistent with the Constitution of the United States.

Representative John Rhea of Tennessee made the following observation in the same debate:

The United States, a sovereign, have power to purchase adjacent territory. If all the territory of Louisiana had been vacant and unsettled, and citizens of the United States had from time to time purchased lands therein, and settled themselves and families thereon, and in time became sufficiently numerous to form a State, on the ratio of representation, the Constitution of the United States has fully provided in that case for their admission into the Union. If they cannot be admitted into the Union, will the gentleman tell us what he would do with them? How he would dispose of them? How he would govern or manage them? He appears unwilling in that case to manage and govern them united in the social bands of friendly union; it remains then only for him to govern them under a despotic rod of iron in the hand of unrelenting tyranny from age to age. * * * They have heretofore told you, sir, and they now tell you again by their memorial that they pledge themselves, and do solemnly swear allegiance and fidelity to the Nation, and do consider themselves a part thereof; and shall not their solemn declaration be believed? Or shall a jaundiced jealousy forever prevent them from the enjoyment of the rights, advantages and immunities, so solemnly guaranteed to them? But if the objection of the gentleman could at anytime heretofore have had weight, it now comes too late. The United States have acted on the treaty; they have enacted two laws providing Territorial governments for the people of Orleans, and they are solemnly bound and pledged to progress with them until they do admit them into the Union on the footing of the original States.

Similar statements were made in 1820, during consideration of the admission of Missouri. For instance, Representative Johnson of Virginia said:

Another gentleman from New York (Mr. Wood) contended that the President and Senate had no right to negotiate the treaty by which Louisiana was ceded to the United States; no right to stipulate for the admission of a people residing beyond the limits of the United States into the union on a footing of equality with the original States. I understand that this treaty was submitted to the Congress of the United States; that it received the sanction of the House of Represenatives, as well as the President and Senate; that the constitutional powers of the Government to negotiate such a treaty were then brought into discussion, and the right denied by Messrs. Griswold, Pickering, and Dana, who warmly opposed the treaty. But, sir, it is enough to say to the gentleman, that he has made the discovery too late; that his protest for defect of title should have been earlier made. What is the situation of the people of Missouri? What has been the conduct of the Government of the United States? This country has been held for nearly 17 years. The people of the United States have been induced to migrate there in great numbers. The supreme law of the land guaranteed to them protection in the full and free enjoyment of their property. Land offices were established there, the public lands have been sold to them, and on terms very advantageous to the Government and people of the United States. Shall the Government, after deriving all the advantages which could result from this course of policy, say to the people that we purchased a defective title to this country; that we will take advantage of the defect in our own title, in order to impose hard and onerous conditions on you, as the price of your admission into the Union? Sir, shall the Government be permitted to do, with impunity, that which would crimson with blushes the cheeks of an individual?

Representative Pinckney of South Carolina said:

I have hitherto said nothing of the treaty, as I consider the rights of Missouri to rest on the Constitution so strongly, as not require the aid of the treaty. But I will, at the same time, say, that, if there was no right under the Constitution, the treaty, of itself, is sufficient, and fully so, to give it to her. Let us, however, shortly examine the treaty. The words are these: "The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted, as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities, of the citizens of the United States." Of these it is particularly observable, that, to leave no doubt on the mind of either of the Governments which formed it, or of any impartial man, so much pains are taken to secure to Louisiana all of the rights of the States of the American Union, a singular and uncommon surplusage is introduced into the article. Either of the words, "immunities," "rights," or "advantages," would have been, of itself, fully sufficient. Immunity means privilege, exemption, freedom; right means justice, just claim, privilege; advantage means convenience, gain, benefit, favorable to circumstances. If either word, therefore, is sufficient to give her a right to be placed on an equal footing with the other States, who shall doubt of her right, when you now find that your Government has solemnly pledged itself to bestow on, and guarantee to, Louisiana all the privileges, exemptions, and freedom, rights, immunities, and advantages, justice, just claims, conveniences, gains, benefits, and favorable circumstances, enjoyed by the other States?

The right of Alaska to eventual statehood cannot be denied. Why should we not act to grant her request immediately? First, we hear that Alaska is not contiguous to the rest of the United States. This is not a new argument. It is an outgrowth, no doubt, of the passionate attacks made upon any area not within the original United States seeking admission to the Union. Note, for instance, the assertion of Representative Josiah Quincy of Massachusetts on January 14, 1811, during the debate on the admission of Louisiana:

Mr. Speaker, * * * I am compelled to declare it as my deliberate opinion, that, if this bill passes, the bonds of this Union are virtually dissolved; that the States which compose it are free from their moral obligations, and that as it will be the right of all, so it will be the duty of some, to prepare definitely for a separation—amicably if they can, violently if they must.

We find it hard to believe in this day and age that such things could have been

said about the admission of the State of Louisiana into the Union.

Mr. Quincy was ruled out of order for that comment, later described as the "first threat of secession" in the Congress. Why did he make the threat? Listen again to his own words as he explained:

I think there can be no more satisfactory evidence adduced or required of the first part of the position, that the terms "new States" did intend new political sovereignties within the limits of the old United States. For it is here shown, that the creation of such States, within the territorial limits fixed by the treaty of 1783, had been contemplated; that the old Congress itself expressly asserts that the new Constitution gave the power for that object; that the nature of the old ordinance required such a power, for the purpose of carrying its provisions into effect, and that it has been, from the time of the adoption of the Federal Constitution, unto this hour, applied exclusively to the admission of States within the limits of the old United States, and was never attempted to be extended to any other object.

As he continued his argument, Representative Quincy's statement sounded strangely like some of the speeches made in the House a few weeks ago when the Alaska bill was debated:

This is not so much a question concerning the exercise of sovereignty, as it is who shall be sovereign. Whether the proprietors of the good old United States shall manage their own affairs in their own way; or whether they, and their Constitution, and their political rights shall be trampled under foot by foreigners introduced through a breach of the Constitution. The proportion of the political weight of each sovereign State constituting this Union depends upon the number of the States which have a voice under the compact. This number the Constitution permits us to multiply at pleasure, within the limits of the original United States, observing only the expressed limitations in the Constitution. But when in order to increase your power of augmenting this number you pass the old limits, you are guilty of a violation of the Constitution in a fundamental point; and in one also which is totally inconsistent with the intent of the contract and the safety of the States which established the association.

Furthermore, said Representative Quincy, the people of "New Orleans, or of Louisiana, never have been, and by the mode proposed never will be citizens of the United States."

Louisiana was, nevertheless, admitted in 1812. The problem of land outside the original United States was solved. Why then must contiguity be raised now against Alaska? This was a strong argument against the purchase of Alaska, yet we completed the acquisition. Why? Because arguments, such as the one made by Representative Godlove Orth of Indiana in 1868, are as valid today as they were then. Representative Orth said:

The gentleman from Ohio [Mr. Shellabarger] * * * has stated as his principal objection that the Territory of Alaska is not contiguous to the United States; that by this acquisition we are entering upon a new and untried experiment; that hitherto our acquisitions have been of territory contiguous to our own; that the strength of a nation depends upon its compactness, and that we weaken ourselves by acquiring territory lying beyond our own possessions. I cannot see the force of this objection. It is true that some 500 miles of ocean travel lie between the northern limits of the United States and the southern boundary of Alaska, but has that gentleman or has this House forgotten that upon our acquisition of California, although the territory was contiguous, so to speak, to our own, yet we were separated from it by the almost impassable barriers of the Rocky Mountains, and that our early emigrants and adventurers sought homes in that new acquisition by way of the Isthmus of Panama, through foreign territory, or else by doubling Cape Horn and incurring the perils of a sea voyage of thousands of miles?

The Senators from Oregon can be thankful that arguments such as that made by Senator Dickerson of New Jersey in 1825 did not prevail:

But is this Territory of Oregon ever to become a State, a member of this Union? Never. The Union is already too extensive, and we must make 3 or 4 new States from the Territories already formed.

The distance from the mouth of the Columbia to the mouth of the Missouri is 3,555 miles; from Washington to the mouth of the Missouri is 1,160 miles, making the whole distance from Washington to the mouth of the Columbia River 4,703 miles, but say 4,650 miles. The distance, therefore, that a Member of Congress of this State of Oregon would be obliged to travel in coming to the seat of government and returning home would be 9,300 miles. This, at the rate of $8 for every 20 miles, would make his traveling expenses amount to $3,720.

Every Member of Congress ought to see his constituents once a year. This is already very difficult for those in the most remote parts of the Union. At the rate which the Members of Congress travel according to law—that is, 20 miles per day—it would require to come to the seat of government from Oregon and return, 465 days; and if he should lie by for Sundays, say 66, it would require 531 days. But if he should travel at the rate of 30 miles per day, it would require 306 days. Allow for Sundays 44, it would amount to 350 days. This would allow the Member a fortnight to rest himself at Washington before he should commence his journey home. This rate of traveling would be a hard duty, as a greater part of the way is exceedingly bad, and a portion of it over rugged mountains, where Lewis and Clark found several feet of snow in the latter part of June. Yet a young, able-bodied Senator might travel from Oregon to Washington and back once a year; but he could do nothing else. It would be more expeditious, however, to come by water around Cape Horn, or to pass through Bering Strait, round the north coast of this continent to Baffins Bay, thence through Davis Strait to the Atlantic, and so on to Washington. It is true this passage is not yet discovered, except upon our maps, but it will be as soon as Oregon shall be a State.

We come to another argument: Do the people of Alaska want statehood? This has been a perennial question, and I might add a good one. The first known tests of statehood are spelled out in the Senate records on the admission of Kentucky, where, on January 7, 1791, it was asserted that it was the "declared will of (the) people to be an independent State" and that the people of Kentucky were "warmly devoted to the American Union."

How have Alaskans declared their feelings? In 1946, by a referendum, Alaskans voted 9,630 to 6,822—approximately 3 to 2—for statehood. In 1956, the Alaskans ratified their constitution, which was a part of the statehood program, by a vote of 17,447 to 8,180, or 2 to 1. If this is not a sufficient expression, the bill before us requires a vote, on a separate ballot, on the question: "Shall Alaska immediately be admitted into the Union as a State?"

Let me set forth some of the votes on constitutions of existing States as they were admitted. Iowans, in 1846, ratified their constitution by a vote of 9,442 to 9,036, a difference of 406 votes; Nebraskans by a vote of 3,998 to 3,898, a difference of 100 votes; Wisconsin voted 16,442 to 6,149; and Arizonians, on their first constitution, 12,187 to 3,822. Certainly no set pattern of votes has been required, and Alaska's 2-to-1 vote seems quite sufficient to me.

There has also been a great discussion about Alaska's population and its sufficiency. The report of the Interior Committee estimated Alaska's population to be 212,500; Time magazine on June 9, 1958, estimated 213,000; some assertions were made in the other body that the population is only 160,000; and I have heard estimates of Alaskans that their population is between 225,000 and 250,000. Of course, we all know Alaskans are somewhat akin to Texans, so we can expect a little variation. When Arizona sought admission Representative Klepper, of Missouri, pointed out similar variations:

The governor's report only claims for Arizona 140,000 people, while Mr. Rodey, ex-Delegate from New Mexico, admits she has 175,000 population, and the last census gives to her 122,931.

Phineas W. Hitchcock, Senator from Nebraska, argued, on February 24, 1875, during consideration of Colorado statehood bill:

There is, I apprehend, and can be but one possible objection and but one possible question to be considered and but one point upon which opposition can be made to the present admission of Colorado. That question is in regard to her present population. Upon that point the Committee on Territories believe from the best information which they were able to obtain that Colorado today contains a population of 150,000. * * * Of course, this must be based to a great extent upon statistics and estimates, as no official and formal census of the Territory has been taken for the last 5 years. The population of the Territory by the census of 1870 was about 40,000.

* * * * * *

Twenty-one States have been admitted as States which had at the time of their admission a greater population than Colorado now has, and these Territories were Michigan and Wisconsin, each of them having, I think, a population of about 200,000; Minnesota having a population of about the same amount that Colorado now has, and the others, such States as Illinois and Ohio, having only about one-third the population which Colorado now has.

A rigid percentage of the total United States population has never been a test of statehood, but the sufficiency of the population in each Territory has been inquired into thoroughly. Note, for instance, the comments of Representative Reid, of Arkansas, in 1906 during the debates on statehood for Oklahoma, Arizona, and New Mexico:

Under the ordinance of 1787, which I insist is today an implied contract, in good

faith, binding upon the Union, and these people in all these Territories have the right to make its terms in their behalf, 60,000 free inhabitants was all that was necessary. Nothing was said about area, whether small or large, or wealth and resources, whether great or small. But you say the ratio of representation has increased. I deny that this has ever been made the test. Twenty-five States were admitted, beginning with Vermont in 1791 and coming on down to Colorado in 1876, and Maine and Kansas were the only ones that had 100,000 people. From 1836 to 1837 the ratio of representation was 47,700. Arkansas was admitted with 25,000 people, and let me call the attention of the gentleman from Michigan to the fact that his own State came in, and came in as a matter of right, with only 31,000 people.

From 1845 to 1848, when the ratio was 70-600, Florida was admitted with only 28,700, Iowa with 43,000, and Wisconsin with 30,000. In 1858, with a census ratio of 93,500, Minnesota came in with 7,000 and Oregon with 13,200. With a ratio of 127,000, Nebraska came in with 28,800 and Colorado with 39,000.

"But times have changed," is the argument we hear from those who oppose Alaska. Do we want Alaska's population to nullify the will of California's 14 million people, of Illinois' 10 million, of Georgia's 4 million people—that is the query repeated again and again. It is not new. In 1907 Representative Payne, of New York, said:

Gentlemen plead for justice for the people of Arizona. I believe in the greatest good for the greatest number. There are 100,000 people in Arizona, but there are 80 million people in the balance of the United States. I plead for the rights of the 8 million people in the State of New York, represented in the Senate of the United States by 2 Senators, and I am unwilling that the people of Arizona, with her 100,000 people, shall have an equal representation in the United States Senate. * * *

And in 1911, Senator Root, of New York, posed the question in this fashion:

But, sir, Arizona is now a Territory. She has not the right of local self-government. We are engaged in determining the conditions upon which we shall give her that right. We are engaged in determining the conditions upon which that 200,000 people, who at her election cast 16,009 votes upon the adoption of her constitution, shall send to this Senate as many Senators with as great a voice and as effective a vote as the 9 million people of the State of New York, the 7 million people of the State of Pennsylvania, the 5 million people of the State of Illinois, and the 4 million people of the State of Ohio.

In 1906, Representative Adams, of Wisconsin, answered these arguments in this fashion:

What is the basis of the statement of the gentleman from Pennsylvania that in this question there is to be considered on one side the interest of 80 million people and on the other side the interests of less than 200,000 in the Territory of Arizona? * * * Have the people of Arizona any interests that are not common to the people of the United States? Does the gentleman from Pennsylvania expect that in the event Arizona becomes a State her 2 Senators will swoop down upon the 90 other Senators and make a successful assault upon righteous law and just government? * * * Does he imagine that the men who own the hundreds of millions of property now being developed in Arizona through the best forms of American genius and the best examples of American industry, who have built up a civilization there which would be a credit to any State upon the globe, who have the same devotion to the Constitution of the United States and its flag as the people of any other State, will suddenly, upon the admission of Arizona, reverse the principles of their lives and the order of their action and become a menace to the Nation?

Of the 17 States admitted into the Union since Lincoln took office, only 6 had more population than Alaska has today. The others—Arizona, North Dakota, Minnesota, Kansas, Colorado, Montana, Nebraska, Idaho, Wyoming, Oregon, and Nevada—had less population than that of Alaska. Even in terms of percentage of the population at the time when each State was admitted, Alaska qualifies. Secretary Seaton recently stated his position on this matter in no uncertain terms:

Not once, but three times, the Congress of the United States has granted statehood to territories with no greater percentage of the total population than Alaska now has.

Not once, but 11 times, the Congress of the United States has granted statehood to Territories with no greater actual population than Alaska has now.

Not once, but 17 times, the Congress of the United States has granted senatorial representation to Territories far in excess of what a mere population count would warrant. And remember, the Constitution of the United States expressly negates consideration of population as a measure of senatorial membership.

The Senators and Representatives who thus voted time and again for the entry of new States were not content with the status quo or with a narrow defense of their own States' prerogatives. They were ranging themselves squarely on the side of the future of this country. And their faith in the growth of the United States in the past century has been amply vindicated.

For my own part, Mr. President, I believe this issue was settled in the Constitutional Convention. My State or the State with the smallest population—Nevada has as much right to representation here as do any of the States with larger populations. Those who argue percentage figures in relation to representation in the Senate are arguing with our Founding Fathers; the decision from which they are appealing from was made in 1787.

Mr. CHURCH. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am very happy to yield.

Mr. CHURCH. First, I wish to commend my good friend and colleague, the Senator from Colorado, for making so scholarly an address on the subject of statehood.

I should like to commend him especially for bringing home a point which cannot be overemphasized, namely, the point with respect to the question of population and the right of representation in Congress.

I agree with the Senator from Colorado that the formula governing the representation of States in the Congress was settled at the Constitutional Convention. It was perhaps the most difficult question which confronted the delegates to that convention.

But the formula has worked well for the country for all the years from the time when Washington first took office as President. The constitutional concept is that the Senate is a House of States. It does not matter what may be the comparative populations of the various States. Today they are as different—as between the State of New York and the State of Nevada—as any difference which may be shown to exist between the population of any of the present States and the population of the Territory of Alaska.

Mr. ALLOTT. Mr. President, the Senator from Idaho is entirely correct.

Mr. CHURCH. Does not the Senator from Colorado also agree with me that under the historic formula which is embodied in the Constitution, the people are to be represented by their numbers in the House of Representatives, and by their States in the Senate?

Mr. ALLOTT. That is entirely correct, and I thank the Senator from Idaho for his remarks.

Mr. President, the matters I have been discussing this afternoon tend, I believe, to place the whole question in a position where it can be viewed with complete impartiality.

I am particularly impressed by the question asked in 1906 by Representative Adams, of Wisconsin, when he was discussing the proposed admission of Arizona as a State, namely:

Does the gentleman from Pennsylvania expect that in the event Arizona becomes a State, her 2 Senators will swoop down upon the 90 other Senators and make a successful assault upon righteous law and just government?

I believe that question makes one of the most pertinent points ever made in this field.

Mr. CHURCH. I certainly concur.

I should like to add that I cannot understand the argument that the admission of Alaska to statehood will, somehow, give overrepresentation to the 225,000 persons who now live in Alaska. Would those who make that argument have us believe that overrepresentation is better than no representation at all?

Today, Alaska has no representation at all. She does not have even one voting delegate in the House of Representatives, she does not have even one Senator on this floor, to vote for Alaska.

Although Alaska is taxed, although the Congress exercises all the prerogatives of government over Alaska, the United States does not grant the people of Alaska any voting representation in the Halls of Congress.

So I am not influenced by the argument that statehood will mean overrepresentation for Alaska. Statehood means representation in accordance with the historic formula which has served our Nation well, under the Constitution of the United States; and the granting of statehood to Alaska will put an end to the entire lack of representation that does violence to the fundamental concepts of democracy.

Mr. President, I wish to congratulate the Senator from Colorado upon the splendid address he is making.

Mr. ALLOTT. I thank the Senator from Idaho.

Mr. President, let me say that I agree that when one thinks about the subject, it is natural to have a reaction against such situations as have been referred to; and an expansion of one's mental horizon is accomplished when the matter is studied and when one realizes that the time has come when no longer can statehood be denied to this great Territory, which, with its abundant natural resources, constitutes a great bulwark for our country. Certainly, the Congress can no longer continue to deny statehood to Alaska.

Mr. President, statehood was predicted for Alaska as early as 1906. In that year Senator Nelson said:

I have no doubt in the years to come, in the years of my grandchildren perhaps, even Alaska will come here asking for admission into the Union, not as a single State, but perhaps as three States. The coastline, the Aleutian Archipelago, and the archipelago along the British boundary, and the south shore, or southern Alaska, as it is called, will no doubt some day come knocking at the doors of Congress for admission as a State; then the great interior of that country, the great Yukon and Tanana and Koyukuk Valleys will come to Congress and ask for admission as a State; and by and by Seward Peninsula, with its 30,000 square miles, with its endless amount of gold-bearing creeks and the country beyond that will be knocking at the doors of Congress. If we who are now in this chamber could look down upon this world of ours 100 years hence I have no doubt that we would find 3 States in this Union from what now constitutes a portion of the Territory of Alaska.

Mr. President, I have quoted freely from past debates. I am certain that many of my distinguished colleagues recall a similar exposition presented to this body by Senator Seaton of Nebraska, on February 20, 1952. Mr. President, I ask that Senator Seaton's speech be included in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. ALLOTT. Mr. President, the Nation's pulse is quickening on this issue of statehood. Every national magazine, it seems, has devoted considerable space to setting forth the issues. Editorials pour into each of our offices daily. The vast majority urge immediate action on the statehood questions. These have raised Alaska's hopes of affirmative action by this Congress on her plea for statehood. As a distinguished Alaskan recently said: "Alaskans live on hope, and we can afford to, because we have faith in the future."

This was implicit in the feeling expressed by Samuel C. Dunham, in a short verse, part of which was reproduced by Time magazine in its fine article about Alaska's vibrant young Governor, Mike Stepovich:

ALASKA TO UNCLE SAM

Sitting on my greatest glacier
With my feet in Bering Sea
I am thinking, cold and lonely
Of the way you've treated me.
Three-and-thirty years of silence!
Through ten thousand sleepless nights
I've been praying for your coming—
For the dawn of civil rights.
When you took me, young and trusting
From the growling Russian bear,
Loud you swore before the nations
I should have the the Eagle's care.
Never yet has wing of eagle
Cast a shadow on my peaks,
But I've watched the flight of buzzards
And I've felt their busy beaks.

I'm a full-grown, proud souled woman,
And I'm getting tired and sick—
Wearing all the cast-off garments
Of your body politic.
If you'll give me your permission,
I will make some wholesome laws
That will suit my hard conditions
And promote your country's cause.

You will wake a sleeping empire,
Stretching southward from the Pole
To the headlands where the waters
Of your western ocean roll.
Then will rise a mighty people
From the travail of the years,
Whom with pride you'll call your children—
Offspring of my pioneers.

Mr. President, Mr. Dunham composed this verse in 1900, 33 years after the purchase of Alaska. The 33 years of silence has now lengthened to 91 long years. It is appalling to think that this poem, if written today, could read that Alaska has now awaited the fulfillment of our 1867 pledge for 91 years and through more than 33,000 sleepless nights.

Let us give support to Alaska's faith in the future; let us show to the world that America practices what she preaches; and let us again reaffirm the stand taken 35 times before. Each new State has enhanced the position of the Union. As this Nation increases in size, so will the greatness of each State, large or small. In the words of Senator Charles Sumner's address to the Senate in the Fortieth Congress urging ratification of the Treaty of Purchase:

There are few anywhere who could hear of a considerable accession of territory, obtained peaceefully and honestly, without a pride of country. * * * With an increased size on the map there is an increased consciousness of strength and the citizen throbs anew as he traces the extending line.

The same pride of country all Americans will feel, I believe, upon the entry of the State of Alaska into the Union. And, as Senator Sumner said in closing his address, in 1867, for Alaska:

Your best work and most important endowment will be the republican government, which looking to a long future, you will organize, with school free to all and with equal laws, before which every citizen will stand erect in the consciousness of manhood. Here will be a motive power, without which coal itself will be insufficient. Here will be a source of wealth more inexhaustible than any fisheries. Bestow such a government, and you will bestow what is better than all you can receive whether quintals of fish, sands of gold, choicest fur or most beautiful ivory.

EXHIBIT A

[From the CONGRESSIONAL RECORD for February 20, 1952, pp. 1194–1198]

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (S. 50) to provide for the admission of Alaska into the Union.

Mr. SEATON. Mr. President, I understand there is a tradition in the Senate that a freshman Senator should be seen but not heard. Because of the fact that I do not expect to be here for a full year, Mr. President, I beg your indulgence to speak today; otherwise I may be forever foreclosed from addressing this body.

Mr. President, the old adage "There is nothing new under the sun" could hardly be truer than in its application to the objections we hear to statehood for Alaska.

The same type of objections were made against practically every Territory which ever applied for admission as a State. Experience has proved the objections false. California, Oregon, Wyoming, Arizona, Nebraska, and the others have gone on to become perfectly respectable and self-sufficient States despite the cries which were raised against them in earlier sessions of Congress. Each is a credit to itself and to the Union.

It is difficult to believe now that, when California's admission was under consideration a little over 100 years ago, Senator Daniel Webster could have said:

"What can we do with a western coast? A coast of 3,000 miles, rockbound, cheerless, uninviting, and not a harbor on it. I will never vote 1 cent from the Public Treasury to place the Pacific Ocean 1 inch nearer Boston than it is now."

I am sure some of the dreadful things we have been hearing about Alaska will be as hard to credit 100 years from now, when she is a prosperous and populous State, as are today the harsh words of the old Senator from Massachusetts.

Let me refer to what happened when my own State of Nebraska was seeking admission into the Union. The case for Alaska today is fully as strong, from the standpoint of population, of prevailing sentiment in favor of statehood, of resources and of record of accomplishment under a Territorial status, as was that of Nebraska when she was seeking admission.

A bill to enable the people of Nebraska to form a constitution and State government, and for the admission of such State into the Union, was introduced in the House of Representatives early in the first session of the 38th Congress in 1864.

When the bill was reported by the House Committee on Territories, Representative Cox moved an amendment which read:

"*Provided,* That the said Territory shall not be admitted as a State until Congress shall be satisfied by a census taken under authority of law that the population of said Territory shall be equal to that required as the ratio of one Member of Congress under the present apportionment."

The amendment was defeated on a yea and nay vote by 72 to 43, and the bill was then passed by a voice vote.

In the Senate, the bill was sponsored by Senator Wade, of Ohio, chairman of the Committee on Territories. Senator Trumbull, of Illinois, raised the question that there were not enough people to justify statehood, stating that he was informed the population was between 20,000 and 30,000, and adding: "The number of inhabitants necessary to send a Representative to the Congress of the United States is about 125,000." Senator Davis said it was 127,000, and added that the population of Nebraska at that time was twenty-eight thousand and a fraction.

Senator Foster, of Connecticut, also objected to the bill saying:

"If 25,000 people in that far-off region are desirous of paying the expenses and bearing the burden of a State government, it seems to me wonderful. I should like very much to know how many of the population of that Territory have asked to be made a State. For one, I should not wish to impose upon them the burden of a State government without their asking for it. It will make taxation very heavy to sustain a State government there."

To these objections Senator Wade replied:

"The first objection of the Senator from Illinois is that the population of Nebraska is not sufficient; that there ought to be pop-

ulation enough there for a representation in the House of Representatives. That has never been the rule in the organization of these Territories. I hardly know of one that has been admitted that had population enough at the time of admission to demand a representation in the House of Representatives under the apportionment. Some of them may have had sufficient population but they were very few. Why, sir, Florida existed as a State for a great many years before it had sufficient population to entitle it to representation. * * * You may take Florida, Arkansas, and Texas, and not one of them had the population requisite to entitle a State to a Representative. Texas had two Representatives assigned to her when she had nothing like population enough to entitle her to one.

"The next objection is that we are about to impose a State government on a people against their will. I should be as much opposed to that, sir, as the gentleman from Connecticut. He demands of me to know whether it is the wish of the people to be enabled to form a State government. That is the purpose of this bill. It is only to enable the people there, if they see fit, to meet in convention and determine either to have a State government or not."

Adverting to another objection by Senator Foster, Senator Wade continued:

"The Senator is afraid that we shall burden them with the expenses of carrying on a State government. I do not believe they would thank the gentleman for that kind advice. I have no doubt they are able to take care of their own concerns; they are intelligent; they do not want any counsel on that subject from without. If they do not want a State government they are not obliged to have it. The bill only enables them to have it if they want it. Then that objection falls to the ground."

It is interesting to note that the above-quoted remarks on population were the only ones in the Senate debate. The bill came up on April 12, 1864, and was passed by a voice vote.

When the constitutional convention had been held, a bill to admit Nebraska was introduced in the next Congress. It came up in the Senate in July 1866. In response to Senator Sumner's question as to the size of the population, Senator Wade replied:

"I am assured by gentlemen who have been there and know all about it that the population cannot now be less than 60,000."

He added:

"The Territory is settling up with unprecedented rapidity; settlers are going in there very fast, as I am informed and believe. * * * I do not suppose that any extended argument need be made on this subject, because * * * when the people think themselves capable of carrying on a State government, when they feel that they would like to have the control of their own affairs in their own hands; it has been the policy of the Government to grant them that privilege * * * and certainly when the intelligent people of the United States residing in a Territory anywhere have deliberately made up their minds that they are wealthy enough and numerous enough to set up for themselves, their decision ought to be respected."

Senator Johnson, of Maryland, asked what was the majority in the State that voted for the constitution; and to that question Senator Wade replied: "About 150, I think."

Senator Sumner then said:

"The Senator from Ohio tells us that the majority of the people in favor of the State government was about 150. Sir, it is by such a slender, slim majority out of 8,000 voters that you are now called to invest this Territory with the powers and prerogatives of a State."

Actually, Senator Wade had overstated even this small majority; for subsequently in the debate appears the official certificate of the election from Gov. Alvin Saunders, of the Territory of Nebraska, saying that at the election authorizing the people to vote for or against the adoption of a State constitution for Nebraska, the vote for the constitution was 3,938 and the vote against was 3,838—a majority of 100 votes in favor of the constitution, out of a total vote of 7,776.

Senator Sumner continued:

"I think the smallness of that majority is an argument against any action on your part; but if you go behind that small majority and look at the number of voters, it seems to me that the argument still increases, for the Senator tells us there were but 8,000 voters.

"Sir, the question is, Will you invest these 8,000 voters with the same powers and prerogatives in this Chamber which are now enjoyed by New York and Pennsylvania and other States of this Union? I think the argument on that head is unanswerable. It would be unreasonable for you to invest them with those powers and prerogatives at this time."

It is interesting to note that the subsequent debate brought out the fact that two companies of soldiers from Iowa, who were not eligible to vote, had voted, and that there was much discussion of the fact that the total vote was small and the margin by which the constitution had been voted infinitesimal; that it was beclouded by charges of illegal voting.

Senator Cowan, of Pennsylvania, speaking in opposition, said:

"There are fewer people in the State of Nebraska today than there are in the county which I inhabit in Pennsylvania. Is it fair that their Senators, representing some 60,000 of 70,000 people, shall weigh as much as the three and a half millions of Pennsylvanians do?"

Senator Hendricks, of Indiana, likewise was opposed on the ground that the denial of the suffrage to colored men was a violation of the act to provide a republican form of government, and that the 100-vote margin by which the constitution was accepted was tainted with fraud. He declared his complete opposition to the proposal for Nebraska statehood.

Thereupon, Senator Brown, of Missouri, proposed an amendment that the act to admit Nebraska could not take effect until there had been held in Nebraska an election at which the voters could express their assent or dissent from the proposition to deny the franchise by reason of race or color.

Several other amendments having as their objectives the elimination of discrimination against color in the Nebraska constitution were proposed, but all of them were defeated.

Finally an amendment was presented by Senator Edmunds, of Vermont. It read as follows:

"And be it further enacted, That this act shall take effect with the fundamental and perpetuate condition that, within said State of Nebraska there shall be no abridgement, or denial, of the exercise of the elective franchise, or of any other right to any person by reason of race or color, excepting Indians not taxed."

The amendment was first defeated by a tie vote of 18 to 18, with 16 absent; but later the amendment was brought up again, and was adopted by a vote of 20 to 18.

Meanwhile, there had come to the Senate reports from members of the legislature that the constitution, instead of being adopted by a majority of 100 votes, had in fact been rejected by 48 votes.

Senator Buckalew further charged that an Indian agent who had been in the State only 4 months not only had voted himself, but had cast the illegal votes of 18 half-breed Indians under his control. He pointed out that 6 months' residence was required and that Indians were also not qualified electors.

These frauds, he pointed out, were on top of the illegal voting of the Iowa soldiers previously referred to, of whom 134 had voted for the constitution and 24 against; and he said they were disqualified not only on the ground of being nonresidents but also because the organic act of the Nebraska Territory provided that "no soldier shall be allowed to vote in said Territory by reason of being in service therein."

The bill nevertheless passed the Senate by a vote of 24 to 15.

The reasons for this favorable Senate verdict, despite the smallness of the Nebraska vote in favor of the constitution, despite the smallness of the total population, despite the cloud which hung over the verdict because of alleged frauds, and despite the issue that had been raised over the discriminations against people because of their color, may be found in the arguments of a number of Senators who pushed the case against the condition of territoriality, as follows:

Senator Howard, of Michigan, said:

"I hope that the condition of vassalage, that inconvenient territorial condition, of which every man who has resided in a Territory any length of time will have seen great reason to complain, will now be removed, and that this intelligent, this enterprising community of pioneers will be relieved from these inconveniences and admitted to a full and complete fellowship as one of the sister States of the Union. I dislike territorial government; it is the most degrading, it is the most inconvenient, and it is the most corrupting and embarrassing of all governments upon the face of the earth."

Much the same thought was expressed in the debate by Senator Sherman, of Ohio, who said:

"I know very well that a Territorial government in a rapidly growing community like Nebraska is a great burden, irritating constantly. Their governor is appointed by the President. He may not have any sympathy with them, although I believe as to the Governor of Nebraska, he is in hearty sympathy with the people there; but he may not be. * * * He is their governor by no vote or voice of theirs. This state of affairs is always unpleasant to a people. They like to have the choice of their own governor. * * * Their judges are appointed by the President. * * * The people of the Territory elect only the legislative government. They have not their benefit of the share of public lands.

"Is there any reason why we should continue these people under this kind of pupilage; why, we should keep them under this kind of burden, unpleasant, irritating, depending upon the President of the United States for their executive authority, upon judges appointed by him for the administration of their laws, without any opportunity to improve their Territory? Is it right, or just, that for any slight reason we should keep them in that condition? It is always the case that these new communities rapidly seek to get out of the state of pupilage or Territorial state into the government of their own affairs. It is natural that they should do so. It seems to me that this Territory has now within itself all the elements necessary to enable its people to assume their own government. They have a hardy population; they have every advantage that we have. Why not, therefore, let them enter into the race of progress? Until this Territory is admitted as a State they cannot progress rapidly, no encouragement can be held out to them. * * *

"Mr. President, is it not the interest of the United States to form as soon as possible all these infant Territories into States What object can the United States have in holding any portion of the territory of the United States in a condition where it must be governed by executive laws or executive influence? None whatever."

Senator Sherman concluded.

These moving arguments are what persuaded the Senate to vote to admit Nebraska. The House, however, did not concur in the amendment of Senator Edmunds, but proposed a substitute which would leave the question of discrimination against colored people to a future action of the State legislature. The Senate agreed to the amendment.

Nebraska was now admitted to statehood, subject to the approval of the President. However, President Johnson vetoed the bill.

He vetoed it on the ground, he wrote, that Congress had no right to prescribe the conditions of franchise to a State, and that the matter of acceptance of Congress' terms should be left to the people, rather than to the legislature. As a further reason for veto, he stated that the majority of 100 in a total vote of 7,776 could not, "in consequence of frauds" alleged, "be received as a fair expression of the wishes of the people."

President Johnson's unpopularity caused his veto to be overridden by a vote much greater than that by which the bill had passed, namely, 31 to 9 in the Senate and 120 to 43 in the House.

Mr. President, it was under these inauspicious circumstances that my own State entered the Union. That the circumstances were not unique, and that they certainly are not unique to Alaska, can be demonstrated by referring to what happened in the case of Oregon, now one of our most favorably known States.

When the bill to admit Oregon came up for a second time on May 5, 1858, the Congress having previously passed a bill for an enabling act to authorize the people of Oregon Territory to form a constitutional government, Senator William H. Seward, of New York, spoke as follows:

"They are 2,000 miles from the center. It is not a good thing to retain provinces or colonies in dependence on the Central Government and in an inferior condition a day or an hour beyond the time when they are capable of self-government. The longer the process of pupilage, the greater is the effect which Federal patronage and Federal influence has upon the people of such a community. I believe the people of Oregon are as well prepared to govern themselves as any people of any new State which can come into the Union.

"I do not think the matter of numbers is of importance here. The numbers are estimated at 80,000. The present ratio of representation is 93,420, * * * but I shall never consent to establish for my own government any arbitrary rule with regard to the number of population of a State. I can imagine States which I would not admit with a million of people, and I can imagine those which I would admit with 50,000. * * * I shall vote for the bill."

Subsequently in the debate, Senator Douglas, of Illinois, discussing the question of population, had this to say:

"Now, one word as to population. I do not think there are 93,423 people in Oregon—the number required, according to the existing ratio, for a Member of Congress. I think it ought to be a general rule for the admission of States to require that number. * * * I brought in this year such a proposition with a view to apply it to all Territories. I was willing to apply it to Kansas now, and to Oregon, if we applied to Kansas. * * * But, sir, here are two inchoate States which have proceeded to make a constitution and take the preliminary steps for admission into the Union. You have agreed to receive one with less than the population required, and it has the smaller population of the two. Now, the question is, Shall we, after having agreed to admit Kansas with—say 40,000—refuse to admit Oregon with 55,000, as I think she has, or with 80,000, as her delegate estimates? I think it is a discrimination that we ought not to make."

Senator Mason, of Virginia, said this:

"Well, where are we to stand if States are to be admitted into this Union without reference to this population. Each State must of necessity have one Representative, at least, in the other House, and two here. You then have a vote of three in the joint legislation of the country against the half of one vote in one of the States which is properly entitled by its population to representation in the two Houses. It is unfair, unequal, and unjust; it is destroying the equilibrium of our institution."

However, Senator Green, of Missouri, a member of the committee which reported the bill, took issue with Senator Mason. He said:

"Is Oregon to come in as a sister in this Republic? She fancies herself capable of sustaining a State government. We see, by clear, moral evidence, satisfactory to anyone who will investigate the subject, that she has at this time about 80,000 inhabitants. We see a train of circumstances directing population to that Territory. We have a reasonable ground of expectation that even before next December there will be more than 100,000 people there. Why, then, should Oregon be kept out of the Union? By the admission of her as a State, we save the Federal Government from all the expenses of maintaining her Territorial organization. If she is willing to take upon herself the organic form of a State, and bear the burdens of a State, why not allow her to do so? Consider her great distance from you, and the uncertainty of communication. Is it to be a mere dependency of the Federal Government? Must it always look to the Federal head, and that Federal head more than 2,500 miles distant? * * * I believe it to be good policy for the Federal Government, and I believe it will be to the advantage and development, and growth and increase of Oregon as a State. While they feel dependent they do not exert themselves. It is a constant tax on the Federal Government to pay for governors, legislative councils, legislative assemblies, courts of justice, grand juries, and prosecuting attorneys. Why not save ourselves from all that expense, when we know it does not endanger the existence of the State to acknowledge her independence?"

It seems to me that those words are very prophetic today.

The final speech on the bill was, again, by Senator Seward of New York, who, later as Secretary of State, was instrumental in bringing Alaska under the American flag. In his final argument, which was peculiarly pertinent to the admission of the Territory of Alaska into the Union as a State, he said:

"In coming to this conclusion (to support the admission of Oregon as a State), I am determined by the fact, that, geographically and politically, the region of country which is occupied by the present Territory of Oregon is indispensable to the completion and rounding off of this Republic. Every man sees it, and every man knows it. * * * There is no Member of the Senate or of the House of Representatives, and, probably, no man in the United States who would be willing to see it lopped off, fall into the Pacific or into the possession of Russia or under the control of any other power; but every man, woman, and child knows that it is just as essential to the completion of this Republic as is the State of New York, or as is the State of Louisiana, on the Mississippi. It cost us too much to get it, we have nursed and cherished it too long, not to know and feel that it is an essential part. * * *

"Well, then, she is to be admitted at some time, and inasmuch as she is to be admitted at all events, and is to be admitted at some time, it is only a question of time whether you will admit her today, or admit her 6 months hence, or admit her a year or 7 years hence. What objection is there to her being admitted now? You say she has not 100,000 people. What of that? She will have 100,000 people in a very short time. * * *

"For one, sir, I think that the sooner a Territory emerges from its provincial condition the better; the sooner the people are left to manage their own affairs, and are admitted to participation in the responsibilities of this Government, the stronger and the more vigorous the States which those people form will be. I trust, therefore, that the question will be taken, and that the State may be admitted without further delay."

The vote being taken, Oregon, although lacking the requisite population, was admitted by a vote of 35 to 17.

There is yet another case I should like to mention. In Wyoming, the State so ably represented here in part by the distinguished Senator who is chairman of the committee which reported the Alaska statehood bill, the situation was similar.

The 50th Congress in 1889 failed to act on the Senate bill to provide admission of Wyoming as a State, although the bill had been favorably reported by the Senate Committee on Territories. However, a majority of the boards of county commissioners in Wyoming had petitioned the Governor of the Territory to issue a proclamation for a constitutional convention, such as had been contemplated in the Senate bill.

The Territorial Governor of Wyoming thereupon issued the proclamation, calling for a constitutional convention for the purpose of framing a constitution and forming a State government preparatory to admission. The convention met and framed a constitution, which was submitted to a vote of the people of the Territory and which was adopted by a vote of 6,272 for, 1,923 against; the total number of votes being 8,195.

And here I quote from the memorial of the State constitutional convention of the Territory of Wyoming, praying the admission of that Territory as a State into the Union, which began:

"The people of Wyoming, prompted thereto by a consideration of the great importance of an early escape from the territorial condition and of the rights which pertain to American citizens."

Discussing briefly the grounds upon which the admission may be urged as a right, the memorial then stated:

"It may be declared a settled principle of the Government that territory acquired by the United States is, in the language of Chief Justice Taney, 'acquired to become a State, and not to be held as a colony and governed by Congress by absolute authority'; that 'Territorial governments are organized as matters of necessity, because the people are too few in number and scant in resources to maintain a State government,' but 'are contrary to the spirit of our American Constitution,' and 'are to be tolerated and continued only so long as that necessity exists.' "

Senator Vest, of Missouri, spoke in opposition to Wyoming's plea for statehood, as follows:

"If the question of admitting a State into the Union affected only and exclusively the population of that State, this conduct on the part of Congress might be to some extent excusable; there might be some palliation for the utter indifference with which such matters are now considered. But there is a dual aspect of this question. The admission of a State into the Union affects the rights of the people of every State in the Union alike. The admission of a State here without the requisite population, a reasonable population within the judgment of Congress, directly and absolutely affects the interests of the people in all the States."

Senator Vest was answered by the Senator from Connecticut, Mr. Platt:

"I want to take up the objections which have seemed to be prominently urged by the Senator from Missouri. He says that two Senators ought not to come here upon this floor from a sparsely settled State with a population which is 151,912, and have the same influence in this body and the same number of votes that the State of Missouri has. What he says about that applies as well to the State of Connecticut as to the State of Missouri, and I say as a representative of the State of Connecticut that I have no prejudice and no objection to two Senators from a new State, if that State is fairly entitled to admission into the Union, coming here and having just as many votes upon this floor as the two Senators from Connecticut, that is older and has a larger population.

It applies to the State of New York as well as it does to the State of Rhode Island or to the State of Missouri or the State of Connecticut. It might be said that New York, with its 5 million people or more, ought to have more representatives upon this floor than the State of Oregon, with three or four hundred thousand, or the State of Missouri, with its million, more or less—I do not speak by the book. But such has not been the theory of the Constitution of our Government. It was not the theory of the fathers, of the framers of the Constitution. They did not apportion the Senators who should occupy seats in this body according to the population of the States which they represented. The disproportion and disparity existed at the formation of the Constitution. It was never intended that there should be popular representation upon this floor; but it was intended that two Senators should represent each State. If that is so, and it be admitted that, under the general policy of this country and the conditions and circumstances under which other States have been admitted, Wyoming is to be admitted here as a State, then as a State she is entitled to 2 Senators upon this floor, as much as Florida is entitled to 2 Senators or Rhode Island is entitled to 2 Senators or Montana is entitled to 2 Senators, when New York and Pennsylvania and Ohio and Missouri and all those States have vastly more population.

"That argument falls to the ground the moment Wyoming presents herself within the conditions and circumstances which have hitherto been supposed to justify the admission of Territories into the Union as States; and I say, and the facts given in the report which has been read here show, that if a comparison were made between the resources, the population, the wealth, the character, the stability, the prospects of future growth of Wyoming and the other Territories that have been admitted as States it will be found that Wyoming does not fall below them in any respect, except in this one respect of population required by law for one Representative at that time, and those States are Florida, Oregon, Kansas, Nevada, Nebraska, and Colorado. Up to the admission of the four States at the last Congress, Oregon, Kansas, Nevada, Nebraska, and Colorado were the States last admitted, in the order named, and no one of them had at the time of admission an estimated population equal to the then unit representation. Other States have been admitted when the population was barely equal to the unit of representation. * * * The character of the people has been deemed to be of immensely more consequence than the question whether it possessed just exactly the number, or a number exceeding the unit of representation. * * *

"But there is another consideration, and that is whether in the immediate future there is prospect that the population will be great enough so that the unit representation will be observed. Look at Wyoming. With perhaps a slow growth at first, her population is now most rapidly increasing. * * * This idea that we must wait before citizens of these Territories, as good as the men who occupy seats upon this floor, as well qualified to exercise and discharge all the duties of citizenship as the citizens of Missouri, or New York, or Texas, or Connecticut, or Vermont; that we must wait until they get the exact number, 151,912, and have it proved to a mathematical demonstration that they have it before the Territory can be admitted, is a claim which I think ought to find no support in this Senate. It never has found support here hitherto."

Arizona's entry into the Union was accomplished recently enough that an eyewitness account of the objections to her statehood was given a few years ago by the late Sidney Osborn, a member of the constitutional convention who lived to be Governor of that State. Speaking of the early days and the cry which was raised against Arizona, Governor Osborn said:

"Arizona's resources, although developed only to a minor extent, were real; but its public revenue was altogether unequal to the building of roads, to securing the various things the desire for which moved the Territory's people to seek self-government.

No great perspicacity was required to discover that the reason for this lack of public funds was inherent in the Territorial revenue system. Taxes were, as a matter of fact, quite low—a condition, other things being equal, usually deemed to be highly desirable—but these other things, such for instance as taxes, were not equal. The reason was that by means of defective laws relating to the subject, corporate property—meaning specifically the property of mining, railroad, express, telegraph and telephone, and private car-line companies—constituting by far the Territory's major wealth, was assessed on a basis representing only an insignificant fraction of its value. * * *

"When victory finally came to the forces which for so long had been struggling for statehood—and it is pertinent to mention that internal opposition to this movement centered to a large extent in the interests responsible for the prevailing unequal and inadequate taxation—the problem described was attacked.

"A few figures will serve to illustrate the result. In 1911, the year immediately preceding statehood, all property in the Territory was valued at less than $100 million. Mining property comprised 19.3 percent of the total, and railroad property 19.1 percent. In 1914, when the State's new tax system became fairly operative, the assessed valuation was $407 million, of which 36 percent was mining property, and 22.14 percent railroad property, a readjustment rendered still more conspicuous by fairly adequate assessments of the property of express companies, private car lines, and telephone and telegraph companies. The Territorial levy of 90 cents on each $100 valuation in 1911 was reduced in 1914 to 44½ cents, and there was a proportionate reduction in county levies, while the total revenue of $881,000 for Territorial purposes in 1911 grew to $1,806,000 in 1914. * * *

"The arguments against statehood, which were used in Arizona, were insufficiency of population, and prohibitive cost of supporting government. Subsequent events demonstrated that the arguments had no merit at all. It is well understood at the time they were advanced that opposition to statehood within Arizona was confined to industrialists who desired the status quo, and to a few politicians whose views were formed in Washington.

Note what was said of Arizona:

"The arguments against statehood * * * were insufficiency of population, and prohibitive cost of supporting government."

Those arguments have a strange familiar ring as we talk about statehood for Alaska today. They are no more valid of Alaska than they were of the States against which they were earlier raised.

Alaska is as deserving of statehood, and as ready for statehood, and as greatly in need of statehood, to come into her own, as were any of the present States when it was their turn before the bar of the Senate. Let us deal with the American citizens in Alaska no less generously in this matter than were our forebears dealt with in their respective Territories. Alaska, like all the other States, will keep the faith and carry on the grand old United States tradition.

Mr. President, we have heard much from those who oppose statehood for Alaska, and I doubt neither the sincerity nor the patriotism of those distinguished Members of this great body. But I cannot, in good conscience, join with them in opposition to Alaska's plea for statehood, or even in counseling further delay. Alaska, through more than 80 years as a Territory, has long since served her apprenticeship. As an organized Territory—as an inchoate State—Alaska's star has for too long been denied its rightful place on the glorious flag of the United States of America.

Mr. McFARLAND. Mr. President, will the Senator from Nebraska yield?

Mr. SEATON. I yield to the distinguished Senator from Arizona.

Mr. McFARLAND. I wish to compliment the distinguished Senator from Nebraska upon his excellent address. It is very informative, and I am happy that he has given the Senate the benefit of his views. I wish to ask the distinguished Senator if he believes that Alaska will develop as rapidly as a Territory as it would as a State.

Mr. SEATON. I do not believe there is any possibility of its developing as rapidly as a Territory as it would as a State.

Mr. McFARLAND. In other words, the Senator from Nebraska is of the opinion that more people would go to Alaska and develop it if it were a State than would be willing to go there and cast their lot with those already there if Alaska remained a Territory. They would want the full privileges of citizens of the United States, including the right to vote and govern themselves.

Mr. SEATON. I think the conclusion of the Senator from Arizona is a very logical one, because that has been the experience when other Territories subsequently became States.

Mr. McFARLAND. Does not the Senator feel that the question is whether there exists in Alaska the natural resources necessary to support the population, and which, if developed, would also support the government?

Mr. SEATON. Yes; I think that is correct.

Mr. McFARLAND. I thank the distinguished Senator from Nebraska, and I wish to say again that I am happy he has made such a forceful address and reviewed the debates when in earlier days other Territories sought admission to the Union.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Wyoming?

Mr. SEATON. It is a pleasure to yield to the distinguished Senator from Wyoming.

Mr. O'MAHONEY. I merely wish to remark that I count myself fortunate to have had the opportunity of listening to the splendid address on statehood for Alaska which the junior Senator from Nebraska has just made. He has revealed a very broad knowledge of all the facts which surround the problem, and has presented them in a logical manner which, it seems to me, should convince any open mind that statehood should be granted.

I was particularly pleased to hear the Senator's reference to the fact that, in his opinion, statehood will be a stimulus to population, and that the argument that the people of Alaska should wait for statehood until they have increased their population is a false argument which falls of its own

weight. The population of every State which has been admitted to the Union has increased after statehood.

Mr. SEATON. That is correct.

Mr. O'MAHONEY. Population does not increase at a rapid rate before statehood. To say that a Territory must have sufficient population before it may attain statehood is to deny to the present inhabitants of a Territory, and to those who would like to go there if it were a State, the opportunity of attaining statehood.

If ever there was a time when the door should be opened to local development, to local industry, and to local mining, now is the time. The records which are before the Senate are clear that the vast mineral resources of Alaska can best be opened by granting statehood. We all know that the people and the industries of the United States need a much greater supply of minerals from United States Territory than is now available.

It has been correctly pointed out that in the first 50 years of this century the consumption of minerals in the United States, exclusive of petroleum, increased fourfold. When petroleum is included, the increase was fivefold.

Alaska is a Territory which is rich in undeveloped mineral resources. The granting of statehood, with the opening of the door of opportunity to people who desire to seek opportunity, will mean the unlocking of this vast storehouse of mineral wealth.

I am happy that the junior Senator from Nebraska has made the argument so clear.

Mr. SEATON. I join heartily in the remarks of the Senator from Wyoming as to the advantages to flow from granting statehood to Alaska. I should also like at this time to express my thanks, both to the majority leader and the Senator from Wyoming, for their gracious comments.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ALLOTT. I am very happy to yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, the distinguished Senator from Colorado has delivered one of the outstanding addresses in connection with the consideration of statehood for Alaska. It was an eloquent address. It was filled with facts. It was filled with that something which is responsible, I believe, for the growth of the American Union. It envisions the future. It was a pleasure for me to hear the Senator, and I know that his address will be quoted in years to come by those who treasure the history of the growth of this Union.

It was my privilege to visit Alaska in 1953, representing the Committee on Public Works and the Committee on Armed Services. I spent a few very busy days in Alaska, seeing a great deal of the installations our Government has there. I met a great many persons. I saw something of the energy with which they are devoting themselves to the development of what is now a Territory and what we hope soon will be a State. I was impressed by the spirit of the people.

They have the spirit of the people who have advanced our frontiers in American history from the very outset. They are the kind of people who made Colorado. They are the kind of people who discovered gold in the Black Hills of South Dakota and who helped to open up a territory there. When I was in Fairbanks, I could imagine the town of Deadwood, S. Dak., almost half a century ago. When I was in Anchorage I felt I was in a community which had all the spirit and drive of a city such as Denver, Colo., or Sheridan, Wyo., or Billings, Mont. One feels a kinship and somehow feels the same kind of spirit when he goes into the Western States.

I was impressed by what I saw in the Kenai Peninsula, which I think some day will be an important agricultural area. When I was in Kodiak I was impressed by the climate and its possibilities. When I was in the Ketchikan area and in Juneau I found the same kind of spirit. Although I had been informed about the salubrious climate there, I was surprised to find such good year-around climate in places like Juneau and Ketchikan.

In addition to what one sees and feels there, I should like to say the resources of the Territory, which are yet untapped and which have not really been surveyed in great detail, offer, as has been so well expressed, a hope for the greater growth and development of the United States as a whole.

One cannot see the magnificent scenery of Alaska, one cannot see the glaciers, one cannot see the great mountain peaks, and one cannot see the vast forests without realizing there are resources in Alaska which certainly are not understood or realized by many persons in the States who have not had an opportunity to visit there.

So I congratulate the Senator from Colorado for taking the active part which he has taken in forwarding the bill, and I am glad I can add these few words in commendation of what he has done.

Mr. ALLOTT. I thank the Senator. Although the Senator from South Dakota could not be called a man of more than middle age, I am sure in his own youth he saw his own section of the country and his own State develop, as I have seen in my lifetime my own State develop. Those of us who have seen areas develop, and who have seen Territories like Alaska, cannot help but have their imaginations stimulated. The development of Alaska will probably surpass even the wildest imagination which we have had in regard to it up to this time. I thank the Senator for his kind remarks.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the Senator from Idaho.

Mr. CHURCH. As a fellow member of the Committee on Interior and Insular Affairs, I wish to join with the Senator from South Dakota in expressing my gratitude to the Senator from Colorado for his learned and moving address on the subject of Alaskan statehood.

The Senator from Colorado struck a note in the closing paragraphs of his address which ought to be given much attention in our deliberations on this issue. He spoke of the pride in country that is involved as we consider extending the American Union to the Territory of Alaska.

In the 19th century, as our country spread from the narrow tier of States along the Atlantic shores, across the Alleghenies, and then westward across the prairies to the great mountains of the Rockies, and finally to the coasts of the Pacific, so that our Nation at last came to bridge a mighty continent, there was a feeling of manifest destiny in America, and there was a tremendous pride in the growth and expansion of our country.

I think the same feeling and the same pride is to be found in the extension of the boundaries of the Union to embrace Alaska as our 49th State.

There are those who object to the admission of Alaska as a State on the ground that we ought not to include within the Union any noncontiguous area. They tell us that ours is a finished country. I do not believe it.

We are told that ours is a completed Union. I do not believe it. So long as there are hundreds of thousands of American citizens in our two incorporated Territories, which, by all the historic and legal precedents qualify for statehood, our Union cannot be complete and our story has not been finished.

The step which we take in making the Territory of Alaska our 49th State is a step in the finest tradition of our Nation and involves not only a refusal to believe that this is a completed Union and a finished country but also an ingredient of the same pride—the same feeling of manifest destiny—which characterized the history of this country in the period of its most vigorous development and growth, the 19th century.

Let me once again commend the Senator from Colorado for his splendid address. I thank the Senator for the contribution he has made to this historic debate.

Mr. ALLOTT. I thank the Senator for his kind remarks. The Senator from Idaho expresses more eloquently than I can the idea I was trying to convey about the completeness of our Union. Rather than feeling averse or resentful, it seems to me we would acquire not simply a few hundred thousand acres of land, but actually greater strength, greater unity, greater patriotism, and greater everything, by giving the people of Alaska what we have really promised them during all the years.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the Senator from Oregon.

Mr. NEUBERGER. I concur in the favorable commcnts made by the distinguished Senator from Idaho about the able address delivered by the Senator from Colorado on behalf of Alaskan statehood. I think all of us who come from the Western States have a particular stake in the issue. It seems to me virtually every argument voiced against statehood for Alaska could have been voiced—and perhaps indeed was voiced—against statehood for such present States as Colorado, Idaho, and Oregon. Certainly, those States, when admitted to the Union, were not wholly contiguous to the area which was made up of fully qualified States. Certainly we were lacking somewhat at that time in a fully developed and fully integrated culture and civilization. Indeed, a long journey from the more settled and more established portions of the United States was necessary by comparatively primitive methods of travel to reach Colorado,

Idaho, or Oregon at the time of their statehood.

There is one further argument for statehood which I have not heard, but, of course, it may have been uttered during the course of the debate when I was not present in the Chamber. I think to some degree statehood for Alaska might strengthen our ties with our closest neighbor and most intimate ally, Canada. As Canada is not only the country with the longest unfortified frontier in the world, but a country which, through British Columbia, separates one integral part of the United States from another, the admission of Alaska as a State might add, if that is possible, to the intimacy of our ties with the great Dominion to the north.

I can see very few arguments against statehood, and many arguments for statehood. I want to again express my compliments to the Senator from Colorado for the very able and effective manner in which he has contributed to this thoroughly meritorious cause in the Senate today.

Mr. ALLOTT. I thank the Senator. I agree with the Senator wholeheartedly. While that question has not been discussed, every element lies on the side that statehood for Alaska will strengthen our ties and friendship with Canada rather than anything to the contrary.

Mr. NEUBERGER. I thank the Senator.

Mr. CHURCH obtained the floor.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Will the Senator from Idaho yield so that the Chair may suggest the absence of a quorum?

Mr. CHURCH. I yield for that purpose, Mr. President.

The PRESIDING OFFICER. The Chair suggests the absence of a quorum, and the Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, I have previously set forth on this floor, at considerable length, my views on Alaskan statehood. I do not wish to take unnecessary time to engage in useless repetition of those views today. Convincing presentations have already been made here by fellow members of the Interior and Insular Affairs Committee, relating to the fiscal capacity of Alaska to support statehood, and detailed explanations have been given of the land grants to be made to the State of Alaska under the provisions of the pending bill.

I should like to address myself—and confine my remarks entirely—to the question of our legal responsibility to grant statehood to the people of Alaska. That responsibility finds its origin in the very terms of the treaty through which the United States acquired Alaska nearly a century ago. In that treaty, our Government solemnly pledged that the inhabitants of the Territory—

shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty.

There is no question, Mr. President, as to the meaning of that provision in the treaty of acquisition.

There is no other way to interpret this language except in the context of our whole national tradition. From the beginning, lands acquired by the United States and subsequently established as incorporated Territories have always been destined for statehood. Alaska has been an incorporated Territory for nearly 90 years. It has served the longest apprenticeship for statehood in our history. This is the legal basis of our obligation to grant statehood to Alaska.

The framers of our Constitution gave to us the power to admit new States into the Union. The Congress, beginning even before the ratification of the Constitution, provided the legislative cornerstone for the admission of new States, by providing for incorporation of the Northwest Territory as Territories in the Federal Union.

The Supreme Court has long recognized that an incorporated territory is an inchoate State the ultimate destiny of which is statehood, and in the case of *Rassmussen* v. *U. S.* (197 U. S. 516 (1905)), recognized that Alaska had long been an incorporated Territory.

Those who warn against Alaskan statehood by asserting that it will pave the way for the admission to statehood of Guam, American Samoa, Midway, the Virgin Islands, or the Commonwealth of Puerto Rico, forget that these possessions are not incorporated Territories, and thus lack legal status for statehood. In no sense would Alaskan statehood open the floodgates. It is one of the two remaining incorporated Territories that qualify, by legal precedent, for statehood in the American Union.

The Constitution of the United States itself does not specify what conditions must be met before an incorporated Territory should be admitted to statehood. Article IV, section 3, states simply:

New States may be admitted by the Congress into this Union.

The precedents make clear, however, that once an area has been incorporated, the only question which remains for determination is when it is to be advanced from the provisional status of a Territory to the permanent status of a State. The question whether it is to be admitted into the Union as a State is settled upon incorporation. In Alaska's case, it was settled many years ago.

To determine when an incorporated Territory should be admitted to statehood, Congress has, by precedent and practice, applied three historic tests. These tests have been, first, that the inhabitants of the proposed new State are imbued with, and are sympathetic toward, the principles of democracy as exemplified in the American form of government; second, that a majority of the electorate desire statehood; and, third, that the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

It can hardly be doubted that the people of Alaska have satisfied the first of these requirements. Alaskan institutions, homes, schools, laws, and people are as typically American as in any State of the Union. The patriotism of Alaskans and their loyalty to their country have been indelibly written in the blood of battle by Alaskans who wore our uniform and fought in our ranks through two world wars. Alaska was the only part of the American continent invaded by the Japanese; and wartime conditions in Alaska were more exacting and severe than on the mainland of the United States. Yet, at all times during World War II, the support given to the Armed Forces of this country by the populace of Alaska, together with their stability and unflagging morale, were ever beyond reproach. As to the first historic test for statehood, there can be no question that Alaska qualifies.

What of the second test? Do the majority of the Alaskan people desire statehood? In 1946, 12 years ago, a general referendum was held in Alaska on the question. It resulted in a 3-to-2 majority in favor of statehood. A decade later, in 1956, the people of Alaska again passed upon the issue of statehood by ratifying a proposed constitution for the new State, this time by a majority of more than 2 to 1. Only last year, the members of the Territorial legislature, the elected representatives of the Alaskan people, passed unanimously a joint resolution calling for statehood by March 30, 1957.

In order that it may be perfectly clear, on the evidence, that Alaska fully meets the requirements of the second historic test for statehood, I ask that the official tabulations in the referendums to which I have referred, together with the text of the joint resolution, be printed at this point in the body of the RECORD.

There being no objection, the tabulations and joint resolution were ordered to be printed in the RECORD, as follows:

ALASKANS VOTE FOR STATEHOOD

1. Referendum on statehood, general election, October 1946:

For statehood	9,634
Against statehood	6,822

2. Ratification of the State constitution, primary election, April 1956:

For ratification	17,073
Against ratification	8,060

3. Vote on the Tennessee plan, primary election, April 1956:

For the plan	14,957
Against the plan	9,427

4. Joint memorial passed unanimously by the Senate and House of the Legislature of the Territory of Alaska, January 1957:

"ALASKA SESSION LAWS, 1957—HOUSE JOINT MEMORIAL NO. 1

"To the Honorable Dwight D. Eisenhower, President of the United States; the Honorable Fred Seaton, Secretary of the Interior; the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interrior and Insular Affairs, United States House of Representatives; the Congress of the United States:

"Your memorialist, the Legislature of the Territory of Alaska, in 23d session assembled, respectfully represents:

"Whereas statehood in the American Union on a basis of full equality has long been an aspiration of the people of Alaska, believing in government of, by, and for the people; and

"Whereas the people of Alaska have, for a long time past, demonstrated their ability and fitness to assume the full rights, obligations, and duties of citizens of the United States, and now desire to form themselves into a State, as the people of all other territories have done before them; and

"Whereas the people of the United States, committees of the Congress of the United States, and the national platforms of both our major political parties have called for the early admission of Alaska to statehood; and

"Whereas the Territory of Alaska has now written and adopted a constitution for the proposed State of Alaska, by overwhelming majority, and has elected a Representative and Senators to the Congress of the United States, as provided by the constitution: Now, therefore,

"Your memorialist, the Legislature of the Territory of Alaska respectfully prays that the Congress of the United States, at its present session, adopt legislation admitting Alaska as a State of the Union and seating its duly elected representatives.

"And your memorialist will ever pray."

Mr. CHURCH. As to the third and last of the historic tests for granting statehood, that is, sufficient population and resources to support State government plus its share of the cost of the Federal Govrenment, we have already heard the evidence well and cogently presented on this floor. I shall not repeat that evidence here. It overwhelmingly demonstrates that Alaska possesses both the population and the economic vitality to support statehood.

Mr. President, Alaska clearly meets the traditional tests the Congress has applied, over the long span of our history, in admitting 35 States into the American Union. By the force of the original treaty of purchase, by the statutes and practices that have given Alaska the status of an Incorporated Territory, by the precedents established and tests applied in admitting all former States into our Union, Alaska qualifies. Alaska is entitled to statehood. The bill is before us. Our duty is clear.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORSE in the chair). Without objection, it is so ordered.

Mr. THURMOND. Mr. President, the issue of Alaskan statehood is a complex one. It is a highly important one. It involves questions of national defense, conservation of resources, rights and duties of States, and the setting of a precedent for admission of additional noncontiguous territories to statehood in the Union.

I hope that we all will bear in mind, in considering this momentous question, the element of finality involved. Statehood once granted is irrevocable. The time to consider all aspects of the question is now, for once the statehood bill becomes law, it will be too late for this body to reconsider its action and to correct the situation by repealing its previously-enacted bill, as it can do in most other cases. In view of this finality which stares us in the face, I feel that we should all take a long and careful look before setting forth down this road of no return.

We have already heard and read a great deal of background information on the subject of Alaska. We have heard eloquent and glowing descriptions of the physical grandeur of the land. We have heard much of the character of the inhabitants, both the native Indians, Eskimos, and Aleuts and the newcomers who now make up a great majority of the population. We have heard detailed reports of the economic situation in Alaska. We have been given an abundance of statistics and figures of every sort. In short, we have been provided more than generously with background information, piled high, pressed down, still running over.

However, according to the Senate's sentiment as indicated in the press, this information has not been properly digested by the Members of this august body. I shall, therefore, review some of these facts and figures during the course of my address.

Mr. President, I reaffirm my opposition to the admission of Alaska to statehood. I shall state the reasons for my position. I shall urge my fellow Senators to join with me in opposing the pending bill, so fraught with danger to the future well-being of the United States of America.

First, I shall state, and then answer, the principal arguments—of which there appear to be seven—which have been advanced by the proponents of statehood.

Next, I shall deal—at some length, if I may—with the principal reasons why I feel that the admission of Alaska would be unwise.

Finally, I shall show why the admission of Alaska is unnecessary.

The advocates of statehood argue that the Alaskan economy is suffering and that this suffering is due to the disadvantages of Territorial rule. They claim that statehood is necessary to bring economic progress to Alaska, even though, at the same time, they proclaim that Alaska is making great economic progress.

It is of course quite true that Alaska has made considerable economic progress, under Territorial rule, it should be noted. The Honorable E. L. BARTLETT, Alaska's Delegate in the House of Representatives and leading advocate of statehood, inserted in the March 3, 1958, CONGRESSIONAL RECORD an article from the magazine Business Week describing the prospect of an economic boom.

Despite the great progress which has been made, it remains true that the Alaskan economy is in unsound condition. But what is it, specifically, that is wrong with it? It is this: Alaska suffers from high taxes and a high-price economy. And this is a situation which would be aggravated, rather than ameliorated, if Alaska were to be admitted to statehood. The people of Alaska, already overtaxed and burdened with an extremely high cost of living, simply cannot afford to pay the high cost of running an efficient State government.

Mr. President, I hold in my hand the Anchorage Daily News of June 10, 1958. This newspaper is filled with thousands of names of persons listed as defendants in a suit to collect delinquent taxes. These defendants are all in one school district. These thousands of people are unable to pay the taxes which are now levied by the school district under Territorial rule. I ask, Mr. President, How many more names would appear in this newspaper if the high taxes which would surely accompany statehood were imposed?

Responsible opinion in Alaska is aware of the economic facts of life in Alaska. A highly respected newspaper in the capital city of Juneau recently declared in an editorial:

Alaska needs a 10-year moratorium on the statehood issue, which is a political football, and is being forced by intimidation on the property owners of Alaska. During this moratorium we can put our house in order to develop industry so that we can afford statehood at the end of 10 years.

Mr. President, I have read only a small portion of this editorial. It is such a good editorial, however, that I should like to read its entire contents as it was published in the Daily Alaska Empire, of Juneau, Alaska, on a recent date. It was reprinted in the Washington Daily News of March 12, 1958. The text of the editorial follows:

Alaska's Delegate ROBERT (BOB) BARTLETT, has put his finger on the statehood problem in the only realistic way that it can be solved for the benefit of the 48 States and the Territory of Alaska.

Delegate BARTLETT announced February 2 of this year that he has a bill pending in Congress to remove the 25-percent ceiling on the cost-of-living bonus given Federal employees in Alaska and allowing this 25-percent tax benefit to be placed at a realistic figure of about 50 percent or more.

Statehood in Alaska is the most misunderstood fact facing the House of Representatives and Senate, because it is loaded with political emphasis and is sponsored by voters in Alaska, 90 percent of whom never remain in Alaska longer than 36 months.

Congressman Dr. MILLER, of Nebraska, conducted a survey and found that the overwhelming majority of the people of Alaska only want statehood after some realistic adjustment of taxes and are against statehood at this time. And yet Congressman MILLER stated before his survey that he would be for statehood regardless of what his sample balloting reflected.

The Alaska Daily Empire is the oldest daily newspaper in Alaska, and it has been owned by three separate families, including the present owners, who have had interests and members of their families in Alaska more than 60 years.

Considering statehood, this is what the Federal Internal Revenue department announced last fall: "The tax collections in Alaska have dropped from a high of $43,566,000 down to $36,431,000, which indicates that Alaska's economy has only approximately 20 percent of the strength of the Hawaiian economy.

In other words, Hawaii pays in Federal income taxes five times as much as Alaska

ever paid, and Hawaii's is increasing, and Alaska's economy is decreasing.

To further reflect the soundness of Alaska's economy, 65 percent of all income in Alaska is paid to Army personnel and Federal Government employees, and because the Army spending in Alaska is on the decline, Alaska's economy economy is on the decline.

To further reflect the truth about Alaska, we combined some figures for Mr. Seaton and for Congressman MILLER, of Nebraska, and this showed that Lincoln, Nebr., had a far greater amount of money in savings accounts than the total of Alaska, and yet the population of Alaska was approximately twice the population of Lincoln, Nebr.

Alaskans are the highest-taxed group under the American flag, with sales tax, and Territorial income tax, and a cost of living that runs 50 percent to 100 percent higher than the balance of the United States.

Alaska needs a 10-year moratorium in the statehood issue, which is a political football, and is being forced by intimidation on the property owners of Alaska. During this moratorium we can put our house in order to develop industry so that we can afford statehood at the end of 10 years.

And we need to have Delegate BARTLETT'S realistic tax concession granted to Federal employees and extended to all taxpayers in Alaska for 10 years so industry can be established and we in Alaska can pay into the Treasury of the United States rather than being a liability, which is now the case. We believe industry will bring us revenue and growth plus statehood.

Now here's some sober thinking for the Congressmen and Senators who have the interests of the United States in the uppermost part of their minds: To grant statehood to Alaska at this time, we would find that the leftist extreme element in Alaska and Hawaii would undoubtedly run a race in case of war to see which area would voluntarily join the Communist bloc first; and, being next door to Russia, Alaska might go first.

These Congressmen and Senators should heed the statement of Dr. Allan M. Bateman, professor of geology of Yale University, who said on February 23 of this year: "There are 32 critical minerals necessary for successful war or peace or industry." Now what he did not say was that Alaska is the great reservoir under the American flag for these 32 necessary minerals and statehood at this time would delay the development of these minerals for at least 25 years.

Dr. Bateman stated that Russia alone has more of these necessary 32 minerals and is less dependent than any country in the world. The British Commonwealth has a surplus of 25 of these minerals, with a deficiency of only 7 of these minerals.

He further stated that the United States is third from the top and is in a serious position.

Alaska has more of these necessary minerals. Therefore, statehood taxes and the welfare of our Nation should be considered in one package—which is the true way to develop Alaska. Bring about statehood and at least a 10-year moratorium by having Congress wash its hands of this situation which is festered throughout with leftist intimidation and is lacking in integrity and good for the 48 States plus the Territories.

Our continued request to be heard has been jockeyed and moved around. Anyone who speaks realtistically about the development of Alaska for the benefit of all of the United States meets the propaganda of the emotionists and the leftists and those who put political gain first and our Nation second.

Mr. President, that was the editorial to which I referred. I thought it would be of interest to the Senate to know exactly what that Alaska newspaper published. The editorial was published in the Daily Alaska Empire, of Juneau, Alaska; and, as I have said, the editorial was reprinted in the Washington Daily News of March 12, 1958.

Mr. President, it is asserted by the advocates of statehood that Alaska has a sufficiently large population to warrant statehood. It is estimated that the civilian population increased from 108,000 to 161,000 from 1950 to 1956, while the military population was estimated at between 45,000 and 50,000. Statehood advocates point out that 18 Territories were admitted to statehood when their respective populations were less than 150,000.

What they do not say, however, is that the situation existing in the United States today is not what it was when earlier States were admitted. The total population has grown to such an extent that 150,000 is now a much smaller proportion of the whole United States population. Although much of this great increase in popualtion has occurred in the last 4 decades, as far back as 1912, when New Mexico and Arizona were admitted, they attained populations of 338,470 and 216,639, respectively, before being granted statehood.

In considering the size of the Alaskan population, it should also be borne in mind that the situation there is atypical, in that 65 percent of the workers are employed by the Federal Government. Furthermore, because of the huge size of Alaska, the population per square mile is very much smaller than that in even our most sparsely-settled States. The population density of Alaska is less than one-third of that of Nevada, the least densely populated of our States.

Mr. President, time and time again I have heard the proponents of this proposed legislation argue that statehood for Alaska will mean immediate and immeasurable growth in the population of the new State. They say that Territorial status is prohibitive of growth and that statehood means an immediate boom in population.

I do not think those claims are borne out by the experience of the States that have entered the Union. I think it would be highly illustrative to examine these States and disclose for the record whether or not statehood meant an immediate boom in population.

Arkansas was admitted in 1836, and increased in population 112.9 percent in the decade before admission; 221.1 percent in the decade in which she was admitted; and only 115.1 percent in the decade after.

Colorado was admitted in 1876, and in that decade increased in population 387.5 percent. How much was acquired before admission and how much afterwards is a matter of speculation. The growth in the next decade dropped to 112.1 percent.

The Dakotas were admitted in 1889. From 1860 to 1870 the Territory of Dakota increased in population 193.2 percent; from 1870 to 1880, 853.2 percent; from 1880 to 1890, 278.4 percent; and in the decade succeeding admission the combined percentage of increase of the 2 States fell to 87.7 percent.

Florida was admitted in 1845. In the decade before she increased in population 56.9 percent; in the decade in which she was admitted, 60.5 percent; and in the succeeding decade, 60.6 percent.

Idaho was admitted in 1890. In the decade from 1870 to 1880, she increased 117.4 percent; from 1880 to 1890, 158.8 percent; and from 1890 to 1900 decreased to 88.6 percent.

Illinois was admitted in 1818. In that decade she increased 349.5 percent; in the next decade, 185.2 percent; and in the succeeding decade, 202.4 percent.

Indiana was admitted in 1816, in which decade she increased 500.2 percent, as compared to 334.7 percent in the preceding decade, and then fell back to 133.1 percent in the succeeding decade.

Iowa was admitted in 1846, and increased in that decade 345.8 percent, as compared to 251.1 percent for the next decade.

Louisiana was admitted in 1812, and increased in that decade 100.4 percent, and only 40.6 percent for the next decade.

Maine was admitted in 1820. Her population increased, from 1800 to 1810, 50.7 percent; from 1810 to 1820, 30.4 percent; and 1820 to 1830, 33.9 percent.

Michigan was admitted in 1837. In that decade she increased 570.9 percent; as compared to 155.7 percent the preceding decade, and only 87.3 percent the decade after her admission.

Minnesota was admitted in 1858. Her increase in that decade reached the marvelous figure of 2,730.7 percent, which dropped down the next decade to 155.6 percent.

Missouri was admitted in 1821. From 1810 to 1820 she increased 219.4 percent; from 1820 to 1830, 110.9 percent; from 1830 to 1840, the highest figure reached in her history as a State, 173.2 percent.

Montana was admitted in 1889. From 1880 to 1890 she increased 237.5 percent, and from 1890 to 1900 only 75.2 percent.

Nebraska was admitted in 1867. In that decade she increased 626.5 percent; the next decade 267.8 percent; and from 1880 to 1890, 134.1 percent.

Oklahoma increased from 1890 to 1900, 518.2 percent, a figure even she, with all her marvelous possibilities, will likely never again equal, regardless of admission to statehood.

Oregon was admitted in 1859. In that decade she increased 294.7 percent, and in the next decade 73.3 percent, and from 1870 to 1880 only 92.2 percent.

Utah was admitted in 1896. Her population increased from 1850, when she was organized as a Territory, to 1860, 253.9 percent; from 1860 to 1870, 115.5 percent; from 1870 to 1880, 65.9 percent; from 1880 to 1890, 44.4 percent; from 1890 to 1900, 32.2 percent, a constantly decreasing ratio.

Washington was admitted in 1889. From 1860 to 1870 she increased 106.6 percent from 1870 to 1880, 213.6 percent; from 1880 to 1890, 365.1 percent; and in the decade after her admission only 46.3 percent.

Wisconsin was admitted in 1848. From 1840 to 1850 she increased 886.9 percent, and in the next decade 154.1,

which dropped in the succeeding decade, 1860 to 1870, to 85.9.

Wyoming was admitted in 1890. In 1870 to 1880 she increased 128 percent; from 1880 to 1890, 192 percent; and in the last decade only 49.2 percent.

Arkansas remained an organized Territory 17 years; Colorado, 14 years; Iowa, Kansas, and Louisiana, about 7 years; Minnesota, 8 years; Missouri, nearly 9; Montana, about 25; Nebraska, 13; the Dakotas, 28; Wyoming, 22; Nevada, 3; Utah, 44; Idaho, 27; Oregon, 11; and Washington, 36.

The unavoidable conclusion is that statehood has little to do with growth. In nearly every instance the percentage of growth dropped off very materially after a Territory became a State. Where the natural advantages induce people to settle, there they will flock, regardless of the form of government or the lack of government. Where the people go, railroads and other industrial developments follow.

As their third argument, the proponents of statehood claim that the United States has a legal and moral obligation to admit Alaska to the Union. This argument is based, in part, on the treaty between Russia and the United States by which Alaska was ceded. Article III of this treaty states as follows:

> The inhabitants of the ceded Territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years, but if they should prefer to remain in the ceded Territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, subject to such laws and regulations as the United States may, from time to time adopt in regard to aboriginal tribes of that country.

To claim that this treaty obligates the United States to admit the Territory of Alaska, is a far-fetched and specious argument. The treaty of cession obviously refers to the individual rights of the inhabitants, not to the right of statehood, since statehood could be conferred only through established procedures set forth in the Constitution, and could not be conferred by treaty.

It is further claimed that the Supreme Court has settled the right of the Territories to ultimate staehood. This claim is presented as follows in the Senate Report:

> Forty-five years ago the Alaska Organic Act was approved and Alaska became the incorporated Territory of Alaska as we know it today. All Territories that were ever incorporated have been admitted to statehood except Alaska and Hawaii, and only 3 Territories remained in incorporated status for longer than 45 years before admission. The Supreme Court of the United States has stated that an incorporated territory is an inchoate State, and has uniformly considered that the incorporated status is an apprenticeship for statehood.

The Supreme Court, it is true, has attempted to state, or to imply, that there is an obligation to admit incorporated Territories to statehood. As we have all been made painfully aware, however, the Court is not infallible. In attempting to make this determination of policy it was once again usurping the power of the legislative branch. This was an early example of what was later to become, in our own day, a confirmed habit on the part of the Court—that of legislating for the Congress.

In making their fourth point, the proponents of statehood have tried to advance their cause by loudly stating and restating the axiom that local problems can best be solved by local self-government. I certainly support that principle and am a firm believer in local self-government; but I must point out that statehood is not the only kind of local self-government which is possible.

The Alaska Organic Act of 1912 could be amended to give the Territory as much local self-government as is consistent with the welfare of the Territory and of the United States as a whole. But in pressing so single mindedly for admission into the Union, statehood advocates in Alaska have been delinquent in seeking changes in the Organic Act which would provide more practical relief from their difficulties. This inescapably leads one to suspect that local self-government is not really a genuine issue there, but is only being used as a smokescreen. If it were local self-government which is primarily desired, it could easily be provided without a grant of statehood. In fact, especially when one considers how little self-government is being left to the States in the face of ever-increasing Federal encroachment, a nonstatehood solution to Alaska's dilemma could provide that Territory with a far greater degree of self-rule than the people there could obtain through statehood.

The point is, of course, that it is not really local self-government which the statehood advocates are after. What they seek is the very large and disproportionate degree of political power in national affairs which they would wield if Alaska were admitted as a State; for, although Alaska could actually obtain much more self-rule by choosing a nonstatehood status, it is statehood alone which would provide Alaska with two Senators and a voting Representative in Congress.

A fifth argument advanced by statehood advocates is that Alaskan statehood would be helpful to our national defense by providing better machinery for getting local militia into action in case of invasion.

To this argument I shall only say that those who rely on it will be deceived by a false sense of security. The area of Alaska is so great and its civilian population so sparse that there seems little likelihood that local militia would be able to deal effectively with an enemy invasion of any substantial size. In fact, regarding the areas of Alaska most crucial to national security—the north, the west, and the Aleutian Islands—the administration asks for a proviso in the bill giving it permission to withdraw this land from State domain for national security purposes.

According to Gen. Nathan Twining: "From the military point of view, the overall strategic concept for the defense of Alaska would remain unaffected by a grant of statehood."

In argument No. 6, it is claimed that the admission of Alaska would be a saving to the United States, in that many costs now borne by the Federal Government would fall on the new State government.

This argument simply will not hold melted snow. The Alaskan economy could not support an efficient State government. It has been estimated that the cost of State government in Alaska might amount to as much as $217 per capita, which is more than the economy of the Territory could bear. The Federal Government, it would appear, would be obliged to give extraordinary aid to Alaska in order for the new State to remain solvent. I shall have more to say on this matter of Federal aid later in my remarks.

Mr. President, I have dwelt at some length upon a qualification for statehood which I strongly believe should be possessed by any State hoping to enter the Union, that qualification being that the new State has sufficient population, economic resources, and ability to sustain itself of governmental functions and, at the same time, carry its fair share of the burdens imposed upon it by the Union of States. I have stated before, that Alaska cannot meet that requirement. I do not feel that its population is sufficient, nor do I perceive that it has the economic and financial resources to carry its burden.

This requirement or test that has historically been demanded of the States that have entered the Union has been debated time and time again in this body. In the consideration of debate on the admission of Arizona, Oklahoma and New Mexico in 1906, Senator Morgan, of Alabama, laid down a principle which I think is equally applicable in the present instance. Senator Morgan said:

> The admission of a State into the Union is intended for the benefit of all of the people of the United States rather than for the benefit of the inhabitants of an area or territory that is included in the limits of such a State.

I say those remarks are applicable here because we are concerned not only with the effect of statehood upon the people of Alaska but also its effect of statehood upon the present Union of 48 States. How can the admission of Alaska at this time prove beneficial to all the people of our Nation? The proponents state that Alaska is necessary as a State because it is vital to our national defense needs. I fail to see how it can add to our national defense any more as a State than it is presently benefiting us in its territorial status.

I ask, Mr. President, Will the admission of Alaska benefit the people of all of the United States? Will it benefit our Nation if, after we have granted statehood, it develops that the new State has neither the economic nor financial strength to carry on its state functions, but rather has to depend upon financial aid from the Union itself in meeting its financial obligations? This could very easily happen, in view of the past eco-

nomic development and progress of that Territory. This would mean that this new State, rather than conferring a benefit upon the people of the 48 States, imposes a burden on our Nation by forcing it to assume the obligation of carrying that State rather than looking to that State to carry itself.

Since 1791, 35 States have been approved by the Congress as meeting the necessary requirements for admission into the Union of States. While no form of procedure for the organization of a new State is prescribed by the Constitution, and Congress has not by statutory enactment prescribed a mode of procedure by which new territories shall become a part of the Federal Union, each State has been admitted after full debate and after the determination has been made that these States have met various necessary requirements. The growth and development of the United States has been such, since the time of the adoption of the Constitution, that no hard and fast rule has been evolved to declare with particularity what the necessary elements of statehood shall be. Within this framework the Congress has determined the admission of these States on the broad principle of—Shall the new State's admission benefit the entire Union? Within this pattern that has evolved since the formation of the Union, Congress has taken a long and hard look at each new State in order to insure that the new States shall contribute to a more perfect Union. Time and experience has proved that the Congress has acted wisely.

Congress has been extremely carcful in insuring that each new State measure up to its sister States in all respects before granting the privilege of statehood. The reason why Congress debates this so carefully and screens the applicants so thoroughly is obvious. Legislation enacted by the Congress admitting a new State is not of a temporary character. Legislation enacted into law by this Congress admitting a State fixes the status of that State for all time. It clothes that new State with all of the rights and privileges, authority and immunity that is now possessed by each one of the 48 States of the Union. Because of the permanent character of this legislation it is of the greatest importance that Congress, in each instance, give carefull consideration not only to the interests of the people who are seeking statehood, but also as to the possible effect that favorable action on a proposal such as this will effect all of the States that now form our Federal Union.

Therefore, viewing the relative position of the Territory of Alaska today, and its possible effect upon the States of our Union and its citizens, I feel that Alaska would be more of a burden than a benefit to our people.

As their crowning argument, advocates of statehood claim that the admission of Alaska to statehood would prove to other nations of the world that we believe in territories becoming self-governing, according to the principles of the United Nations Charter.

This is an irrelevant argument. In the first place, as I have already mentioned, and as I shall explain in some detail a little later, statehood is not the only form of self-government open to Alaska. The same purpose would be served by permitting the Territory of Alaska a greater degree of self-government, either under Territorial law, or by the establishment of a Commonwealth type of government there. But in any event, we should not take a step that is unwise and unsound merely to please or impress foreign nations. Surely we should have learned that by now. Four years ago our Supreme Court rendered a decision dealing with a domestic issue largely on the basis of foreign propaganda considerations. The result has been turmoil and strife at home, which in turn has led to increased disrespect and enmity abroad.

The Alaska problem is not a colonial problem. The majority of the inhabitants are of American stock, most of them born in the States, or children of parents born in the States. The problem of Alaska is, therefore, strictly an internal United States problem. No nation which decides its internal affairs on a basis of what would be the most pleasing to the masses of Asia will keep the respect of any other nation in the world—not even of the masses of Asia.

Having now reviewed briefly the principal arguments advanced in favor of statehood for Alaska, I should like at this time to discuss what I feel are the main reasons why Alaska should not be admitted to statehood in this Union.

The first reason is this: By conferring statehood on a territory so thinly populated and so economically unstable as Alaska, we, in effect, cheapen the priceless heritage of sovereign statehood. If Federal aid in extraordinary doses is necessary to keep Alaska solvent—and it would be needed, make no mistake about that—it will be used as an excuse for increased Federal aid to all the States, with accompanying usurpation of State powers by the Federal Government.

I realize full well that there are some Members of this body who do not concern themselves with the preservation of the rights of the States. To them the States are little more than convenient electoral districts within an all-powerful monolithic national structure. They are far more interested in the attainment of an all-powerful central government and certain socio-political objectives in relation to which the doctrine of States' rights often appears to them to be an annoying obstacle.

I do not believe, however, that this is true of most of the Members of this body. I do not believe that the majority of Senators are ready to throw down and cast aside completely, once and for all, one of the two main principles which the Founding Fathers established to protect the individual liberties of the people. I believe that more and more people, including Members of this Congress, are coming to realize that the principle of separation of powers, alone, is not enough to insure our individual liberty; that the principle of separation of powers cannot, in fact, stand by itself, but must be supported by the complementary pillar of States rights, in the manner that the Founders intended and prescribed. I believe that the people are at last beginning to see that, if their liberties are to be preserved, the trend toward ever greater centralization of power in the Federal Government must somehow be halted. I believe that this growing awareness of the necessity for action is shared by an increasing number of the Members of this body.

I, therefore, urge my fellow Senators, Mr. President, those at least who are aware of the dangers of centralization and who are interested in stopping the flow of powers to Washington, not to support a step which would very shortly lead to greatly stepped-up Federal encroachment on what remaining powers the States have. This would definitely be a result of granting statehood to a territory economically unable to support an efficient State government. Vast amounts of Federal financial aid would be needed to enable the new State to maintain services which the Federal Government maintains directly now, and this would be seized upon as an excuse for further Federal financial involvement in similar programs maintained in the other States, even where Federal aid was not needed. That acceptance by a State of Federal financial assistance leads sooner or later to Federal usurpation of State power is a truism which I consider unnecessary to explain.

My first reason, then, for opposing the admission of Alaska to statehood is that it would further weaken, to a very great extent, the already-weakened position of the States in our Federal system.

My second main reason for opposing Alaskan statehood is that I believe that in admitting a noncontiguous territory to statehood we would be setting a very dangerous precedent. Statehood advocates have tried to brush off this objection as arbitrary, whimsical, silly, and merely technical. But the admission of Alaska will serve as precedent for the admission of Hawaii, which will in turn be cited as precedent for the admission of other, even more dissimilar, areas.

No, Mr. President, our objection to noncontiguity is not based on any mere arbitrary whim. There is no mere sentimentality at stake—we are not urging that the United States keep its present geographical form simply because it looks pretty on the map that way. The entire concept and naturc of the United States is at stake, and therefore the future of the United States also.

Three years ago in an article published in Collier's magazine, the distinguished junior Senator from Oklahoma [Mr. MONRONEY] expressed in a very clear fashion the importance of maintaining our concept of contiguity. I should like to quote him at some length:

> Unless the proposal is blocked or altered we will be on the highroad—or high seas—moving no one knows how swiftly toward changing the United States of America into the Associated States of the Western Hemisphere, or even the Associated States of the World. We will be leaving our concept of a closely knit Union, every State contiguous to others, bonded by common heritages, common ideals, common standards of democracy, law, and customs.
>
> There is physical strength and symbolism in our land mass that stretches without break or enclave across the heart of North America. If we depart from the long-established rectangular land union that represents the United States on all maps of the world and bring in distant States, unavoid-

ably they will be separated from existing States by the territory of other sovereign nations, or by international waters. It would be physically impossible to extend to them such neighborhood associations as now exist among our 48 states.

But far more than the physical shape of our country would be changed if we embark on this policy of offshore states. Senators and Representatives from them would stand for the needs and objectives and methods of the areas from which they come. Inevitably there would be serious conflicts of interest, and a few offshore Members of Congress could, and someday probably would, block something of real concern to a majority of the present States. Island economies are, by their very nature, narrow and insular.

The debates in Congress indicate to me that many Members have not thought the issue through to its ultimate possibilities, but regard it as a matter of immediate political expediency of no great long-range importance one way or another. I think our two parties in their conventions have been much too casual about statehood.

I think the Senator from Oklahoma [Mr. MONRONEY] put his finger on the vital matter at stake when he mentioned the ultimate possibilities. As men charged with the responsibility for the future welfare of the United States, it is our responsibility to consider ultimate possibiilties. We cannot consider the admission of Alaska, or of Hawaii, in a vacuum, closing our minds to the future. We must weigh carefully any and all considerations which are likely, or even reasonably possible, to flow out of our present actions.

And it should be emphasized that in mentioning these ultimate possibilities, the Senator from Oklahoma was not bringing up any argumentum ad horrendum. He was not simply raising nightmarish specters which have no basis in fact. The possibilities to which he and I are referring as ultimate are not necessarily remote. In fact, once the principle of contiguity were broken by the admission of Alaska, they would no longer be possibilities but probabilities.

If Alaska is admitted to statehood into this Union, Hawaii will be admitted, regardless of the entrenched and often-demonstrated power which is wielded there by international communism. And if Alaska and Hawaii are admitted, is there anyone so naive as to think that the process will stop there? The precedent would have been set for the admission of offshore territories, territories totally different in their social. cultural, political, and ethnic makeup from any part of the present area of the United States.

There is on Puerto Rico still a faction that would like to see statehood. The admission of other offshore territories will greatly strengthen their hand in that island's political scene. And if Puerto Rico demands statehood, on what excuse can we deny it, once we have broken our contiguity rule by admitting Alaska and Hawaii?

Nor could we discrmiminate against Guam. That would have to be another State. Then would come American Samoa, to be followed by the Marshall Islands and Okinawa.

Furthermore, I see no reason why the process should stop with American possessions and trust territories. Suppose some Southeast Asian nation beset by political and economic difficulties should we deny them? On what basis? The apply for American statehood. Would argument might be raised that unless we granted the tottering nation statehood and incorporated it into our Union it would fall to Communist political and economic penetration. Even without that dilemma as a factor, there would always be a considerable bloc in both Houses of Congress who would favor admitting the nation to statehood for fear that otherwise we might offend certain Asian political leaders or the Asian and African masses generally. Add to these the bloc of Senators and Representatives we would already have acquired from our new Pacific and Caribbean States, and the probabilities are that Cambodia, or Laos, or South Vietnam, or whatever the nation might be, would be admitted to American statehood.

I wish to make it clear that I bear no ill will toward the Cambodians, the Laotians, or the Vietnamese, just as I have no enmity toward the people of Alaska, Hawaii, and Puerto Rico. But I do not feel that Cambodia or the United States or the free world, in general will benefit by the participation of two Cambodian Senators in the deliberations and voting of this body. I feel that such dilution of our legislative bodies would gravely weaken the United States and reduce its capability to defend the rest of the free world, including Cambodia.

As the Senator from Oklahoma [Mr. MONRONEY] pointed out:

> The French have tried making offshore possessions with widely differing peoples and interests an integral part of the government of continental France. The plan has been less than satisfactory. It has played a part in the instability and the inconsistency of the French parliamentary system.

The late Dr. Nicholas Murray Butler, long the president of Columbia University and Republican candidate for the Vice Presidency of the United States in 1912, devoted long and careful study to the question of distant, noncontiguous States. Here is the conclusion he reached:

> Under no circumstances should Alaska, Hawaii, or Puerto Rico, or any other outlying island or Territory be admitted as a State in our Federal Union. To do so, in my judgment, would mark the beginning of the end of the United States as we have known it and as it has become so familiar and so useful to the world. Our country now consists of a sound and compact area, bounded by Canada, by Mexico, and by the two oceans. To add outlying Territory hundreds or thousands of miles away with what certainly must be different interests from ours and very different background might easily mark, as I have said, the beginning of the end.

A country that is not American in its outlook, philosophy, character and makeup—and here I refer not to Alaska but to the ultimate possibilities which Alaskan statehood would make probabilities, and, in the case of Hawaii, a foregone conclusion—cannot be made American by proclamation or by Act of Congress. An Act of Congress may admit such a country to statehood in the American Union, but it cannot make it American, and, therefore, its admission would constitute a dilution of the basic character of the United States.

The development of the American character—the character and identity of the American people, of the American Nation, of American institutions and civilization—is the work of centuries. It did not come about overnight. Two centuries and one-half had already gone into that development, from the time when this country had its beginnings in Virginia, before Alaska was even acquired from Imperial Russia.

Mr. President, I know that there are some who will attempt to brush all this aside. They will make the point that, despite this early development, this country, during the past half-century, has received millions of immigrants from eastern and southern Europe and elsewhere. They will point out that these immigrants were of very different ethnic and national backgrounds from those of the earlier settlers; that they were accustomed to very different institutions, and sprang from very different cultures; but that these immigrants have nevertheless, become just as good Americans as the descendants of the earliest Virginians.

The point, however, is this: These were people who were emigrating from their native lands to America. That is a very different proposition from a proposal which would have American statehood emigrating from this country to embrace the shores whence these people came. The immigrants who came here in late decades settled among established Americans, amid established American institutions, surrounded by established American characteristics and ways of living, which they were bound to pick up and adopt as their own—thus, indeed, becoming Americans in fact as well as in technical citizenship. But the bestowal of American statehood on a foreign land will not make its inhabitants Americans in anything but name. If, for example, a native of Sicily were to settle among us, after several years he would pick up our language and customs, he would acquire a grasp of American institutions and culture; and he would adopt the ways of those about him. In short, while still retaining a sentimental attachment to his native land and some of his native characteristics, he would become an American.

It most certainly does not follow, however, that the granting of American statehood to Sicily would, or could, be a happy event either for the United States or for Sicily. The same is true in the case of, let us say, Greece. The mere fact that many citizens of Greek extraction or Greek birth make fine Americans is absolutely no basis whatsoever for assuming that Crete or the Peloponnesus or Macedonia or Thrace or all of Greece could be successfully incorporated into the American Union as a State—even if Greece and the Greeks desired that.

The argument that America has successfully absorbed people of several very diverse foreign stocks has no bearing, then, on the question of whether American statehood could be successfully extended to offshore areas and overseas

lands inhabited by widely differing peoples. To bring the peoples to America and settle them among ourselves and make of them Americans is one thing; and even then it is not always easy, and often takes a long time—perhaps a generation or longer, depending on the degree of dissimilarity to the basic American stock. But to attempt to bring America to the peoples, by means of the official act of statehood, is quite another thing. Statehood may make them Americans in name, Americans by citizenship, Americans in a purely technical sense; but it cannot make them Americans in fact. Furthermore, to the extent of the voting representation in the Senate and the House to which they would be entitled under statehood, we would be delivering America into their hands—into the hands of non-Americans. We have too much of this today.

But, Mr. President, perhaps you are asking yourself why I am going into all of this discussion about foreign stocks and overseas peoples, when the subject before us is Alaska, and when I, myself, have already declared earlier in this address that the majority of the population of Alaska is composed of American stock, a great proportion having actually been born in the States.

I will tell you why, Mr. President. The reason is that I am opposed to Alaskan statehood, not so much as something in and of itself, but, rather, as a precedent—an ominous and dangerous precedent.

Should we oppose something otherwise good and beneficial, merely because of considerations of precedent? Some may well ask this question. Let me reply: First of all, I do not consider Alaskan statehood otherwise good or beneficial. On the contrary, I consider it harmful and unwise, for many reasons, as I have already pointed out. But even if I did consider it a good and beneficial step, unless the good to be derived were of such a tremendous magnitude as completely to outweigh all other considerations, I still most definitely would oppose this measure because of the overriding consideration of precedent, especially when I know full well that the precedent which would be established could well lead to the destruction of the United States of America and the collapse of the free world.

Some say that our rule against admission to the Union of noncontiguous areas was long ago broken, anyway, and that we are a little late in being so concerned about precedent. They refer to the case of California, which was admitted to the Union in 1850. It is true that at the time of its admission California was not contiguous to other already-admitted States. The same may have been true in 1 or 2 other instances in our history. But always the territory in between, if not already possessed of State status, was commonly owned American territory, an integral part of our solid block of land.

Thus, we can see that our rule against admitting noncontiguous areas has been kept intact throughout our history as a country. The question before us today is whether to break that rule, thus establishing a precedent for the admission of offshore territories to statehood in the American Union.

Let no one be deceived into thinking that we can safely break the line by admitting Alaska, and then reestablish another line which will hold. I hope that no Senators feel that it is safe to admit Alaska, in the mistaken belief that even after doing so we can still draw forth a sacred and holy rule which is not to be broken: a rule against admitting any Territory not a part of the North American Continent. Such a rule will not hold for even a single session of Congress, because you know, Mr. President, and I know that, once Alaska becomes a State, the doors will be wide open for Hawaiian statehood. And with the admission of Hawaii, out goes any rule about North American Continent only. Then will come the deluge: Guam and Samoa, Puerto Rico, Okinawa, the Marshalls. The next logical step in the process would be that to which I have already alluded: the incorporation in the American Union of politically threatened or economically demoralized nations in Southeast Asia, the Caribbean, and Africa. This is a progressively cumulative process, each step being relatively easier than the preceding one, as the legislative vote of the overseas bloc grows steadily larger with each new admission. Indeed it is conceivable, when we consider the ultimate possibilities which may result from passage of this bill, that we who call ourselves Americans today may some day find ourselves a minority in our own Union, outvoted in our own legislature—just as the native people of Jordan have made themselves a minority in their own country by incorporating into Jordan a large section of the original Palestine, and thus acquiring a Palestinian-Arab population outnumbering their own.

I repeat: This is not a case of conjuring up a ridiculous extreme. This is a distinct possibility which must be considered by this body before we take the irrevocable step—irrevocable, Mr. President, irrevocable—of admitting Alaska to statehood in the American Union.

Mr. President, within the general framework of my opposition to this proposal, in view of the great distance which separates Alaska from the United States mainland, I wish to point out a factor which mitigates against the admission of a noncontiguous Territory.

In the early days of statehood, when the original 13 States banded together to form a more perfect Union, one of the compelling reasons why the 13 States banded together was the fact that they were so closely allied geographically, and united in a common bond of friendship due to the exchange of social ideas, culture, and knowledge. The distance between the then existing States was measured within a relatively few miles so that the people of the various States could get together and communicate with each other and visit back and forth because of their close proximity. Because of their geographical locations, the States were able to unite not only in their thinking and in their political and cultural ideas but also to unite in their common defense. From this geographical closeness there developed a cohesive action which could be used in defense or in promoting better understanding and knowledge among the peoples of the various States. As the boundaries of the growing Nation expanded and its frontiers were extended westward from the original 13 States, the knowledge and culture and communal spirit proceeded with the advancing of the frontiers. This advance into the Territories, and the subsequent admission of the Territories into statehood, differs far more from what we could expect today in relationship to the connection between our present continental limits and those of Alaska. There is between our extreme northern border and Alaska no frontier which can be conquered, as was done by our early settlers, because of the intervening territory of a foreign power which forms a natural barrier to any exchange of ingress and egress with the people of Alaska and the citizens residing within the continental limits of the United States.

In the past our country has grown from a small island of 13 original States into its present 48 States by the very nature of the geographical characteristics of this continent lying between two oceans. It was only natural for the settlers to push to the frontiers beyond as the population increased State by State, and that influx from an established State to a new Territory was able to continue until stopped only by the barrier of the Pacific Ocean.

I submit, Mr. President, that viewed in the light of the way our States developed, this idea now of trying to bring Alaska into our Union of States flies in the face of historical development of our civilization and culture.

Mr. President, is it not obvious that we are on the horns of a dilemma? Heretofore the question of statehood has been basically simple. Heretofore the areas which have been involved in statehood measures lay south of the Canadian border; north of Mexico and the Gulf of Mexico; bounded on the east by the Atlantic Ocean and on the west by the Pacific Ocean. Within those limits, Mr. President, lay all of the area comprising admission to statehood of the now 48 States of the Union. Never before in our history have we come up against the problem of admitting into the Union a Territory or an area so far removed from direct contact with the United States as now constituted, or any one of those States. Always before, the Territory or area to be admitted has either been next to a State of the Union, or at least a United States Territory. Here we have the situation of considering for statehood a Territory which is neither next to a State of the United States nor adjacent to a Territory of the United States but, in fact, is bounded on two sides by foreign nations. Indeed, Mr. President, this is a precedent. This is a case of first impression never before known in the prior history of the United States.

Mr. President, let me digress for a moment to assure my friends in Alaska, and my friends in the Senate, who are in favor of statehood for Alaska that I hold the people of Alaska in the highest

esteem. It is not my purpose to in any way detract from their ambition or their loyalty or their desires to become a portion of the United States in its ultimate sense. When I say "ultimate sense" I mean a full-fledged State, equal in all respects to any other State of the Union. As a matter of fact, I admire the people of Alaska who desire statehood for that ambition. So, I wish to make it clear that the remarks I make in this connection are not critical of any person or any community of Alaska. My remarks are not critical of the land and waters emcompassed within the Territory of Alaska. In fact, I am proud of them. My remarks are directed solely to the advisability of admitting this vast Territory to the sisterhood of States.

To return to the situation I was describing above, it would seem to me that favorable action to admit the Territory of Alaska to statehood would create the foundation for the admission of all other Territories and Possessions. To take this step is to write into law processes that form the foundation for perhaps many other like proposals in the future. Let us know that this is not just the 49th State to be admitted to the Union under the same conditions as the other 35 States which have been admitted, but, Mr. President, it is a great deal more than that. It is a reaching out many miles from our continental borders and shores to bring into this Nation as a State a vast Territory—a Territory at least twice as large as the State of Texas—and bringing it into statehood even though it is many miles away.

At different points in this address I hope to touch upon other subjects which I deem of importance to this matter. I refer to the situation in regard to the common defense. That I shall touch upon, as I have stated, later. I shall also touch upon the subject of a more perfect Union, as those terms are set forth in the preamble to the Constitution, but now I am confining myself solely to the question of contiguity, and in this instance it is a great deal more than contiguity. The area sought to be brought within the Union does not even approach contiguity. It lies far off and away from the United States as we know it.

When we consider, Mr. President, the annexation of such an immense area, lying so far away, we must pay heed and attention to what possibly could be the result. Let us keep in mind that once this Territory has been admitted to statehood, it shall be forever thus—nothing can be changed.

I referred to the borders of the concontinental United States previously, and I again draw them to the Senate's attention. The present 48 States lying within these borders are contiguous and are a cohesive union. All of this was one of the intents of the formation of the United States of America. Among other things, it was to take in those territories which naturally, geographically and logically, would fit into the American way of life, culturally, socially, and in all other manners and ways of living. Again, I repeat that these remarks are not in any way directed to the people of Alaska, but to a situation. Does the admission of this vast Territory far to our north add to the cohesiveness of our Union? Does it add to the compactness of the Union, or, as a matter of fact, may it not detract therefrom? May we not be spreading ourselves too thin? Is it not possible that statehood for Alaska would take away from the United States that unity in territory which, in my opinion, has always been one of its mainstays of strength? As I have said, between the Pacific and Atlantic Oceans and between the northern and southern borders of the United States lie the 48 States of the Union, unbroken and unfettered by the inclusion of any foreign area. This is strength; this is compactness; this is cohesiveness. Therein lies one of the greatnesses of the United States. While I have no desire in any way to deny the people of Alaska that to which they are rightfully entitled, I do believe that, in all sincerity, honesty and for the good of the country, the utmost care, consideration and study should be given to the matter.

It is not enough to say that the people of Alaska have earned the right to become a State of the Union. It is not enough to say that they can support themselves as a State. It is not enough to say that they have been a Territory too long. One of the answers we should have before acting upon a bill of this nature is, What will be the ultimate effect of statehood? Will it dilute the authority and strength of the Union as it now exists? Will it leave as prey to foreign countries a State which we shall be unable to defend in the manner that we now defend the present States of the Union? There are so many questions, Mr. President, which have not been answered and which I believe should be answered before this momentous step is taken.

I note that some reference has been made to the fact that the Territory of Alaska has been so long a Territory, and this is assigned as one of the reasons why we should admit it to statehood. I cannot believe that the fact that any given area is entitled to statehood simply because it has been a Territory for a longer period of time than any other area. There must be much, much more than that, and yet that has been pointed out—it is said that Alaska has been a Territory for so long, it is time for us to admit it to the Union. If that type of argument is persuasive for the admission of any Territory into the Union, let me say that there is no argument I know of against the admission of any area into the United States.

Mr. President, even at the risk of touching upon the dramatic, I shall refer to portions of the Preamble to the Constitution of the United States, which, in effect, states, "In order to form a more perfect union," and "for the common defense." To me, these words have a definite meaning and are not just what one might say are "pretty words." We should all like to have a perfect Union from every standpoint conceivable—geographically, politically, socially, and culturally. Perhaps unconsciously this has always been in the back of the minds of our predecessors in the admission to statehood of the various Territories, even though it may not have been expressly the purpose of statehood. We know that the banding together of the States has created a strength and a stature that never could have been attained by each individual State acting on its own, or by any other form of federation. Therein has been the progress leading toward a more perfect Union. Therein lie the materials, both tangible and intangible, which, as a whole, give the strength for our common defense. The United States of America as it is presently constituted, while perhaps not perfect, or not indestructible, has reached a position of leadership in the world as we know it today.

I do not say that there is not room for improvement of our lot, both from the individual point of view and the collective point of view, because there is, and to that end we should always strive. I do say, however, that the consideration of the admission of any Territory to the United States should be carried out, based upon the proposition primarily as to whether or not it will add to that more perfect Union and will add to the common defense of all of the United States.

All of this, it seems to me, was a comparatively simple proposition when we dealt with the areas and the Territories which now constitute the United States. As I have stated before, that area was confined to the oceans on the east and the west of us and the borders to the immediate north and south of us. I do not believe it could have been argued at that time that the addition of this Territory would in any way weaken us. That was particularly true in the admission of the State of California and the other States of the west coast, for the reason that California was comparatively well populated, while the intervening territory between California and the East was sparsely populated. This, of course, gave us a better means of protection from the West in admitting California as a State. It also gave us better means of protection for the intervening territory, so that it could be developed and brought to the point where it could, as time passed, qualify for statehood. All of these things have come to pass and we have the United States of America as it is now constituted.

What is the situation in regard to Alaska? We go many miles to the north—beyond the borders of a foreign nation and to the border of another foreign nation—and select a vast Territory, a Territory so large as to be almost fantastic in size when compared to any other present State of the Union. I do not say that this is wrong. I do say that the questions I impose have not been, as far as I have been able to discern, considered adequately or reasonably satisfactorily. Should it be that a real consideration of the ultimate effect of the admission of Alaska as a State of the United States be for the good of the entire Nation and would not detract from our international stature, I should not object. This has not been done, Mr. President, either from the standpoint of common defense or a more perfect

Union. If it has, it has not come to my attention.

No doubt, Mr. President, the proponents of the legislation may say that Alaska, from a military standpoint, is a bastion not to be underrated. They may say that it is one that is of the utmost importance to us and, as such, should be admitted to statehood. Of course, to me this does not follow, because from the military standpoint it can be just as valuable—just as well manned—just as well armed, and just as powerful as a Territory as it can be as a State. On the other hand, the fact that it is an isolated State of the United States of America may well be a handicap in case of war. Would there not be a different political implication if the State of Alaska were invaded, as opposed to the Territory of Alaska? Frankly, I do not know, but I do want these questions answered before I shall feel that I can vote for a proposition so foreign to anything that we have done before, and this even in view of the fact that some consider it just another State admission. The proponents of the legislation would like us to believe that all we are doing is admitting another State into the Union. I cannot emphasize or re-emphasize more than is humanly possible that this is not so. We are doing a great deal more than just admitting another State. If this were not so, I should be the last to object.

Militarily speaking, Alaska is of vast importance. In fact, it has been recognized in the present legislation that such is the case, and it is so well recognized that in section 10 of the bill it is sought to reserve to the United States, at the pleasure of the President, vast territories for national defense. If there is an indication on the part of the administration or any of the proponents of this legislation that such a reservation of territory is necessary for the national defense, it seems to me that to release the other area contained in the Territory for purposes of statehood is not sound. If we must reserve a great portion of Alaska under the aegis of the President of the United States so that he may, at his will, exercise exclusive jurisdiction, it seems to me that not to reserve the balance of the Territory is to cut off our nose to spite our face, from a military standpoint. If, on the other hand, we may set aside to the State of Alaska that area which the bill does not reserve for military purposes, then I see no reason why we cannot safely give the rest to them. Why is it that such importance is attached to one area of Alaska above a certain parallel and not to the remainder of it? So far as we know, this reservation has never existed in the admission of any other State into the Union.

Mr. President, I point out these matters because I believe that they are not in the interests of a more perfect Union or do not tend to enhance the proposition of the common defense.

Mr. President, in addition to the two major objections which I have just outlined, there are a number of other reasons why I oppose statehood for Alaska.

For one thing, I have grave doubts that Alaska is economically capable of assuming the responsibilities that go with statehood. I have already briefly touched on this subject, but now I should like to go into this aspect in a little more detail. Hon. CRAIG HOSMER of California, clearly outlined to the House, when this bill was under consideration there, some of the economic aspects of this problem.

Mr. President, one of the requirements for statehood which has been adhered to by the Congress in screening the capability of the State to carry its burden of proof that it is ready, willing, and able, is that the proposed new State has sufficient population, resources, and financial stability so as to support State government, and at the same time carry its fair share of the costs of the Federal Government. I believe that this is a fair test to which the Congress should adhere in determining whether a State is ready and able to join the Union of States. With this in mind, I think it proper to examine the financial and economic position of the Territory of Alaska in order to evaluate its present position, its income, its taxing power, and how it has been carrying its financial burdens while in a Territorial status.

Proponents of Alaskan statehood have spoken in glowing terms of the tremendous natural resources the Territory possesses and have said that the development of this vast resource potential has been retarded by Alaska's Territorial status. They argue that statehood would aid development of these natural resources and that statehood would encourage a vast flow of new capital and settlers into the new State.

Secretary of the Interior Seaton, while speaking in Alaska recently, observed that one of the reasons why Alaska would be a welcome addition to the family of States is that these tremendous untapped riches of natural resources would be more available and sooner developed by statehood. The Secretary went into considerable detail about the mineral resources, particularly coal, oil, its pulp potential, its fishing industry, its development of hydroelectric energy—all should offer great incentive for the bringing in of risk capital by stateside investors. It is all very well to speak about this vast natural resource potential, but I think close scrutiny belies the glowing picture that the proponents seek to paint. I venture to say that these resources could no more be developed under statehood status than they have been in the past under Territorial status. In this connection it should be noted that Alaskans have been seeking statehood for many years. The first statehood bill was introduced in the Congress in 1916. Since 1916, there have been bills introduced in many Congresses and numerous congressional hearings, not only in Washington but also in Alaska. I am sure that since 1916 and during the intervening years up to the present those people most vociferous in arguing for statehood keep reiterating the cry that the natural resources and the great economic potential would realize its greatest potential upon admission as a sister State. It seems to me that if this economic potential has been in existence and the development of these great natural resources has been going on since 1916—because the Alaskans had been working for statehood since that time—there appears to have been no great progress toward this economic dream during the 40-year span. Assuming this bill is enacted and Alaska becomes a State, and we use as a yardstick the economic progress made in the past 40 years and project that 40 years into the future, I fail to see how Alaska can even support its own State government expenses and administration of its own fiscal affairs, let alone carry its fair share of the burden of Federal governmental expenses.

Those sponsoring this legislation try to create the impression that Alaska is simply an additional frontier which our pioneers have finally reached and are about to bring into productive use rapidly. This amounts to a complete misunderstanding of Alaska's recent history and current situation.

Since our purchase of Alaska from the Russians, it has had two population booms. The first occurred between 1890 and 1900 when gold was discovered. The population increased sharply from about 30,000 to approximately 60,000 during that decade. Gold discovery did not lead to a steady, solid, permanent growth. As a matter of fact, the population of Alaska actually declined between 1900 and 1930.

The second spurt in population occurred between 1930 and 1950, but this did not result from increased use of Alaska's natural resources. It was due almost entirely to something else—the growth of Federal Government activities.

The increase of Alaska's population closely paralleled the increase in Federal spending and in the number of Federal jobs. Federal expenditures specifically earmarked for Alaska in 1950 amounted to $71 million; in the 1951 budget estimates, $112 million. These figures do not include a great part of the military spending there.

As of December 1948, there were 11,536 Federal employees in Alaska, most of whom it is safe to assume went there after 1930. To this figure must be added the employees of companies having Federal construction contracts in the Territory.

During the years since 1930, the population of Alaska has increased at an accelerated rate. It is clear, however, that substantially all of this increase can be accounted for by the increase in Federal job holders, employees of Government contractors, their families, and the trade and service establishments dependent upon them.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the Senator from Mississippi.

Mr. EASTLAND. Mr. President, the Senator is making a very able address. I ask unanimous consent that I may suggest the absence of a quorum without the Senator from South Carolina losing the floor.

The PRESIDING OFFICER (Mr. HRUSKA in the chair). Is there objection? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HRUSKA in the chair). Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator from South Carolina yield for a question?

Mr. THURMOND. I am pleased to yield for a question.

Mr. MORSE. If the Senator from South Carolina is planning to speak for some time, and would like to have a break in his speech at any time, with the understanding that any interruption would follow his remarks, I should be very happy to make a short speech I have planned to deliver, because I have announced previously today that I would speak. But I leave that decision entirely to the Senator from South Carolina.

Mr. THURMOND. In reply to the distinguished Senator from Oregon, I do not think I shall speak for more than 10 minutes.

What will happen to this increased population if the Army follows its announced policy of evacuating its civilian employees from Alaska?

On the other hand, military expenditures in Alaska depend entirely on the international situation. Eventually Alaska must look forward to a sharp decrease in military activity there.

During this artificial boom created by Government spending, the basic industries of the Territory, instead of expanding, declined.

Gold mining, the principal industry of the interior, has fallen off sharply. In 1941, gold production amounted to approximately $28 million. By 1949 this production had fallen to less than $8 million. Statehood cannot improve the condition of this industry. Increased production costs and a fixed selling price have crippled it. Unless the price of gold is changed, there can be no relief for the gold-mining industry in the foreseeable future.

The story of the fishing industry is similar, although not quite so bad. Production of canned salmon on the average during the years 1945–49 was less than the average production for any 5-year period since 1910–14. Those familiar with Alaska conditions agree that the salmon and most of the other fishing industries in the Territory have about reached their peak on a sustained-yield basis. Even the most ardent proponent for statehood will admit that passage of H. R. 7999 will not increase the annual run of salmon.

Take away military expenditures and Alaska's entire economy must depend almost entirely on the fishing industry. This means that the economy of the new State would depend on this resource's conservation and protection. The fishery resource, in turn, is affected by imports of foreign products. Furthermore, the conservation and protection of the industry are dependent to a large extent on the establishment of international treaties extending protective measures beyond the 3-mile limit.

What are the prospects for other industries which are supposed to develop with such amazing speed once statehood is granted?

There are still only about 600 farms, including fur farms, in the entire Territory—less than in the average agricultural county in the continental United States. For years we have been hearing about the possibilities of agricultural expansion in Alaska. But thus far the combination of climate, geography, and Federal redtape has prevented any substantial additional settlement there. Furthermore, there is no reason to believe that statehood will remedy this situation.

We have also heard glowing, optimistic reports about the future of timber and pulp in Alaska. High transportation and production costs plus foreign competition have halted development of these resources.

One large contract for woodpulp production has been signed. But the contractor has been hesitant about going ahead with his plans and making the large investment required. Reports are that the prospect of excessive taxes under statehood has been a dominant factor in causing this delay.

Instead of hastening the development of the timber and pulp industry in Alaska, passage of H. R. 7999 might well thwart it.

In short, there is no evidence of any industry that will appear and develop once statehood has been granted. The only industry—if such it can be called—which has developed at a rapid pace during recent years has been Federal bureaucracy. A Federal bureaucracy is hardly a fit basis on which to erect a structure of statehood.

It must be remembered that Alaska's climate is unfriendly to many ventures—that it necessitates that all industries be of seasonal nature because of severe winters in the interior and heavy rainfall on the coast. Outside work is difficult for many months under these conditions. Construction, for example, is limited to the summer months in most parts of Alaska.

Alaska has been preserved for many years as a sort of happy hunting ground for Federal bureaus which have withheld its resources from development. Either that, or they have tried to control its development according to plans drafted 5,000 miles away in Washington, D. C.

Mr. President, I have much more information that I wish to present to the Senate, but I shall do so on another occasion. At this time I shall yield the floor, especially out of respect for my distinguished friend from Oregon.

Mr. MORSE. Mr. President, I want my friend from South Carolina always to know that I appreciate his courtesies.

Mr. THURMOND. I thank the Senator.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12716) to amend the Atomic Energy Act of 1954, as amended; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DURHAM, Mr. HOLIFIELD, Mr. PRICE, Mr. VAN ZANDT, and Mr. HOSMER were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

H. R. 6306. An act to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing 14th Street or highway bridge across the Potomac River, and for other purposes";

H. R. 6322. An act to provide that the dates for submission of plan for future control of the property of the Menominee Tribe shall be delayed; and

H. J. Res. 382. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission.

POLITICAL IMMORALITY

Mr. MORSE. Mr. President, I shall speak for a very few minutes, but with an expression of sympathy for the loyal members of the staff of the Senate who, on more than 1 occasion during the past 13 years, have borne with me at this hour of the night. I had expected to deliver this speech at a much earlier hour today; and once I have given my word to the press or anyone else that I shall back up on the floor of the Senate what I have said in a press conference, I keep my word, irrespective of the lateness of the hour.

Mr. President, on June 18 I spoke in the Senate concerning the political immorality revealed by the testimony received before the Subcommittee on Legislative Oversight of the House Committee on Interstate and Foreign Commerce on June 17.

As I pointed out in that speech, the House hearings disclosed that Mr. Sherman Adams called on the then Chairman of the Federal Trade Commission, Mr. Edward F. Howrey, for information concerning an FTC action against one of the mills owned by Mr. Bernard Goldfine. Section 10 of the Federal Trade Commission Act reads as follows:

> Any officer or employee of the Commission who shall make public any information obtained by the Commission without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding $5,000, or by imprisonment not exceeding 1 year, or by fine and imprisonment, in the discretion of the court.

Also the Commission Rules of Practice, Procedures, and Organization reads, from paragraph 1.134:

> Release of confidential information: (a) Upon good cause shown, the Commission

By Mr. PROXMIRE:

Resolutions dealing with proposed changes in the rural-electrification program and development of practical nuclear-power reactors.

By Mr. JAVITS:

Address by Prof. Richard H. Heindel, vice-chancellor for planning and development, University of Buffalo, delivered at Wagner Lutheran College, Staten Island, N. Y.

Editorial entitled "Atomic Power for Europe," published in the New York Times of Wednesday, June 25, 1958.

News article entitled "Proposed Addicts Get Free Drugs" written by Earl Ubell, published in the New York Herald Tribune of June 25, 1958.

By Mr. NEUBERGER:

Editorial entitled "Clarify Laws on Recall," published in the Milwaukee Journal of June 17, 1958.

NOTICE OF HEARING ON NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, July 2, 1958, at 10:30 a. m., in room 424 Senate Office Building, upon the following:

Arthur J. Stanley, Jr., of Kansas, to be United States District Judge of the District of Kansas, vice Arthur J. Mellott, deceased.

At the indicated time and place persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Wyoming [Mr. O'MAHONEY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

OPPOSITION OF WEST VIRGINIA TO EXTENSION OF THE RECIPROCAL TRADE AGREEMENTS ACT

Mr. HOBLITZELL. Mr. President, now that the bill to extend the Reciprocal Trade Agreements Act has passed the House in a most benevolent form so far as other nations are concerned, we who represent States with economies impaired by excessive imports must salvage what we can before sending the measure on to completion of its legislative cycle. I was pleased that the entire West Virginia House delegation associated itself in bipartisan battle in behalf of provisions that would have enabled our working people to get back the jobs that have been eliminated from the American economy by commodities produced in lands where wages are ridiculously low and standards of living are far below those normally enjoyed in this country.

Coal, glass, textiles, and pottery are among West Virginia industries sustaining grave economic damage under current foreign-trade policies. Needless to say, the railroads of our State feel a consequent impact, for each of the millions of tons of coal displaced in East Coast fuel markets by foreign residual oil would have moved by rail at least a substantial part of the journey. Thus the mining communities and the railroad centers in both northern and southern West Virginia are losing tremendous amounts of basic business volume that otherwise would redound to the benefit of the entire local populaces.

I wish to thank the Members of the Senate with whom I have talked with respect to my position on the Trade Agreements bill. I recognize that some of my friends are committed to support of the measure without revision. I do not presume to anticipate that every Senator who is sympathetic to the cause of West Virginia industry and labor will vote for adoption of all the amendments essential to our protection. I can only say that I am confident that we shall receive a fair hearing from each of the Members of this legislative body.

As for the national security amendment, which I trust will contain a mandatory restriction on the imports of petroleum and petroleum products, I am satisfied that no one will be intimidated by the threats of Caracus mobs. They do not represent the typical Venezuelan citizen. Although a few communities in that country are without question enjoying a level of prosperity that quite likely has never before been equaled anywhere in South America, there is no evidence that the average Venezuelan family participates in the luxury that has come with the oil boom.

But, Mr. President, we will not be influenced by the distorted statistical dosages that are sprayed over every conceivable channel of communication by the international profiteers who seek to benumb opponents of the policy which gives them open sesame to markets which otherwise would be providing a means of livelihood for thousands upon thousands of workers in West Virginia and in other coal-producing States. I call attention to figures released late last month by the Department of Public Assistance, in Charleston—data meriting the close scrutiny of every Member of Congress and every other Federal official in a position to choose between "big oil" and just plain American workers and their families. The report from Charleston discloses that the number of needy persons estimated to be receiving surplus food commodities during the month of June is approximately one-eighth of the State's population.

I also call attention to the fact that Governor Cecil Underwood on Monday of this week convened a special session of the West Virginia legislature in order to expedite clearance of matters necessary for West Virginia's participation in the Federal program to extend benefits for the unemployed.

West Virginia needs an economic stimulant. Restricting the inflow of foreign residual oil would restore to thousands of our miners and railroaders, particularly, the opportunity to return to the jobs of which they have been deprived by irresponsible foreign-trade policies. Further amendments to the reciprocal-trade program are necessary for the protection of thousands of other employees in a variety of manufacturing and processing industries that contribute to West Virginia's economic vitality.

In the coming days, I shall continue to bring our story to the attention of individual Members of the Senate. They may have other considerations that will preclude their subscribing to this crusade, but I assure them that they cannot help but recognize the justification of our appeal for a legislative safeguard against imports that are a serious impediment to the economic progress of American industries and American communities.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10378. An act to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; and

H. R. 13066. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1959, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 10378. An act to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

H. R. 13066. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1959, and for other purposes; to the Committee on Appropriations.

STATEHOOD FOR ALASKA

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. AIKEN. Mr. President, the Senate has now resumed consideration of the unfinished business; therefore, it is not necessary for me to request unanimous consent to speak for more than 3 minutes, I believe. Is that correct?

The PRESIDENT pro tempore. That is correct.

Mr. ROBERTSON. Mr. President, I wish to speak for 3 minutes in the morning hour.

Mr. AIKEN. Mr. President, I am glad to yield for that purpose, provided I do not thereby lose the floor.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, I wish to bring to the attention of the Senate—because I believe it to be very pertinent—a letter I received this morning from an editor in Alaska. In the letter he states that, in his considered opinion, Alaska cannot at this time afford the luxury of statehood.

His letter reads as follows:

KETCHIKAN, ALASKA, *June 23, 1958.*

DEAR SENATOR: Most of the people of southeastern Alaska do not favor statehood at this time.

We who are opposed to statehood do not have the financial means to be heard, though the statehood proponents are spending hundreds of thousands of dollars of our Territorial tax moneys to advocate statehood.

Briefly, we believe statehood should be delayed because:

1. We want to develop industrially first. The increased costs of statehood now would make further development impossible.

2. Costs of living and doing business in Alaska now are from 22 percent (at Ketchikan) to 55 percent (at Fairbanks) higher than in Seattle. This is because of the seasonal nature of our industries and the fact that lavish Federal expenditures have increased labor costs so high that private business cannot afford to hire people in competition with the military.

3. The Federal Government now is the source of 65 percent of the Territory's income. If military activities are discontinued in Alaska or decreased, Alaska will be in a sad state indeed as a State.

4. We have only one year-round industry; that provided by the one Ketchikan pulp mill. The rest are seasonal industries, operating only a few months each year.

5. Many Alaskans want two Senators in Congress because they believe the power wielded by these voting would result in more Federal moncys being spent in Alaska.

6. We want more population to help us support a State. We now have only 27,000 people in private industry and of these more than 6,500 are in seasonal construction, most of which is for the military. The peak employment in private industry is about 40,000 a year; the low somewhat less than 20,000 in winter.

7. It is not correct to say that statehood will attract more population. Population is controlled by economic factors. Every fall about 20,000 of our workers leave Alaska for the south due to lack of something for them to do.

8. No impartial study has been made to determinc whether Alaska can support statehood.

Your very sincerely,

EMERY F. TOBIN.

Mr. President, I ask unanimous consent to have published at this point in the RECORD a letter to an editor by Mr. Tobin, which was reprinted in Alaska, explaining more in detail why Alaska could not at this time afford the luxury of statehood.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CAN ALASKA AFFORD STATEHOOD NOW?—A LETTER TO AN EDITOR FROM AN EDITOR

(By Emery F. Tobin, editor, the Alaska Sportsman)

KETCHIKAN, ALASKA, *March 23, 1956.*

EDITOR, DAILY NEWS:

In connection with some studies I have been making on the Alaska constitution and statehood for Alaska, I have gathered certain facts and figures, some of which I gave in a talk at the meeting of the Ketchikan Chamber of Commerce yesterday and at a meeting of the Business and Professional Women's Club a few weeks ago.

In reporting my appearance at the chamber of commerce in the Daily News yesterday, several serious misstatements were made. In view of these misquotations and the several requests I have had for copies of the figures I quoted, perhaps your readers may be interested in the following review of my talk on the costs of statehood:

In general, the proposed Alaska constitution is a good one, and except for some features which have been subject to criticism, is very democratic, and provides for a government of the people, by the people, and for the people.

However, when a householder or a business organization wants to acquire something, the first factor usually considered is the cost, and next is whether it can be afforded. In considering statehood for Alaska, the last thing that seemed to be discussed is the cost.

HAVE PUBLIC MONEY

The advocates of "statehood now" have been granted over $150,000 of public money by the Territorial legislature to promote statehood. This is money from the pockets of those Alaskans who do not believe Alaska is ready for statehood, as well as from those who do. The opponents have to use their own time and money for research to oppose the propaganda of the statehood adherents using public money. It is rather a losing proposition.

The supposition that Alaska is economically sound and can afford immediate statehood is based on the fact that most of the money earned in Alaska often comes easily, in a few months of the year, or from Uncle Sam. But if Alaska were as prosperous industrially as some would make it out to be, there would be no necessity for more than 20,000 people to leave Alaska every fall for lack of work. They come back in the spring, but they do not make permanent residence.

That is why Alaska, with its 586,400 square miles, does not have a population of more than 208,000. And most people do not realize that of the 208,000, some 80,000 are military men in the pay of the Federal Government, and their dependents. In addition, there are another 15,000 Government civil scrvice employees, plus their dependents.

Of the total, also, about 35,000 people in Alaska are Indians, Aleuts, and Eskimos and 30,000 are schoolchildren. In the fiscal year ending June 30, 1955, there was an average of 26,500 persons in private industry, and even of these 6,715 were employed in contract construction, most of which was Government. Mining employed an average of 1,333; manufacturing, 4,476; transportation and utilities, 3,956; wholesale and retail business, 5,894; service industries, 2,732; and others, 1,395. These are averages for the year. The peak employment was about 40,000 in private industry in the summer; the low, somewhat less than 20,000 in winter.

COSTS $28 MILLION

The workers and industries of Alaska may be called upon to pay as much as $28 million a year to cover the costs of State government in addition to the other taxes they pay. That's more than $1,000 a year each for the average number of wage earners in private industry.

Right now, Alaskans are paying into Uncle Sam's treasury nearly $100 million a year in taxes. Income taxes amount to about $75 million. The rest are revenues from excise taxes on liquor, cigarettes, luxury items, transportation, gasoline and so forth. We'll continue to pay that load as a State. In addition, we are currently paying more than $14 million a year into the Territorial treasury. Then we pay city taxes.

It has been estimated that the additional costs of statehood may be as much as $14 million a year. Total, with what we are now paying for Territorial government, $28 million.

These additional costs are for fish and wildlife administration, $2,500,000. Operation of courts, nearly $1 million. Support of the schools now operated by the Alaska Native Service, $2 million. Borough government, $150,000. Additional police system, $300,000. Care and custody of insane, $500,000. Roads, $7 million. Operation of governor's office, legislative expenses and state buildings, $600,000. These are estimated costs. Other figures run between $10 million and the above $14 million.

UNCLE MAKES NO PROFIT

Uncle Sam spends in Alaska for nonmilitary items, every dollar that he gets from Alaska in income and excise taxes, nearly $100 million a year. The President's budget for the coming fiscal year is almost $100 million. But on the whole the States are pouring into Alaska about $300 million more than they're taking out and this money is all reflected in Alaska's present economy.

Alaska's biggest industry—and it is booming—is military defense. We don't know just what the Federal Government is spending on defense in Alaska, but it has more than 50,000 men stationed here. It costs "Uncle" at least $400 a month a man. That's $240 million a year. Then he's spending from $50 million to $100 million a year on Army, Navy, and Air Force construction work. That's a total of more than $300 million a year for construction and men.

In addition to the money that comes to Alaska as a result of military activities, the only other steady wealth-producing revenues result from the work of one pulp mill and some lumber mills and logging operating all or most of the year. The rest are seasonal industries, working for only a few months, consisting of the fisheries, some trapping, the tourist business, and mining, which also create income. The total of Alaska-produced resources in 1954 was about $120 million. The other activities are service businesses, dependent on military spending and the other activities without which they could not exist.

NATIVE COSTS HIGH

The Federal Government pours in millions of dollars for promotion of the health, welfare, education, and relief of Alaska's large proportion of natives—35,000. In education it even goes to the extent of providing boarding schools, such as Wrangell Institute and Mount Edgecumbe, where everything, food and housing, but excepting transportation, is furnished.

An estimated 65 to 70 percent of Alaska's gross business depends for its existence on Federal money. Washington officials realize that Alaska's economy, tied up as it is with Federal spending, is unable to support a State government at this time without extraordinary Federal help. Various bills in Congress would ease the load by millions of dollars—some estimate by as much as $9 million a year—if Alaska takes on the responsibilities of statehood now.

Nearly all Alaskans are in favor of eventual statehood. Those who demand it now point to the financial help the Federal Government is proposing to give and say that the additional cost to Alaska taxpayers will be much less than the figures presented above indicate. They also claim that statehood will increase population.

Some of the strongest advocates of statehood now find it difficult if not impossible to meet the present burden of taxation. The additional load of taxes imposed by the last Territorial legislature was the deciding factor in causing the Alaska Sportsman to have its printing done in the States instead of Ketchikan.

Year-around businesses such as ours are penalized not only by the employment security tax, but by the gross business tax, the increase in the Territorial income tax by 25 percent last year, the school tax by 50 percent, the imposition of an employment security tax of one-half of 1 percent on employees, and the raising of the minimum wage to the highest in the country—$1.25 an hour.

Before the employment-security credit rating was eliminated, we were on the same basis as most States in that respect. Now we, along with the pulp mill, the lumber mills, and other year-around industries are penalized. We cannot compete on the same basis as companies in the States, and it is less costly for us to have our printing done in Illinois than in Alaska.

The shrimp industry of Petersburg found that it could not pay some of its employees the minimum wage and compete with the shrimp industry of California and Mexico. Unions and workers appealed for relief from the commissioner of labor.

CAN'T FINANCE UNEMPLOYMENT

And Alaska is the only State or Territory which has been unable to finance its employment-security payments and has had to get a loan from the Federal Government of $3 million. It isn't just the taxes that the one business has to pay, it's the additional that the firm doing business has to pay for its supplies and the additional wages it has to pay in Alaska because of the cumulative taxes everyone has to pay to do business here. Everyone has to figure "taxes on taxes" to exist. Costs of living in Alaska today are more than 25 percent higher than in any State or other Territory.

It seems certain that population increase will take place when there is industry to support it and not before.

The only additional industries we can hope to get are those which will come here to take advantage of resources which we have but which are in dwindling supply in the States, such as timber, minerals, and fish.

Higher taxes stifle initiative and discourage investment in new enterprises. If new businesses cannot compete here on the same basis as in the States they will not come. And if the Federal Government should reduce its Military Establishments, or discontinue military construction, what would happen to Alaska's economy? Can Alaska afford statehood now?

Yours very truly,

EMERY F. TOBIN.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I yield, if I have time.

Mr. EASTLAND. The Senator realizes that if the present proposal is adopted, and Alaska is admitted as a State, next will be Hawaii, next will be Guam, next will be Puerto Rico, and then the Virgin Islands. Is that correct?

Mr. ROBERTSON. That is correct. The Senator from Virginia said yesterday that we had been given notice by the minority leader that he is going to bring up the bill providing for Hawaiian statehood. The RECORD quoted me as saying "majority leader," but I said the minority leader. In any event, he has given notice about Hawaii. The Senator said all four of the Territories or possessions were in the platforms of both parties. I assume that whoever put that in the platforms expected us to forget about it later.

Mr. KNOWLAND. Mr. President, since the Senator from Virginia has mentioned my name, will he yield?

Mr. ROBERTSON. Yes.

Mr. KNOWLAND. The Senator from California, the minority leader, did not speak about all four of them.

Mr. ROBERTSON. Of course not.

Mr. KNOWLAND. I have taken the position that both Alaska and Hawaii, as organized Territories, under the precedents we have followed in this country, should be admitted. The idea of organizing a Territory was to prepare it for statehood. I do not favor statehood for Puerto Rico. I do not favor statehood for Guam. I do not know of anyone on this side of the aisle or on the other side of the aisle who believes action on the pending proposal will be a precedent. I do not believe the other areas mentioned should be given organized Territorial status. I do not believe the hope or promise should be held out to them for statehood. But the fact remains that the party of the Senator from Virginia, as well as the party of the minority leader, have both pledged themselves to statehood for both Alaska and Hawaii. I shall try to fulfill that pledge.

Mr. ROBERTSON. Is it not true that Puerto Rico and Guam were included in the resolutions of the political parties?

Mr. KNOWLAND. No; I do not believe they were included in the same category as Hawaii and Alaska.

Mr. ROBERTSON. Anyway, the Senator from Virginia is trying to make the point that once the precedent is set for admitting noncontiguous territory as a new State—as would be true in the case of Alaska, for instance—we would find it very difficult to resist a proposal made by the distinguished Senator from California to admit Hawaii. The Senator from Virginia stated that, outside of the fear of communistic domination, a much better case could be made for statehood for Hawaii than for Alaska. Hawaii has a population three times as great as that of Alaska. Hawaii is self-supporting. Hawaii has a wonderful climate. It is a place where people would love to live. It is a beautiful Territory. It would add to the attraction of this Union. But it is 3,000 miles from Washington to where the Senator from California lives, and it is 1,500 miles more to where his new State would be. A friend of mine from Sweden said to me, "We are 1,000 miles closer. Why don't you take us in?"

Mr. KNOWLAND. Mr. President, will the Senator yield further?

Mr. ROBERTSON. I yield.

Mr. KNOWLAND. The minority leader makes no apologies for supporting statehood for Hawaii. I quite agree with the Senator from Virginia that it is certainly equal in its claim for statehood to Alaska. But I am not going to quibble on that point. Both of these great Territories are entitled to statehood. The people of Hawaii, by virtue of their population, by virtue of their economic activity, by virtue of the contributions they have made to the Federal Treasury—the people of Hawaii pay more taxes than do the people of some 6 or 8 of our States at the present time—are amply qualified for statehood.

During World War I and World War II, the people of Hawaii, as in the case of the people of Alaska, furnished troops for the United States who fought overseas. Their patriotism cannot be questioned, in my judgment. I think both Territories will become great States of the American Union.

The arguments made about the distance involved are the same arguments which were made against the admission of Montana, Idaho, Oregon, Washington, and California into the Union. I can get a plane out of Washington at midnight and have breakfast in Los Angeles or in San Francsico. It is far easier to get to Hawaii or Alaska today than it was to get to some of the neighboring States and some of the first States that were admitted into the Union after the Original Thirteen States of the Union were expanded. I do not believe the question of distance appeals to the American people as a bar to admission.

In the day and age in which we live, with instant communication by radio and telephone, and rapid transportation by airplane, the people who have been promised statehood should have the pledge fulfilled.

Mr. ROBERTSON. I want my colleagues to notice that our distinguished minority leader has said he can show there is a better case for statehood for Hawaii than there is for Alaska. I think he can. I also want my colleagues to bear in mind that if statehood for Alaska is granted, they may as well become prepared for the better case which will be presented for Hawaiian statehood, which request will follow as inevitably as night follows day, or vice versa. The Senator from California has said he is going to make a better case for Hawaiian statehood than has been made so far for Alaskan statehood.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I shall if my good friend from Vermont, who has shown great patience, will bear with me, I will yield to the Senator from Mississippi.

Mr. AIKEN. I yield.

Mr. EASTLAND. The Senator from Virginia did not answer my question. Does not the Senator from Virginia believe that, regardless of the personal views of the minority leader, all the areas which have been mentioned will be admitted as States once the Alaskan precedent has been set?

Mr. ROBERTSON. That is what the Senator from Virginia has predicted. Hawaii will be first; then Puerto Rico; then Guam. The Communists will say we are guilty of very bad colonialism if we do not admit Guam as a State. The Senator from Mississippi is right; we shall have set the precedent for the admission into the Union of those areas.

Mr. EASTLAND. Once those areas are admitted into the Union as States, will it not result in the packing of the Senate of the United States, and the change in our form of government?

Mr. ROBERTSON. The Senator from Virginia has said that the change of control is no idle threat. Certainly it will change our form of government if 6, 8, or 10 Senators are to come from areas not contiguous to the United States, and if they are to be given full votes such as Senators have from States like New York, California, and Texas.

I apologize to my friend from Vermont. He has been very kind.

Mr. EASTLAND. The minority leader did most of the talking.

Mr. ROBERTSON. The Senator from Virginia mentioned the name of the Sen-

ator from California. The minority leader made a very real contribution to the consideration of what is really before the Senate. Again I thank my colleague for yielding.

Mr. AIKEN. I was very glad to yield.

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. AIKEN. I yield to the Senator from Montana.

Mr. MANSFIELD. I should like to invite the attention of the Senate to the fact that what we have before us for consideration is a measure which has to do with admitting the incorporated Territory of Alaska into the American Union as a State. I hope we will keep away from such side issues as Guam and Puerto Rico, because those are not under consideration. Guam and Puerto Rico are not going to be under consideration. We should stick to the subject before us at the present time.

ACQUISITION OF CERTAIN LAND IN THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1710, Senate bill 3141.

The PRESIDENT pro tempore. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3141) to authorize acquisition by the Administrator of General Services of certain land and improvements thereon located within the area of New York Avenue and F Street and 17th and 18th Streets NW., in the District of Columbia.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 3141) to authorize acquisition by the Administrator of General Services of certain land and improvements thereon located within the area of New York Avenue and F Street and 17th and 18th Streets NW., in the District of Columbia.

Mr. MANSFIELD. Mr. President, the purpose of the bill is to allow the Government to acquire property in square 170 of the District of Columbia. The property would be used in connection with the Government's long-range building program.

I ask unanimous consent that the entire statement in the report covering the purpose of the bill be printed at this point in the RECORD.

There being no objection, the statement from the report (No. 1670) was ordered to be printed in the RECORD, as follows:

The purpose of this legislation is to allow the Government to acquire property in square 170 of the District of Columbia. This property would be used in connection with the Government's long-range building program.

Square 170 lies between 17th Street and 18th Street and between New York Avenue and F Street NW. It is one block west of the White House Grounds. This area has been zoned first commercial.

The Administrator of General Services informed the committee in executive session that the Government desires to acquire this property at this time, since it appears that, in its present stage, it will be less costly. The Administrator is apprehensive that new development may take place soon in that area and that this improvement will increase the acquisition cost of the property.

The Central Dispensary and Emergency Hospital and a nurses' home located in this area have been conveyed to the Government under provisions of the act of August 7, 1946 (60 Stat. 896, ch. 803), and the General Services Administration is now renovating these buildings for use as Government offices.

The General Services Administration estimates the cost of acquiring the property will be approximately $2 million, the estimated fair market value of all the property which the bill would authorize the Government to acquire.

* * * * *

DESCRIPTION AND APPRAISAL OF PROPERTY

In square 170, 13 lots are currently without buildings and are used as parking lots.

There is one vacant 3-story house, approximately 100 years old, in fair condition.

Two office buildings occupy lots 28 and 827. The first is a 6-story 50-year-old building, in good condition. The second is a 4-story 75-year-old building, in good condition. Both buildings are now being leased to the Government.

There are two 3-story residences, in fair condition, 75 years old.

Four residences, in fair condition, ranging from 75 to 125 years old, are used as rooming houses.

There is one commercial office building, 125 years old, in good condition.

Four buildings, 75 to 125 years old, in fair condition, are used as business places, with a portion of each building being used as a rooming establishment or as residences. One of these buildings is the Allies Inn, a restaurant and rooming house.

OCTAGON HOUSE

The bill specifically excludes the Octagon House, a historic building located on the property owned by the American Institute of Architects. The remaining buildings on this property are modernized office space utilized by the American Institute of Architects. All these buildings and improvements are exempted by specific provision of this bill.

The PRESIDENT pro tempore. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3141) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of March 31, 1938 (52 Stat. 149, ch. 58), is amended by adding, after the word "squares," the following number and exception:

"170 (except for the real property and improvements thereon owned at present by the American Institute of Architects and located at the southwestern corner of square 170 where New York Avenue and 18th Street NW. intersect)."

STATEHOOD FOR ALASKA

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

RELATIONS BETWEEN THE UNITED STATES AND CANADA

Mr. AIKEN. Mr. President, now that consideration of the unfinished business has been resumed, it is not necessary for me to ask unanimous consent to proceed for more than 3 minutes, is it?

The PRESIDENT pro tempore. No, the Senator is correct.

Mr. AIKEN. Mr. President, the matter on which I desire to speak is very close to Alaska, at any rate. I wish to speak of the relations between the United States and Canada for a few minutes.

Mr. President, I am happy to take note of the increased interest of the Congress, and by the public, as well, concerning relations between the United States and Canada.

At a time like the present, when international communism is again showing its teeth, it is well that we take stock of what is going on in the country with which we have most in common.

The Committee on Foreign Relations on May 16 devoted a full day of hearings to the subject of United States policy with respect to Canada as part of its overall review of United States foreign policy. The committee was privileged to hear and question the Honorable Livingston T. Merchant, the United States Ambassador to Canada, and Dr. Percy Corbett from the center for international studies at Princeton University. These hearings will be published soon. I commend them to Members of the Senate because many of the important aspects of current relations and problems with Canada are touched on in these hearings.

Mr. President, it will do no harm once again to remind ourselves of the importance of Canada to the United States. This phase of the matter could also be approached from the other way around, namely, the importance of the United States to Canada. I shall leave that to my Canadian friends. Needless to say, many of the matters which I shall mention from the point of view of the United States are equally worthy of mention when viewed from the other side of the border.

An announcement has recently been made of arrangements which have been completed between the United States and Canada for participation in the North American Air Defense Command, called NORAD for short. Canada is a full partner in these defense arrangements, as she should be. After all, Canada lies between us and our most potential enemy. We here in the United States cannot adequately defend ourselves without relying heavily on the cooperation which Canada alone can offer. It is for this reason that planning and operations in air defense are now in a completely integrated United States-Canadian concern. I dare say that we have more completely merged our military arrangements in this respect with Canada than we have ever done before with any nation in peacetime.

Mr. President, all one has to do is look at the map and trace the course of the St. Lawrence seaway as it comes down along the border between our two countries to realize what a tremendous difference this new trade artery will soon make to life and economics in both countries. As we see the beneficial effects

Mr. CHAVEZ. I yield to the Senator from Oklahoma.

Mr. KERR. Mr. President, I desire to express my appreciation to the chairman of the committee for his able leadership and for his very effective cooperation. I also wish to thank the distinguished minority leader for his very kind remarks, and I wish further to thank the distinguished Senator from Florida.

I should like to say, Mr. President, I have never worked on a piece of proposed legislation with reference to which there was finer cooperation by the members of the committee. Upon enactment, this legislation will be a milestone in the record of this body insofar as the Senator from Oklahoma is concerned. After the bill was twice acted on by the Congress and twice vetoed, the Director of the Bureau of the Budget, for his department and for the President, worked with the committee in a manner which was distinctly cooperative and constructively helpful. I am deeply grateful to each and every member of the committee—and especially to my good friend, the Senator from South Dakota [Mr. CASE], who spent so many hours on this matter with me, with the Director of the Bureau of the Budget, and with his fine colleagues on his side of the aisle and those on my side of the aisle. Speaking for myself, as well as for my colleagues, I desire to express appreciation to the Director of the Bureau of the Budget and his office for constructive help and a cooperative attitude in this matter, which made it possible for us to bring the conference report bill to the Senate with complete acceptance and approval.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. CASE of South Dakota. Mr. President, I do not wish to detain the Senate longer or delay the adoption of the conference report, but in view of the things which have been said I should like to speak very briefly with respect to the services of other Senators in this regard.

The distinguished minority leader, the Senator from California [Mr. KNOWLAND], himself deserves credit in connection with the achievement of this position with respect to a bill which was twice vetoed. The Senator from California was vitally interested in some of the projects which were in the bill which was vetoed. The Senator from California introduced a bill which would have made it possible for the Senate to approach the matter by simply accepting the projects which did not incur the disapproval of the President. However, the Senator from California did not take an arbitrary or selfish position in that matter by saying, "Let us only put through the projects, in which I and a few others are interested, which have the President's approval." Instead he took the position, "We will not press for the bill unless we can work out a solution which will provide for some of the other projects as well."

The Senator from Oklahoma—be it said to his everlasting credit—did not take the arbitrary position that we would ride roughshod and force a vote on overriding the President's veto. I think possibly some political hay might have been made, from the standpoint of certain persons, had that been attempted, whether or not it would have resulted in the accomplishment of legislation.

I believe the distinguished Senator from Pennsylvania [Mr. MARTIN], my senior on this committee, expressed our sentiments very well the other evening when the bill was under consideration in the Senate. He said, "We have here an example of the American system working in its best manner." He spoke of it as Americanism at its best.

Those words from a man like the distinguished senior Senator from Pennsylvania come with good grace, because no man, after a long public career, is better able to intepret the American system than is the distinguished Senator from Pennsylvania, EDWARD MARTIN. We shall miss him next year. On another occasion I hope to speak at greater length expressing some of my respect and admiration for the Senator from Pennsylvania; but on this occasion I say to him that I think he said the right thing. The bill does represent the American system working at its best.

To the Senator from Pennsylvania and to the chairman of the committee, the distinguished Senator from New Mexico [Mr. CHAVEZ], I express the appreciation of all members of the subcommittee for their fine leadership of the committee as a whole. I hope they will continue to give us the benefit of their counsel from time to time. The Senator from New Mexico will be with us next year, I assume. I am sorry the Senator from Pennsylvania will not.

Mr. CHAVEZ. Mr. President, I, too, am sorry that the committee is to lose the benefit of the services of the Senator from Pennsylvania, a great Senator. The Senate itself will lose a Member who is highly respected, and who has contributed much to the American way of life.

Mr. MARTIN of Pennsylvania. Mr. President, I did not intend to say anything relative to the conference report, but I have been greatly moved by what the distinguished Senator from New Mexico and the distinguished Senator from South Dakota have said.

I believe that this measure represents Americanism at its best. A prodigious amount of work has been done in connection with the bill. I express my appreciation for the work of the senior Senator from South Dakota [Mr. CASE]. As Senators know, I am the senior Republican on both the Committee on Finance and the Committee on Public Works. This year I have had a most difficult task. I have assigned much work to the senior Senator from South Dakota, and he has always performed in a wonderful manner.

At this time I wish to express my appreciation for the fine cordiality which exists in the Committee on Public Works. As the distinguished chairman has said, it has always been nonpolitical.

The work of the Senator from Oklahoma [Mr. KERR], in connection with the bill, is deserving of the highest commendation.

I wish also to commend the minority leader [Mr. KNOWLAND]. He was certainly most unselfish in all this work. I think we have a fine bill. It has required a great amount of work. It is the fruit of a patriotic endeavor on the part of all Members on both sides of the aisle.

Mr. YARBOROUGH. Mr. President, I wish to add my word of commendation for the work of the distinguished Senator from New Mexico [Mr. CHAVEZ] who is now the fifth in seniority in the Senate, on the rivers and harbors bills.

I do not regard the projects in the bill as pork-barrel projects, as the executive department stated. The bill represents careful, skillful work on the part of both Houses, for the benefit of the American people.

It is necessary that rivers, harbors, and channels be deepened to accommodate our expanding trade, if both interstate trade and international trade are to continue.

There has been a constant increase in the size of seagoing vessels. Our commerce has been constantly expanding. There have been constantly increasing demands upon industry to bring forward new products which can contribute to a better way of life for many people.

There has also been a constantly increasing personal demand. With increasing technology each individual requires a greater quantity of the products of our mines, fields, and factories.

The bill will help all the people of the country. It will injure no one.

I am happy to have this opportunity to add my word of commendation for the fine work done. I attended some of the hearings, and found a uniform courtesy toward everyone, regardless of the project involved, and regardless of whether it was approved.

Mr. EASTLAND. Mr. President, I desire to congratulate the distinguished senior Senator from New Mexico [Mr. CHAVEZ] on the very fine work he has done in connection with this bill. The Senator from New Mexico is one of the most influential, popular, and able Members of this body. He has done outstanding work in this field, and his service in the United States Senate has truly been outstanding.

Mr. CHAVEZ. Mr. President, I know that the conference report is a privileged matter. Nevertheless, I wish to thank the Senator from Mississippi for the patience he has displayed.

I ask for the approval of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11645) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1959, and for other purposes; agreed to the conference asked

by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOGARTY, Mr. DENTON, Mr. MARSHALL, Mr. CANNON, Mr. LAIRD, Mr. CEDERBERG, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12428) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1959, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 6, 12, and 16 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 21 to the bill, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 1706) to amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944, as amended, and it was signed by the President pro tempore.

Mr. FULBRIGHT. Mr. President, I was a member of the conference committee on the bill (H. R. 12428) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies, and for other purposes, for the fiscal year ending June 30, 1959.

The report of the conferees, House Report No. 1980, was filed in the House of Representatives yesterday, and approved by that body today. My name appeared as a signer of this conference report, through error.

I do not approve of the action of the conferees in approving amendment No. 9, which, among other things, appropriates $22.8 million for international educational exchange activities. The House of Representatives originally allowed $20.8 million for this activity, and the Senate approved the amount of $30.8 million.

In my estimation, had the conferees allowed the full $30.8 million approved by the Senate, the amount would still have been inadequate for carrying on this program, which is of proven success, and has been an extremely vital activity in improving our foreign relations.

I think it is a most regrettable circumstance that the House insists upon curtailing this program within very narrow limits, while at the same time the House provides an extremely large increase over the budget figures for the military program; and, furthermore, in this morning's newspapers I noticed that the House has doubled the construction funds for the atomic energy activities.

Mr. President, for the reasons stated, I ask unanimous consent that my name be stricken from the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. EASTLAND. Mr. President, we have heard much, and have read much in the public press and in magazines—most of which are supporting statehood for Alaska—about the law of the land. In fact, the cry since 1954 has been "This is the law of the land. The Supreme Court has spoken, and therefore it must be obeyed."

Today I intend to speak on the "law of the land."

From the time of the founding of the Republic until the present time, the Supreme Court has uniformly held that States can be admitted into the Union only on the basis of equality. Section 10 of the bill flies in the face of the Constitution. I submit that the law of the land voids section 10 of the bill, and that the law of the land must be obeyed.

Section 10 was placed in the bill at the request of the Defense Department. It would prescribe a condition precedent to the admission of Alaska to the Union. There is no right, and no power on the part of Congress to place any conditions on the admission of a State to the Union. In a few minutes I shall discuss in some detail the decisions of the Supreme Court, which are the law of the land, and which the Senate should obey.

Mr. President, I am deeply concerned about the constitutional issues presented by section 10 of this bill, which would authorize the President, by Executive order, to withdraw certain areas of the new State and by virtue of that Executive order the land so withdrawn would be completely under the dominion and sovereignty of the United States rather than under the State of Alaska during that period of withdrawal. This means that the approximately 24,000 citizens in the withdrawal area would be under the exclusive dominion and control of the Federal Government and even could be summarily evacuated at a moment's notice.

I submit that the reservation contained in section 10 is such a condition imposed upon the new State of Alaska as a price for admission into the Union of States that it does violence to the equal footing doctrine, whereby the preceding States entering this Union all entered on equal footing.

Mr. President, former Governor Gruening of Alaska, in his testimony before the committee testified that this was an unfavorable condition and that it was a precedent never before set in the history of our Republic.

What is the law? The leading case on the subject is *Coyle* v. *Oklahoma* (221 U. S. 559). The facts in that case show that Congress passed a law admitting Oklahoma into the Union. It placed on the admittance of the State of Oklahoma the condition that the State capital must be located at the town of Guthrie, and that the State capital could not be moved by State authority until 1913. The act was passed, as I recall, in 1906. It also provided that the Legislature of the State of Oklahoma could not appropriate money for the construction of the necessary State buildings at the new State capital.

When Oklahoma was admitted to the Union, the legislature immediately removed the capital to Oklahoma City, and appropriated money for its construction. A part of the reservation in the act Congress passed reads as follows:

> That the Constitutional Convention provided for herein shall, by ordnance irrevocable, accept the terms and conditions of this act.

The Supreme Court said:

> The only question for review by us is whether the provision of the enabling act was a valid limitation upon the power of the State after its admission, which overrides any subsequent State legislation repugnant thereto.

I am reading from the majority opinion of the Court in Coyle against Oklahoma:

> The question then comes to this: Can a State be placed upon a plane of inequality with its sister States in the Union if the Congress chooses to impose conditions which so operate, at the time of its admission? The argument is that while Congress may not deprive a State of any power which it possesses, it may as a condition to the admission of a new State, constitutionally restrict its authority, to the extent at least, of suspending its powers for a definite time in respect to the location of its seat of government.

I am still reading from the opinion written by Mr. Justice Lurton:

> The definition of a "State" is found in the powers possessed by the original States which adopted the Constitution, a definition emphasized by the terms employed in all subsequent acts of Congress admitting new States into the Union. The first two States admitted into the Union were the States of Vermont and Kentucky, one as of March 4, 1791, and the other as of June 1, 1792. No terms or conditions were exacted from either. Each act declares that the State is admitted "as a new and entire member of the United States of America."
>
> This Union was, and is a Union of States equal in power, dignity, and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. To maintain otherwise would be to say that the Union, through the power of Congress to admit new States, might come to a Union of States unequal in power, as including States whose powers were restricted only by the Constitution, with others whose powers had been further restricted by act of Congress accepted as a condition of admission.
>
> Thus, it would result, first, that the powers of Congress would not be defined by the Constitution alone but, in respect to new States, enlarged or restricted by the conditions imposed upon new States by its own legislation admitting them into the Union; and, second, that such new States might not exercise all of the powers which had not been delegated by the Constitution, but only such as had not been further bargained away as conditions of admission.
>
> The argument that Congress derives, from the duty of guaranteeing to each State in this Union a republican form of government, power to impose restrictions upon a new State which deprives it of equality with other members of the Union has no merit. It may imply the duty of such new State to provide itself with such State government, and impose upon Congress the duty of seeing that such form is not changed to one anti-republican.

I read further from the decision:

> Emphatic and significant as is the phrase admitted as "an entire member," even

stronger was the declaration upon the admission in 1796 of Tennessee, as the third new State, it being declared to be "one of the United States of America," "on an equal footing with the original States in all respects whatsoever," phraseology which has every since been substantially followed in admission acts, concluding with the Oklahoma act, which declares that Oklahoma shall be admitted "on an equal footing with the original States."

Mr. President, what would happen under section 10 of the bill? The President of the United States is authorized, without a declaration of martial law, to withdraw sovereignty from over half of the area of the State of Alaska.

The President of the United States is empowered under the withdrawal provisions of the bill to displace State officers and to appoint Federal officers to enforce the laws of the State provided that the laws of the State do not conflict with the Federal statute. The hearings show, without contradiction, that there would not even be a system of uniform State taxation, because the legislature of the new State could not pass a law which conflicted with a Federal statute.

What it amounts to is a withdrawal of the sovereignty which Congress has no power to include as a condition for the admittance of Alaska.

I shall finish reading the opinion of the Supreme Court; then I shall discuss the resolutions under which other States were admitted to the Union. The Oklahoma case is the law of the land. It is the law of the land which the newspapers and magazines always say must be obeyed.

Mr. President, I shall conclude reading from the opinion in the Coyle case. The Court said:

> Has Oklahoma been admitted upon an equal footing with the Original States? If she has, she by virtue of her jurisdictional sovereignty as such a State may determine for her own people the proper location of the local seat of government. She is not equal in power to them if she cannot.
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> In *Texas* v. *White* (7 Wall. 700, 725), Chief Justice Chase said in strong and memorable language that, "the Constitution, in all of its provisions looks to an indestructible Union, composed of indestructible States."
>
> In *Lane County* v. *Oregon* (7 Wall. 76), he said:
>
> "The people of the United States constitute one Nation, under one Government, and this Government, within the scope of the powers with which it is invested, is supreme. On the other hand, the people of each State compose a State, having its own government, and endowed with all the functions essential to separate and independent existence. The States disunited might continue to exist. Without the States in union there could be no such political body as the United States."
>
> To this we may add that the constitutional equality of the States is essential to the harmonius operation of the scheme upon which the Republic was organized. When that equality disappears we may remain a free people, but the Union will not be the Union of the Constitution.

Under the principles enunciated in the Coyle case, I submit that if section 10 remains in the bill, Alaska will not enter the Union on an equal footing with all the other States.

Mr. President, as I said, the President could displace the officials of the new State of Alaska, and could appoint Federal officials in their stead, and there would be no State courts, but their functions would be taken over by Federal courts, at the whim of the President. I submit that would not place Alaska on an equal footing; that would not be the equality between the States which is a very fundamental of the United States system of government.

I submit that this section is unconstitutional; and at the proper time I shall raise the point of order, and shall let the Senate vote upon the constitutionality of this section.

Mr. President, Coyle against Smith is a landmark case standing for the fact that when a new State is admitted to the Union, it is admitted with all the powers of sovereignty and jurisdiction which pertain to the original States, and such powers may not be constitutionally diminished, impaired, or shorn away by any conditions, compacts, or stipulations embraced in the act under which the new State came into the Union, which would not be valid and effectual if the subject of congressional legislation after admission.

In *United States* v. *Texas* (339 U. S. 707), at page 716, the Court said:

> The "equal-footing" clause has long been held to refer to political rights and to sovereignty. (See *Stearns* v. *Minnesota* (179 U. S. 223, 245).) It does not, of course, include economic stature or standing. There has never been equality among the States in that sense. Some States when they entered the Union had within their boundaries tracts of land belonging to the Federal Government; others were sovereigns of their soil. Some had special agreements with the Federal Government governing property within their borders. (See *Stearns* v. *Minnesota*, supra, pp. 243–245.) Area, location, geology, and latitude have created great diversity in the economic aspects of the several States. The requirement of equal footing was designed not to wipe out those diversities, but to create parity as respects political standing and sovereignty.

Mr. President, I should like to be told of any other State in the Union in which the President can displace State officials or can appoint Federal officials to administer the laws of the State and try people for offenses under State law in the Federal court system. That condition was placed there at the request of the Defense Department and the Department of the Interior. I believe this bill is fatally defective and that Alaska should not be forced to ratify this condition for admission to the Union. It was placed there to meet the objection of the President of the United States, who, in a press conference, if I correctly remember reading the New York Times index, stated that the southern part of Alaska should be made a State and the northern areas should be a Territory. There is an attempt to meet that objection, but in meeting the objection the Constitution of the United States has been violated.

The argument was made during the Senate hearings that when the State of Wyoming was admitted to the Union there was a reservation of Yellowstone National Park to the Federal Government, and that was the only reason given to justify the constitutionality, the legality, of the withdrawal provisions of this bill. What are the facts? Yellowstone Park was reserved by an act of Congress when Wyoming was a Territory in 1872. Wyoming was admitted to the Union 18 years later.

The United States Supreme Court has spoken on the question in the case of Martin against Waddell, when it said:

> Full power is given to Congress to make all needful rules and regulations respecting the Territory or other property of the United States. This authorized the passage of all laws necessary to secure the rights of the United States to the public lands and their sale and to protect them from taxation.

But that is not the issue here, Mr. President. The issue is the power of the President to withdraw State sovereignty from half the Territory of Alaska. Once a State is in the Union, it cannot withdraw from the Union. It cannot be put out of the Union. Not one scintilla of sovereignty can be withdrawn by the President, by the Congress, by the courts, or by anyone else from the States.

Here is a late case, *Alabama* v. *Texas* (347 U. S.). At page 275, Mr. Justice Reed, in a concurring opinion, stated:

> The fact that Alabama and the defendant States were admitted into the Union "upon the same footing with the original States, in all respects whatever * * * does not affect Congress' power to dispose of Federal property. The requirement of equal footing does not demand that courts wipe out diversities "in the economic aspects of the several States," but calls for "parity as respects political standing and sovereignty" (*United States* v. *Texas, supra*, at 716). The power of Congress to cede property to one State without corresponding cession to all States has been consistently recognized.

The argument is made, Why was the Federal Government given jurisdiction over certain lands in the State of Arizona and in the State of New Mexico? That was one of the reasons given in committee to justify the withdrawal provisions of this bill. But what are the facts? Jurisdiction over those lands was given by the sovereign State of New Mexico and the sovereign State of Arizona. It was done by State action; it was not Federal action. In the Arizona case the act was passed by the legislature of that State in 1951, I am informed.

The United States Supreme Court, in *Ex parte Webb* (225 U. S. 663), at page 690, had this to say:

> It is not our purpose to qualify the doctrine established by repeated decisions of this Court that the admission of a new State into the Union on an equal footing with the original States imparts an equality of power over internal affairs.
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> * * * * *
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> The most recent decision of this Court upon the subject of the proper construction of acts of Congress passed for the admission of new States into the Union is *Coyle* v. *Smith* (221 U. S. 559), where it was held that the Oklahoma Enabling Act (34 Stat., c. 3335, p. 267), in providing that the capital of the State should temporarily be at the city of Guthrie, and should not be changed therefrom previous to the year 1913, ceased to be a limitation upon the power of the State after its admission. The Court, however, was careful to state (221 U. S. 574): "It may well happen that Congress should embrace in an enact-

ment introducing a new State into the Union legislation intended as a regulation of commerce among the States, or with Indian tribes situated within the limits of such new State, or regulations touching the sole care and disposition of the public lands or reservations therein, which might be upheld as legislation within the sphere of the plain power of Congress. But in every such case such legislation would derive its force not from any agreement or compact with the proposed new State, nor by reason of its acceptance of such enactment as a term of admission, but solely because the power of Congress extended to the subject, and therefore would not operate to restrict the State's legislative power in respect of any matter which was not plainly within the regulating power of Congress."

Mr. President, where is the equality of power over internal affairs in Alaska?

In the case of *Case* v. *Toftus*, 39 Federal Reports, 730, at page 732, the Court said:

The doctrine that new States must be admitted into the Union on an "equal footing" with the old ones does not rest on any express provision of the constitution, which simply declares (art. 4, sec. 3) "new States may be admitted by Congress into this Union," but on what is considered and has been held by the Supreme Court to be the general character and purpose of the union of the States, as established by the constitution, a union of political equals. (*Pollard* v. *Hagan* (3 How. 233); *Permoli* v. *New Orleans* (Id. 609); *Strader* v. *Graham* (10 How. 92).)

There is no equality here when 24,000 people, on orders of the President, can be evacuated from their place of abode—not after martial law has been declared, not after a national emergency has been proclaimed. What is held in all these cases is that, as a condition of admission, or after admission, a State cannot be deprived of its sovereignty.

Section 10 of the bill would certainly deprive the new State of Alaska of her sovereignty in over half of the Territory and would vest that power in the President of the United States.

The Supreme Court spoke again, Mr. President. The decisions run down to the present time.

In *Boyd* v. *Thayer* (143 U. S. 135), at page 170, the Court said:

Admission on an equal footing with the original States, in all respects whatever, involves equality of constitutional right and power, which cannot thereafterwards be controlled, and it also involves the adoption as citizens of the United States of those whom Congress makes members of the political community, and who are recognized as such in the formation of the new State with the consent of Congress.

I submit that the power given in the bill to take over State functions in more than half of the area of the new State—to suspend statehood, as my distinguished friend from Idaho said, would be a suspension of statehood in such area—is a violation of the Constitution of the United States.

In *Escanaba Company* v. *Chicago* (107 U. S. 678, at p. 688), Mr. Justice Field, speaking for the Supreme Court, said:

Whatever the limitation upon her powers as a government whilst in a territorial condition, whether from the ordinance of 1787 or the legislation of Congress, it ceased to have any operative force, except as voluntarily adopted by her, after she became a State of the Union. On her admission she at once became entitled to and possessed of all the rights of dominion and sovereignty which belonged to the original States. She was admitted, and could be admitted, only on the same footing with them. * * * Equality of the constitutional right and power is the condition of all the States of the Union, old and new.

Next there is a Florida case. What did the Court say about "equal footing"?

In *Skiriotes* v. *Florida* (313 U. S. 69), at page 77, the Court said:

If the United States may control the conduct of its citizens upon the high seas, we see no reason why the State of Florida may not likewise govern the conduct of its citizens upon the high seas with respect to matters in which the State has a legitimate interest and where there is no conflict with acts of Congress. Save for the powers committed by the Constitution to the Union, the State of Florida has retained the status of a sovereign. Florida was admitted to the Union "on equal footing with the original States, in all respects whatsoever" (act of March 3, 1845, 5 Stat. 742). And the power given to Congress by section 3 of article IV of the Constitution to admit new States relates only to such States as are equal to each other "in power, dignity and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself" (*Coyle* v. *Smith* (221 U. S. 559, 567)).

Mr. Justice Lurton's opinions in Coyle versus Oklahoma, cited supra, were cited with approval in *State* v. *Towessnute*, (154 Pacific Reporter, 805, at p. 809), wherein the Supreme Court of Washington said:

In *Coyle* v. *Smith* (221 U. S. 559, 31 Sup. Ct. 688, 55 L. Ed. 853), Oklahoma was relieved of a feature of its admission act that attempted to fix the location of its capital city. Congress, it was held, had no power to admit states under conditions unequal in these respects.

In *Chicago, Rock Island & Pacific Railroad Company* v. *Taylor* (192 Pacific, 349, at p. 354), the Supreme Court of Oklahoma said:

But it is argued that plaintiff in error acquired its right of way from the United States, and that its franchise operates as a contract between it and the Federal Government, exempting it from the power of the State to require the railroad to do anything additional at highway crossings. Suffice it to say that, prior to the admission of Oklahoma as a State, the Federal Government held in trust the police power of the future state, and as the trustee thereof had no power to enter into any contract (and it did not in this case) with a corporation or individual to abrogate, barter away, or limit the inherent sovereignty of the future state. To hold otherwise would be a denial of the constitutional right of a new state to be admitted on an equal footing with the original states. The Federal Government has no authority, prior to the admission of a future state, to enter into any contract with a corporation or individual to exempt such individual or corporation from the exercise by the future state of all the sovereignty possessed and vested in one of the original states. While the Federal Government had full sovereignty in the Indian Territory at the time the act of Congress of March 2, 1887, was passed (*Late Corp. of L. D. S.* v. *United States* (136 U. S. 1–68, 10 Sup. Ct. 792, 34 L. Ed. 478); *Chicago, Rock Island & Pac. R. Co.* v. *Gist* (decided by this Court June 15, 1920) 190 Pac. 878), and was vested with the police powers in the territories (*United States* v. *DeWitt* (9 Wall. 41, 19 L. Ed. 593); *Moses* v. *United States* (16 App. D. C. 428, 50 L. R. A. 532; 14 Cyc. 528)), it had no authority, under the Federal Constitution, to surrender or contract away the police power of the future state.

Mr. President, does not the bill surrender or attempt to contract away the police power of the new State of Alaska, inasmuch as State courts can be superseded and Federal courts can act in their stead by order of the President of the United States? State officials can be displaced and Federal officials appointed in their stead by the President of the United States; and the State legislature cannot exercise sovereignty over half the area of the State because of a lack of power to pass laws in such area under State sovereignty which might conflict with a Federal statute?

Mr. President, we hear much about the chipping away, point by point, of the Constitution of our country and of our system of government. I have heard much to the effect that the Supreme Court has spoken and that what it says is the law of the land and must be obeyed. The magazines and newspapers which support the admission of Alaska day in and day out hammer that thesis home: The Supreme Court decision is the law of the land; it must be obeyed.

Now, there cannot be any conflict. There cannot be any question in this instance. The Supreme Court has spoken. It has spoken innumerable times throughout the entire history of this country, down to the present time.

It is the law of the land. Will the United States Senate obey the law of the land? That is the question which will confront each Senator when the point of order is raised. What are the facts in connection with the bill? This bill was not even considered by a Senate committee. The pending bill was considered in the House of Representatives, and in the appropriate committee of the House, 69 amendments were written into the bill. It is brought here without consideration by a Senate committee. I should like to know what kind of legislation that is.

In connection with the Senate bill, which is not before us, there were only 2 days of hearings. I am confident that these glaring holes would have been closed had the committee carefully gone into the bill.

The hearings conducted afford ample justification for the statement that the withdrawal authority contained in section 10 imposes such a condition as would deprive Alaska of the opportunity of entering the Union on an equal footing with the other States.

The hearings further confirm my view to the effect that the residents of Alaska have not caught the full significance of the requirement of section 10, in that, to all intents and purposes, it would suspend statehood in the areas of withdrawal, and that there is no precedent for the imposition of such a condition upon a new State.

I invite attention to the colloquy between the Senator from Colorado [Mr. CARROLL] and former Governor Gruening of Alaska, on page 33 of the hear-

ings conducted by the Senate Committee on Interior and Insular Affairs.

I charge that there is no precedent for such a far-reaching condition being placed upon statehood.

Governor Gruening is a very able man. He probably knows more about statehood procedure than any other man in the United States. If Alaska were to be admitted as a State, I would hope that he might grace this body as a Senator. I read from page 33 of the hearings:

Senator CARROLL. Mr. Chairman, I would like to ask the Governor just a few questions.

About 10 years ago, Governor, this bill was before the House. Are the contents about the same as that bill?

Mr. GRUENING. No; it is not the same. The bill that was before the House, one of several bills, was a less generous bill and did not make the provisions for land that have now been incorporated in the bill both before the Senate and before the House.

Senator CARROLL. Is this request by the Secretary of the Interior setting aside land; is there precedence for this in other States who have been seeking statehood?

Mr. GRUENING. No, Senator Carroll; there is not.

Frankly, we do not see any particular reason for it since the Federal Government, the President, could, for military reasons, withdraw any part of Alaska, which is largely public domain, for defense purposes.

But if that is what the administration requests and if that is a condition for the granting of statehood, we see no objection to it.

The Supreme Court, without exception, has held that there can be no condition to the granting of statehood. A former governor, the man who is leading the fight for statehood, admits that section 10 constitutes a condition for the granting of statehood. That is a violation of the Constitution of the United States.

I quote further from the testimony of former Governor Gruening:

The important fact is that in contrast with our fears that there is to be partition of Alaska. It is all going to be part of the State; no part is going to be left out and the people living in those areas that are designated as possible areas of withdrawal will have the full rights of citizenship. Local government will go on. That is what the Department of the Interior officials have promised in behalf of the Eisenhower administration.

Now, as I suggested, in response to a previous question from Senator Church, if when the committee examines the fine print and finds that there are no undue qualifications of the assurances that were given us orally and to the House Committee on Interior and Insular Affairs by Representatives of the Interior Department, we see no objection to it. But what is intended should be clearly spelled out and the rights of the Alaskans in the areas stipulated for withdrawal, guaranteed by proper language.

Governor Gruening places his finger on the crux of the situation when he states that there is no precedent for such a condition being imposed on the new State of Alaska, and that no other State entering the Union has had to bear such a condition precedent to its admission into the Union.

What legal effect would verbal assurances given the former governor by officials of the Department of the Interior have? I submit that that is foolishness, and that a vote for the bill with section 10 in it would violate the Constitution of the United States.

Delegate BARTLETT, in testifying before the Senate Committee on Interior and Insular Affairs in favor of the statehood bill, stated that he spoke for all Alaskans; that the principle of the President making military withdrawals is perfectly acceptable to the Alaskan people; and that he has not had a single objection to it from any source within the Territory.

The following colloquy between Delegate BARTLETT and the Senator from Washington [Mr. JACKSON] highlights the fact that there may not have been any objection, but, at the same time, the people of Alaska are unaware of what this withdrawal authority would do to the new State. I quote:

Senator JACKSON. Delegate BARTLETT, what is the reasoning behind that request? Do you know?

Delegate BARTLETT. No. but I have tried for years to find out. I have not the slightest idea.

Senator JACKSON. The last time we were told we were in a better position to defend the area if it remained a Territory. I would assume, as I suggested at the time, that if that reasoning were sound, then the State of Washington should be changed from a State to a Territory so that it would be stronger because it is the closest point to a Russian airfield. I have never been able to get the reasoning behind the move.

Delegate BARTLETT. I do not know if this will enlighten you, Mr. Chairman, I rather doubt that it will, but I can report to you that the House subcommittee was told that it was a form of insurance considered desirable and even necessary.

Senator JACKSON. Maybe we ought to get the Soviets on their side to withdraw part of their land to make it a sort of buffer area.

Delegate BARTLETT. The proposal was acceptable to Alaskans, I might add, because of the fact that it did not propose to diminish the boundaries of Alaska.

All of Alaska, as we now know it, would remain the State of Alaska.

Senator JACKSON. You mean that the present Territory of Alaska would be included in the State, but——

Delegate BARTLETT. Yes; and north and west of this line——

Senator JACKSON. Would that area be part of the new State?

Delegate BARTLETT. That area would be part of the new State. That, of course, is the principal reason why the administration's proposal was quickly adopted by Alaskans.

I might add that this area comprises something like 270,000 square miles.

The President can withdraw State authority from 270,000 square miles and substitute Federal authority, if the pending bill is passed.

Senator CHURCH. The area to be withdrawn?

Delegate BARTLETT. Not necessarily, Senator CHURCH, to be withdrawn.

The area within which the President might make withdrawals. We do not know whether he will ever make any such, but he will have authority to do so.

Senator JACKSON. He has that authority now.

Delegate BARTLETT. Yes, he has that authority because all except a small fraction of 1 percent of that 270,000-square-mile area lies within the public domain.

However, it was asserted that another reason for the desire to bring about this arrangement was that thereafter it would be impossible to apply exclusive Federal jurisdiction.

I call particular attention to that point. Without such an arrangement it would be impossible in the future to apply exclusive Federal jurisdiction. Of course it is impossible for the Federal Government to have exclusive Federal jurisdiction within a State without its consent. There we have an admission on the part of Delegate BARTLETT that the bill violates the Constitution of the United States.

Senator JACKSON. The Soviets might construe that as being aggressive. We are setting up a big military zone right opposite the Soviet Union. Little Norway, little Finland, little Sweden, all adjoining the Soviet Union made no withdrawals and they don't seem to be afraid.

I do not quite understand this reasoning.

The distinguished Senator from Washington and the distinguished Senator from Idaho asked very intelligent questions. I agree with the reasoning both of them used in committee, particularly the Senator from Idaho, when he said, as is reported in the record:

Except that here—and this is the unique feature in the Alaskan case—this very, very large area is being marked off and the Federal Government is given, in effect, the power to suspend full statehood—

I call attention to this particularly—

in that area. Such a proposal is unheard of under our system of government.

Mr. MANSFIELD. Mr. President, will the Senator yield to me, with the understanding that he does not lose the floor, so that I may suggest the absence of a quorum?

Mr. EASTLAND. I yield, with the understanding that I do not lose the floor.

Mr. MANSFIELD. With that understanding, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT TO THE SENATE BY HIS ROYAL HIGHNESS SARDAR MOHAMMAD DAUD, PRIME MINISTER OF AFGHANISTAN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair be authorized to appoint a committee to escort the Prime Minister of Afganistan into the Chamber of the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Chair appoints the Senator from Montana [Mr. MANSFIELD], the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. KNOWLAND], and the Senator from Wisconsin [Mr. WILEY] the committee to escort the Prime Minister of Afganistan into the Chamber of the Senate.

Mr. MANSFIELD. Mr. President, subject to the same conditions upon which the Senator from Mississippi

[Mr. EASTLAND] yielded the floor prior to the last quorum call, I again suggest the absence of a quorum.

The PRESIDING OFFICER. Under the conditions stipulated by the Senator from Montana, that the Senator from Mississippi will not lose the floor, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 2 o'clock and 56 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

During the recess,

His Royal Highness Sardar Mohammad Daud, Prime Minister of Afghanistan, escorted by the committee appointed by the Vice President, consisting of Mr. MANSFIELD, Mr. KNOWLAND, Mr. GREEN, and Mr. WILEY, entered the Senate Chamber, accompanied by His Excellency Mohammad Hashim Maiwandwal, Ambassador of Afghanistan; His Excellency Dr. Mohammad Yusuf, Minister of Mines and Industries; His Excellency Mohammad Sarwar, Deputy Minister of Commerce; Mr. Mohammad Ayoub Aziz, Deputy Chief of Protocol; Mr. Mohammad Khalid Roashan, press attaché; Miss Obee O'Brien, Office of Permanent Delegate to the United Nations from Afghanistan.

[Applause, Senators and occupants of the galleries rising.]

The Prime Minister of Afghanistan took the place assigned him on the rostrum in front of the Vice President's desk, and the distinguished visitors accompanying him were escorted to places assigned to them on the floor of the Senate.

The VICE PRESIDENT. Members of the Senate and our guests: It is my high honor and privilege to present to the Members of the Senate the representatives of a government and a people whose fight for independence and to maintain their independence has won the admiration and respect of the people of the world throughout the years: His Royal Highness, the Prime Minister of Afghanistan.

[Applause, Senators and occupants of the galleries rising.]

ADDRESS BY HIS ROYAL HIGHNESS SARDAR MOHAMMAD DAUD, PRIME MINISTER OF AFGHANISTAN

Thereupon, from his place on the rostrum, the Prime Minister of Afghanistan delivered an address, which was translated by His Excellency Abdul Rahman Pazhwak, Permanent Representative of Afghanistan to the United Nations, as follows:

Mr. Vice President and honorable and distinguished Members of the Senate, it is an honor and a privilege to have the pleasure of meeting with you in this august gathering.

I am overwhelmed by the warm reception and the cordial hospitality of the Government and the people of the United States, for which I express my heartfelt gratitude.

I am very happy that the kind invitation of President Eisenhower has made it possible for me to visit the United States, and my pleasure is all the greater for having this opportunity to convey to you and, through you, to the people of the United States the great, friendly aspirations of the people of Afghanistan.

This message of friendship of the Afghan people to the people of America does not stem only from the good diplomatic relations existing between our countries; it has a sounder source, which is the conviction of our peoples in the principles which the Afghans and the Americans alike consider to be the basis of their existence and, in fact, the basis of any existence with human dignity. This is a spiritual bond; and such bonds are of great value to our people, particularly in view of the fact that they are the best means of creating and continuing friendship between different peoples and nations. This is the basis of the policy of neutrality of Afghanistan concerning our international relationships.

Afghanistan is a country whose people are far behind many peoples, so far as the material developments of the modern age are concerned. But we have a deep convicition and a strong faith in the spiritual realities of life, from which we derive our confidence in the ultimate success of our own people and of other people in the attainment of the aspirations which lead to the happiness of mankind. That is why we can always speak of great and everlasting hope for ourselves and our friends. [Applause.]

Among our friends, our relations with the United States of America were established on the firm basis of true knowledge, on the part of the Afghan people, of the principles which constitute the American way of life.

These relations have continued in ever-increasing measure, in a spirit of mutual respect, confidence, and good understanding. The further strenthening and expansion of these friendly relations is the sincere and living desire of the Afghan people. [Applause.]

While the people of the United States endeavor to realize their own aspirations, we in Afghanistan are engaged in the same pursuit for our people; but our task is markedly different. Ours is a task of reconstruction from the ruins of the past and the reestablishment of a modern life on the site of the old civilizations. As a result of our engagement in the defense of our independence and freedom during the last two centuries, we have been left with great problems. Only recently have we been able to think of embarking upon a program of putting our house in order.

Our experiences in this connection have taught us not to forget our sufferings and not to trust any policy which might allow the dark days of the past to beset us again, but, rather, to favor a policy through which we can look forward to an atmosphere of good understanding, in which our difficulties would be appreciated. To us, this is the only way in which the nations of the world can enjoy mutual confidence on the basis of international justice, which is esssentially needed by the peoples of the world at the present time. [Applause.]

Our hope to succeed in our efforts is obviously of vital importance to us. The success depends not only upon our own efforts, but also on the maintenance of peace and security in the world in which we live.

Therefore I can say that, the achievement of our national goal being dependent on international peace and security, our national and international aims are ultimately the same. That is why our policies in all directions are founded on the principle of friendship with all peoples and nations of the world.

For the achievement of our aims we do not have many means to speak of; however, there is one thing on which we can rely, that is, our confidence in the spirit of our people and their determination to give their utmost efforts, free from any influence and motivated only by an independent judgment to overcome the great difficulties which confront us.

This in no way means that we plan to ignore or slight the importance of good understanding and international cooperation. On the contrary, we are fully convinced of the essentiality of international cooperation and we have given expression to this conviction on any proper opportunity, and we shall continue to do so.

The history of the Afghan-American relations can provide us with many examples of such cooperation. I wish to express my appreciation of the good will and understanding which have always prevailed between our two countries.

In this atmosphere of friendship among the great American people, it gives me the greatest of pleasure, while I am enjoying their hospitality, to represent the wishes of my people for the prosperity and happiness of the American people. Let me tell you that these privileged moments that I have spent among you will remain with me as an everlasting memory of my visit to your great country.

[Applause, Senators rising.]

The VICE PRESIDENT. Senators will have an opportunity to meet His Royal Highness in the well of the Chamber. We also have with us the Ambassador from Afghanistan, and members of the Cabinet.

The Prime Minister of Afghanistan was escorted to a position on the floor of the Senate in front of the Vice President's desk, and was there greeted by Members of the Senate, who were introduced to him by Mr. MANSFIELD and Mr. KNOWLAND.

Following the informal reception, the Prime Minister and those accompanying him were escorted from the Chamber.

RESUMPTION OF LEGISLATIVE SESSION

At 3 o'clock and 22 minutes p. m., the Senate reassembled when called to order by the Presiding Officer (Mr. CLARK in the chair).

Mr. WILEY. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Under the unanimous-consent agreement, does the Senator from Mississippi [Mr. EASTLAND] have a right to the floor?

The PRESIDING OFFICER. The Senator is correct. The Chair was in error in recognizing the Senator from Wisconsin.

Mr. WILEY. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the Senator from Wisconsin under the same conditions on which I have heretofore yielded.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

PUBLIC ADDRESS SYSTEM FOR THE SENATE CHAMBER

Mr. WILEY. Mr. President, on several previous occasions I have spoken of the need for having in this august Chamber a system whereby people in the Gallery could hear at least some of the words spoken on the Senate floor. They can hear me now. With a public-address system the visitors in the Gallery could have heard today the voice of the distinguished visitor to the Senate. I am sure they did not hear his voice. I also noticed some Senators were leaning forward in their seats, seeking to hear what was said.

On other occasions I have mentioned that the voice of the majority leader has not carried sufficiently so that I, sitting two seats back, could hear what was said.

I think that in the interest of commonsense we ought to have a public address system installed, whereby at least the Senators could hear what was being said. I am sure those who come to the galleries do so with the idea not simply of looking at our grey heads or bald heads, but with the idea that they want to hear what is being said on the floor of this Chamber.

Mr. President, at each Senator's desk there is an ink well. There used to be sand in the "sand shaker."

Some time ago I wrote a letter to the Architect of the Capitol with respect to the installation of a public address system so that in 1958, 1959, and in the years to come we could have the facility which is used in every other place of public assembly. I wrote the Architect a letter and asked him to find out what it would cost to install such a system as I have mentioned. The Architect has written me a very fine 2-page letter describing the cost of such a system.

I talked to someone else once before about installing such a system, because I had understood, in conformity with the decision of a committee which had charge of the matter some time ago, when the Chamber was being remodeled, that empty conduits had been installed in the Chamber beneath the floor. The Architect says that is true. He says:

> Capped outlet boxes were also installed at the floor level in the area of the Senators' desks, at the Vice President's desk, at the clerks' desks, and in the well.

I wish to say parenthetically that many times I have not been able to hear the mild, modulated voice of the Vice President.

In the interest of facilitating the business of the Senate, we should have something alone this line. Having done a little campaigning in my day, I know I can turn a little knob, switch the current into the microphone, and my voice can be heard 1,000 feet down one way and 1,000 feet down the other way on the common country village street.

I know plugs could be installed in what was once the "sand shakers" and a voice box could be given to the Senator who desired to address the Senate so his voice could be heard throughout the Chamber.

I shall ask that the letter, giving the particulars with respect to what the Architect thinks about the cost and what would be advisable, be printed in the RECORD following my remarks.

Since the Architect thinks it would be necessary to have two operators, let me say I feel it would not be necessary to have any operators. The Senator addressing the Senate could simply have the apparatus given to him as we are given a reading stand. When requested, a reading stand is brought to the Senator's desk. The loud-speaking apparatus could be brought to the Senator's desk, and when he began to speak the Presiding Officer, or someone else, could turn the switch and the speech would be on.

The statement has been made, Senators talk among themselves, and they do not want their conversations to be heard. The conversations of Senators could not be heard for the simple reason that the loudspeaking system would apply only when plugged into the particular spot from which a Senator was speaking. When the Senator having the floor finished speaking, some other Senator who desired to keep his voice in shape instead of speaking as loud as I am talking now, could call for the loudspeaker. We could have 2 or 3 of them to serve the purpose.

I bring up this subject, Mr. President, because a couple of weeks ago an American diplomat sat in the gallery and I later heard him criticize the acoustic situation. I think that in the interest of facilitating Senate business, we should do something. If we cannot get something done along this line at this session, perhaps remarks like these will accelerate getting something done in the next session.

Mr. President, I ask unanimous consent that the letter from the Architect be printed in the Record.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ARCHITECT OF THE CAPITOL,
Washington, D. C., June 23, 1958.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Reference is made to your letter of March 26, 1958, and subsequent telephone call regarding the proposal to install a public-address system in the Senate Chamber, United States Capitol.

When plans were being prepared for the remodeling of the Senate Chamber, the matter of providing a public-address system in the Chamber was discussed with the special committee in charge of the work and the committee agreed to the following:

(1) That a public-address system should not be installed, unless such a system should prove necessary after the acoustical improvement proposed had been made.

(2) That the necessary conduits and accessories should be installed to permit future installation of a public-address system, should such a system be desired by the Senate at a later date.

In conformity with these decisions of the committee, in remodeling the Chamber in 1949–51, empty conduits were installed in the plenum chamber beneath the floor to permit future installation of a public-address system. Capped outlet boxes were also installed at the floor level in the area of the Senators' desks, at the Vice President's desk, at the clerks' desks, and in the well. No actual wiring was installed.

After considering several alternatives for a public-address system for the Senate Chamber, we feel that the system described, as follows, comprises the features which will meet the particular needs of the Senate at this time:

Necessary wiring would be installed in the conduits beneath the floor and from the floor outlets to the "sand shakers" on the desks of Senators. An outlet would be installed in "sand shaker" space on each Senator's desk, where a microphone could be easily plugged in by a page when desired by a Senator.

Necessary wiring and accessories would be installed to make possible installation of microphones at other locations in the Chamber, as follows: On the Vice President's desk; on the table in front of the Vice President's desk; in the well of the Chamber.

It is recommended that 10 microphones be furnished with the original installation and that additional microphones be procured at a later date if experience indicates they are required. The 10 microphones would be furnished with both floor and desk stands so that they could be used at any of the outlets in the Chamber.

Necessary recessed-type loud speakers would be installed in the Chamber wall back of the rostrum and in the ceiling.

Other equipment to be installed includes amplifiers, operator's control station, microphone jacks, wiring, and all other appurtenances to complete the system.

All equipment would be of the highest quality.

The estimated cost of furnishing, installing, and operating the system is as follows: Furnishing and installing system, $25,000; compensation of two operators (annual charge), $11,400.

With best wishes, I am,

Sincerely yours,

J. GEORGE STEWART,
Architect of the Capitol.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. EASTLAND. Mr. President, the United Press, a very reliable news agency, has issued the following news dispatch, which I shall read:

Interior Secretary Seaton made a personal appeal to Members of the Senate to support Alaska's plea for "political equality" by granting it statehood.

Mr. President, it has been demonstrated beyond any peradventure of a doubt that Secretary Seaton is a man who is leading the fight against political equality for Alaska, because under the pending bill 24,000 of her citizens will become second-class citizens, who can be shunted around and moved at the direction of the President of the United States.

I quote further:

In a letter to each Senator, Seaton said the House-passed bill represents a "workable compromise on many conflicting issues" involved in the Alaskan question.

"In my sincere opinion, the facts demonstrate that Alaskans are ready for statehood," he said.

"President Eisenhower has urged enactment of legislation to admit Alaska. In their 1956 platforms, both major political parties pledged immediate statehood for Alaska. I earnestly hope for favorable consideration by the Senate of the House-passed bill."

Mr. President, the House-passed bill has not even been considered by the Senate committee. The House-passed bill had 69 amendments included by the House committee. They did not have any consideration by the Senate committee. I think a Cabinet officer is going pretty far to request that the United States Senate destroy the legislative process. I read further:

In addition to the letter, Seaton dispatched several of his aides to the Capitol to line up support for the bill.

I do not believe all the aids of Secretary Seaton and all the aids of every other Cabinet member who supports the bill can induce the United States Senate to destroy the Constitution of the United States. There cannot be any question of what is involved.

I was quoting a few moments ago the testimony before the Senate Committee on Interior and Insular Affairs. I shall continue with the questions asked by the Senator from Idaho [Mr. CHURCH], and the Senator from Washington [Mr. JACKSON]. Their statements were very able; they were very intelligent; they were to the point. I certainly agree with the reasoning of these two very distinguished Senators.

Senator CHURCH. The area to be withdrawn?

Delegate BARTLETT. Not necessarily, Senator CHURCH, to be withdrawn. The area within which the President might make withdrawals. We do not know whether he will ever make any such, but he will have authority to do so.

Senator JACKSON. He has that authority now.

Delegate BARTLETT. Yes. He has that authority because all except a small fraction of 1 percent of that 270,000 square-mile area lies within the public domain. However, it was asserted that another reason for the desire to bring about this arrangement was that thereafter it would be impossible to apply exclusive Federal jurisdiction.

Mr. President, every lawyer knows that it is absolutely impossible to have exclusive Federal jurisdiction within the borders of a State without the consent of the State itself.

Delegate BARTLETT. I do not pretend to understand what the reasoning is. However, I must say that the arrangement explained by administration witnesses on the House side said in effect that the State laws would control in the withdrawn areas, although enforcement thereafter would be by the Federal Government.

That is an impossibility.

Senator JACKSON. Then what do they hope to achieve by this? That is the thing I do not understand.

Unless they want to have complete military control over the area, I do not see why they should make this request.

Delegate BARTLETT. It will be explained tomorrow to you by Under Secretary Chilson.

Senator JACKSON. They did not explain it last year, 2 years ago, and they tried all morning. They were never able to give a logical reason why this needed to be done. They just said it would make it possible for them to move in the area rather freely, overriding, I guess, the rights of the people.

That was the Senator from Washington [Mr. JACKSON]. He was right when he said that the Federal Government would be able to override the rights of the people of the new State of Alaska. Of course, the Federal Government cannot deprive a citizen of a State of the inherent rights which he receives, guaranteed under the Constitution, as a citizen of that State.

Senator JACKSON. According to this proposal from the Department, all that power has been reserved to the Federal Government.

The only power that the State has is to serve civilian criminal process in the area and the right of the people in that area to vote has not be abridged.

That is all.

Mr. President, the Senator from Washington is right. He continued:

In other words, all police powers are vested in the Federal Government and for all practical purposes this area is a Territory.

Mr. President, I should like to know how a sovereign State can be a State on the one hand, and a Territory on the other hand. I should like to know how State police powers can be vested for all practical purposes in the Federal Government. Yet that is what is proposed in the bill.

Delegate BARTLETT. I have not, of course, had an opportunity to examine the amendment proposed to your committee. The amendment presented to the House committee did set up protections.

Senator CHURCH. As this amendment reads it seems to me once those withdrawals are made within the area in which the withdrawals can be made, the Federal Government has the right to exclusive jurisdiction and beyond the line that you have marked out here on the map Alaska would have in effect statehood by the sufferance of the Federal Government.

Mr. President, how can a sovereign State be sovereign at the sufferance of the Federal Government? I submit that it undermines the entire structure of our Government to permit the President of the United States, by executive order, to deprive a State of its jurisdiction over 270,000 square miles of its territory, and to substitute therefor exclusive Federal authority.

Senator CHURCH. * * * Alaska would have in effect statehood by the sufferance of the Federal Government to the extent that the Federal Government chooses to permit it, excepting only for these rather minor reservations that are made in the amendment.

Mr. President, that is correct. But I should like to know how a sovereign State can be sovereign as a State to the extent to which the Federal Government chooses to permit it to be sovereign.

Mr. President, the Federal Government is a government of delegated powers—powers that are delegated by the States. In the field of delegated powers, the Federal Government is supreme, as we know. In the fields not delegated, the States are supreme, except for the provisions of the 10th amendment that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Mr. President, the condition that now is attempted to be engrafted on the Constitution is an odd one, namely, that there will be statehood by the sufferance of the Federal Government, to the extent that the Federal Government chooses to permit it.

Where in the bill is State sovereignty provided for? Where does the bill provide that Alaska shall be a sovereign State? Is it possible to reach any conclusion other than that the citizens of Alaska would be second-class citizens? Is it possible to reach any conclusion other than that Alaska would be a secondary State, and would not have dignity equal to that of the other States, and would not be on the same footing with the other States, and would not have the same basis of equality that is necessary for all States under our system of government?

I read further from the hearing:

Senator CHURCH. In other words, your position is that if you can get statehood on no other basis than accepting these conditions you are willing to accept the conditions?

Delegate BARTLETT. That is true and I will tell you why. We have about 24,000 people living in these areas outside the pale. We are told that municipal corporations would continue to exist without any diminution.

Senator JACKSON. All police power will be vested in the Federal Government?

Mr. President, the Senator from Washington was correct; that is what the bill will do. But it is unheard of, under the American system of government, for there to be such a thing as Federal police power exercising State police powers.

I read further from the hearing:

Delegate BARTLETT. We were told otherwise and I hope and know you will explore that.

Senator CHURCH. I am sure we are going to have many questions to ask tomorrow of the Government witnesses. I think perhaps in fairness to you we ought not pursue this matter too far (p. 14).

Delegate BARTLETT. I am glad we are going into this because it is, of course, vitally im-

portant. But we come before you endorsing this proposition with the understanding that the people can vote, that they can live under their city governments, under their school district governments; that the State laws in general apply, although they may be enforced thereafter if an area is withdrawn by the Federal Government.

Senator CHURCH. To what extent are you relying upon assurances in oral testimony by Government witnesses before the House committee, and to what extent are you relying on the provisions of the amendment itself which would govern?

Delegate BARTLETT. Now, both.

Senator CHURCH. For example, your statement that the State laws would apply seems to me to be based upon the assurance given by one of the witnesses before the House committee (p. 15).

Delegate BARTLETT. From my recollection, that is partly correct, Senator.

Senator CHURCH. I do not see any such assurance written in the proposal at all.

Delegate BARTLETT. My recollection is that to some extent that came about in oral testimony given.

Senator CHURCH. I am concerned that the law should provide these protections because, after all, when the time comes for the decisions to be made it will be the law that governs (p. 15).

Mr. President, I endorse in toto everything said by the able Senator from Idaho [Mr. CHURCH] and the able Senator from Washington [Mr. JACKSON].

But what are the facts of the matter? The Federal Government cannot limit the sovereignty of the State of Alaska or of any other State in this Union. But because there is an admitted attempt to do that, by means of the pending bill, the bill is beyond the Constitution of the United States.

Let us note the significance of Delegate BARTLETT's statement that this condition is acceptable to Alaskans because he himself and the other Alaskans believe that this proposed legislation would not diminish the boundaries of Alaska, and that all of Alaska as they now know it would remain the State of Alaska. Certainly the territories and boundaries would remain the same; but the authority over its citizens would be denied by section 10 and statehood would be suspended for the citizens of Alaska in the withdrawal area. State laws would not control, but Federal law would be paramount and controlling.

Mr. President, Governor Gruening, in testifying in connection with section 10, stated that the condition imposed by this section would be a precedent, and that no other State entering the Union has had such a condition imposed upon it before it could enter the Union. The Defense Department officials and other proponents of this legislation say that the authority requested by this section differs no more than the reservation contained in the act admitting Wyoming to the Union.

For the information of the Senate, I shall quote the pertinent section of the Wyoming statute, wherein jurisdiction over the Yellowstone National Park is reserved to the United States. The argument now made is that the reservation and authority sought by section 10 are no more than what were contained in the Wyoming enabling act. I now read from the Wyoming enabling act of 1890:

Be it enacted, etc., That the State of Wyoming is hereby declared to be a State of the United States of America, and is hereby declared admitted into the Union on an equal footing with the original States in all respects whatever; and that the constitution which the people of Wyoming have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed.

SEC. 2. That the said State shall consist of all the territory included within the following boundaries, to wit: Commencing at the intersection of the twenty-seventh meridian of longitude west from Washington with the forty-fifth degree of north latitude and running thence west to the thirty-fourth meridian of west longitude; thence south to the forty-first degree of north latitude; thence east to the twenty-seventh meridian of west longitude, and thence north to the place of beginning: *Provided*, That nothing in this act contained shall repeal or affect any act of Congress relating to the Yellowstone National Park, or the reservation of the park as now defined, or as may be hereafter defined or extended, or the power of the United States over it; and nothing contained in this act shall interfere with the right and ownership of the United States in said park and reservation as it now is or may hereafter be defined or extended by law; but exclusive legislation, in all cases whatsoever, shall be exercised by the United States, which shall have exclusive control and jurisdiction over the same; but nothing in this proviso contained shall be construed to prevent the service within said park of civil and criminal process lawfully issued by the authority of said State; and the said State shall not be entitled to select indemnity school lands for the sixteenth and thirty-sixth sections that may be in said park reservation as the same is now defined or may be hereafter defined.

I submit that there is a very great difference between section 10 of the proposed Alaska statehood bill and the section of the Wyoming Act reserving jurisdiction to the United States over Yellowstone National Park. I would point out first of all that section 10, suspending statehood for certain areas in Alaska, is imposed in the legislation admitting Alaska to the Union. It is creating a condition that the people of Alaska have to consent to before the State is admitted to the Union, and clearly, to my way of thinking, a violation of the equal footing doctrine. On the other hand, the Yellowstone National Park reservation was reserved to the Federal Government while Wyoming was a Territory. Yellowstone National Park was reserved to the Federal Government in 1872, and Wyoming entered the Union in 1890. The reservation was made 18 years before the State entered the Union. Another distinction: What was the purpose of reserving the Yellowstone National Park to the United States? Was it for defense purposes? No, Mr. President. I quote the act of March 1, 1872, reserving Yellowstone National Park to the United States. Please note that this Yellowstone National Park area is reserved to the United States and withdrawn from settlement and occupancy so as to dedicate and set apart this land as a public park or pleasure ground for the benefit and enjoyment of the people.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point the act of March 1, 1872, making a reservation of Yellowstone National Park while Wyoming was a Territory.

There being no objection, the act was ordered to be printed in the RECORD, as follows:

MARCH 1, 1872.

Chapter XXIV. An act to set apart a certain tract of land lying near the headwaters of the Yellowstone River as a public park

Be it enacted, etc., That the tract of land in the Territories of Montana and Wyoming, lying near the headwaters of the Yellowstone River, and described as follows, to wit, commencing at the junction of Gardiner's River with the Yellowstone River, and running east to the meridian passing 10 miles to the eastward of the most eastern point of Yellowstone Lake; thence south along said meridian to the parallel of latitude passing 10 miles south of the most southern point of Yellowstone lake; thence west along said parallel to the meridian passing 15 miles west of the most western point of Madison lake; thence north along said meridian to the latitude of the junction of the Yellowstone and Gardiner's rivers; thence east to the place of beginning, is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as a public park or pleasuring-ground for the benefit and enjoyment of the people; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation, from injury or spoliation, of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The secretary may in his discretion, grant leases for building purposes for terms not exceeding 10 years, of small parcels of ground, at such places in said park as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases, and all other revenues that may be derived from any source connected with said park, to be expended under his direction in the management of the same, and the construction of roads and bridle-paths therein. He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

Approved March 1, 1872.

Mr. EASTLAND. Mr. President, of course, the Supreme Court of the United States has drawn a very clear distinction. The lands in Yellowstone Park are public lands, and the Supreme Court of the United States has uniformly held that Congress has full power to make all needful rules and regulations respecting the territory or other property of the United States. This authorized the passage of all laws necessary to secure the rights of the United States to the public lands, and for their sale, and to protect them from taxation by the States.

But that is not the question here. The question here is the power of Congress to impose conditions on the admis-

sion of a State which would infringe on the sovereignty of such State. No such power exists in the national Congress, under every single decision of the Supreme Court of the United States from the founding of the Republic to the present day.

Now let us consider the testimony of the defense officials. They allege that this withdrawal authority is necessary for national defense purposes, not for recreational purposes, mind you, Mr. President, as in the case of Yellowstone National Park, but necessary and pertinent to the national defense, and in that connotation the power to evacuate the 24,000 residents of that withdrawn area of Alaska. In this connection, at page 106 of the hearings before the Senate Interior and Insular Affairs Committee, the Senator from Washington [Mr. JACKSON] highlighted this proposition that I am making when he said:

Senator JACKSON. Well, the Chair understands that in the past, when exclusive jurisdiction has been granted, in various national parks and in other areas, it has been for the purpose of giving to the Federal Government certain police power within the area.

Note this:

But here for the first time, I believe, we are establishing a situation where the purpose of granting this exclusive jurisdiction relates directly to a military situation, a defense situation. And I am wondering, if therefore, there isn't a little bit of a different precedent here and background of this.

So in the instant case this area is allegedly reserved to the Federal Government for national defense purposes so that the military can deal with the people and the situation in the area in a decisive and immediate way should the situation arise.

Mr. President, the proponents also state that similar authority was reserved by the Federal Government in Arizona. In Arizona, the State Legislature, after Arizona became a State, by State statute granted the right to the United States to take exclusive Federal jurisdiction over any withdrawn public lands, so that the people of Arizona were not forced to accept, as a condition precedent to admission, ceding part of its lands to the Federal Government. The action was taken by the people themselves after Arizona had entered the Union. The people of Arizona voluntarily consented to give jurisdiction over some of their land to the Federal Government after the State entered the Union. My point is that in the case of Alaska it is required to give jurisdiction over a part of its area prior to admission, whereas in the case of Arizona it was done after becoming a State and by voluntary action. Alaska, in order to get into the Union, is forced to consent to Federal jurisdiction over a part of its area as a condition of admission. Can you say, Mr. President, that Alaska is entering the Union on an equal footing with Arizona? Or that it is entering the Union on an equal footing with Idaho? Or on an equal footing with Washington?

No, Mr. President. We are here asked to do an unconstitutional act. The very basis of this Government, as I have said a number of times, is the equality of States, and is that necessary equality now in the case of Alaska, to be denied in violation of the Constitution of the United States?

Mr. President, just what is the purpose of including section 10 in the bill? It is simply to enable the military to act, whether we are in a period of national emergency or not, to have full authority and power to do actions which otherwise could be done only by a declaration of martial law. Mr. Dechert, counsel for the Defense Department, in speaking to this point during the House hearings, stated that a simple proviso in the bill providing that the President could declare martial law in order to withdraw the area would be unconstitutional, in his opinion. Therefore section 10 proposes to accomplish just exactly the end result that could not be accomplished by a declaration of martial law. I think the colloquy between Representative Rogers, General Twining, and Mr. Dechert on this point is highly illuminating.

Mr. DECHERT. If I may say just a word, sir, this concept of exclusive Federal jurisdiction is, of course, not unique to Alaska.

Senator JACKSON. We have it in our State.

Mr. DECHERT. In Arizona, for instance, the State legislature, after Arizona became a State, by State statute, granted the right to the United States to take exclusive Federal jurisdiction of any withdrawn public lands. The only difference between that Arizona situation and the proposal as to Alaska is that here it is proposed under section 10 that the right to take exclusive jurisdiction is to be limited to a part only of Alaska. It is a part of the initial step of Alaska becoming a State. The type of exclusive jurisdiction which can be taken in Alaska is in fact less exclusive than in the case of Arizona, because section 10 has certain exceptions written into it.

* * * * *

I think, sir, that there are plenty of precedents for this. For instance, in our national petroleum reserves, where exclusive jurisdiction exists, the purpose of it is a defense situation.

Senator JACKSON. But the petroleum reserve, of course—what we are doing is setting up an area that is necessary for the overall national defense requirements. Now, in the case of the oil reserve, that is simply a means of making available certain fuel to the military. But here, as I understand the request, it is to give to the military certain flexibility that they deem necessary and appropriate in connection with our defense plans. We won't go into that and discuss it here, but isn't that correct?

Of course the petroleum reserves which were under discussion are the property of the United States Government. Certainly the United States Government can handle its own property.

Mr. President, I now desire to quote from the hearings before the Subcommittee on Territorial and Insular Affairs of the House Committee on Interior and Insular Affairs:

Mr. ROGERS. I had one question I wanted to ask General Twining.

General, why would it not be just as effective if this Territory should be taken in as a State, that the Federal Government, if they wanted any of it, just declare martial law in whatever ways they want to declare it?

General TWINING. We do not want to declare martial law.

Mr. DECHERT. The general asked me to speak to this.

I think, sir, that martial law can only arise in an emergency. As I understand it, under ex parte Milligan and cases of that kind, this withdrawal can take place in a situation which is not of that kind.

I shall discuss that case later. The case does not bear the faintest resemblance to the question at issue. That case dealt with a writ of habeas corpus, and not a question of the Federal Government withdrawing the sovereignty of a State.

I continue to quote Mr. Dechert's testimony:

It might be an insurance policy. It might be that there would be discovered up there a residual supply of the basic material of uranium which ought to be held for national defense for the future. That is nothing which would qualify the situation as one for martial law, but it might well be a reason to withdraw a certain territory for defense in the future. Therefore it is very different from the circumstances that would justify martial law.

Mr. ROGERS. Of course, as the matter now stands, insofar as martial law is concerned, you would not advocate the passage of a bill of this kind with merely a proviso in there that at any time that the President saw fit, regardless of any emergency situation or regardless of the Governor's posititon, he could declare martial law in any section of this Territory that he wanted to. I mean, you would not want that sort of a bill as an alternative to this type of bill?

Mr. DECHERT. I have some doubts as to the constitutionality of such a bill, even if the people of Alaska consented—

I ask Senators to take particular note of this—

because I think the Supreme Court has held that you cannot declare martial law unless the circumstances warranted it to exist, and I do not believe the consent of the people of Alaska would oust the right of the Supreme Court of Alaska to pass on that subject.

Mr. President, the argument that uranium might be found and therefore it would be necessary to have a withdrawal area is not what is at issue. We are considering the claimed right of the Federal Government to suspend State sovereignty. We are considering the claimed right of the Federal Government to displace State officers and appoint Federal officers to carry on the functions of a State. We are considering the claimed right to try in the courts of the United States a man who is alleged to have violated a State statute.

Mr. President, I continue the quotation:

Mr. ROGERS. I appreciate that, but I have come to the conclusion, sir, that the constitutionality of some of these things depend on what the Supreme Court happens to think it is the day they sit. We have had a few conflicts on that particular item. But, as I understand it, one of the main reasons that you want this type of bill is because you might want to withdraw some section or some particular part of this area on more or less a permanent basis.

Mr. DECHERT. No, sir. I think that is not true, sir. I think, as I started to say at one time this morning on behalf of the Defense Department, that this insurance policy is of two natures. The insurance policy exists in the power of withdrawal—withdrawal not for martial law purposes, but withdrawal of exclusive legislative jurisdiction. But in addition, the active withdrawal may be an insurance policy itself.

Who ever heard of the Federal Government having to withdraw from a State exclusive legislative jurisdiction of the State?

I read further from Mr. Dechert's testimony:

In other words, the President may determine that he sees no immediate emergency or threat of war today, but in the overall interests of the defense of the country, he ought to take the step of establishing this as a defense area.

I tried to point out this morning—I am glad to have the opportunity now—that even if the President should act tomorrow, it would not necessarily mean that he sees the threat of immediate warfare. He is acting because in his overall responsibilities as Commander in Chief of the Army, he sees a need to establish a national defense exclusive jurisdiction. What reason may exist, only the future can tell.

That is the road to dictatorship. If the President of the United States, as Commander in Chief, can overturn a State without a declaration of martial law, when it is admitted that the conditions which would give him the right to declare martial law do not exist, he can declare a State to be an exclusive national defense area, kick out local officials, prevent the legislature of a State from enacting laws, try people in the Federal courts, and rule the State through the Federal Government.

Mr. President, the long and the short of this matter is that under any concept of the law the Government cannot withdraw from the States property and remove its people without the consent of the State involved unless there is a state of war in existence or a declaration of martial law. This is "equal footing." As to Alaska, the bill attempts to accomplish the end before the fact and places Alaska in the position that, unlike any other State, she must submit to a withdrawal without her consent, in the absence of a state of war, and without the declaration of martial law. This is not "equal footing." Over one-half of the proposed State of Alaska is thus neither fish nor fowl. Over one-half of the State of Alaska belongs to the State until the President shall determine that it does not. Then it belongs to the Federal Government for as long as the President shall deem, in his discretion, that it should—be it a day, a month, or for eternity.

Why does not the bill completely exclude the area involved in section 10 from statehood or, if it is to be included, why not let the new State of Alaska give its consent after statehood, as was done in the case of Arizona?

The reason lies in the desire of the proponents of this legislation to bypass the new State and prevent the citizens of that State from exercising the right to grant consent after admission into the Union.

I have read a part of the testimony as recorded in the printed record of the hearings. At a later time during the debate I shall quote further from the testimony, to illustrate that the price to be exacted of the people of Alaska as a condition to entering the Union violates the Constitution of the United States.

There is another ground. At the proper time I shall raise the point of order as to the constitutionality of another section of the bill.

It is proposed to ratify the constitution of Alaska. The Judiciary Committee, which historically has considered constitutions of States, has been bypassed. I submit that the method outlined in the proposed constitution of Alaska for the election of United States Senators is a violation of the Constitution of the United States.

The last clause of section 1 of Senate bill 49 and House bill 7999 confirms, ratifies, and accepts the constitution previously approved by the residents of the Territory of Alaska.

One of the provisions of this constitution directly violates a provision of the Constitution of the United States. I refer to section 8 of article XV, which attempts to provide for the election of 1 United States Senator for a short term and the election of 1 United States Senator for a long term. The exact language of section 8 of the proposed constitution of the proposed State of Alaska reads as follows:

8. The officers to be elected at the first general election shall include 2 Senators and 1 Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. CHAVEZ. How can any Territory elect Members of the Senate or House if it is not a State? What would be the position of the two individuals—and I would have no objection to either of them—if the bill should pass? Under the law could they take the oath of office?

Mr. EASTLAND. In one case—the State of Tennessee elected Senators. Later she was admitted to the Union.

The Constitution provides that each State shall elect 2 Senators, who shall serve for a term of 6 years. When they come to the Senate—and that has been the situation from 1787 until the present time; it was the situation when New Mexico was admitted, and when Arizona was admitted—the Senate provides that they shall draw lots for the short term and the long term. Senators are classified into three classes. If a Senator draws a lot good for 2 years, he serves for 2 years. If he draws a lot good for 6 years, he serves 6 years. But the two Senators cannot both come up for election the same year.

In this case an attempt is made to bypass the right of the United States Senate and provide that Alaska shall elect one Senator for the short term and one for the long term, when it is the prerogative of the Senate to specify the term.

Mr. CHAVEZ. Neither New Mexico nor Arizona elected its Senators under the Constitution until after it was admitted.

Mr. EASTLAND. That is the only way they can qualify, of course.

Mr. CHAVEZ. Without having looked into the legal aspects, I doubt whether any Territory while it is still a Territory can say, "These are going to be our Senators."

Mr. EASTLAND. It cannot qualify them but it may be able to elect them, as in the Tennessee case. The distinguished Senator is exactly correct in the final analysis.

Section 8 of the proposed constitution of the proposed State of Alaska is as follows:

The officers to be elected at the first general election shall include 2 Senators and 1 Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated. One Senator shall be elected for the long term and one Senator for the short term, each term to expire on the third day of January of the following year, and be determined by authority of the United States. The term of the Representative shall expire on the third day of January in the odd-numbered year immediately following his assuming office. If the first Representative is elected in an even numbered year to take office in that year, a Representative shall be elected at the same time to fill the full term commencing on the third day of January of the following year, and the same person may be elected for both terms.

The Constitution of the United States provides in the first Article that the Senate of the United States shall be composed of Senators chosen for 6 years.

Any attempt to elect a Senator for what is called a "short term" is clearly in direct violation of the Constitution of the United States. This is no idle matter.

Even if it is considered to be only an attempt by the Alaska Constitutional Convention to designate that 1 Senator from the proposed new State of Alaska shall belong to 1 class and the other Senator shall belong to another class of Senators, it is equally beyond the authority of any State to make such a designation.

Mr. President, no one of my colleagues needs to do any more to satisfy himself on this point than to pick up the admirable new volume, entitled "Senate Procedure: Precedents and Practices" by our distinguished parliamentarian and assistant parliamentarian, Charles L. Watkins and Floyd M. Riddick, and turn to page 553 of that work, to the section captioned "Senators," and examine the paragraph on "Senators—Classification of" and read the simple, direct, and unequivocal statement as follows:

The legislature of a new State has no authority to designate the particular class to which Senators first elected shall be assigned.

This statement, we may be sure, is amply supported by the precedents.

Indeed, all all of us are aware, there are not 2, but 3 classes of Senators and the terms of one-third of this body expire at 2-year intervals.

It cannot be said, until the classification of new Senators is accomplished, whether, indeed, a new Senator is to be assigned to class 1, class 2, or class 3.

In any event, any attempt to elect a Senator for a short term is in direct vio-

lation of the Constitution of the United States; and any attempt on the part of a proposed new State to determine in advance the classifications to be assigned to its two new Senators, is in direct violation of the practice which has been followed without exception in regard to the classification of Senators from new States from the time of the organization of this Republic.

There have been at least two previous instances in which there has been an attempt made to designate the classification of Senators. In both those instances, however, no attempt was made to designate that classification by a proposed constitutional provision or even by legislation. As a matter of fact, it was done by resolutions accompanying the certificates of election. In both cases, the Senators themselves were actually elected for a six-year term.

The first instance to which I refer occurred when the new State of Minnesota was admitted to the Union. In the Journal of the Senate for Wednesday, May 12, 1858—Journal, page 441—there appears the following:

Mr. Toombs presented a resolution of the Legislature of the State of Minnesota, in joint convention, in favor of the Hon. Henry M. Rice, representing that State in the Senate of the United States for the long term; which was referred to the Committee on the Judiciary.

At that time, Mr. Toombs remarked, as reported in the Congressional Globe:

Mr. TOOMBS. The Legislature of the State of Minnesota in the joint convention which elected Senators passed a resolution on the subject of their tenure. It is a question of some trouble and difficulty, and I move that it be referred to the Committee on the Judiciary.

That is where the pending bill should be sent, to the Committee on the Judiciary. If it were sent there, it would not have so many holes in it.

I digress at this point to call the attention of the Senate to the fact that in the Minnesota case the matter of tenure of Senators was recognized as the business and jurisdiction of the Committee on the Judiciary. I think it still is and that any legislation, proposed constitution, or resolution dealing with the tenure and classification of Senators should be referred to the Committee on the Judiciary of the United States Senate.

Continuing with the procedure in regard to Minnesota, 2 days later, Mr. Bayard from the Committee on the Judiciary, to whom was referred the resolution of the State of Minnesota, filed the Committee's report to the Senate. The Committee on the Judiciary reported a resolution setting forth the procedure for classifying the two new Senators from Minnesota in precisely the same manner in which the Senators from new States had been classified by the Senate of the United States, without exception, from the first session of the First Congress.

The Committee on the Judiciary in that instance recommended as follows:

"Resolved, That the Senate proceed to ascertain the classes in which the Senators from the State of Minnesota shall be inserted, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires."

The resolution was considered by unanimous consent, and agreed to

Mr. BAYARD. Now I ask that the order accompanying the resolution from the committee be read and considered.

The Secretary read it, as follows:

"Ordered, That the Secretary put into the ballot box 2 papers of equal size, 1 of which shall be numbered 1, and the other shall be a blank. Each of the Senators of the State of Minnesota shall draw out 1 paper, and the Senator who shall draw the paper numbered 1 shall be inserted in the class of Senators whose term of service will expire on the 3d of March 1859; that the Secretary shall then put into the ballot box two papers of equal size, 1 of which shall be numbered 2, and the other shall be numbered 3. The other Senator shall draw out 1 paper. If the paper drawn be numbered 2, the Senator shall be inserted in the class of Senators whose terms of service will expire on the 3d day of March 1861; and if the paper drawn be numbered 3, the Senator shall be inserted in the class of Senators whose terms of service will expire the 3d day of March 1863."

The claimed right of the State of Minnesota was denied by the Senate. It is the business of the Senate, under the Constitution of the United States.

Mr. Bayard's comments upon the resolution on behalf of the Committee on the Judiciary laid the question to rest with clarity beyond question in his following remarks:

Mr. BAYARD. I will merely state, on behalf of the committee, that the request made by the Legislature of Minnesota—it is but a request—is entirely inconsistent with the settled practice of the Government under the resolution of the Senate in 1789, when the Senate was first organized. The committee has seen no reason for changing that practice. The Senate had then to determine how they would classify Senators, and they have always adhered to the practice then adopted. The Constitution of the United States authorizes the election of Senators for 6 years, and provides for their classification. In the first instance, in organizing the Senate, they might do it in 1 of 2 modes—either by lot or by arbitrary determination. They decided that lot was the best mode to do it; and thus the term is determined on the first coming in of a Senator; and that has been the mode of proceeding since the first origin of the Government.

The following year the State of Oregon was admitted to the Union, and the two Senators from the new State of Oregon were classified in accordance with the provisions of the Constitution and the long-established customs of the Senate. The matter raised by the resolution of the Legislature of the State of Minnesota had been effectively settled.

The other case to which I should like to advert is the case of the State of North Dakota, when the credentials of the two Senators from that new State were presented. On December 4, 1889, the credentials of the two Senators from the new State of North Dakota were presented to the Senate. The Vice President directed the reading of a resolution reported by the Committee on Privileges and Elections which set forth the time-honored procedure of classification of Senators in this body. After that resolution was read, Senator Cullom, who had presented the credentials of the two new Senators, addressed the Senate as follows:

Mr. CULLOM. Mr. President, before action is taken upon the resolution just read, I desire to present some resolutions adopted by the two houses of the Legislature of North Dakota touching upon the question of the term of one of the Senators from that State. I ask to have them read by the Secretary so that they may be placed upon record.

The Chief Clerk read as follows:

SENATE CHAMBER,
Bismarck, N. Dak., November 29, 1889.

It is herewith certified that on Wednesday, the 20th day of November, A. D. 1889, and subsequent to the election of Hon. Gilbert A. Pierce as Senator in the Congress of the United States, the senate of the first session of the Legislative Assembly of the State of North Dakota adopted the following resolution:

"Whereas Hon. Gilbert A. Pierce, the unanimous choice of the Republican senators of the State of North Dakota, has been chosen, by vote of the senate, one of the United States Senators to represent said State in the Congress of the United States: Be it

"Resolved by the Senate of the State of North Dakota, That he be, and is hereby, designated to represent the State of North Dakota in the Congress of the United States for the long term."

We have the identical proposition in the bill before us.

Said resolution being recorded on page 2 of the senate journal of November 20, 1889.

ALFRED DICKEY,
Lieutenant Governor and President of the Senate.

Senator Hoar, one of the most distinguished men ever to sit in the Senate, then addressed the Senate and spoke as follows:

Mr. HOAR. Mr. President, the Constitution of the United States provides that after the assembling of the Senate, in consequence of the first election, "they (the Senators) shall be divided as equally as may be into three classes." The Constitution does not expressly provide by what authority that designation should be made, but it has been the uninterrupted usage since the Government was inaugurated for the Senate to exercise that authority. Indeed, no other authority could be for a moment supposed to have been intended to be charged with this duty.

The Legislature of the State of North Dakota, the 2 houses of that legislature, after the election, have expressed a desire that 1 of the 2 gentlemen elected to the Senate of the United States from that State should hold the seat for the long term. Of course, that matter did not enter into the election there, and if it had done so, it is obvious that the State legislature had no constitutional authority in relation to the subject. Indeed, it was not then known, and is not yet known, what length of term will be assigned to either of the Senators from that State. Either of them may, in accordance with the lot, be assigned to the 6 years', the 4 years' or the 2 years' term. All that the Senate now knows is that, if this resolution be adopted, no 2 Senators will be assigned, from any 1 of the States that have just been admitted, to a term of the same length. Perhaps the desire of the Legislature of the State of North Dakota may be accomplished as the result of the proceedings of the Senate, but that must be the result of the lot, and I cannot see that the Senate may justly or properly exercise any authority in regard to it by way of departure from its duty.

That is the request in this case, that the United States Senate depart from a duty and let Alaska specify one Senator for the short term and one for the long term.

Mr. President, the statement of Senator Hoar is but recognition of what was then and is now an inescapable conclusion; namely that the State legislature has no constitutional authority in relation to this subject; that it has been the uninterrupted usage, since the Government was inaugurated, for the Senate itself to exercise this authority, and that no other authority can properly be considered. Yet, Mr. President, 100 years after this matter has been discussed and has been settled, the proposed State of Alaska, through its proposed Constitution, again wants to renew the discussions and the debates on this subject. It is absolutely clear in my mind that this provision of the proposed constitution for the State of Alaska lacks authority in law and violates the express provisions of the Constitution of the United States. I desire to make the point that there has been either a lack of understanding of the structure of the Senate in the drafting of this provision or, if it was known, then it has been completely ignored.

Mr. President, I have taken the time to go into this subject quite carefully in order that the Senate shall know that there are errors of major importance with the legislation now pending relating to the admission of Alaska to statehood. In my opinion, in view of the errors and inconsistencies which have been made in relation to the classification and tenure of Senators, the probability is there are others. I find nowhere in the reports or the hearings on this matter where these questions I pose have ever been raised or resolved, and I do not believe that the Senate could approve this constitution or the legislation until there has been a great deal more study given to many of its phases. Let me point out again that House Report No. 624 to accompany H. R. 7999, on page 5 thereof, states as follows:

> By enactment of H. R. 7999 this Constitution will be accepted, ratified and confirmed by the Congress of the United States.

That is what we are asked to do—to accept, ratify, and confirm a constitution which violates the Constitution of the United States.

I do not believe Senators should vote for the acceptance, ratification or confirmation of a constitution which contains a provision which does violence to such a basic concept of this body as its method of classification for purposes of tenure. So, there can be no doubt as to what the proposed constitution for the new State of Alaska provides in this respect. Let me again set forth that provision.

Section 8 of article XV reads:

> The officers to be elected at the first general election shall include 2 Senators and 1 Representative to serve in the Congress of the United States, unless Senators and Representatives have been previously elected and seated. One Senator shall be elected for the long term and one Senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States. The term of the Representative shall expire on the third day of January in the odd-numbered year immediately following his assuming office. If the first Representative is elected in an even-numbered year to take office in that year, a Representative shall be elected at the same time to fill the full term commencing on the third day of January of the following year, and the same person may be elected for both terms.

The proposal which this body, in its approval of H. R. 7999, would be ratifying, accepting, and confirming is, on its face, completely inconsistent with the Constitution of the United States, which requires that Senators be chosen for a term of 6 years and which further requires that the Senate divide itself into 3 classes. What is proposed in the case of Alaska has never been done in the history of the United States, and should not be done now.

Mr. President, on this ground, and on the ground that we would be denying full sovereignty and equality to a State, something which we have no authority to do, I think the point of order I shall raise at the proper time should be sustained.

I certainly think that before final action is taken on the bill, and the constitution of Alaska ratified, the matter should go to the Committee on the Judiciary for study. In the bill it is proposed even to set up a Federal court system. If the bill were enacted, we should be tampering with the immigration laws, which are exclusively matters for the Committee on the Judiciary. We should be setting the boundaries of a State, when the Reorganization Act gives to the Committee on the Judiciary the exclusive jurisdiction over setting the boundaries of States and Territories.

For these reasons, and for others which I shall outline later, I am opposed to the bill. I think the point of order should be sustained; and, if not sustained, that the bill should be defeated.

STATE, JUSTICE, JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1959—CONFERENCE REPORT

During the delivery of Mr. EASTLAND's speech,

Mr. HAYDEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Arizona?

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the Senator from Arizona with the same understanding as when I have previously yielded to other Senators.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12428) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1959, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of June 24, 1958, pp. 10928–10929, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HAYDEN. Mr. President, I should like to make some brief comments on the bill as agreed to by the conferees.

The total sum appropriated is $577,904,113. This amount is $11,380,898 under the total budget estimates, $7,181,500 over the House bill, $10,813,000 below the Senate recommendation, and $3,494,243 more than the 1958 total appropriations.

To mention the action taken on some of the major items, $101,750,000 was agreed to for salaries and expenses of the State Department and the Foreign Service. This figure is $3,286,500 more than this year's allowance, and we trust that it will be sufficient to provide a well balanced program for the various activities paid for from this appropriation, including the expansion of services in needed critical areas of the world.

Twenty-two million eight hundred thousand dollars was allowed for the exchange program. This is an increase of $2 million over the House allowance, and $8 million under the Senate proposal. This added sum has been earmarked for expansion of the Latin American exchange program. The conferees stipulated in their report that not less than $4,623,775 of the total appropriation shall be spent in the Latin American area in fiscal 1959.

For salaries and expenses of the United States Information Agency the conferees agreed to the figure of $98,500,000, or an increase of $1,500,000 above the House allowance and a decrease of $1,500,000 below the Senate recommendation. This should enable the Agency to expand certain of its missions and mediums programs in areas where they are most critical, as the sum recommended is $3,400,000 above the current year's appropriation.

For the President's special international program a total of $6,410,500 was agreed to. This sum is a split between the amount recommended by the House and proposed by the Senate. As Members know, this appropriation is to provide funds for the cultural and sports presentations under the Department of State and for the trade fair program operated by the Department of Commerce.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a summary statement of the bill.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Summary of bill

Appropriation	Appropriations (adjusted), 1958	Estimates, 1959	House bill, 1959	Senate recommendations, 1959	Conference action
State	$203,277,306	$199,990,151	$192,859,353	$205,955,853	$197,103,353
Justice	227,205,000	230,190,000	229,410,000	230,317,000	230,317,000
The Judiciary	39,571,050	41,472,860	40,703,260	40,873,260	40,823,260
United States Information Agency	96,200,000	110,032,000	101,750,000	104,750,000	103,250,000
Funds appropriated to the President	15,145,000	7,600,000	6,000,000	6,821,000	6,410,500
Total	581,398,356	589,285,011	570,722,613	588,717,113	577,904,113

TITLE I—DEPARTMENT OF STATE

Agency and item	Appropriations, 1958	Estimates, 1959	Recommended in House bill for 1959	Amount recommended by Senate	
Administration of foreign affairs:					
Salaries and expenses	$98,463,500	$105,000,000	$100,000,000	$102,000,000	$101,750,000
Representation allowances	600,000	1,000,000	650,000	1,000,000	750,000
Acquisition of buildings abroad	18,500,000	18,500,000	18,000,000	18,000,000	18,000,000
Emergencies in the diplomatic and consular service	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Payment to Foreign Service retirement and disability fund	1,667,000	2,025,000	2,025,000	2,025,000	2,025,000
Extension and remodeling, State Department Building	2,500,000				
Total, administration of foreign affairs	122,730,500	127,525,000	121,675,000	124,025,000	123,525,000
International organizations and conferences:					
Contributions to international organizations	45,589,806	41,889,151	41,827,453	41,827,453	41,827,453
Missions to international organizations	1,357,500	1,700,000	1,646,000	1,692,500	1,690,000
International contingencies	1,750,000	2,400,000	1,500,000	1,950,000	1,600,000
11th World Health Assembly of the World Health Organization	332,500				
Total, international organizations and conferences	49,029,806	45,989,151	44,973,453	45,469,953	45,117,453
International commissions:					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	505,000	505,000	505,000	505,000	505,000
Operation and maintenance	1,533,000	1,570,000	1,570,000	1,570,000	1,570,000
Construction	300,000	1,000,000	750,000	1,000,000	1,000,000
American sections, international commissions	330,000	325,000	325,000	325,000	325,000
Passamaquoddy tidal power survey	1,344,000	616,000	616,000	616,000	616,000
International fisheries commissions	1,680,000	1,660,000	1,644,900	1,644,900	1,644,900
Total, international commissions	5,692,000	5,676,000	5,410,900	5,660,900	5,660,000
Educational exchange:					
International educational exchange activities	20,800,000	20,800,000	20,800,000	30,800,000	22,800,000
Educational, scientific, and cultural activities	3,525,000				
Total, educational exchange	24,325,000	20,800,000	20,800,000	30,800,000	22,800,000
Rama Road: Rama Road	1,500,000				
Total, Department of State	203,277,306	199,990,151	192,859,353	205,955,853	197,103,353

TITLE II—DEPARTMENT OF JUSTICE

Legal activities and general administration:					
General administration, salaries and expenses	$3,250,000	$3,200,000	$3,250,000	$3,250,000	$3,250,000
General legal activities, salaries and expenses	10,800,000	11,350,000	11,200,000	11,200,000	11,200,000
Antitrust Division, salaries and expenses	3,785,000	3,800,000	3,800,000	3,800,000	3,800,000
United States attorneys and marshals, salaries and expenses	20,150,000	20,430,000	20,350,000	20,350,000	20,350,000
Special temporary attorneys and assistants	150,000				
Fees and expenses of witnesses	1,800,000	1,800,000	1,700,000	1,700,000	1,700,000
Claims of persons of Japanese ancestry, salaries and expenses	220,000	210,000	210,000	210,000	210,000
Total, legal activities and general administration	40,155,000	40,790,000	40,510,000	40,510,000	40,510,000
Federal Bureau of Investigation: Salaries and expenses	101,450,000	102,500,000	102,500,000	102,500,000	102,500,000
Immigration and Naturalization Service: Salaries and expenses	49,600,000	49,600,000	49,500,000	49,500,000	49,500,000
Federal Prison System:					
Bureau of Prisons, salaries and expenses	32,200,000	33,000,000	32,800,000	33,707,000	33,707,000
Buildings and facilities	1,000,000	1,500,000	1,500,000	1,500,000	1,500,000
Support of United States prisoners	2,800,000	2,800,000	2,600,000	2,600,000	2,600,000
Total, Federal Prison System	36,000,000	37,300,000	36,900,000	37,807,000	37,807,000
Office of Alien Property: Salaries and expenses	(2,935,000)	(2,500,000)	(2,500,000)	(2,500,000)	(2,500,000)
Total, Department of Justice	227,205,000	230,190,000	229,410,000	230,317,000	230,317,000

TITLE III—THE JUDICIARY

Supreme Court of the United States:					
Salaries	$1,238,000	$1,249,000	$1,249,000	$1,249,000	$1,249,000
Printing and binding, Supreme Court reports	90,000	90,000	90,000	90,000	90,000
Miscellaneous expenses	62,500	74,500	74,500	74,500	74,500
Care of the building and grounds	218,200	317,000	284,000	284,000	284,000
Automobile for the Chief Justice	5,835	5,835	5,835	5,835	5,835
Total, Supreme Court	1,614,535	1,736,335	1,703,335	1,703,335	1,703,335
Court of Customs and Patent Appeals: Salaries and expenses	307,000	308,450	308,450	308,450	308,450
Customs Court: Salaries and expenses	677,010	699,620	699,620	699,620	699,620
Court of Claims:					
Salaries and expenses	810,855	812,655	812,655	812,655	812,655
Repairs and improvements	9,000	9,000	9,000	9,000	9,000
Total, Court of Claims	819,855	821,655	821,655	821,655	821,655

about the State Department and those who work for it. It may have been true in another day, when most of the American people thought that jobs with the State Department were lush jobs for socially well-placed individuals. Today they realize it is a question of survival, and a question of life or death; and perish the day when we have to require military expenditures instead of appropriations for activities of the State Department in our effort to maintain peace in the world.

I would also ask the Senator from Arkansas, who is a student of our foreign relations and stands high in the Committee on Foreign Relations, to keep up his fight. I hope very much that more of our colleagues will join him. After all, it is the people who will ultimately decide, and they can do a great deal more with the other body than many of us can.

Mr. HAYDEN. Mr. President, I move that the conference report be agreed to.

The motion was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 12428, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.

June 25, 1958.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 6, 12, and 16 to the bill (H. R. 12428) entitled "An act making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1959, and for other purposes," and concur therein; and

That the House recede from its disagreement to the amendment of the Senate numbered 21, and concur therein with an amendment, as follows: In lieu of the sum of "$650,000" named in said amendment, insert: "$300,000."

Mr. HAYDEN. Mr. President, I move that the Senate concur in the House amendment to Senate amendment No. 21.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

GRAY REEF DAM AND RESERVOIR

During the delivery of Mr. EASTLAND'S speech,

Mr. O'MAHONEY. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Wyoming, on the same conditions under which I have heretofore yielded, so that he may call up a noncontroversial bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. O'MAHONEY. Mr. President, I desire to call the attention of the Senate to Calendar No. 1783, Senate bill 4002.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4002) to authorize the Gray Reef Dam and Reservoir as part of the Glendo unit of the Missouri River Basin project.

Mr. O'MAHONEY. Mr. President, the bill was introduced by my colleague, the senior Senator from Wyoming [Mr. BARRETT], and myself, for the purpose of authorizing a modification of the Glendo unit of the Missouri River Basin project.

The purpose of the bill is to enable the Bureau of Reclamation to construct Gray Reef Dam at an estimated cost of not to exceed $700,000.

This is a noncontroversial bill. It was unanimously approved by the Committee on Interior and Insular Affairs, and was reported to the Senate.

I have cleared this matter with the leadership on the Democratic side, and I understand that my colleague has cleared it with the leadership on the Republican side.

Mr. BARRETT. Mr. President, if my colleague will yield to me, let me say that I have cleared the bill with the leadership on this side of the aisle.

Furthermore, I may say that the bill is extremely important from an emergency standpoint, because the Bureau of Reclamation is very anxious to construct the afterbay, which is the Gray Reef Dam, at the same time that it completes construction of the Fremont Canyon powerplant.

So it is very important that this authorization be made, so the funds will be available for construction this year.

Mr. O'MAHONEY. This project is for the stabilization of the flow of the river, and it serves all the end uses of the flow of the stream.

Therefore, Mr. President, I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER (Mr. CARROLL in the chair). Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 4002) to authorize the Gray Reef Dam and Reservoir as a part of the Glendo unit of the Missouri River Basin project, which had been reported from the Committee on Interior and Insular Affairs with an amendment, at the end of the bill, following the word "act", to strike out the period and insert a colon and the following:

Provided, That no construction shall proceed until a feasibility report has been submitted and approved by the Secretary of the Interior.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 4002) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Glendo unit of the Missouri River Basin project, as authorized by the joint resolution of July 16, 1954 (68 Stat. 486), is modified to provide for the construction and operation of the small reregulating Gray Reef Dam and Reservoir on the North Platte River downstream from Alcova Dam at an estimated cost of $700,000.

SEC. 2. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this act: *Provided,* That no construction shall proceed until a feasibility report has been submitted and approved by the Secretary of the Interior.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that these proceedings be printed in the RECORD at the conclusion of the remarks of the Senator from Mississippi [Mr. EASTLAND].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. O'MAHONEY. Mr. President, I thank the Senator from Mississippi.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3910) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8054) to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 12088) extending the time in which the Boston National Historic Sites Commission shall complete its work.

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 80. Concurrent resolution accepting the statue of Charles Marion Russell, presented by the State of Montana, to be placed in Statuary Hall;

S. Con. Res. 81. Concurrent resolution to place temporarily in the rotunda of the Capitol a statue of Charles Marion Russell, and to hold ceremonies on said occasion; and

S. Con. Res. 95. Concurrent resolution authorizing the correction of an error in the enrollment of S. 2533, amending the Federal Property and Administrative Services Act of 1949, etc.

ORDER FOR RECESS UNTIL 10 A. M. TOMORROW

Mr. CHURCH. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER (Mr. CLARK in the chair). Without objection, it is so ordered.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. NEUBERGER. Mr. President, the compelling reason for the admission of Alaska to statehood is that it affords the United States a perfect opportunity to demonstrate that we practice what we preach.

For decades we have preached democracy to the rest of the world. Yet we have denied full self-government to our vast outpost in the North, despite many

assurances that such would not continue to be the case. I believe it was Ralph Waldo Emerson who said:

> What you are stands over you the while, and thunders so that I cannot hear what you say to the contrary.

The Voice of America may talk of democracy, but its message will ring hollowly through the rest of the Free World if America fails to practice democracy. In the crucible of world opinion, we shall be tested by deeds and not words. Statehood for Alaska will be a tangible deed. In this way we can give vitality, meaning, and truth to our words about freedom.

We could debate for many weeks whether Alaska has the population, resources, and economic strength to justify statehood. This is a debatable topic. From long experience in Alaska personally—both as a civilian and in Army uniform—I believe Alaska qualifies for statehood in these essentials. Yet I am willing to concede that another side can be ventured with respect to such measurements.

But, when self-government is the issue, I refuse to admit two sides or two arguments. Either we practice democracy or we deny it. Alaska has been an American possession since 1867, when we acquired it from Czar Alexander II of Imperial Russia. That is nearly a century. Yet no resident of Alaska ever has cast a ballot for President of the United States, for an elected Governor, for a local legislator qualified to enact sovereign laws, or for a person accredited to answer rollcalls conducted by the United States Senate and House of Representatives.

PRACTICE OF DEMOCRACY

What does this incontrovertible fact do to our preachments over the Voice of America about democracy? Does it make them valid to our friends in the rest of the Free World or does it repudiate and ridicule them? Answer this question for yourselves.

I can remember being bivouacked on the great river of the North, the majestic Yukon, in the neighboring Yukon Territory of Canada. My companion was a valiant and famous officer in the Royal Canadian Mounted Police, the late Col. Denny La Nauze.

He was a man of wisdom, education, and a sense of humor. He and I were warm friends.

"DICK," said he to me, "you Americans are great chaps but you often give me a merry chuckle. You lecture to us of the British Empire about self-government and about freeing our colonies and about self-determination of peoples. Your lectures are very inspiring. Yet your 200,000 folks in Alaska don't have self-government. By contrast, our 15,000 or 20,000 folks in the Yukon have full voting representation in our Parliament at Ottawa and thus participate totally in the selection of a Prime Minister and his governing cabinet. What do you have to say about that?"

I looked at my friend in the Royal Mounted, with the last rays of the Arctic sunlight glistening on the brass buttons and badges of his spectacular uniform; and—although my acquaintances may find this difficult to believe—I had very little to say in rebuttal or reply. After all, what could I say?

A CONTRACT WITH CANADA

Canada, which is part of the British Empire, gives full participation in its Dominion Government to the people of the Yukon and the Northwest Territories, who are Alaska's neighbors along the roof of the hemisphere. But we have accorded no comparable privilege to Alaska, so far as our own Federal Government is concerned. What do we have to say for ourselves, in the face of world opinion, when we boast of our vaunted democracy? If Alaska is denied statehood on the rollcall soon to occur in this Senate chamber, what will the next broadcast on the Voice of America report in extenuation? Will any alibi be believed? Could our finest fiction writers frame a defense which would be given credence?

As we sit here today, Mr. President, the Northwest Territories are represented in the Canadian Parliament by Hon. M. A. Hardie, of the Liberal Party. The Yukon Territory is represented in the Canadian Parliament by Hon. Erik Neilsen of the Conservative Party. Mr. Neilsen comes from frontier Whitehorse, where I once served in the American Army during construction of the great Alcan Highway. It lies at the headwaters of the Yukon River. Mr. Hardie comes from the remote gold-mining community of Yellowknife, on Great Slave Lake.

The Yukon Territory has 12,190 inhabitants and the Northwest Territories have 19,313 inhabitants, according to the latest Canadian census. Both Mr. Hardie and Mr. Neilsen are full voting members of the Canadian Parliament. They have all the privileges, power, and authority of members from the great cities of Canada, such as Montreal, Toronto, and Vancouver.

But Delegate E. L. "BOB" BARTLETT, who represents the 200,000 residents of the Territory of Alaska, has no vote in our House of Representatives. He cannot vote in committee; he cannot vote on the floor.

What does this do to our professions of democracy? Some 31,000 people in the Canadian north country have two full voting members of Parliament in Canada's Parliament, at Ottawa. But some 200,000 people in the American north country—the neighbors, if you please, of these Canadians—have no voting member at all in either the Senate or the House of Representatives, at Washington, D. C. This condition exists in our practice of democracy, although the British Empire often gets scolded by us for not being sufficiently generous in granting self-government and self-determination.

It was Emerson who said:

> What you are stands over you the while, and thunders so that I cannot hear what you say to the contrary.

ALASKA, AND SOVIET DENIAL OF FREEDOM

Furthermore, Mr. President, Alaska is our nearest terrain to the tyranny which imperils the free world. The latter is, of course, the Soviet Union. On a clear day at Bering Strait, the shores of Siberia loom menacingly across the water. Would it not be doubly dramatic, as a blow for democracy, to grant, at last, full membership in the Union to the land under the American flag which lies in closest proximity to the country where the right of the individual to free choice in government has hardly ever been known, namely, Russia?

Article III of the treaty by which Alaska was ceded to the United States for $7,200,000 contains this provision:

> The inhabitants of the ceded Territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years; but if they should prefer to remain in the ceded Territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country.

Let me repeat that promise, "to the enjoyment of all the rights, advantages, and immunities of citizens of the United States."

Yet, Mr. President, no Alaskan resident has ever voted for President of the United States or for any other fully sovereign public official. Has the promise been kept? Alas, it has been sundered.

I have talked before on statehood for Alaska, and that is why my remarks today are to be comparatively brief. I would not want to conclude them, however, without paying tribute to the diligence and statesmanship of the senior Senator from Montana [Mr. MURRAY], who, as chairman of the Senate Committee on Interior and Insular Affairs, has been so cooperative and helpful in bringing this issue to the Senate floor. If we add a 49th star to our flag this week, Senator JAMES E. MURRAY well can claim that this is a permanent and enduring monument to his distinguished career in the United States Senate. He and the junior Senator from Washington [Mr. JACKSON], the chairman of our Territories Subcommittee, are thoroughly deserving of credit and praise for the advanced stage of the statehood effort.

Mr. President, I also wish to express my great admiration for the work done by the junior Senator from Idaho [Mr. CHURCH]. Both during much of the debate today in the Senate on the Alaskan statehood bill, and also during much of the debate on previous days, the junior Senator from Idaho has been the acting majority leader. I think that honor is fully deserved by him, because his speech of some weeks ago on the statehood issue was, without exception, so far as I am concerned, the most thorough, exhaustive, and effective presentation I have ever heard of the case to bring Alaska into the Union.

Mr. CHURCH. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Idaho?

Mr. NEUBERGER. I am happy to yield.

Mr. CHURCH. I wish to express my personal appreciation to the distinguished Senator from Oregon, who represents, in part, my neighbor State, for his kind words.

I wish to congratulate him on the speech he is making, a succinct speech which might well be summed up by quoting the familiar motto, "Let us practice what we preach."

Mr. President, it seems to me that there will not be another time during this session, and perhaps there will not be a time in many, many years to come, when the Senate will have a comparable opportunity to act in accordance with the motto, "Let us practice what we preach."

Yet, Mr. President, if Senators still believe in the principle of government by consent of the governed and in the principle of no taxation without representation — fundamental principles which lit the fires of the American Revolution—then it seems to me that the only possible course for us to follow is to grant to our fellow citizens in Alaska the rights which the people of the States of the United States have historically claimed for themselves.

So, Mr. President, I wish to commend the distinguished junior Senator from Oregon [Mr. NEUBERGER] for having focused attention upon this fundamental of all fundamentals in connection with the statehood issue which is before us.

With his permission I should like to read into the RECORD a statement made by the editor of the Fairbanks Daily News-Miner, who testified before the committee during the House hearings on statehood legislation. I think it is appropriate to have his statement printed at this point in the RECORD, because it is so easy for us to become smug about the rights our forefathers fought and died for when the Minute Men went forth to face the troops of George III. We have had those rights for many years. It was in 1912 that the last of the present States was admitted to the Union. How easy it is to become jaded, smug, and self-contented.

But what a different perspective the people of Alaska have. That is why I wish to read into the RECORD the statement made by Mr. C. W. Snedden, the publisher of the Fairbanks Daily News-Miner, at the House hearings on this statehood bill.

Mr. Snedden said:

It should be evident to you why American citizens want the full rights of citizenship. But I believe that some of you are spoiled in the sense that, like the child of a fortunate family, you have forgotten what it is like to be in want.

Have you ever heard the expression that "he might grow up to be President some day"? That is the fond hope of many parents when they look at their child.

But have you ever considered how this applies to a Territory where a father's fondest hope is that his child will grow up with the right just to vote for our President some day?

Mr. President, those are the rights we have been denying our fellow citizen in Alaska.

We cannot stand before the world and assert our moral leadership among the countries of the Western World if we deny to our very own what the people of the present 48 States have long and historically claimed for themselves.

So I congratulate the Senator from Oregon for having pointed to what seems to me to be the heart of the issue—principles so basic that the whole institution of our democracy rests squarely upon them.

I thank the Senator, for his indulgence.

Mr. NEUBERGER. I thank the Senator from Idaho. I am particularly grateful he included in the RECORD the statement by Bill Snedden. I know Bill Snedden personally. He is an able editor. He is a courageous editor. He is a vigorous spokesman for democracy in the north country.

I again want to say I think it is so appropriate that the Senator from Idaho has taken the leadership which he has on the question of statehood for Alaska. The States of the Pacific Northwest have much in common with Alaska. In my opinion, every argument that has been voiced against the admission of Alaska could have been voiced, with whatever cogency it has been voiced, against the admission of Idaho, Oregon, Washington, Montana, and the other great States of the Pacific Northwest, which were very much on the frontier and very much remote outposts of civilization at the time they gained their place in the Union.

I think I have spent as much time in Alaska as has any Member of the Senate, although I hope there soon will be two Members of the Senate who will be bona fide residents of Alaska, and who will put to shame the amount of time which I spent in Alaska.

In my opinion, the people of Alaska qualify for statehood. They qualify for statehood from the standpoint of citizenship, patriotism, education, culture, dignity, and their desire and burning ambition to become full-fledged American citizens. To me, that is the paramount and overwhelming issue.

Of course, one can present legal technicalities. One can offer legal technicalities against any bill or proposal presented by human beings. In my opinion, the basic question is that of democracy for the people of Alaska who will become full-fledged American citizens.

I share with the able Senator from Idaho, and the senior Senator from Tennessee [Mr. KEFAUVER], who is soon to address us on this vital question, the belief that the people of Alaska are ready for full citizenship.

I listened to an able address yesterday in which it was pointed out that 200,000 residents in Alaska would be able very soon to match the votes in the United States Senate of the 3½ million to 4 million residents of Virginia. Of course, that is true, because, I trust, Alaska is going to be admitted as a State. But I point out that today the 3 million or 4 million residents of Virginia, under our present form of government, can match the two Senate votes of New York, with 18 million residents, or the two Senate votes of California, with 14 or 15 million residents. So if anyone is going to indict Alaska because 200,000 residents will have 2 Members in the Senate, then that is an indictment of the present ratio of Senators among the 48 States; and the situation of admitting Alaska would not drastically change it.

I want to thank the Senator from Idaho for his pertinent comments, as indeed are all his comments on this question pertinent.

In conclusion, Mr. President, one of the most compelling arguments I have read in behalf of statehood is a letter which has come to my desk from C. Girard Davidson, the able ex-Assistant Secretary of the Interior during the Truman administration, and presently a lawyer and business executive with substantial commercial and industrial interests and investments in Alaska. All of us are concerned with Alaska's economic success. Mr. Davidson has cogently emphasized in this letter the importance of statehood to a thriving Alaskan economy. For example, he cites the gains to be attained inevitably in transportation if and when full membership in the Union becomes a reality. He also stresses the urgent need for a system of courts of original jurisdiction in Alaska, and this, too, will be a concomitance of statehood.

To anyone who doubts the significance of statehood to Alaskan wealth and prosperity, I commend a reading of ex-Secretary C. Girard Davidson's thoughtful letter. For that purpose, Mr. President, I ask unanimous consent that it appear in the CONGRESSIONAL RECORD at the conclusion of my remarks. Mr. Davidson has written to me as secretary of the Pacific Northern Timber Co., which plans an integrated pulp and lumber operation in the vast forests of southeastern Alaska.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PACIFIC NORTHERN TIMBER CO.,
Portland, Oreg., June 10, 1958.

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: As one who has business interests in Alaska, I encourage and support you in your able and consistent effort to gain statehood for this Territory. This is but long overdue justice warranted the people of the Territory.

The granting of statehood will go far toward removing from the record the shabby history of our Nation's 91-year neglected promise to provide the people of Alaska rights equal to those of all other American citizens. The granting of statehood will lie to rest the assertion that America does not practice what she preaches; that we proclaim self-government and democracy for others but that we deny self-government to the people of our own Territories.

Statehood will provide tremendous impetus to the economic life of both the Territory and the United States. Much has been reported of the vast wealth of the Territory represented by its mineral, timber, and natural resources. The fact that Alaska has paid for itself nearly 500 times is important, but more impressive is the untold wealth yet remaining in this undeveloped land. Even those who for selfish political reasons oppose statehood concede that there are tremendous development opportunities offered by this our last frontier.

What will statehood do to assist the development and expand the opportunities to

business and industry? How will statehood help business? What will be done through granting statehood that is not now being done to encourage and promote industry in Alaska?

First, statehood will materially assist the Territory in its age-old and most important transportation problem. Because it is removed from connection with the transcontinental railroads of the continental United States, the Territory is overwhelmingly dependent upon water and air carriers, and the cost of transportation adds directly to the cost of living. In the Territory, even more than elsewhere, the establishment of reasonable transportation rates is imperative to sound business conduct. Transportation rates have not been reasonable for two reasons: (1) lack of regulatory control, and (2) the Jones Act governing water shipments.

Presently, throughout the Territory, tariff structures formulated by organized transportation companies are constantly jeopardized by industrials participating in irresponsible wildcat trucking and transportation undertakings. These one-season operators all too often undercut well developed, established prices, garner vitally needed trade from permanent operators, and, because they are marginal operators, frequently inexperienced in the conduct of business in the Territory, they soon go bankrupt leaving a burden of uncollectible bills to the mercants and a loss of business to legitimate transportation companies.

In addition, the Government-owned Alaska Railroad is a victim of politics. This railroad alters tariffs and rates at a moment's notice, subjecting competitive trucking and barging transportation to Government-subsidized undercutting. The combination of wildcatters and the subsidized railroad causes untold confusion in the transportation industry.

Establishing fair transportation rates is possible only through a properly organized regulatory body. With statehood, the Interstate Commerce Commission will provide this regulatory service and the new State of Alaska will enjoy a position of stability in its transportation life. Business will benefit by being able to properly determine present and future transportation costs.

Second, adding to the turbulent transportation picture is the ill-conceived Jones Act of 1920. The purpose of the Jones Act was to assist the shipbuilding and allied industries.. However, it discriminated against the Territory by prohibiting the shipment to Alaska of any goods or products aboard foreign ships, specifically Canadian vessels, and authorized only United States bottoms to take on shipment destined for Alaska. This was naturally a boom to Seattle but it tripled the cost to the citizens of Alaska. The enactment of the Jones Act resulted in the complete elimination of competition. It caused hardship and discrimination against the residents of the Territory in the shipment of merchandise, food products and other commodities necessary and essential to the existence, progress, and development of the people of the Territory.

With statehood, the Jones Act will be removed, allowing a competitive condition to exist, and thus bringing about the lowering of transportation costs.

Air transportation, too, is restricted. The Scandinavian Airline Service, flying from Copenhagen to Tokyo, stops at Anchorage, but Alaskans are forbidden to embark or debark; they must fly 3,000 miles to Los Angeles to board an aircraft bound for the Scandinavian countries.

Third, business and industry necessarily rely on the quick dispensation of justice through the courts. Disputes in business affairs are part and parcel of business operation. The injured parties look to the law for protection and redress. In any of the 48 States local courts are established for the quick handling of litigation. But in the Territory of Alaska the people are prevented from establishing their own judiciary; the judicial system is completely controlled by Congress, and presently is so overburdened that judges are as far back as 3 years in actual case trials. The third division presently has an impossible caseload of over 1,500 cases pending for each judge. Justice delayed is justice denied, and justice denied inevitably works to the benefit of the lawless. This does not create a condition attractive to business and industry. Once Alaska is a State she will establish her own judicial system, and the present antiquated organization will be replaced. Business can then be assured litigation will be handled in a normal and prompt way.

Fourth, adequate economical communications are imperative to sound business operation. Presently, throughout the larger share of the Territory, and between Alaska and the continental United States, the Alaska Communication Service—a branch of the United States Army—provides the only telephone and telegraph service. This is a splendid organization, with a proud and distinguished history. But what of tomorrow? ACS is a creature of our Federal Government and is dependent upon varying approaches to the Federal budget. Rates are subject to the pressure of politics, the changing attitudes of the executive department, and, of course, bureaucratic action. Prior to rate changes or even the termination of service, the customer need not be consulted, even hearings need not be held. In planning a business venture, not only the cost of the service—which is, of course, important—but even the actual continuation of the service is frequently unknown. With statehood, the Federal Communication Commission would have a powerful voice in these affairs, and the new State could, and would, institute regulations adequate to assure constant and reasonable service.

Fifth, business best flourishes when the community in which it is located prospers. Communities, in order to thrive and develop, must control their land and resources. Today, Alaska controls less than 1 percent of its own land, and so long as this deplorable situation exists the Territory can never develop. Just as the Territory remains restrained from its potential growth, so are the industries located within it stifled from full development. It is indeed amazing that, though Alaska has no control or ownership over 99 percent of its taxable or revenue-producing land, the Territory has been able to finance schools, construct and maintain roads, and operate its government as well as it has. With the passage of H. R. 7999, Alaska will gain possession of about 50 percent of its own land; the agencies governing it will be located in Alaska; development can be locally planned. This condition will tremendously benefit the new State.

The added revenues from the newly acquired properties will go far toward underwriting the costs of the public projects required to create decent living conditions for the growing population—a most important requirement of industry and business.

Sixth, continuity is imperative to sound business. Long-term financing must be premised on long-range planning. Business always contemplates the possibility of shifts and changes—but not changes in the basic form of government. Under present circumstances business must hazad a year-by-year operation—never being certain whether the next year will see the continuation of Territorial government or introduce State government. This does not meet the requirements of good business conduct.

Furthermore, the larger lending institutions do not understand Territorial government and are therefore reluctant to enter an area governed—or ungoverned—in this peculiar manner. They are unwilling to assume the heavy expense of conducting their business subject to constant reviews from Washington, D. C. As a consequence, there is limited investment capital, which, in turn, results in a distressingly high cost of money.

With statehood, an end will be brought to the unknown conditions of Territorial government, and business and industry will be able and anxious to open the new markets and develop the new State.

Sincerely yours,

C. GIRARD DAVIDSON,
Secretary.

Mr. KEFAUVER. Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. KEFAUVER. I should like briefly to state my views in support of the admission of Alaska to our Union as its 49th State. This is an opportunity to reaffirm our principles; now is the time to act on them.

I have had the pleasure of serving either in the House of Representatives or in the Senate since 1939, and I have always supported vigorously resolutions and bills for the admission of Alaska as a State into the Union. With each term of Congress, I have been more strongly convinced than I was before that it is our duty and our obligation, and that it would be a good thing for the United States, to take this action.

During the time I have had an opportunity of serving in Congress, I have served with two delegates from Alaska. One of the impressive facts about the effort for statehood which should convince us that the new State would take its full share of the responsibilities of a State of the Union is the type of representation Alaska has sent to the House of Representatives, and the delegates who have been elected, under the Tennessee plan, to be Senators and Representatives from Alaska.

For many years Anthony Diamond was a delegate from the Territory of Alaska. Mr. Diamond was well educated and a highly qualified and capable Delegate. He had a great understanding not only of the problems of the Territory of Alaska, but those of the Nation and of the world.

Since 1945 E. L. BARTLETT has been the Delegate from Alaska, and he is Delegate at the present time. Mr. BARTLETT is highly respected as a person, and his public service is appreciated by all Members of Congress, whether in the House or in the Senate.

The men I have mentioned are typical of the type of Senators and Representatives we can expect to come from the new State of Alaska.

The Senators-elect from Alaska are Ernest Gruening, who, as we all know, has served as Governor of Alaska, and who is a very capable person, and William E. Egan, who was a member of the legislature, a participant and member of the Alaska Constitutional Convention, and a man of fine ability.

The Representative-elect is Ralph J. Rivers, who was the attorney general of Alaska, and a member of the Constitutional Convention.

Then, too, I have known many members of the Legislature of the Territory of Alaska. I have known many of the

officials of some of the cities of Alaska. I have known officers of the Territorial Government of Alaska. They are men and women of ability. They have performed their governmental duties well. They are dedicated to our democratic system. They have provided honest government. They have given thoughtful consideration to the issues coming before the Legislative Assembly of the Territory of Alaska.

So we know Alaska will send outstanding representatives to the Congress, both as Members of the House and of the Senate. These representatives will take their jobs seriously and perform well their legislative and executive duties for the new State.

To me, Mr. President, this is an opportunity to reaffirm our principles. Now is the time to act.

As outlined in the reports of both the House and Senate, the traditional requirements for statehood throughout our history have been as follows:

First. That the inhabitants of the proposed new State are imbued with and are sympathetic toward the principles of democracy as exemplified in the American form of government;

Second. That a majority of the electorate desire statehood; and

Third. That the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

Compelling evidence asserts Alaska's fulfillment of all of these requirements. The committees are convinced, the House of Representatives is convinced, and the Nation is convinced that statehood for Alaska will promote the best interests of both that Territory and the Nation.

Alaska has been a part of this country for 91 years. In the course of these years, Seward's Folly has become a dynamic and promising land, constituting one of America's best investments in the future. And the experiment of statehood has never failed. Twenty-nine States have been admitted to statehood from a Territorial status, often in the face of major obstacles and difficulties, which—as with Alaska often included repeated congressional refusals to pass enabling legislation.

This was the case in the admission of my own State of Tennessee which established a precedent in 1796—the Tennessee plan. In that year, two Senators-elect from the Territory of Tennessee personally presented their petition for the admittance of Tennessee into the Union and they were successful, as were the several other States which followed this procedure.

The Tennessee plan originated with my State. Tennessee is typical of the generally progressive attitude of most States of the Union in connection with the question of Alaska statehood. I have never seen such a unanimity of support by the leading daily and weekly newspapers on any particular issue as exists in favor of statehood for Alaska, as expressed by the editorials from newspapers of my State.

Yesterday, in the CONGRESSIONAL RECORD, beginning at page 10883, I placed in the RECORD a number of such editorials from leading newspapers in Memphis, Nashville, Chattanooga, Knoxville, and quite a number of other cities, in favor of statehood for Alaska.

A few days ago I read in Time magazine that there is a legend in Tennessee that in Nashville, our capital, the two newspapers there seldom agree upon anything. Those two newspapers are the Nashville Tennessean and the Nashville Banner. The story is to the effect that the only thing they ever agreed upon was the time of day. However, the time came when they got into an argument as to whether Nashville should be on Eastern time or Central time. One newspaper took one side and the other took the other side. So they had fallen out even with respect to the time of day.

Both newspapers state their positions well. It so happens that I usually agree with the Nashville Tennessean, which I think is one of the great newspapers of the United States. It is a liberal, progressive newspaper.

However, in the case of Alaska statehood, unlike the issue of the time of day or other issues upon which the two newspapers disagreed, both newspapers in the State capital are strongly in favor of statehood for Alaska, and have editorialized on the subject very frequently.

Today my attention was called to a thoughtful editorial in another Tennessee newspaper, the Clarksville Leaf-Chronicle of June 17, which points out all the reasons for granting statehood, and answers an argument which we frequently hear, to the effect that the trouble with Alaska is that it is not contiguous to the other States of the Union. This editorial points out that when California was admitted into the Union in 1850, it lay 650 miles from the nearest other State, which was Texas. There was no State between the two.

In this case, we know that Alsaka can be reached by air or by sea, and that between Alaska and the States of the Union there is a friendly bond and the best of relations, which will always continue.

In 1955 a proposed State constitution was drafted by an Alaskan convention, and subsequently approved by a better than 2 to 1 majority of the Alaskan electorate. At the same election in April 1956, the voters of Alaska also chose 2 outstanding men for Senators and 1 representative-elect to petition for recognition, as did the 2 men from Tennessee in 1796. Mr. President, I urge this body to likewise heed their pleas for the admission of their Territory.

History has proved beyond a reasonable doubt that statehood will be beneficial to Alaska. In every case, local responsibility has stimulated prograss, and the Nation also stands to reap benefits from Alaska's growth. The legal and moral grounds for Alaska's admission are clear. And we have received ample evidence that statehood would be sound for many practical reasons as well. Statehood would give support to American foreign policy, and strengthen the position of the United States in world affairs, giving greater strength to our overall defense. Statehood would give new stimulus to enterprise and private capital to make Alaska a strong segment of America's future economy. The resources of that Territory, still largely latent, should be developed more rapidly with statehood, promoting not only the welfare and growth of the Territory, but also strengthening the security of the Nation. Statehood will grant to the people of Alaska the right to send representatives to Congress, in accordance with our traditional ideas of local self-government. Alaska pays all Federal taxes, obeys all Federal laws, sends its citizens to defend the Nation, and it deserves to vote in the Federal Government which makes its laws. Alaska needs statehood, and the Nation will benefit from her admission. I think it would create a new interest and a new enthusiasm in the United States to have this large and promising frontier to develop.

By the terms of the treaty by which Alaska was acquired, we pledged its inhabitants the rights, advantages, and immunities of citizens of the United States. Statehood is the only logical fulfillment of that pledge. The statehood principle has been the basis for the building of our Nation, and by reaffirming it now, we shall not only strengthen our country, but also affirm to the people of Alaska, and indeed the world, that we have not forgotten our traditions—that the extension of liberty is still our goal.

In our party platforms we have pledged ourselves to grant statehood to Alaska, and the American people have registered their overwhelming approval of it. I think the party platforms of our political parties deserve to be implemented by the enthusiastic support of the pending bill.

More information has been assembled regarding Alaska than in the case of any Territory which has been admitted to the Union. The study of every facet of the effect of Alaska's statehood must lead one to conclude that this Territory is ready, willing, and able to support statehood. In the interest of the people of both Alaska and the Nation as a whole, I urge that this bill be passed. Alaska has proved its right to join the Union. Its inhabitants have met every reasonable test, and we cannot continue to deny them the rights of full citizenship. We must keep faith with them, and in so doing we shall dramatically provide the world with an illustration that the dynamics of true democracy in America have present and practical meaning.

Mr. President, I have had the opportunity of visiting Alaska, although not so frequently as the Senator from Idaho [Mr. CHURCH], who has done such outstanding work in advocacy of the bill on the floor of the Senate, or the Senator from Oregon [Mr. NEUBERGER], who preceded me in speaking on the floor today. However, I did spend some time in Alaska a number of years ago. I did not visit all parts of Alaska, because that would take a considerable length of time.

I was impressed with the eagerness and the fresh outlook of the people, and the stability of the citizens there. I was most impressed, as has been everyone who has visited Alaska, with the unanimity of the burning desire of the people of Alaska to play their full part in the progress and future greatness of our American Republic.

Mr. President, statehood for Alaska will be good for the Senate. It will be good for the United States. It will be good for the free world.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the editorial from the Clarksville Leaf-Chronicle, to which I referred earlier in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FORTY-NINER

First in over 45 years would be the admission of Alaska as a State of the Union, for which the Senate seems likely to vote, and soon. The House voted for it on May 26 by 208 to 166, with certain conditions to be accepted by a referendum in November. So it will be 1959, probably, before Alaska actually comes in.

This would be 47 years since New Mexico and Arizona became the 47th and 48th States, respectively, away back in 1912. It would be by far the longest time between admissions. The longest previous interval was 15 years, between Missouri (24th State) in 1821 and Arkansas (25th) in 1886.

This would not be the first time a State was admitted without being contiguous to another State. When California got statehood in 1850, for instance, it lay 650 miles from the nearest other State, Texas. But the area that stretched in between belonged to the United States—this would be the first time a State was admitted without touching on other United States territory.

The estimated (1957) civilian population of Alaska is 165,000. Seven of the 17 States admitted in the last 100 years had fewer than 165,000 inhabitants at the time. Of course, the total population was much lower then than now, but even on a proportionate basis the population of Alaska today is about the same as that of Wyoming when admitted in 1890 and much higher than that of Nevada when admitted in 1864.

Mr. CHURCH. I should like to take this opportunity to commend the distinguished Senator from Tennessee for the very able addres she has delivered to the Senate on the issue of Alaskan statehood. He has demonstrated once again the foresight and statesmanship which have given him the reputation of being one of the leading Members of the Senate of the United States.

Mr. KEFAUVER. I thank the Senator from Idaho very much. There are many reasons why I am in favor of Statehood for Alaska, but one of the best reasons for making a speech on the subject in the Senate is to receive the commendation of so fine a Senator as my colleague from Idaho.

Mr. CHURCH. I thank the Senator.

SIX DAYS UNTIL JULY 1

Mr. KEFAUVER. Mr. President, every day since June 13, I have made a brief statement on the floor of the Senate with regard to a possible substantial increase in the price of steel on July 1. Sometime ago it was reported that the United States Steel Corp. and other steel companies planned to raise the price of steel on July 1. There have been some indications to the effect that this might not happen; at least, that the United States Steel Corp. may not take the lead in that regard.

I hope that will be the case. Other Senators have spoken on the subject. I dare say that the greatest desire of the American people at the present time is to stop the rounds of inflation which are taking their toll on the savings and income of tens of millions of American people, and which have caused unemployment and will set us on a disastrous course if they continue.

There is a tremendous interest, not only in Congress but also all over the United States, in trying to hold the line and to stop inflation. The one big thing which will cause inflation to have another great spurt, destructive of our economy, is an increase in the price of steel. Leaders of the steel industry and leaders of labor recognize that fact. Certainly this is a time for statesmanship and reasonableness on the part of both sides.

Yesterday the Bureau of Labor Statistics reported that the Consumer Price Index had risen again in May to a new alltime high. The index now stands at a level of 123.6, which is some 3.5 percent above the level of only 12 months ago. In the 8 years since June 1950, just before the outbreak of the Korean conflict, the cost of living has risen no less than 21 percent. Most of this increase has, of course, occurred during the years in which the present administration has been in office.

According to press accounts, administration spokesmen would have consumers take comfort in the fact that this latest increase was not due to higher prices of foods. In past months the same spokesmen have been discounting the importance of price increases in administered price industries on the grounds that most of the increase in the cost of living was due to higher food prices. In my statement on the Senate floor on June 17 I described the way in which higher prices for steel contribute to higher food prices by raising the costs of farming, processing, distribution, transportation, retailing—in fact, everywhere along the line between the farmer and the housewife.

Mr. CLARK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MANSFIELD in the chair.) Does the Senator from Tennessee yield to the Senator from Pennsylvania?

Mr. KEFAUVER. I yield to my colleague from Pennsylvania, who has pointed out on the floor of the Senate that a real catastrophe would come to the American people and to our economy if there should be an increase in the price of steel. I proudly yield to him.

Mr. CLARK. I thank my colleague from Tennessee. I wonder if he will agree with me that there is evidence in our economy that we are about to see an end to the constant monthly increases in the cost of living, because the last few months have indicated a tapering off of the increase, and that if we do not have another round of price increases, particularly in manufactured products, we may be able to stabilize the price level where it is now. My question is, whether there would not be set off another inflationary force if the President should be unable to persuade the steel manufacturers to refrain from an increase in the price of steel at the end of this month.

Mr. KEFAUVER. The Senator from Pennsylvania is absolutely correct. I thank him very much for bringing out that point. Many of our leading economists and students of the subject feel—and there is factual evidence to support their view—that, while there was a slight increase in the cost of living in the month of May, there is about to be a leveling off, and we may be able to hold the line, but, as matters stand now, if there should be a $5 or $6 a ton increase in the price of steel there would be set off another spiral of inflation, which would probably require some readjustments all the way around.

It is felt that there would be nothing more disastrous to our economy, or that would set back the little progress we have made in coming out of the recession, than another spiral of inflation. It would mean more unemployment, fewer sales, and fewer goods bought. It would also mean greater hardship for people with fixed incomes. The effect of a price increase in steel on July 1 is too horrible to contemplate.

Mr. CLARK. There are only 5 or 6 more days in which the President can take the strong executive action which the Senator from Tennessee and I believe would be most helpful in preventing such a real catastrophe from taking place.

Mr. KEFAUVER. The Senator is correct. The power of persuasion of the President is great. The power of public opinion, if the President asks the leaders of industry and labor to do something in the interest of the Nation, is very substantial. There are only 6 days left for the President to take strong and affirmative leadership, as expressed by the Senator from Pennsylvania, to get the leaders of both sides together in the greater interest of the country. There are only 6 days left in which to do that.

Now that overall food prices have for a change remained stable, to what arguments will the administration spokesmen now turn in their efforts to exonerate the Nation's basic industries as contributors to higher living costs?

It appears that the May increase was due principally to increased hospitalization insurance premiums and the ending of local gasoline price wars. It may be anticipated that administration spokesmen will point out, if they have not already done so, that neither of these areas is itself an administered price industry. But let us examine the matter more closely. Why have hospitalization costs risen? They have gone up for one reason, among others, because of the increased cost of equipment, much of which, as everyone who has visited a hospital knows, is made of stainless steel.

load factor problems at this time,[35] then, is as surprising as it is unimpressive, for this is the crux of the problem.

In justification for basing fares on actual capacity, it has been argued that load factor problems are best considered in a full hearing. While I accept the statement as indisputably true in normal circumstances, here the majority has decided all the issues before the board without hearing. Having informally resolved in favor of the trunklines and against the interest of the traveling public, those issues which appear, to the majority, to support a fare increase, it is indefensible to refuse to consider informally the capacity problem, for this is the pivotal issue in the case, the issue which most strongly militates against a fare increase at this time.

If, as the majority suggests, interim fares are to reflect actual capacity, then the carriers, who alone control capacity levels, are the sole arbiters of fare levels. Further capacity increases prior to the conclusion of docket 8008, under these circumstances, will automatically call for another upward fare adjustment. But it is the Board, not the carriers, which is statutorily charged with judging the reasonableness of fare levels upon such criteria, inter alia, as:

"(1) The effect of such rates upon the movement of traffic;

"(2) The need in the public interest of adequate and efficient transportation of persons and property by air carriers at the lowest cost consistent with the furnishing of such service." [36]

Clearly these standards are at odds with the ratemaking theories adopted by the majority.

It is notcworthy that the carriers, in docket 8008, forecast approximately balancing percentages of traffic and capacity growth for the year 1958. While I doubt that the forecast will be achieved in the manner stated,[37] the fact that the carriers forecast a balanced traffic-capacity growth is encouraging to the extent that it may reflect increased carrier concern over the capacity problem.

I conclude that the same excess capacity, considered by the Board in the 6 percent case to be "controllable * * * to a large degree," [38] has continued unabated in the latter half of 1957. The condition has been almost solely responsible for the decline in earnings experienced since the close of the record in the 6-percent case. Since excesses of capacity growth did not justify a fare increase in the 6-percent case, they are entitled to no greater weight here.

SUMMARY

My evaluation of the information available on January 24, 1958 leads me to the inevitable conclusion that traffic results and available ton-mile cost trends since the close of the record in the 6-percent case establish no basis for an interim fare increase. Excluding Eastern's atypical unit cost increases, available ton mile costs for the trunklines have delined. Traffic, after an exceptionally successful July and August, decreased at a sharply reduced rate in September and October. Traffic recovered slightly in November, however, and substantially in December to record a greater total traffic increase for calendar 1957 than for the preceding year. Load factors and reported return on investment declined in the latter half of the year as a direct result of continued increases in available capacity at rates greatly in excess of actual or anticipated traffic growth.

It is clear, therefore, that an erroneous evaluation of cost and traffic trends, as well as departures from the Board's previous interim ratemaking standards, have led to grant of this fare increase. In contrast to the standards of the 6 percent case and in the face of less evidence than was held inadequate in that proceeding, the majority now: (1) Accepts actual capacity for ratemaking purposes; (2) permits higher than an 8 percent return on investment prior to completion of any real examination of the cost-of-capital problem; (3) evaluates return on investment solely by reported results; and (4) bases fare adjustments on results of the poorer years without effectively considering results of prior more successful years.

Stated another way, the majority has resolved all doubts in favor of the carriers and against the individual passenger. Had this been our approach last summer, the 6 percent case would necessarily have reached a different result.

I am most concerned about the future effect of this action, for the greatest increases in airline capacity are yet to come. The adverse effect which this and possible future interim fare increases will have on today's passengers, as well as the vast majority of Americans who have never flown, may be disastrous. The tendency to price all categories of air tarnsportation out of reach of a significant segment of the general public may signal a reversal of the recent diversion from surface to air travel and may constitute the first step toward a return to Federal subsidy.

I repeat my earlier statement that these remarks are not to be construed as a tendency to prejudge issues in docket 8008 or elsewhere. I remain completely openminded and receptive to problems and proposed remedies that may appear in that docket and thereafter. I cannot, at this time, however, for reasons hereinabove stated, approve the interim fare increase offered by my colleagues.

G. JOSEPH MINETTI.

Mr. SPARKMAN. I thank the Senator from Tennessee for his graciousness.

RETIREMENT OF HOWARD HOPKINS, ASSISTANT CHIEF OF FOREST SERVICE

Mr. STENNIS. Mr. President, on June 30, Mr. Howard Hopkins, Assistant Chief of the Forest Service, Department of Agriculture, will retire from the Federal Government. Mr. Hopkins is closing a career of more than 35 years of unselfish public service, 35 years devoted to the development and conservation of our Nation's forests, soil, and waters.

Howard Hopkins' career has been as colorful and fruitful as it has been long. In 1923 he started with the Forest Service as a forest assistant in Colorado. Then he became a forest supervisor in Minnesota, an assistant regional forester in the Eastern United States, and then an associate regional forester in California. For several years he was very active in the cooperative programs of the Department of Agriculture with State and private forestry organizations and other groups, working to expand fire protection and to bring other good forestry measures to State and private lands. During World War II, Mr. Hopkins was in charge of the timber production for war project. His leadership helped to make it possible for our boys to get the lumber and paper and other forest products they needed to win the war. He helped keep the axes and saws going and the mills operating here at home.

Since 1947, Mr. Hopkins has been Assistant Chief of the Forest Service. In this position he has directed programs set up by the Weeks law and other acts of Congress to consolidate the national forests through purchase and exchange of lands, so that they will better serve the people of the United States.

Through these congressional programs with which he has been associated, the national forests have assumed greater and greater economic and spiritual importance. Watershed protection has been increased. Tree planting and timber production have been stepped up. More lands have been made available to the public for hunting, fishing, camping, and other recreation. It has been demonstrated that scientific forest management on a large scale is practical. The success and value of modern forestry practices in building and maintaining prosperous pulp and paper, lumber, and other forest industries has been convincingly demonstrated. There is proof of this in the great forest producing areas of the South and in many other parts of the Nation. The national forests have played an important part in bringing this about.

As a member of the National Forest Reservation Commission, which passes upon national forest land purchase and exchange programs, I have had the pleasure of working closely with Howard Hopkins for many years. The work of developing, consolidating, and adjusting the national forests so that they will contribute the greatest amount of public benefit is a challenging one. Mr. Hopkins has carried out this work with splendid competence, rare imagination, the highest integrity, and a resolute dedication to the public good. In my humble opinion, the national forests are better public properties, and the American people have a finer heritage, because of Howard Hopkins' career of public service. I know that my colleagues on the National Forest Reservation Commission join me in openly expressing to him our appreciation of the fine work in forest conservation that he has done. He represents the very highest in official service and the very finest in integrity.

Young men in the Forest Service have told me they have patterned and planned their official service and professional careers along the lines followed by this fine gentleman, Mr. Hopkins.

I have in my office a small gavel made from a limb of a very old pine tree, a tree said to be the oldest living thing in the world and estimated to be 4,600 years of age. I have told Mr. Hopkins that the good which will come from his work in the national forests will live longer than that tree has already lived.

I am glad to pay him this tribute as he retires, and to wish him the many

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[35] The Board indicates, at p. 13, that it would not be inclined to grant another increase without examining the load factor problem. No justification is given for the total inconsistency in approach between this and future proceedings.

[36] Section 1002 (e) Civil Aeronautics Act of 1938, as amended.

[37] The 1958 projected traffic growth if achieved will exceed traffic growth achieved in 1957, 1956, and 1954. The relationship to prior recent results, the absence of suggested traffic-stimulating methods, and the probable effects of this fare increase cast doubt on the accuracy of the traffic forecast.

[38] Note 32, supra.

satisfactions which he so well deserves.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. KEFAUVER. I join with the Senator from Mississippi in paying the very highest tribute to the life and extraordinary public service of this outstanding man. He has had the great vision, ability, and energy to follow through and get things done in a most important field of our American life.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. JAVITS. Mr. President, I thought it might be particularly appropriate, as a Senator from the State of New York, if I were to say a few words about Alaskan statehood, inasmuch as I gather from statements made during the course of the debate in the Senate that, inasmuch as Alaska is small in terms of population, New York, which has a large population, might have some reluctance in seeing Alaska admitted to full equality in terms of representation in this august body.

Mr. President, as one of the Senators from the State of New York, I feel that an historic opportunity is presented to the Senate to vote statehood for Alaska—the first State to be admitted which is separated from continental United States. The vital interests of our country—economic and social, as well as national defense-interests—require that this be done.

I am especially concerned by the implications to our foreign policy of the admission of Alaska to the Union. It will picture for the people of the rest of the world the enlarged horizon of the people of the United States when they are willing to admit to statehood an area which is separated from continental United States by 515 miles by land and 750 miles by sea; and the admission of Alaska to statehood will show that every American has deep in his heart an all-pervasive commitment for the defense and security of every part of our country. The admission of Alaska to statehood, thus removing it from the experimental or interim stage of Territorial status, will represent to the rest of the world the indissoluble bond between the people of Alaska and those of the present 48 States. The admission of Alaska to statehood will serve notice on the Soviet Union that the people of the United States have unlimited faith in their own strength and purpose, and that they unhesitatingly commit their country's policy to statehood for an area which is only 55 miles across the Bering Straits from the land mass of the Soviet Union.

Mr. President, as statehood for Alaska is an historic event, it is also an historic opportunity in connection with the foreign policy of the United States. The implications of the admission of Alaska and the ultimate admission of Hawaii to statehood will be clear to all the world as being a part of our solemn covenant under the United Nations Charter, our fidelity to our responsibilities under the network of treaties in the Pacific, Asia, and Australia, and New Zealand, and our determination that there shall be no successful aggression in the world or no surrender of free peoples to force or subversion.

The admission of Alaska was a plank in the platform on which I ran for the office of Senator of the United States. I believed in that platform then, and I intend to honor it now.

Mr. President, during the debate on yesterday, one distinguished Senator noted the fact that Alaska, with only 220,000 people, will have the same representation which the State of New York has with a population—as stated during the debate on yesterday—of more than 15 million. As a mater of fact, New York has a population of more than 16 million. Certainly that is a strange argument to come from Senators who for so long have zealously defended equal sovereignty and Senate power on the part of each State, regardless of size.

As a Senator from New York, I would welcome the addition of the two Senators from Alaska; and I believe that represents an enormous body of opinion in my State, because I consider it to be in the national interest. Each new State increases by so much the power and the effectiveness of the United States. Therefore, it increases by its proportion of the whole the power and effectiveness of any State. Inasmuch as my State is the largest in the Union, population-wise, I feel that it will obtain the greatest benefit from the admission of Alaska.

Senators serve in this body to represent their States and the Nation—a composite of all we consider best in our society. Senators do not serve here to represent any personal power or influence. We, as Senators, are as strong as the United States, not as the individuals who make up the Senate for the time being. Vital as it is—and it is vital—to have able, dedicated Senators, such Senators can come from Alaska as well as from New York; and all our history shows that to be so.

Mr. President, even today there are a number of States with a population of less than half a million. For example, Nevada, which is the 6th largest State in terms of land area, ranks 48th in population. In 1956, Nevada had a population of approximately 270,000, or only slightly more than the population of Alaska. Yet no Member of the Senate has risen to complain of the representation in the Senate from the less populated States.

Alaska is an incorporated Territory which derives its organization from the act of 1912. Together with Hawaii, Alaska is 1 of the 2 remaining incorporated Territories which have not achieved statehood. Alaska occupies a position similar to that occupied by the Territories of Oklahoma Arizona, and New Mexico prior to their admission to the Union.

Under the Organic Act of Alaska, the Governor is appointed by the President; and although Alaska has elected representatives for local government, certain legislative power, normally incident to State government, is reserved to the United States Congress.

Finally, Mr. President, Alaska has no elected representative in either House of Congress, although a nonvoting Delegate is elected. Not only are the residents of Alaska deprived of the right to vote for congressional representation, but they also have no voice in the election of the President of the United States. Furthermore, they are judged by Federal judges, not State-elected judges; and they are hampered from the internal development of their area to the full which would come from having adequate public lands under local control. In addition, the people of Alaska lack the encouragement, the morale, and the enthusiasm for their area which statehood would bring.

Mr. President, I think that is the most important argument of all. Americans are fond of the great play, Oklahoma, which was developed in New York. Why is Oklahoma a great play? It is because it pictorializes in drama the emotion, the excitement, the enthusiasm, and the encouragement which come to the individual citizen when the area in which he lives finally becomes a State, thus giving him new and enlarged opportunity and substantial status as a citizen in his own right.

I hope and pray that the Senate is about to push the button which really will unlock and release the majesty and enthusiasm of the whole population of Alaska by enabling them to become full-fledged citizens of the United States. When we grant them statehood, they will really go places.

So it is that, in this connection, I like to think of the show Oklahoma, because that show, in our day, has pictured for us how the people of the Territory of Oklahoma felt when they obtained statehood.

Mr. President, realistically we must acknowledge that the amendments which will be offered to the bill and the technical objections which have been raised to it, will, if adopted or if they are sustained, have the effect of endangering any chance for the enactment of such legislation at this session.

I intend to vote against all amendments which really would have the effect of killing the bill.

For more than 40 years the Congress has been debating the proposal for statehood for Alaska. Alaska has been a part of the United States for 88 years. No other Territory has had to wait for so long a period of time before being admitted into the Union.

So, Mr. President, I hope to have the historic privilege of being a part of the vote in this body which will admit Alaska to statehood now; and I hazard the guess that it will be one of the most exciting things that has happened to this country in a very, very long time.

Mr. President——

The PRESIDING OFFICER. The Senator from New York.

MITCHEL AIR FORCE BASE—RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent for inclusion in the RECORD of a resolution from the United Veterans Organization with relation to the operation of the Mitchel Air Force Base in Nassau County, N. Y.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

JUNE 1, 1958.

Whereas the United Veterans Organization of Nassau County, N. Y., which is comprised of 10 member-county veteran organizations, namely (1) United Spanish War Veterans; (2) Veterans of Foreign Wars; (3) American Legion; (4) Disabled American Veterans; (5) Jewish War Veterans; (6) Catholic War Veterans; (7) Marine Corps League; (8) National Guard Veterans; (9) Reserve Officers Association of the United States; (10) Masonic War Veterans; and

Whereas the United Veterans Organization of Nassau County has watched with increasing alarm the current one-sided publicity campaign and efforts of those who claim to speak for the majority in seeking the moving of Mitchel Air Force Base; and

Whereas it is believed the majority of all concerned are not in favor of moving Mitchel Air Force Base. The United Veterans Organization of Nassau County has polled its member organizations to ascertain the feeling of their collective membership; and

Whereas the desire of the United Veterans Organization and its member organizations is 100 percent in favor of the retention of Mitchel Air Force Base at its present location; and

Whereas the need for Mitchel Air Force Base as a vital component of our national defense, its need for the training of the Reserve Air Force units, its need for the operation and maintenance of its communications system covering the eastern seaboard, its need as the most important Air Force Base in the New York metropolitan area, its contribution to the economic welfare of Nassau County with its employment of 5,000 military and 1,800 civilian employees, with its $30 million annual payroll, its contribution of approximately $500,000 in Federal aid to local schools, and its $10 million in local purchases and contracts, and its contribution to the training of Civil Air Patrol units and the open door policy of conducting exhibitions and educational programs for Boy Scouts, Girl Scouts, and the general public: Now, therefore, be it

Resolved, That the United Veterans Organization of Nassau County, do hereby unanimously resolve to go on record as being definitely opposed to the moving of Mitchel Air Force Base from its present location, and directs that a copy of this resolution be forwarded to the Secretary of the Air Force in order that those who have the authority for the decision as to the removal or retention of the base will have the benefit of the thinking of the United Veterans Organization of Nassau County, and its member organizations whose combined individual membership of veterans is approximately 24,000 representing 135 veterans posts.

GEORGE L. ROMIG,
President, United Veterans Organization of Nassau County, N. Y.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. HOLLAND. Mr. President, I have been a cosponsor in the last 4 Congresses of legislation providing for the admission of Alaska into the Union. Of course, I am delighted that the Senate now has the opportunity to end this long controversy within the next few days by favorable action on the pending measure, which has already passed the House of Representatives.

I do not desire to take the time of the Senate to make a lengthy statement, but I do want to make a few brief remarks and to insert in the RECORD editorials from various Florida newspapers indicating what, in my opinion, is the attitude of the majority of the people of my State on the subject of statehood for Alaska.

Four of my eight colleagues from Florida in the House of Representatives took polls in their districts on the question of statehood for Alaska. In one of the districts the poll favored statehood by a margin of a little better than 3 to 2. In another of the districts polled, 67.8 percent of those replying to the questionnaire favored statehood. A third showed 69 percent in favor of statehood, and in the fourth and last district polled, 89 percent favored statehood for Alaska.

In 2 of the remaining 4 congressional districts of Florida, one of which includes Jacksonville and the other Miami, the Representatives from such districts voted in favor of statehood for Alaska, indicating that they felt, as I feel, that their people favored such action, although they had not polled them on the question.

Mr. President, as stated above, a further indication of the attitude of the people of Florida on this matter is to be found in editorials from various representative newspapers in the State. I ask unanimous consent to have printed in the RECORD at this point in my remarks several editorials bearing on this question, and I shall quote briefly from some of these editorials as I offer them for the RECORD.

The first editorial, entitled "Alaska Statehood Long Overdue," appeared in the Miami Daily News of May 31, 1958, and I quote two sentences from it which go to the very heart of the problem now before us:

> Now that the House has once again passed the Alaska statehood bill, the Senate should lose no time in doing likewise. * * *
>
> Certainly, the Americans who live in the Territory are entitled to be more than the second-class citizens they have been without statehood.

I ask unanimous consent that the entire editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ALASKA STATEHOOD LONG OVERDUE

Now that the House has once again passed the Alaska statehood bill, the Senate should lose no time in doing likewise.

Both Republican and Democratic Parties have repeatedly endorsed statehood for both Alaska and Hawaii in their platforms. Members of Congress who have been elected on those platforms are morally committed to carry them out. Unfortunately, however, the congressional membership hasn't felt under such obligation in the past.

Eight years ago an Alaska statehood bill passed the House, but died in the Senate. In 1954 the Senate passed a joint Alaska-Hawaii statehood bill, but the House failed to act upon it.

The cases for both Alaska and Hawaii are equally good, but the chances of passage in separate bills appear better. A Senate move to include Hawaii would probably kill the measure for this year.

If the Alaska bill weathers the Senate, our northern Territory will become the 49th State and the first since 1912 to be added to the Union. Arizona was the last to be admitted.

The Alaska bill passed the House with a vote of 208 to 166.

Of the 81 Democrats who voted against the measure, most were from the South. Our own DANTE FASCELL, however, was among those voting for statehood.

In anticipation of being admitted to the Union, Alaska has already chosen two "Senators" and a "Representative." Presumably they will have to be elected again if the bill is passed by the Senate.

Certainly the Americans who live in the Territory are entitled to be more than the second-class citizens they have been without statehood. And if Alaska makes it, the chance for Hawaii will be brighter. Instead of 49 stars the flag may some day have 50.

Mr. HOLLAND. Mr. President, the second editorial appeared in the Miami Beach Sun of June 5, 1958, and is entitled "History and Alaska." The last paragraph of this editorial reads as follows:

> Above all, Alaska is people. Some can remember the roaring Klondike days. Many are imbued with the pioneering spirit that opened up vast reaches of the United States. There are more than 200,000 Alaskans now, double the number before the war. Statehood may boost the population tremendously. More important, statehood will give Alaskans both the responsibilities and the rights and privileges of full citizenship.

I ask unanimous consent that the entire editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HISTORY AND ALASKA

Two June days 120 years apart may turn out to have rather special import in the year 1958. The first was June 14, 1777, when the Continental Congress adopted a United States flag bearing stripes and stars. The second was June 16, 1897, when news of a fabulous strike in Alaska precipitated the famous gold rush.

These dates are mentioned together because, if the Senate approves a bill already passed by the House, Alaska will become the 49th State in the Union. That constellation which began with 13 stars and grew to 48 during the next 135 years may soon have to be expanded again. If this happens, it will be a victory for the good democratic concept that all citizens should be fairly represented in their Government.

There is much more to Alaska than gold and fisheries and numbing winters. For one thing, Alaska is a vast territory, bigger than Texas, Montana, and California combined. For another, Alaska has great hydroelectric power potential, big forest areas, and fertile land that produces good crops in the warmer southern areas.

Above all, Alaska is people. Some can remember the roaring Klondike days. Many are imbued with the pioneering spirit that opened up vast reaches of the United States. There are more than 200,000 Alaskans now, double the number before the war. Statehood may boost the population tremendous-

ly. More important, statehood will give Alaskans both the responsibilities and the rights and privileges of full citizenship.

Mr. HOLLAND. Mr. President, the third editorial, entitled "More Than Simple Justice," is from the Daytona Beach Journal of May 29, 1958, and I quote briefly from that editorial:

If we do not demonstrate we fully appreciate the desires of our Alaskan Americans for political equality and local self-government, how can we expect colonial peoples of many races and creeds to believe we really sympathize with their longing for independence? * * *

It is worth remembering that no other nation in human history has expanded its territory as the United States has without creating a colonial empire. This has happened because the citizens of the American Union always have been willing to accord to the people in the new territories the same rights and privileges the first American citizens demanded for themselves.

We can't keep Alaska and Hawaii knocking unsuccessfully at our door forever, and still remain the America which has spanned a continent with unbreakable bonds of freedom and brotherhood.

I ask that excerpts from that editorial be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

MORE THAN SIMPLE JUSTICE

The bill to grant statehood to Alaska surmounted its first big hurdle yesterday when it was approved by the House of Representatives by a vote of 208 to 166.

It now goes to the Senate where its fate will depend on the strength of an opposition coalition of Republicans and southern Democrats.

This coalition tried to kill the bill in the House but failed. Whether it will succeed in the Senate, only time will tell. But more is at stake in the passage of an Alaskan statehood bill than simple justice to the people of the Alaskan Territory.

A major strength of the United States in the modern world is our traditional antipathy for colonialism. We have the reputation among the colonial peoples of the world of treating the people of dependent territories fairly. We grant them freedom as independent nations or we grant them freedom as full partners in the American union.

However, the vigorous efforts of many Congressmen to block passage of Alaskan statehood bills inevitably tends to be regarded in many parts of the world as evidence that Americans really do not support official United States professions of opposition to all forms of colonialism.

What else can the colonial peoples think if we refuse year after year to grant full citizenship to other Americans who live in our Alaskan Territory? If we do not demonstrate we fully appreciate the desires of our Alaskan Americans for political equality and local self-government, how can we expect colonial peoples of many races and creeds to believe we really sympathize with their longing for independence?

The real reasons Congress has been so reluctant to pass Alaskan statehood bills probably are not known to the colonial and former colonial peoples inclined to believe the worst of western nations that possess large dependent territories.

Perhaps we are fortunate that these reasons are not too widely known. They are no prettier than the reasons the colonial peoples might imagine.

The otsensible reasons given in the opening House debate last week are without much merit. Opponents attacked the Alaskan statehood bill on the grounds its land-grant provisions would constitute a give-away of natural resources belonging to all the people of the United States. But these statehood opponents are not the Members of Congress who usually fight against give-aways of national resources. Among them are many of the Congressmen who voted to give a few States the valuable offshore oil deposits that belonged to all of the people.

Most of the Congressmen who usually fight to protect national resources are among the supporters of the Alaskan statehood bill. They contend—and quite reasonably it would seem—that Alaska should get title to sizable amounts of Federal land in the territory in order to strengthen the new State financially in its early years.

The argument that Alaska is not contiguous to the existing Union has been made obsolete by modern transportation and communications. The argument that 2 Alaskan Senators would dilute the Senate representation of the more populous States would have prevented the addition of any States to the original 13.

The basic reasons for the Republican-Southern Democratic coalition's opposition to the admission of Alaska as a State are grounded in partisan and racial prejudice.

Most of the Republican opposition is due to the fact that Alaska is an overwhelmingly Democratic Territory. If it becomes a State it will send two Democratic Senators to Washington.

For this reason, Republicans have been reluctant to approve Alaskan statehood without tying it to statehood for traditionally Republican Hawaii. Yet, in recent years, Republican politicians have been having second thoughts even about Hawaii. The reason: The Democrats have been making striking gains in Hawaii.

* * * * * *

Hawaii, with a population of more than a half million, has more people than several existing States and several times as many people as Alaska.

On the basis of population alone, Hawaii is entitled to statehood at least as much as Alaska. But several attempts to grant them statehood together have failed. The combination of those who oppose one or the other is too great.

Therefore, the best hope for both seems to lie in separate statehood bills, with Alaska paving the way for its more populous sister Territory. Statehood for Alaska would overcome any feeling that the number 48 is more sacred as far as the number of American States is concerned than the original number 13. The existence of a 49th State would make the addition of the 50th State even easier. But more than this, the admission of Alaska as a member of the American Union would announce to the world that the United States is not standing still, that it still is a vital political community capable of expanding its political sphere without perpetuating colonialism and second class citizenship.

It is worth remembering that no other nation in human history has expanded its territory as the United States has without creating a colonial empire. This has happened because the citizens of the American Union always have been willing to accord to the people in the new territories the same rights and privileges the first American citizens demanded for themselves.

We can't keep Alaska and Hawaii knocking unsuccessfully at our door forever, and still remain the America which has spanned a continent with unbreakable bonds of freedom and brotherhood.

Mr. HOLLAND. Mr. President, the fourth is an editorial from the Pensacola Journal—at the other end of our State—of June 2, 1958, entitled "Alaska Moves Nearer Statehood," the last paragraph of which reads as follows:

Both Territories, however, have progressed far enough to merit admission and both would be valuable additions because of their strategic locations.

I ask unanimous consent that the entire editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ALASKA MOVES NEARER STATEHOOD

Admission of Alaska as the 49th State came closer to accomplishment last week when the House of Representatives twice defeated a move to send the bill back to committee and passed it by 208 to 166. This sent it to the Senate where it faces strong opposition from southern Senators.

Both Democratic and Republican platform pledges call for admission of Alaska and Hawaii, but 81 Democrats and 85 Republicans voted against the bill in the House. President Eisenhower has indicated he will approve the single Alaska bill with the hope that a bill for Hawaii will be enacted later.

Southerners fear admission of the new States will enable Republicans, or rather descgregationists, to upset the balance of power in Congress. The situation, since the Supreme Court ruling, is somewhat akin to the congressional battle over free and slave State admission prior to the Civil War.

Both Territories, however, have progressed far enough to merit admission and both would be valuable additions because of their strategic locations.

Mr. HOLLAND. Mr. President, the fifth editorial is entitled "Statehood for Alaska," which appeared in the Ocala Sunday Star-Banner, June 1, 1953. I quote from it the following:

The reasons set out in the Democratic platform for admitting the two Territories to the Union are more compelling now than they were in 1956. Alaska will be the first point of attack should Russia precipitate another war. That area is vital in our defense system, and by being given the rank and dignity of statehood, Alaska will be able to make even a greater contribution to our first line of defense.

I ask unanimous consent that the entire editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STATEHOOD FOR ALASKA

The lower House of Congress, in a surprising reversal of form, has passed a bill to admit Alaska to statehood. The vote for passage of the bill was 208 to 166. Voting for the bill were 117 Democrats and 91 Republicans. Against it were 81 Democrats and 85 Republicans.

Prior to the vote on passage of the bill, the House had defeated on a voice vote the decision by which it had previously voted tentatively to kill the bill.

Preceding action of the House on the bill President Eisenhower told his news conference he believed Congress should carry out the platform pledges of both parties by voting statehood for both Alaska and Hawaii.

What did the parties say in their platforms adopted in 1956 about statehood for Alaska and Hawaii? The Republicans briefly said:

"We pledge immediate statehood for Alaska, recognizing the fact that adequate provision for defense requirements must be met. We pledge immediate statehood for Hawaii."

But the Democrats went into more detail in pledging themselves to grant statehood to

the two Territories. Here is the platform pledge:

"We condemn the Republican administration for its utter disregard of the rights of statehood of both Alaska and Hawaii. These Territories have contributed greatly to our national economic and cultural life and are vital to our defense. They are part of America and should be recognized as such. We of the Democratic party, therefore, pledge immediate statehood for these two Territories. We commend these Territories for the action they have taken in the adoption of constitutions which will become effective forthwith when they are admitted into the Union."

The reasons set out in the Democratic platform for admitting the two Territories to the Union are more compelling now than they were in 1956. Alaska will be the first point of attack should Russia precipitate another war. That area is vital in our defense system, and by being given the rank and dignity of statehood, Alaska will be able to make even a greater contribution to our first line of defense.

Reluctance of some Democrats to admit Alaska stems from the fact that Alaska might elect Republicans to the United States Senate and thus upset the delicate balance of Democratic control there. But that situation could be cured if Hawaii, which probably would elect Democratic senators, is also admitted to the Union.

It may well be that the Senate, when it takes up the House Alaska statehood bill, will also bring to a vote the bill to admit Hawaii to statehood, which has been on the Senate calendar since last June. In that event, the political scales, possibly, could be held in balance in the Senate so far as the parties are concerned.

Mr. HOLLAND. The sixth editorial is entitled "Let the People's Will Be Done," from the St. Petersburg Times of May 30, 1958. I quote briefly from the editorial:

Year after year every public opinion poll taken since World War II has shown a huge majority of the people in favor of Alaska's being admitted to the Union.

I ask unanimous consent that the editorial be printed in part, Mr. President.

There being no objection, the excerpt from the editorial was ordered to be printed in the RECORD, as follows:

LET THE PEOPLE'S WILL BE DONE

After an alarming reversal Tuesday, when a third of the House was absent, the bill for Alaskan statehood again has been passed to the Senate for approval.

If there were a time when Congress knew what the overwhelming public sentiment wanted, it is in regard to this measure.

Year after year every public opinion poll taken since World War II has shown a huge majority of the people in favor of Alaska's being admitted to the Union.

Both parties in their 1956 platforms pledged immediate statehood for both Alaska and Hawaii—the Democrats repeating pledges of 1948 and 1952.

Congress, therefore, has been speaking for nobody but Congress when it has continued to deny admission of the two new States.

Now it is up to the Senate.

Let no one be deceived by any specious excuses made by any Senator who votes against this measure. The people's desire is plain. Let the Senate act accordingly.

Mr. HOLLAND. Mr. President, the seventh and last editorial is entitled Progress Toward Statehood, from the Tampa Tribune of May 24, 1958, and I invite attention to the last paragraph of that editorial which reads as follows:

No new arguments are necessary to justify Alaskan statehood. On grounds of preparation, population, and ability to manage its own affairs, Alaska fully qualifies. Admission of Alaska to the Union would result in no lasting partisan gain to either party, but a successful joint effort would rebound greatly to the credit of both parties.

I ask unanimous consent that the entire editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROGRESS TOWARD STATEHOOD

Seventy-three percent of the persons questioned in a recent Gallup poll favored immediate statehood for Alaska. A pledge of statehood is in the political platforms of both parties. Secretary of the Interior Seaton has spoken earnestly in behalf of statehood. Once again President Eisenhower has asked prompt approval of a measure now before Congress. Here is a clear instance in which Congress has lagged far behind public opinion.

There is a real hope, however, that the lag will be remedied in this session of Congress.

The first big boost came Wednesday when, by a 217–172 margin, House Members voted to bypass their own Rules Committee and bring the statehood bill directly to the floor. Now, thanks to the support of Speaker Sam Rayburn and other leaders, there is expectation that the House will approve the measure in a fair vote, which may come next week possibly on Wednesday.

If assurance of Senate GOP Leader WILLIAM KNOWLAND and other powerful voices in both parties can be believed, there is similar ground for confidence that the Senate also will have an opportunity to vote and that a majority will approve the bill.

The principal danger is the attempt to tie the Hawaii statehood bill to the Alaska measure. Supporters of statehood for both Territories should realize there is more controversy over Hawaii and that a move to make the one bill contingent upon the other would only play into the hands of those who want to defeat both.

No new arguments are necessary to justify Alaskan statehood. On grounds of preparation, population, and ability to manage its own affairs, Alaska fully qualifies. Admission of Alaska to the Union would result in no lasting partisan gain to either party, but a successful joint effort would redound greatly to the credit of both parties.

Mr. HOLLAND. Mr. President, in brief remarks of my own, without reiterating the historical reasons—which have been given fully and which already appear in the RECORD—and the reasons based upon law, I desire to state a few of the reasons why I so strongly favor granting Alaska's long-time request for statehood and making Alaska the 49th State in this wonderful Union of States.

The first point I make is that Alaska badly needs statehood. Alaska has no public lands of her own, but the statehood bill provides that Alaska shall be given an abundant area of public lands, to be selected through joint approval of her governing bodies and proper officials of the United States Government. This is no new procedure. In the case of my own State of Florida, 1 section out of every 36 was given to the State in the beginning for public-school purposes, and many additional sections were given for other purposes. Later, under the Swamp and Overflow Lands Act, the State of Florida received a very large part of its area by way of a grant from the Federal Government. Some of that land has turned out to be some of our richest and most productive land.

Mr. President, that has been the procedure with respect to every State admitted to the Union. The Nation has realized that a part of the stock in trade of a new State is public lands which it can use to attract people and attract investors.

In addition to these grants of public lands, Mr. President, only by the adoption of a constitution of its own as its fundamental law, and by providing a permanent, stable government which will either appeal or not appeal—having examined the constitution of Alaska, I am prepared to say it will appeal greatly—to people to go there and to capital to be invested there, can an area of this kind extend a permanent invitation to new settlers and new investors.

In addition to the constitution, of course, by the constant enactment of new State laws—as was true in the case of my State—which afford particular and special inducements to people to cast their lot with the State, a great accomplishment can result. Alaska can do as other States have done.

In my opinion, Alaska will speedily create for itself a climate of law favorable to the attraction of many people and of much new industry and new investment.

Mr. President, entirely aside from the fact that Alaska needs statehood, I think the Nation very badly needs Alaska to have statehood. Every bit of the quickened development of Alaska, which I have already mentioned and which will surely follow the grant of statehood, as was the case when every other State was admitted to the Union, will operate to the enrichment and strengthening of our whole nation, and will represent a real, added asset to the Nation as a whole.

We of course must and will defend Alaska, regardless of whether it is a Territory or a State, in the event such a calamity as a great war should again be visited upon the world. I make the point—and it is undoubtedly valid—that a developed State of Alaska with the resources there available, with more people available, and more homes to be defended by more men to defend them, can aid much more powerfully to her own immediate defense and her own permanent defense than can of Alaska as a Territory. So it is to the interest of the Nation to bring about this quickened development, which will enrich Alaska and also enrich and strengthen the Nation against any test to which it may be subjected.

Mr. President, in the second place let me say that the development of the national wealth and strength will be very greatly increased because of the natural resources which are in Alaska. Already the record is replete with true stories of those resources. Having been to Alaska myself and having checked some of the wealth of that great area, I believe, from personal knowledge, that the development of the great mineral resources of Alaska will add to the wealth and strength of the Nation. The devel-

opment and use of the tremendous timber resources will also add to the wealth and strength of our Nation.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Idaho.

Mr. CHURCH. I recall that a year and a half ago when I first became a Member of the Senate, in the opening week of the session the representatives from Alaska who had been elected in accordance with the so-called Tennessee plan came to Washington. It was the distinguished Senator from Florida [Mr. HOLLAND] who stood up on the floor of the Senate and graciously introduced to the Senate the representatives the Alaskan people had hopefully sent to Washington to work in behalf of the cause of statehood. Those representatives were seated in the diplomatic gallery. It was on that day I first learned of the interest and the leadership the distinguished Senator from Florida had shown for years past, and the great contribution he had made, in furthering the cause of statehood for Alaska.

I take this opportunity, on the occasion of the excellent address the Senator from Florida is now making, to commend the Senator for his leadership, and to tell him I take great pride in associating myself with his efforts on behalf of the cause of Alaskan statehood.

Mr. President, I wonder if the Senator from Florida will permit me to offer at this point in his address a memorandum which I have received from the Department of the Interior, which is directed to the very subject on which the Senator is now elaborating, namely, the capacity of Alaska to support statehood.

We have heard in the course of this debate many exaggerated statements about how statehood would impose an impossible burden upon the undeveloped economy of Alaska. If one were to listen uncritically to such statements, one might be led to conclude that statehood would drive the Alaskan economy into insolvency and bring ruin upon the people there.

I think this memorandum effectively gives a rebuttal to that argument, in that it shows precisely what the additional costs for statehood would be, and what the additional income to the newly formed State government would be, by virtue of the provisions contained in the pending bill.

The total figures show that the increase in the cost to the people of Alaska by virtue of assuming the responsibilities of State government would be $6,350,000, over and above the costs which are now assumed under the Territorial government.

On the other hand, the information contained in the memorandum shows that, by virtue of the provisions of the proposed legislation, the newly formed State of Alaska would derive an additional $5 million in revenue, meaning that the net addition in cost to the people of Alaska, brought about by statehood, would be only $1,350,000. I think this brings the entire subject into its proper perspective.

With the indulgence and permission of the Senator from Florida, I ask unanimous consent that the memorandum from the Department of the Interior be printed in the RECORD at this point.

Mr. HOLLAND. I gladly accept the inclusion of that memorandum, which I think will add very greatly to the facts shown in the RECORD.

I take this occasion to express my very great gratitude to the Senator from Idaho for his gracious remarks concerning me. I want him to know that my feeling in favor of statehood for Alaska developed following a visit there and seeing for myself not only the resources, but the people, whom I shall mention in a moment.

I was convinced that, while Alaska needs statehood, our Nation needs Alaska as a State even more. I shall continue to take that position, and I hope that before many hours or days we shall all know that statehood is coming to Alaska in the near future.

The PRESIDING OFFICER. Without objection, the memorandum referred to by the Senator from Idaho will be printed in the RECORD.

The memorandum is as follows:

POPULATION

The official Bureau of the Census estimate for Alaska July 1, 1956, was 206,000. Our current estimate of population for Alaska is 220,000. Of the 220,000, approximately 50,000 are military.

ALASKAN INCOME

In 1957, the gross product from Alaska's natural resources was approximately $161,846,000. This was an increase of 18 percent over fiscal year 1956. Of this 1957 income, approximately $92.9 million was derived from fisheries; $34.3 million from timber; $24.6 million from minerals; and $1.5 million from the fur industry, exclusively of the Pribilof fur seal production. The Pribilof production amounted to $5.2 million.

FEDERAL TAXATION

Alaskans paid about $65 million in Federal taxes last year, of which $15 million was paid by Alaskan residents. The balance was derived from nonresidents doing business in Alaska.

GENERAL REVENUE PER CAPITA IN ALASKA

Alaska general revenue was higher than 39 of the existing States in 1957. This per capita revenue compares with other States as follows:

Alabama	$115.9
Alaska	161.6
Arkansas	106.0
Idaho	134.3
Kansas	115.3
Mississippi	110.8
Vermont	140.0
Wyoming	224.0
Nebraska	90.8
Virginia	112.9

ALASKA HAS NO OUTSTANDING DEBT

Alaska had the only government in the 48 States, Hawaii, Puerto Rico, and Alaska, which had no outstanding debt at the close of fiscal year 1957.

COSTS OF STATEHOOD

Alaska already supports many of the functions needed for a State government. The Federal Government, under the Organic Act, retained jurisdiction over the administration of justice, the Governor's office, and partially supported the legislature and other miscellaneous functions of government. Alaska now has 58 different departments, boards, commissions, and other governmental agencies supported by Territorial appropriations. In the main, the cost of statehood therefore will be the cost to Alaska of assuming the governmental functions now performed by the Federal Government.

This cost will be about $6,350,000. The breakdown is: $280,000 for executive and legislative expenses; $1,800,000 for increased costs for the administration of justice; $2,750,000 for commercial and sports fisheries and wildlife; and $1,500,000 for increased highway costs. Offset against this increased cost is approximately $5 million in new revenues available to Alaska. The net cost of statehood should be about $1,350,000.

Alaska's growing oil and gas lease income should offset this cost. In addition, this analysis assumes that the State will immediately take jurisdiction over fish and wildlife. Under the present bill, it would not do so and, therefore, the $2,750,000 assumed additional cost would not be required.

SUMMARY OF STATEHOOD COSTS—EXECUTIVE AND LEGISLATIVE

	Reduction in Federal costs	*Additional expenditures for State*
	The present amount of $120,000 is annually appropriated for the salaries and office expenses of the Governor, secretary of Alaska, and staff, as well as for the maintenance of the Governor's house. This amount, a Federal appropriation, will reduce the Federal expenditures by $120,000 per year.	No basis for estimating any substantial difference in expenditure. However, will amount to an added expense to the State per year, $180,000.
	Federal appropriation of $48,000 is made biennially for pay of legislators. Amounts to reduction of Federal expenditures of $24,000 per year.	State will have to assume pay for legislators. Cost will undoubtedly increase due to State constitution providing for a larger membership. Also, rates of compensation undoubtedly would increase. However, Territory now carries all costs for employees, printing, incidental expenses and compensation for extraordinary sessions. Estimated, $100,000; total, $280,000.
	Total Federal expenditures reduction amounts to $144,000 per year.	
Administration of Justice		
Judiciary	Estimated present cost is $385,000 per annum for 4 Federal judges and staffs. At least 1 Federal judge would remain, but estimated reduction in Federal expenditures would be $235,000 per year.	Estimated cost of salaries of judges and basic court expenses, based on system outlined in State constitution, $650,000.
United States attorneys and United States marshals	Four United States attorneys and four United States marshals undoubtedly would be reduced from present allocation of $650,000 per year. Continuing expenses necessary to cover regular Federal jurisdiction but reduction in expenditures estimated to be $450,000 per annum.	Prosecutors and law-enforcement officers in State system: Territory has borne increasing proportion of basic law enforcement costs recently and now has a well-established State police organization. However, estimated cost for prosecutors, offices and staffs, etc., per annum expected to be $450,000.
Penal institutions	Operations of United States Bureau of Prisons in all of Alaska for	Estimated cost of necessary penal system plus debt-service on

SUMMARY OF STATEHOOD COSTS—EXECUTIVE AND LEGISLATIVE

Reduction in Federal costs	*Additional expenditures for State*
both Federal and normal "state" functions at present. Estimated present cost is $600,000 per year. Transfer of State's portion should result in a reduction in Federal expenditures of $400,000 per year.	the new courthouses and jails. Yearly, $700,000.
Total Federal reductions per year amounts to $1,085,000.	Total estimated annual increase, $1,800,000.
Miscellaneous	
Commercial fisheries: From a total estimate of $3,050,000 per year, approximately $1,850,000 would be needed by the State to cover the expense of management and investigation. Balance, or $1,200,000 would remain as part of a continuing Federal program activity as elsewhere in the Nation. Annual reduction in Federal expenditures would be $1,850,000.	Commercial fisheries: This estimated amount, for management and investigation of commercial fisheries annually, would be in addition to what the Territory is now spending. Estimated yearly, $2 million.
Wildlife and sport fisheries: From a total estimate of Federal appropriations in the amount of $1 million per annum, $500,000 would be needed by the State to cover the expense of administering the Alaska game law. Balance, or $500,000 per year, would remain as a part of the continuing Federal programs—such as wildlife refuge predator control, cooperative research, etc. Annual reduction in Federal expenditures would be $500,000.	Wildlife and sport fisheries: Basic expenditure for protection and management of wildlife resources. Estimated per year, $750,000.
Total Federal reductions per year for all fish and wildlife amounts to $2,350,000.	Total estimated annual increase for all fish and wildlife, $2,750,000.
Highway department: Highway function is now performed by Bureau of Public Roads, United States Department of Commerce, with allocation of Federal grant funds matched by 10 percent Territorial funds. Assumption is, no change in Federal road aid program as applied to Alaska.	Highway department: Territory would take over operating function. Additional costs estimated for administration by State highway department and for construction and maintenance of local roads not included in program. Estimated additional costs per annum, $1,500,000.
Total reduction in Federal expenditures will be $3,579,000 yearly.	Total increase in cost of State government, estimated, yearly, $6,350,000.

New Revenues Available to Alaska

Oil and gas leases (90 percent to the State)	$3,000,000
Pribilof's income (70 percent to the State)	1,000,000
Miscellaneous (fines, fees, forfeitures, and 5 percent of proceeds from sales of public lands)	500,000
Sports fishing licenses	250,000
Forest receipts (from new Sitka operation)	250,000
Total new revenue available	5,000,000

Mr. JACKSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to my friend the Senator from Washington.

Mr. JACKSON. I should like to associate myself with the remarks of my colleague from Idaho.

The distinguished senior Senator from Florida has been most helpful in connection with the Alaska statehood problem. He has not hesitated to offer his very able assistance in connection with this important bill. I commend him for his objective attitude throughout all the discussion on statehood. As chairman of the Territories Subcommittee, I want the Senate and the country to know that I appreciate very much that kind of objective attitude.

I should like to point out one further consideration in connection with the financial ability of the proposed new State to take care of its responsibilities. Just 11 months ago we witnessed the first oil strike of any substance in Alaska. A little more than a year ago about 5 million acres were under lease, or applications were pending with respect thereto. The most recent check, in May, showed 32 million acres covered by oil leases or lease applications.

The program involves all the major oil companies and numerous independent oil companies. We have been advised in the Committee on Interior and Insular Affairs, where some of the legislation on this subject is handled, that the signs are most hopeful for a tremendous oil development in the area which will become a State.

I add that one point because it will have a tremendous impact on the ability of the new State to provide the essential resources to support itself. This is a factor not indicated in the Secretary's analysis of the ability of the proposed new State to do the job.

Mr. HOLLAND. I thank the distinguished Senator for his contribution of additional facts; also for his more than generous comments concerning the Senator from Florida.

I was commenting on the assets and resources of Alaska. I believe I mentioned the minerals and the timber. I wish to mention also the agricultural possibilities—many of them in the very same places in which oil development is now taking place, the Kenai Peninsula—and the fisheries, which are without parallel anywhere else in the Nation.

Above everything else, there is the great attraction for tourists and visitors, an attraction which cannot be equaled, in the summertime, anywhere else in the length and breadth of American soil.

I come from a State which during the past year entertained nearly 6 million guests. We are proud of every one of them. We hope that we made their stay worth while by adopting the proper style of hospitality toward them. In Alaska there are values which will beckon to hundreds of thousands of tourists at the beginning, and millions as soon as accommodations and facilities can be created.

The snowcapped mountains, the rapidly flowing streams, cold as ice and teeming with fish, the moose, bear, and all the other wonderful game animals and birds which are found there, the wealth of life of every kind, and the terrain itself, which beggars description, will bring people there literally by the hundreds of thousands.

In company with the new senior Senator-elect from Alaska, former Governor Gruening, I visited one of the many glaciers in Alaska. We stood on the west side. The sun had just come up a little way in the east. The front face of the glacier, of solid ice, was about 500 feet high. It was one of the most beautiful sights I have ever seen, from the standpoint of color. The snow on the top did not keep the sun from filtering through. Every color imaginable was present, and in addition, there was the purplish-dark blue of the ice itself, which was as hard as rock by reason of the centuries of compression to which it had been subjected.

Mr. President, I lack the words properly to describe the beauties of Alaska; but all those within the sound of my voice will live to see the time when people who have always loved to go to Norway, Sweden, Finland, and Switzerland for the beauties they see there will find even greater beauty closer at hand, in the area of Alaska. I predict that for years Alaska's greatest business may well be tourists.

I must hurry to my conclusion. The third point I wish to make is that I think we owe it to ourselves to create the State of Alaska, and thereby serve our own Nation, because of the people who are there.

They are pioneer people. They are people of the type who conquered the Great Plains of the West, from which came the distinguished Senator from Kansas [Mr. CARLSON], who once served as Governor of his State. They are people of the type who went with Lewis and Clark to the area so ably served by the distinguished Senator from Washington [Mr. JACKSON], who is present. They are the types of pioneers who have always supplied so much of the color, adventure, and romance of our Nation.

A large number of them are now in Alaska, among the estimated 220,000 people who are there. I hope we shall never be without pioneer people in this country. I do not like to think of America without pioneers moving out to untested places in the hope and belief that a finer future awaits them there than that which they could carve out for themselves back home.

We may well be proud of the people of Alaska. They will create a great State. They will be of immeasurable value to our Nation if we only give them their head.

We need men and women of the type who are in Alaska, and we need to encourage them to remain there and build a great State.

I hope our Nation may never become so stymied, so stale, so self-sufficient that it will not put a premium upon the encouragement of pioneers of the rugged, sturdy, fine, ambitious type who are now in Alaska. They should be encouraged to carve out for themselves, their people, and their Nation great values where nature challenges.

Mr. President, I yield the floor.

INCREASED ANNUITIES FOR RETIRED GOVERNMENT WORKERS

Mr. CARLSON. Mr. President, this afternoon President Eisenhower signed a bill which will provide increased annuities for thousands of retired civil workers. Personally, I am pleased that the President signed the bill, because this Congress has already passed legislation increasing the pay of military personnel, postal workers, and classified employees. Therefore, with the signing of the bill this afternoon, Congress and the administration have taken steps which are timely and needed and very helpful to the many millions of people who are either presently employed or have retired.

The bill I introduced, S. 72, during the last session of Congress, was the basis of the legislation which the President signed today. Therefore, I derive some personal satisfaction from the President's action today. I know the increased annuities will be very important to the thousands of people who have suffered because of inflation during the past few years. Those people will be benefited and will be able to enjoy more comfort and ease during their reclining years.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. HUMPHREY. Mr. President, I speak tonight, as I join with many of my colleagues, in support of the passage of the pending bill (H. R. 7999), providing for the admission of Alaska into the Union as a full and equal sovereign State.

The people of Alaska have adopted and submitted a proposed State constitution, and have taken the other steps necessary for admission, as designated by action of past Congresses. The Alaskan people want statehood; it is only right that they should have it.

I have read with considerable interest and pleasure the report of the Committee on Interior and Insular Affairs on S. 49, providing statehood for Alaska. The same report, of course, applies to the basic provisions of H. R. 7999. The report outlines the observations of the Committee on Interior and Insular Affairs. It describes for us the major provisions of the bill and how they apply to the situation of Alaska.

I was particularly impressed with the report in terms of its answers to the arguments which are generally offered in opposition to statehood for Alaska. The report answers all those arguments with meticulous detail and convincingly and persuasively.

Mr. President, the people of Alaska want statehood. They have expressed their desire for statehood again and again by action they have taken, including resolutions which they have adopted, and by referendums which have been held.

In reading the CONGRESSIONAL RECORD of May 21, I was pleased to note that as far away as New York, interest is being evidenced in the centennial of my own home State, Minnesota. On that date, Representative O'BRIEN, of New York quoted from a New York Times editorial written on the occasion of the Minnesota centennial, substituting the word "Alaska" for "Minnesota," because he felt that the material contained therein was also relevant to the people of Alaska.

I consider it to be a great honor to the State of Minnesota, because many citizens of the Territory of Alaska are former residents of the State of Minnesota. There is a strong community of interest between our two areas. The Northwest Airlines, which has its home base and home offices at Minneapolis and St. Paul, Minn., provides transportation from Minnesota to Anchorage, Alaska, and from Anchorage, Alaska, to other parts of the Territory, and overseas to the Orient.

Mr. President, I should like to read this same brief excerpt in order that those of my colleagues in the Senate who have not heard it may do so now. I quote from the editorial:

> Alaska is people. They represent the finest part of the pioneer tradition of which we are so proud. They were ready and eager to face a climate that is sometimes less than benign, to work a soil that could be made responsive. They wanted to make a new world in something of the pattern of the old one. They brought with them a dignity, fidelity, and industry that did not brook compromise.

The editorial then continues in what I feel is particularly important for the issue before us now.

I ask Senators to bear in mind that the editorial originally referred to the centennial of the State of Minnesota. As I read it now, the word "Alaska" has been substituted for the word "Minnesota." It is seen that it is every bit as pertinent to the facts with respect to Alaska today as it is with respect to 1858 and Minnesota.

> Each one of us may have his own little part of the country to which he is especially devoted. There is no reason to be ashamed of these local prides and loyalties, but there is reason to be gratified by the splendor of regions other than our own; and because we are proud to be Americans, it is good to know that Alaska and its people may be part of us.

The editorial could have been written about any one of the 35 States which came into the Federal Union since the adoption of the Constitution and the Declaration of Independence. Every State would qualify under the terminology and the expressive language and the adjectives of praise which are used in the editorial.

It seems to me that the Alaskan people are Americans in the best tradition. Why, then, should they not be permitted to be Americans officially? It is unfortunate and unjust that they should feel that they are, in the words of Mr. C. W. Snedden, publisher of the Fairbanks News-Miner, "second-class citizens."

Statehood for Alaska would prove a positive force in strengthening the Nation as a whole. From the economic point of view, it is apparent that the great resources of Alaska have not been fully developed during the 88 years of her existence in territorial status. It is difficult and costly to finance capital investments when many investors do not consider a territorial government as stable as that of a State.

The committee report on statehood for Alaska sets forth concrete evidence of the possibilities of further capital improvements and expansion in Alaska once it has been granted statehood as the 49th State of the Union. In fact, considerable investment has already taken place in the Territory of Alaska, and it is to the credit of the Territorial government that the Alaskan budget has been balanced, and that she has shown fiscal responsibility and has proven her willingness and ability to meet her obligations as a Territory at all times. As the report of the committee states, Alaska has established an enviable fiscal position, and the committee deems it axiomatic that the financial responsibility will increase once statehood is granted. It is difficult and costly to finance capital investments, as I have said, and many investors do not consider a Territorial government to be as sound and stable as that of a State. Therefore statehood offers greater economic opportunity.

Moreover, effective policy for furthering the economic growth of a rich area such as Alaska can best be determined by those who are most cognizant of the situation there—in other words, the Alaskans themselves. Their continuous and effective representation in our legislative bodies would be of great aid in enlightened planning to utilize Alaska's resources to their fullest potential, and in a manner which is fair to both the Alaskans and the 48 sister States.

Mr. President, once Alaska has representation in the Senate with its two Senators and in the House of Representatives with its Representatives in accordance with population, then the needs of Alaska in terms of capital investment and in terms of public works and in terms of transportation and commerce will be fully protected and, indeed, fought for and worked for by the elective representatives of the new State.

The eagerness of the Alaskans for statehood indicates, moreover, that they are ready and willing to assume more of their financial responsibility now handled by our Federal Government. If, as seems probable, conferring statehood is instrumental in stimulating economic growth, then clearly Alaska's contribution to the wealth of our Nation will be simultaneously increasing. After all, Mr. President, are we not in some mea-

sure presently exercising "taxation without representation"?

I notice that the chart in the report of the committee indicates that a substantial sum of money has been taken from Alaska without voting representation in Congress. The amount totals many millions of dollars. In fact, the appropriations by Congress for Alaska have been less than the taxes collected from Alaska by Congress. Thus Alaska has been paying her way, and even more.

The objection has been raised that statehood for Alaska will mean two Senators for a population of 182,000. That is a very peculiar argument ever to be advanced by fellow Americans, when we consider our history. We should not have to be reminded that many of the present States had even smaller populations at the time of their admission into the Union.

The great State of Idaho, which is so brilliantly represented in the Senate in the movement for statehood for Alaska by its junior Senator [Mr. CHURCH], had a population of only 88,548 at the time of statehood. Ohio, the great Buckeye State, had a population of only 60,000. Illinois, that great industrial and agricultural State of the Midwest, had a population of only 34,620.

As the committee report on page 11 points out:

> The population of Alaska is now greater than was the population of at least 25 States at the time of their admission to the Union. At the date of admission, California had 92,000 inhabitants, Oregon about 50,000, Illinois 34,000, Montana about 140,000, Texas about 200,000, to mention some States that had smaller populations.

The report continues:

> Alaska has topped all of the States in percentage population growth since 1940. In 17 years the population has nearly tripled. If history repeats itself the population will increase itself even faster when statehood is attained.

Yet our Founding Fathers saw fit to give all States equal representation in one House of Congress, namely, the Senate, basing membership in the other House on population. I am sure that no Senator would question the importance of the contributions of our colleagues from any of the States I have mentioned. All of those States had smaller populations at the time of statehood than does the Territory of Alaska at this particular day and hour.

Consider, for example, the great State of Nevada. The proportion of population discrepancy between New York State and Nevada, if not now, at least at the time of statehood, is not very different from that which would exist between New York and Alaska.

Another question raised in connection with statehood is that Alaska is not contiguous to the United States. I believe that that argument is answered so completely by the report of the Senate committee that it has lost any possible persuasiveness or any possible logic. The Senate committee report calls this to our attention, for example:

> Historically, noncontiguity has never been a requirement nor has it been followed as a precedent. California was admitted in 1850, when some 1,500 miles or more of plains and mountains and wilderness—a wilderness infested by hostile Indians—separated her from the nearest State of the United States. It is interesting to note that some of the very same arguments which were used in the 31st Congress in 1850 against the admission of California, and later Oregon, which was contiguous only to California, are being used against the admission of Alaska.

It does not seem valid to me to utilize the argument as to whether a State is contiguous to the mainland of the United States in this particular period of human history—yes, in this age when communications and transportation have so improved that the only remaining horizons seem to be in outer space. Indeed, in the early days of the Virginia House of Burgesses, the members had to travel 2 or 3 days simply to get to the sessions. That was for the meetings of their State legislature. Today the flying time from Alaska to Washington is less than a day.

As has been pointed out in the debates in the Senate, the modern means of transportation have made Alaska as close to the other 48 States in the Union as, indeed, was the city of Baltimore to Washington, D. C., back in the year 1790. It is possible to fly from the State of Washington into the Territory of Alaska in a few hours. In the earliest days of this Republic, when communication was by stagecoach, it took an equal period of time to travel the few short miles between Baltimore, Md., and Georgetown or Alexandria, or even Washington, D. C.

The argument as to contiguity or the proximity of Alaska to the mainland of the United States is so ridiculous that it needs only the comment that we are now living in the mid-part of the 20th century, in the atomic, in the jet, in the airplane age. It seems rather foolish to use arguments about Alaska which were the ones used about California 108 years ago. Even those arguments were not persuasive, because California was admitted into the Union.

Alaska is already an invaluable factor in our program for national defense. The Bering Strait, which separates the mainlands of Alaska and Siberia, is only 54 miles wide. All nations of the world may not recognize so clearly as we do that Alaska is an integral part of the Nation. Recognition of Alaskan statehood would be an indisputable evidence of this fact.

The peoples of the free world look to the United States for leadership, and they expect it not only in garrulous and uplifting statements of principle, but also in the cold fact of practice. The United States is a bulwark of the United Nations, dedicated to the principle of aiding nonself-governing nations to develop self-government and heed the political aspirations of their people.

How do we justify our practice of saying "wait a little longer" to 200,000 people who are both eager and qualified for statehood?

Alaska is qualified under the terms of the Constitution, and she is qualified for statehood under the traditional requirements which have been established throughout our history. As the committee report states:

> The inhabitants of the proposed new State are imbued with and are sympathetic toward the principles of democracy as exemplified in the American form of government.

That is the first principle for statehood. The second is:

> A majority of the electorate desire statehood.

This we know from the referendum in the Territory. The third principle is:

> The proposed new State has sufficient population and resoruces to support State government and to provide its share of the cost of the Federal Government.

As to population, the facts have already demonstrated that the population of Alaska is far beyond that of some 25 other States at the time they were admitted into the Union.

As to resources, the resources of Alaska are veritably unlimited. Alaska is one of the great treasure houses of our hemisphere. It is one of the great sources of continued strength and riches for the United States of America.

So there is no doubt about the ability of Alaska to justify and support State government—self-government.

We cannot afford the taint of charges with respect to delay in granting statehood to Alaska, because, rest assured, our enemies will interpret any delay as a kind of colonialism. Communist tactics will be used in every conceivable way. The Communists will say we are imposing our will on weaker peoples. That argument in itself is not a very important one, but certainly we should come with clean hands before the rest of the world; and today nothing could be more important to our foreign policy than a demonstration by us to the rest of the world that we are willing to include in the Federal Union the Territories of the United States—and, in this instance, the Territory of Alaska.

Therefore, there is a time when we must do more than talk about the ideals we espouse; and that time is now.

So, Mr. President, let us admit Alaska; and let us welcome our 49th sister State with both pride and happiness, as we look forward to her even greater contributions to the Union in the days to come.

Mr. President, in my opinion, one of the most brilliant, eloquent, and moving speeches made in support of statehood for Alaska was delivered some weeks ago in the Senate by the junior Senator from Idaho [Mr. CHURCH]. His speech had packed within it every possible and plausible argument for Alaskan statehood.

Mr. President, I hope the Senate will act favorably and overwhelmingly on House bill 7999, without so much as touching a semicolon or a comma, because it is now well known that if the bill as passed by the House of Representatives by so great a majority is amended in any way by the Senate, it will be possible for the bill literally to be locked up in one of the congressional committees, thereby denying a great area, a great Territory, and a great number of people who are citizens of the United States the opportunity of first-class citizenship and the opportunity of

equal protection under the laws—namely, the opportunity of statehood.

Mr. President, two alternatives face us: First, to pass the bill, and thereby fulfill a commitment which has been made in Congress year after year, and has been made by both political parties. I understand that considerably more than 3,500 pages of testimony have been taken on the question of Alaskan statehood. I understand that Congress has been discussing Alaskan statehood since 1916. Alaskan statehood has been discussed and discussed and discussed; and finally the people are going to get disgusted unless the Congress gets down to business and permits this Territory to become a sovereign State.

Mr. President, I consider it a really exciting moment in my personal life and in my limited career of public service to speak in behalf of Alaskan statehood. In fact, a personal factor is involved, for my 16-year old son has repeatedly said to me, this year, that he hopes Congress will pass a bill making possible Alaskan statehood. I left him only Monday morning; and the last thing he said to me was, "Daddy, don't come home until you've voted for Alaskan statehood." Mr. President, his father is going to try to fulfill that request and that admonition.

That may mean that the debate will be prolonged. But regardless of how long it takes, regardless of what sacrifice may be required, statehood for Alaska is worthy of our attention and of our best efforts.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 25, 1958, he presented to the President of the United States the enrolled bill (S. 1706) to amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944, as amended.

RECESS UNTIL 10 A. M. TOMORROW

Mr. HUMPHREY. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until tomorow, at 10 o'clock a. m.

The motion was agreed to; and (at 7 o'clock and 4 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, June 26, 1958, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 25 (legislative day of June 24), 1958:

UNITED STATES DISTRICT JUDGE

Arthur J. Stanley, Jr., of Kansas, to be United States district judge for the district of Kansas, vice Arthur J. Mellott, deceased.

BOARD OF PAROLE

Eva Bowring, of Nebraska, to be a member of the Board of Parole for the term expiring September 30, 1964. She is now serving in this post under an appointment which expires September 30, 1958.

PUBLIC HEALTH SERVICE

The following-named candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior surgeon

Thomas D. Dublin

To be surgeon

Frank R. Freckleton

To be senior assistant surgeon

Norman C. Telles

Subject to qualifications provided by law, the following-named for permanent appointment to the grade indicated in the Coast and Geodetic Survey:

To be ensigns

Donald B. Clark
Jude T. Flynn
William N. Grabler, effective June 9, 1958
Richard L. Hess
Donald W. Moncevicz
George M. Poor
Ray M. Sundean

CONFIRMATIONS

Executive nominations confirmed by the Senate June 25 (legislative day of June 24), 1958:

MISSISSIPPI RIVER COMMISSION

Maj. Gen. Gerald E. Galloway, United States Army, to be a member of the Mississippi River Commission.

CALIFORNIA DEBRIS COMMISSION

Col. John S. Harnett, Corps of Engineers, to be a member of the California Debris Commission.

16. SUBSIDIES. This office has received a few copies of a Committee Print issued by the House Agriculture Committee, entitled "Government Subsidy Historical Review, A Summary of the Use of Subsidies to Advance the Aims and Purposes of Government Since the First Congress to the Present Time." The report discusses the use of government action to improve the economic position of individuals or enterprises, and concludes that the total population feels the impact, and benefits, from subsidies, and that farm price supports attract unusual attention due to the strict accounting of its costs. It includes a short discussion on the Department's Realized Cost Statement.

17. LEGISLATIVE PROGRAM. Rep. McCormack announced the following program for today: resolution continuing funds for agencies until enactment of their regular appropriation bills for 1959; H. R. 12695, excise-tax extension conference report; and H. R. 12181, mutual security authorization conference report. p. 11174

SENATE

18. MILK. Passed as reported S. J. Res. 181, to extend the special milk program for 60 days, to Aug. 31, 1958. p. 11193

19. BUDGETING. H. R. 8002, to provide for budgeting on an accrued expenditure basis, was taken from the calendar and referred to the Appropriations Committee for study, with orders to report it back in 15 days. Sen. Hayden stated that the bill would amend the rules of the Senate as well as change certain appropriation laws, and thus should be examined by the Appropriations Committee. pp. 11197-8

20. CIVIL DEFENSE. The Armed Services Committee reported an original bill, S. 4062, to extend certain emergency powers of the FCDA (S. Rept. 1760). p. 11190

21. STATEHOOD. Continued debate on H. R. 7999, to admit Alaska into the Union as a State. pp. 11203-15, 11224-39, 11240-1, 11243-57

22. RECLAMATION. Passed as reported S. 4009, to increase the authorization for the Washoe Reclamation project, Nev. and Calif., from $43.7 million to $52 million, and to allow construction of Prosser Dam which would regulate water released from Lake Tahoe. p. 11221

23. TRADE AGREEMENTS. Sen. Bridges stated he had reservations concerning certain aspects of the Reciprocal Trade Agreements extension bill, and inserted a resolution of the City Government of Manchester, N. H., opposing the bill. pp. 11199-200

24. HUMANE SLAUGHTER. The report of the Agriculture and Forestry Committee on H. R. 8308, the humane slaughter bill, (see Digest 100) states the purpose of the bill as reported as follows:

"This bill, with the committee amendment to its text, is designed to bring about the use of humane methods in all livestock and poultry slaughter operations in the United States. To accomplish this purpose the bill provides for--

(1) research to develop and determine humane methods;
(2) promotion of the use of humane methods;
(3) progress reports to Congress;
(4) submission to Congress within 2 years of a complete legislative proposal requiring adoption by slaughterers of humane methods;

(5) an advisory committee drawn from interested groups to assist in effectuating the act; and
(6) appropriation of necessary funds."

25. SMALL BUSINESS. Sen. Wiley commended the work of the Small Business Administration, and urged Congress to make the agency permanent. p. 11224

26. DEFENSE PRODUCTION. Both Houses received from the Office of Defense Mobilization a proposed bill "to amend the Defense Production Act of 1950"; to the Banking and Currency Committee. pp. 11184, 11190

27. PROPERTY. Both Houses received from General Services Administration a proposed bill to amend the Federal Property and Administrative Services Act of 1949," to promote the utilization of excess property and to simplify the reimbursement procedure for transfers of such property"; to the Government Operations Committees. pp. 11184, 11190

28. UNITED NATIONS. Both Houses received from the President a report on U. S. participation in the United Nations during 1957 (H. Doc. 372). pp. 11119-20, 11187

ITEMS IN APPENDIX

29. RESEARCH. Sen. Anderson commended the Jt. Committee on Atomic Energy for approving additional research projects in the construction of atomic-research facilities. pp. A5816-7

30. FARM PROGRAM. Sen. Talmadge inserted an editorial in support of his proposed farm bill. pp. A5821-2
Sen. Talmadge inserted an editorial criticizing the administration's farm policies. pp. A5823-4
Extension of remarks of Rep. Quie urging the House to pass immediately legislation to extend the special milk program and Public Law 480. p. A5838
Extension of remarks of Rep. Robison urging extension of the special milk program. p. A5839

31. LAWS. Rep. Keating inserted an editorial "Second Look At The Smith Bill," opposing enactment of H. R. 3, to require interpretation of acts of Congress as intended not to pre-empt the field from State action. p. A5822
Rep. Celler inserted his letter to the Editor opposing H. R. 3. pp. A5836-7

32. ECONOMIC SITUATION. Sen. Humphrey inserted an editorial, "A Dubious Policy Guide," criticizing the alleged influence of the Consumer Price Index on policy-making. p. A5823

33. DAIRY PRODUCTS. Rep. Allen, Ill., inserted a resolution of the Prairie State Chiropractic Ass'n urging greater use of dairy products. p. A5825

34. STATEHOOD. Del. Bartlett inserted a resolution of the American Legion in Alaska calling for immediate statehood for Alaska. p. A5828
Sen. Neuberger inserted an article commending Sen. Jackson for his efforts on behalf of Alaskan statehood. pp. A5833-4

ment Council. I know my Senate colleagues will find Mr. Borgen's letter of interest, especially if they plan similar procurement conferences in their own States.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF NAVAL MATERIAL,
Washington, D. C., June 19, 1958.

Mr. GUY E. WYATT,
Industrial Representative,
State of Rhode Island,
Washington, D. C.

MY DEAR MR. WYATT: This is to congratulate you on your outstanding procurement conference at Providence, R. I., on June 10 and 11, 1958. I feel sure that the congressional delegation, the Governor, and the Rhode Island Development Council are especially pleased in view of their individual contributions to the effort as cosponsors. You will recollect that it was their letter to me of April 1, 1958, which stated the sponsorship and need for the procurement conference request.

Since the conference, numerous participants have informed me that it was the best they had ever attended. They attributed this to the effective preplanning. This confirms the soundness of our early planning meetings and my statement to participating Federal agencies in my memorandum to them of April 30, 1958, to the effect that "this conference has been well planned."

Among the favorable comments were those directed toward the agenda itself. Statements have been made that the address by Governor Roberts was most sincere and set a fitting stage for subsequent events. Particularly informative to the businessmen in the area was the procurement talk given by the Army member of our committee, Mr. C. F. Cinquegrana. The simulated procedures for obtaining Government contracts presented in the form of a live dialogue between Navy Procurement Specialist Mr. S. Tatigan and a Rhode Island businessman, Mr. Ralph Romano, were most enlightening. The Air Force presentation by Mr. Edward Fitzgerald, procurement specialist, gave another facet for procurement information. The combination of these gave a well-rounded defense procurement picture on the prime contract and subcontract level. The panel discussions were a most effective media for visiting businessmen to find solutions for their current problems. A fitting climax to the conference proceedings was the individual counseling sessions on the last half-day. The attendance, hum of activity, and earnest seeking of businessmen for contracts were indicative of the success of the preceding program. In understand that about 350 businessmen registered for the 2-day session.

The cooperative and enthusiastic participation of the defense agencies, General Services Administration, Atomic Energy Commission, Department of Commerce, Department of Labor, the Small Business Administration, prime contractors and Rhode Island businessmen was noteworthy. I know that you will give them appropriate recognition for their contributions.

We were most pleased to play a part in the conference. I hope that these reports from participants in the conference will be helpful to you in your evaluation of the proceedings. We would appreciate a copy of your report on the conference and also periodic information on contracts awarded in Rhode Island as a result of this conference.

A copy of this letter is being sent to the congressional delegation, Governor Roberts, and the executive director of the Rhode Island Development Council, in view of their sponsorship of the conference.

You are assured of our continuing interest and cooperation in helping your office on behalf of the labor surplus areas of the State of Rhode Island.

Sincerely yours,

KENNETH P. BORGEN,
Chairman, Military Interdepartmental Committee, on Labor Surplus Areas.

STATEHOOD FOR ALASKA

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is H. R. 7999.

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. TALMADGE. Mr. President, we Americans are a sentimental people.

We cherish our heritage of freedom and we are both generous and vocal in championing our ideal of individual initiative and local self-determination.

In founding upon this continent a cohesive and prosperous nation grounded in respect for human values, we have set an example which has inspired people everywhere toward greater effort in realizing mankind's highest destiny.

Our pride in our institutions and our accomplishments is justified. Our desire to share the fruits of them is in harmony with the American tradition. But in manifesting that pride and in actuating that desire we have demonstrated our one great fault—that of all too often allowing our hearts to rule our heads.

That fault, I fear, Mr. President, is being demonstrated in the current clamor to bestow statehood upon the Territory of Alaska.

All the arguments for statehood have their basis in idealism rather than realism. All the appeals for statehood stem from emotion rather than logic.

The real issues at stake in this question, unfortunately, have been obscured by specious slogans.

Proponents of statehood have endeavored to equate the American ideal with national welfare and the desire to achieve statehood with the ability to maintain statehood.

They have come before Congress with the argument that statehood is an inherent right rather than an earned privilege—that statehood is a status to be given upon demand rather than granted upon positive proof that it is deserved.

They have predicated their case upon appeals to passion rather than reason and have quoted every authority in the world from the President of the United States to the political platforms of the Democratic and Republican Parties.

We have been told that the United States, in refusing to grant statehood to Alaska, is guilty of practicing colonialism.

We have been told that the Territorial government of Alaska is un-American.

We have been told that the people of Alaska are second-class citizens.

We have been told that Alaskans are being subjected to taxation without representation.

Mr. President, such statements are a reflection upon the integrity of Congress and a repudiation of the clear provision of the Constitution that Congress is the sole judge of what Territories are to be admitted to statehood.

Such charges cannot be supported by the facts, and those who have made them are guilty at the best of letting their imaginations run away with their judgment.

Colonialism is synonymous with exploitation, and it hardly can be said that a Territory which derives two-thirds of its income from the Federal Government is being exploited.

The laws under which the Territory of Alaska is administered are enacted by Congress, to which Alaskans have an elected Delegate; and it hardly can be said that the action of representatives elected under the Constitution of the United States is un-American.

The citizens of Alaska enjoy the protection of each and every right guaranteed by the Bill of Rights and it hardly can be said they are "second-class citizens" solely because they cannot vote in national elections inasmuch as voting is a privilege conditioned by law as contrasted with an inalienable right guaranteed by the Constitution.

Alaskans pay exactly the same Federal taxes as all other American citizens and it hardly can be said they are taxed without representation when their elected Delegate to Congress can speak out against any real or fancied discrimination on the floor of the House of Representatives.

These contentions designed to appeal to unthinking idealism fall of their own weight. They are best characterized in the words of the erudite junior Senator from Arkansas [Mr. FULBRIGHT], who told the Senate when the same question was being discussed in 1954:

> The idea of second-class citizenship is complete nonsense. I think it is the height of arrogance to assume that the only first-class people in the world are members of these 48 States.

Mr. President, it is an insult to the intelligence of each Member of this body for us to be told that we must make Alaska a State because of a treaty signed with Russia, a ruling by the Supreme Court of the United States, the platform promises of our political parties, or the Charter of the United Nations.

Much has been made of the fact that the Treaty of Cession signed with Russia on March 30, 1867, completing our purchase of Alaska, states in article III that:

> The inhabitants of the ceded Territory, according to their choice, may return to Russia within 3 years, but if they should prefer to remain in the ceded Territory, they, with the exception of the uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages and immunities of citizens of the United States, and shall be main-

tained and protected in the free enjoyment of their liberty, sovereignty and religion.

In hearings before the Senate Committee on Interior and Insular Affairs in March 1957, Alaskan Provisional Senator William A. Egan cited that language as sustaining "the reasoning of those citizens who maintain that statehood for Alaska was long ago officially committed as the ultimate heritage" of that Territory.

The committee in its report referred to that treaty as a longstanding legal and moral obligation to 200,000 Americans and maintained that the United States as an architect of the United Nations Charter should admit Alaska to statehood as irrefutable proof that we live in accordance with the principles which we recommend for others.

Mr. President, I emphatically reject the contention that the granting of statehood can be obligated in any way—certainly not through a treaty with a foreign power. And I do not believe that even the most partisan statehood advocates can seriously or logically support such a position. Otherwise, section 3 of article IV of the Constitution of the United States, which specifies that new States may be admitted by the Congress into the Union, would be meaningless, and all that the proponents of statehood would have to do to achieve their goal would be to take their case, under the terms of the treaty, before the Supreme Court.

Should such unorthodox and unconstitutional procedure ever be accepted, it would prove that the saddest day in the history of our Nation was the one on which the Senate rejected the so-called Bricker amendment to foreclose for all time the potential threat of treaty law overriding the Constitution of the United States and the wishes of its citizens.

There is no person or agency with authority to make a valid promise of statehood, and those who declaim to the contrary are indulging in self-serving, wishful delusions.

The last time the Senate considered this proposition, the distinguished junior Senator from New Mexico [Mr. ANDERSON], who is himself an ardent advocate of statehood for Alaska, correctly observed that no area has an inherent right to statehood and that Congress, and Congress alone, must judge what Territories are qualified and deserve to be States of the Union.

The admission of States is not a province of the Supreme Court of the United States despite the fact that proponents of Alaskan statehood also have sought to base their case on the pronouncement of the High Tribunal that incorporated Territories are "inchoate" States.

This is another of that Court's fictional doctrines and attempted intrusions into the legislative field.

As to the weight which should be given to the platforms of political parties in considering statehood, I concur with the conclusion expressed by the able junior Senator from Mississippi [Mr. STENNIS] before this body 4 years ago when he said:

I think every Member of the Senate should have the same attitude with reference to all these proposed statehood bills and should consider them strictly on their merits and not feel bound by what any party platform says or does not say.

By the same token I am unable to comprehend what bearing the pledge of the United States under article 73 of the Charter of the United Nations to promote self-determination has on the statehood for Alaska. The reasoning of the Senate Committee on Interior and Insular Affairs that the granting of statehood would be a healthy step in the development of our foreign policy is a strained interpretation not supported by constitutional concepts.

Statehood and the granting of it are purely internal matters which are of no legitimate concern to any other nation of the world. The respected senior Senator from South Carolina [Mr. JOHNSTON] put this phase of the question in its proper perspective when he told the Senate in 1954:

Glossy statements about the example we may set for the rest of the world * * * have not the slightest appeal either to my reason or sentiment. Such puerility of thought should be addressed to kindergarten classes.

While I emphasize that the matter of statehood is one which addresses itself to those in the Union, rather than those desiring to enter, I nevertheless am intrigued by the reluctance of the proponents of statehood for Alaska to discuss in specific terms the wishes of the rank-and-file populace of Alaska in this regard.

In the testimony and committee reports on this pending legislation there are many references to the ratio of Alaskans desiring statehood, but nothing which would indicate exactly how many citizens of the Territory have expressed themselves as being for or against immediate statehood.

The fact is that Alaskans have never had an opportunity to vote on the question of immediate statehood.

In 1946, a referendum on the general question of statehood at some time attracted only 16,452 voters, of whom 9,630 expressed themselves in favor and 6,822 voted in opposition. In two of the Territory's four judicial districts, a majority of citizens voted against even indefinite statehood. Those figures could hardly be considered a mandate for statehood in the light of a 1940 population of 72,524, which was swelled by the wartime influx.

In 1955, the Alaska Territorial Legislature ignored a petition, signed by 5 percent of the Territory's registered voters, requesting a referendum on immediate statehood, and voted instead to call a constitutional convention.

The provisional constitution was submitted for ratification, along with a referendum on the proposed adoption of the Tennessee statehood plan on April 24, 1956. No alternative to either was offered, and both were tied to the far more heated issue of abolition of fish traps. The results are reported only generally in the hearings and reports, and are given as 2½ to 1 in favor of the proposed constitution and 60 to 40 percent in favor of the Tennessee statehood plan.

The sole opposition witness to appear before the Senate committee last year—Miss Alice Stuart, of Fairbanks, Alaska—stated in this regard:

They will let us vote on anything under the sun except the bull's eye question, "Are you in favor or against immediate statehood for Alaska?"

Representative A. L. MILLER, of Nebraska, recently asked 10 radio stations and 5 newspapers in Alaska to request Alaskans to write him their views on the question: "Do you favor immediate statehood for Alaska?" Within 3 weeks he received 1,916 airmail letters, of which 1,394 opposed statehood and only 522 favored it.

A summary of objections thus voiced reads as follows:

The few people now living in Alaska would not be able to pay for the tremendous cost of statehood.

Let's leave Alaska a Territory, not make it a haven for a lot of money-hungry politicians.

We are burdened with such high taxation now there is no incentive to stay.

I definitely think Alaska is not ready for statehood, and about 90 percent of the people here are opposed.

The statehood committee is organized and is being run strictly onesided.

The Congress should not turn over this vast undeveloped land to a bunch of fast operators to exploit for their own benefit.

I am not in favor of statehood for Alaska at this time, but, on the other hand, I am not in favor of the present system of treatment, but I do believe the present to be the lesser of two evils.

I am a frequent traveler in the Alaska interior, and I know the majority of inhabitants are opposed to statehood but do not have the means or the communications to express their views.

On the practical side, most of us know we can't support statehood.

We got a bunch of amateur politicians trying to appeal to our Alaska pride.

We are taxed very heavy now and can't raise enough money to run a Territory. I don't know what we would do with a State.

It would be pleasant if the politicians would forget themselves for a moment and face the facts and think of the people.

We do not complain about being colonials, nor do we feel the Federal Government has stifled our growth. There is nothing new that statehood can do for us that the Federal Government has not done for us in the past.

I favor statehood, but certainly not until the Territory can manage itself in a more business-like manner and be in a position to support itself.

And from the Alaska Native Brotherhood:

This is the only organization that can speak for 35,000 of us natives. We are opposed to immediate statehood, because you count as permanent residents the transient population of 100,000 persons, and in addition you don't allow for the other transients (Government workers), who file their applications for transfer as soon as they get here, and yet because they are citizens, can qualify to vote. We natives constitute almost the entire group that lives off the country. Why hurry?

It is a matter of record that a considerable portion of the press of Alaska vigorously opposed the adoption of the provision constitution and the Tennessee statehood plan. Similar editorial opposition is being expressed to the

measure presently under consideration by the Senate.

The Daily Alaskan Empire, of Juneau, had this to say:

Alaska needs a 10-year moratorium on the statehood issue, which is a political football, and is being forced, by intimidation, on the property owners of Alaska.

During this moratorium we can put our house in order to develop industry so that we can afford statehood at the end of 10 years. * * *

Our continued request to be heard has been jockeyed and moved around. Anyone who speaks realistically about the development of Alaska for the benefit of all of the United States meets the propaganda of the emotionists and the leftists and those who put political gain first and our Nation second.

The Anchorage Daily News stated its position in this way:

We are among those who feel that if Congress votes statehood for Alaska at this time it will be doing a disservice to the people of the Territory. There will be immediately withdrawn from Alaska a good portion of $125 million to $150 million annually of Federal funds appropriated for operation of Federal agencies. * * *

The Federal budget will show that the total civil expenditure in Alaska this year for federally operated functions is $122 million. It has gone as high as $151 million. * * *

It would be a surprise to us if debate on the floor of Congress does not kill the statehood bill entirely, which will be a blessing to Alaska.

It is obvious from these facts, Mr. President, that there is a substantial division among the citizens of Alaska about the matter of statehood. That, in itself, is sufficient reason for Congress to go slow in approving any new status for the Territory.

I am pleased to note that the House-passed statehood bill contains an amendment conditioning statehood upon a favorable vote in a direct referendum. While I, for one, am opposed to statehood for Alaska under any conditions at this time, and shall so vote, I do hope, Mr. President, that, should a majority of my colleagues not share my viewpoint, they will at least accept the provision for a direct referendum on immediate statehood.

Certainly, Mr. President, I do not believe it would be wise or prudent for the Congress of the United States to put itself in the position of forcing unwanted statehood upon the residents of one of our Territories.

Even more important than the attitudes of Alaskans in determining this issue, Mr. President, are the broad ramifications of establishing the precedent of admitting, as States, Territories which are not contiguous to the continental United States.

Despite the fact that the Senate Committee on Interior and Insular Affairs in its report on the statehood bill saw fit to dismiss the matter of noncontiguity as "wholly lacking in merit," it nevertheless remains a fact that the pending measure proposes that we go across a foreign country to take in a State.

I, for one, Mr. President, cannot accept the conclusion of some that it was the intention of our Founding Fathers that this Nation should embrace as States any areas separated from the continental-land Union by international waters or foreign territory.

I, for one, Mr. President, subscribe to the theory of Daniel Webster that there must be a "local limit" to the boundaries of the United States if we are to preserve our culture and institutions; and I, for one, am convinced that the "logical limit" has been reached with our present continental boundaries.

I, for one, Mr. President, agree with the eminent scholar, the late Dr. Nicholas Murray Butler, who, in a letter to the editor of the New York Times on July 15, 1947, wrote:

To admit one or more of these distant territories to statehood would be the beginning of the end of our historic United States of America. We should soon be pressed to admit the Philippine Islands, Cuba, and possibly even Australia.

We now have a solid and compact territorial Nation bounded by the two great oceans, by Canada, and by Mexico. This should remain so for all time.

It would be grotesque to put territory lying between two and three thousand miles on the same planes in our Federal Government as Massachusetts or New York or Illinois or California or Texas or Virginia.

I should like to remind my colleagues that in 1939 the excuse for the beginning of World War II—the most bloody and the most costly war in the history of mankind—was that the German nation was divided by the Polish corridor. Adolph Hitler seized upon that excuse as an opportunity to invade the Polish corridor, or the Polish country, which resulted in a world conflagration. Now we are asked to go over 1,000 miles from the most remote portion of our country, into the distant north, to admit a new Territory, Alaska, as a State, which is more than twice the area of Texas, with Tennessee thrown in, and whose population is not as large as those of some of the very smallest cities in our more populous States.

One of the most graphic and convincing orations on the continuing validity of the doctrine of territorial contiguity I have ever read was that delivered from this floor on March 18, 1954, by the eloquent Junior Senator from Oklahoma [Mr. MONRONEY]. Because it is so appropriate to the conclusions which I wish to make, I shall read portions of it to the Senate as follows:

* * * Most of the proponents of statehood have ignored almost completely the step in seven-league boots we would take to embrace as full States areas far removed from the present boundaries of the United States.

I believe we overlook the physical structure of our great Nation, the compelling factor in our strength, our unified and contiguous land mass of cohesive States all jointed with common borders to other States of similar makeup, having the same history, the same background of ideas and ideals, economies which are closely related to each other and transportation and communication which closely knit together the cultural, business and social lives of 160 million Americans living in the ideal neighborhood of free States in an indissoluble union. That is what I call the land union of the United States. I feel that there is and has always been a providential blessing on our country that has permitted it to grow to its present position of world leadership. Not the least of these blessings has been the land mass of central North America which has permitted our growth and our expansion within a closely knit area of similar interests. * * *

I feel certain that it has been this valued geographical position of area solidarity that has contributed greatly to our prosperity and our strength.

It is structural; it is real; it is solid. No one can divide us and establish a corridor of foreign domination between any of our 48 States. Our dominion is unquestioned and our strength in solidarity of area promises for all time to come this uniform bastion of strength within the American heartland.

I like to think of our strength as stemming from a solid oak block. It could be represented, perhaps, by a rectangle of solid oak some 3 feet long by 2 feet high. There are no holes, no fissures, no gaps in our Union of 48 States. Here is strength, here is union, here is area solidarity.

This solid oak block of 48 States bound together in closely knit geographical area is the structure of our Union, and I feel that it is a great contributing factor to our strength as a nation.

It is almost as great a factor as the Constitution and the Bill of Rights, laws which help to bind us together; but we were bound together indissolubly by geography, and we have prospered for that reason.

Now we are asked to alter this basic structure of our national makeup, this unity, cohesion, and conformity to one general order, leave the solid oak concept and * * * cross another sovereign country—or perhaps detour by water—to go 1,000 miles into the far north and suspend in thin air another of our sovereign States.

This overseas suspension structure is not in keeping with, nor conducive to, the basic strength of the geographical unity of our present closely knit area. It is not in the pattern of our heretofore natural growth of a people of common history and tradition pioneering to fill in the unpopulated gaps in our unified land mass.

Overseas statehood is more in the pattern of empire building with the added danger that to these segments of empire we now would pass in certain instances to offshore distant areas the right to cast deciding votes that could alter or drastically change the laws which now govern the 48 integrated States of our Union.

Mr. President, that masterful address by the junior Senator from Oklahoma is destined to take its place among the great speeches of our Nation's history. It sets forth a fundamental truth about the source of this country's greatness which this Senate should apply as its guide in deciding the issue now before it.

One of the arguments against the doctrine of territorial contiguity is that California was admitted as a State in 1850 when it was separated by 1,500 miles from the nearest State.

That is true, but the fact nevertheless remains that the territory in between belonged to the United States and there was every reason to believe that the day would not be too far distant when it, too, would be constituted as States.

Alaska, on the other hand, will forever be separated from the continental United States and is so situated that an enemy could at any time surround it without once violating our national sovereignty or territorial integrity.

Those who cannot foresee the potential dangers and difficulties inherent in ad-

mitting a noncontiguous State, Mr. President, would do well to reflect upon the experience of the French in attempting to absorb the country of Algeria into Metropolitan France.

Protestations to the contrary notwithstanding, another fact which must be faced, Mr. President, is that, if the United States grants statehood to Alaska which has a civilian population of 160,000, we will have set a precedent which will foreclose any justification for denying statehood to areas like Hawaii with 500,000 inhabitants, the District of Columbia with 830,000 citizens, and Puerto Rico with 2,500,000 residents.

Should we admit Alaska, we might as well prepare for the additional demands which will flood us from such possessions as Guam and the Virgin Islands as well as the Trust Territories—those more than 2,000 Pacific islands under our protection which cover an area larger than the United States itself.

I fear, Mr. President, that we may be about to put ourselves into the dangerous and undesired position of attempting to become, instead of the United States of America, the United States of the World.

How will we then be depicted by our enemies who already are propagandizing the world with the charge that we are a nation of imperialists?

Before we act to make Alaska a State, we should ask ourselves these two questions:

Where do we go from there?

Where can we stop?

The dilemma which we will reap as the result of granting Alaskan statehood was well stated by Joseph C. Harsch in the Christian Science Monitor when he wrote:

> To make these a part of the Federal Union is to make the frontiers of that Union fluid and flexible. A precedent will have been established. The American frontiers, instead of being one of the most stable elements in the political world, becomes another set of movable frontiers. Movable, fluid, unsettled frontiers, invite trouble.

Another facet of the present situation to which we cannot close our eyes is that this bill to admit Alaska to statehood is being used as a shoehorn to squeeze Hawaii into the Union also.

To use a football term, in 1954 when this statehood question was last before Congress, Hawaii ran interference for Alaska. Opposition generated by revelations of Communist infiltration of Hawaii nullified that play. So this time it is Alaska's turn to do the blocking.

To those who may doubt the close working relationship between the Alaskan and Hawaiian Statehood Committees, I would cite the text of the telegram received by the late Senator Butler, of Nebraska, in 1954 from the Republican and Democratic Party chairmen of Hawaii. Dispatched after the Senate amended the Hawaii statehood bill to include Alaska, it read in part:

> Friends of both Hawaii and Alaska convinced if Hawaii enters Union of States Alaska cannot be far behind.

Reverse the names and we have the situation which exists today. Only the naive and unrealistic could believe that the admission of Alaska will not pave the way for early admission of Hawaii.

By far the saddest aspect of this issue, however, is the cruel illusion of the great benefits of statehood which has been painted for Alaskans.

Advocates of statehood have presented that status as a panacea for Alaska's serious economic problems.

They have presented statehood as a magic key which will open the door to the development of the Territory's virtually dormant natural resources and the salvation of its unbalanced, unstable, inflated economy.

They have presented statehood as a promised land of lower living costs and lower taxes, increased capital investment and increased population and multiplied individual and governmental wealth.

However, a realistic appraisal dictates the conclusion that such grandiose promises are nothing more than empty political diversions—diversions which unfortunately, are keeping Alaskans from seriously examining the causes of their economic difficulties and seeking sound and practical solutions to them.

The root of Alaska's problem is its artificial economy.

The Territory is dependent upon the Federal Government for two-thirds of its income.

The cost of living there is fantastically inflated—100 percent higher than that of Washington, D. C.

Virtually all consumer goods, including 90 percent of the Territory's food supply, must be shipped in from the continental United States.

High tax rates and high wage scales retard the development of small business and discourage the flow of outside investment capiptal.

The money which Alaskans earn is spent largely outside Alaska.

The chairman of the Alaska Territorial Banking Board, Edward J. Rushing of Fairbanks, succinctly summarized the dilemma in his testimony before the Senate Committee on Interior and Insular Affairs last year. He said:

> We are on a merry-go-round. We need people to develop industry. In order to attract industries with risk capital, we must have the markets. In order to provide the markets not only are the people necessary, but we need a more stable and better economic atmosphere in the Territory.

Mr. Rushing, who is president of the Miners and Merchants Bank of Alaska, gave the committee a detailed account of Alaska's economic ills. The more significant ones he listed were:

Inability to attract reasonable amounts of risk capital.

Inherent skepticism regarding stability of Alaska's economic future.

Limited population which does not provide a sufficient market for consumer goods produced by small business.

Transportation costs which are unreasonably high because carriers cannot get payloads both ways.

Buying from other areas which keeps Alaskan money constantly flowing southward and has limited Alaskan bank deposits to $166 million.

Importation of 90 percent of food although 70 percent of it could be produced in Alaska.

Importation of paper, cement, petroleum and other products which could be produced in Alaska.

A living cost of 200 percent compared to Washington's 100 percent.

Mr. Rushing, along with the other advocates of statehood, contended that the granting of statehood is essential to the creation in Alaska of a climate for economic development.

With that conclusion, Mr. President, I must vigorously disagree.

It is impossible to comprehend how changing the status of Alaska from that of Territory to that of State would serve to correct the imbalance and instability of its economy.

If the territorial government, with the aid of the Federal Government, cannot remedy the situation, I fail to see how a State government could do it alone.

To the contrary, I can foresee an aggravation of the situation by virtue of the withdrawal of Federal assistance and the subsequent increase in the cost of Government which would have to be borne by Alaskans alone.

At this point, of course, we get into the age-old chicken-and-egg proposition.

I personally am convinced that the solution of Alaska's economic problems must precede, not follow, the conferring of statehood.

Just as people and capital went to Alaska during the gold rush because there existed an opportunity to make money, so the only way they can be attracted today is through the incentive of economic advantage.

It is nothing more than idealistic daydreaming to believe that the mere extension of the right to vote for presidential electors and the doubtful privilege of paying higher State taxes would prove to be a sufficient attraction.

Alaska is an example of the failure of the welfare State.

The Territory's biggest industry is military construction.

Private business accounts for less than one-third of its income.

It receives $3 in nonmilitary aid for every dollar its citizens pay in Federal taxes.

An analysis of Alaska's income for the year 1956 gives the following breakdown: Mining, $24 million; forestry, $34 million; fishing, $78 million; farming and miscellaneous, $8 million; total private non-governmental income, $144 million; defense and Government spending $350 million; grand total, $500 million.

Its nongovernmental income is now estimated at $160 million a year.

Its total Federal taxes amount to $45 million a year.

The fiscal 1958 Federal budget lists $122 million in nonmilitary spending in Alaska and military construction each year amounts to about $100 million over and above regular defense spending.

I submit, Mr. President, that an economy dependent on the Federal Government for two-thirds of its income hardly

can be called stable or considered able to support the functions of a State government.

It is obvious that Alaska's economy, tied up as it is with Federal spending, would be unable to pay the cost of State government without substantial Federal help. Evidence that this is recognized in Federal circles is found in the special considerations written into this statehood bill and in other pending measures which, if statehood were granted, would ease that load by what some have estimated to be as much as $9 million a year.

Witnesses testifying before the Senate Committee on Interior and Insular Affairs sought assurances that military construction funds and Federal cost-of-living differentials, which in some instances amount to as much as 25 percent, would not be curtailed.

Statehood advocates can find little of comfort in the declaration contained in the committee report:

In the unlikely event that all military activity in Alaska ceases before private enterprise is prepared to take up the slack, then Alaska will have to cinch up its belt and face it, in the good company of many other States which will be in the same fix.

According to the Legislative Reference Service of the Library of Congress, the Territorial budget of Alaska for the biennium ending June 30, 1959, is $50,935,086, of which $17,886,431 is Federal funds.

As of the last report, the Territory was operating in the red.

In his budget message of February 1, 1957, to the 23d Territorial Legislature, Acting Governor Waino Hendrickson stated:

For the 21-month period from April 1, 1955, to December 31, 1956, our expenditures were more than $30 million and this was more than $5 million in excess of our revenues during the same period.

This unbalance in our Territorial financing occurred during a period when our tax revenues reached the highest levels in history. Territorial tax collections amounted to $16.2 million during the calendar year 1955 and $20.3 million in the calendar year 1956, a total of $36 million for the biennium. This represented an increase of nearly $6 million over the previous biennium.

It is quite apparent that if the Territorial government is going to continue to expand its present services and to add new ones, it must have additional revenues. Further increases in tax rates will increase the already heavy burden on present taxpayers, and there do not appear to be other sources of major revenues that will not, in substantial part at least, fall upon these taxpayers.

What Alaska needs is a broader base for collecting revenues—more people and more productive industries. Our total population and our industrial development have not, in recent years, kept pace with the increase in school population and the vast expansion of welfare and health programs.

Members of the Senate who have had experience with the high cost of State government—certainly those who have served as governors of their States—know for a certainty that it is inevitable that governmental expenses in Alaska would be greatly increased with the advent of statehood.

As a general rule it costs about twice as much to operate a State government as it does to operate a Territorial government and it has been estimated that the additional cost of statehood to Alaska might run as high as $14 million a year.

Among the additional functions which Alaska would have to finance as a State are:

Fish and wildlife administration.

State court system.

Highway construction, maintenance, and matching funds.

Access road construction and maintenance.

Construction and maintenance of essential courthouses, jails and administration buildings.

State legislature.

Office of the Governor.

Other State House offices.

Administration of the State domain.

Debt service.

These financial facts of life should prompt a good second look at the obvious answer to the rhetorical question asked by Miss Stuart of the Senate Committee on Interior and Insular Affairs:

Do you think it is a good idea to increase the cost of Alaskan government by making Alaska a State when we don't know or have any idea where the money would come from to pay the bills?

Alaska's tax base is built upon a territorial income tax which is one-eighth of the Federal income tax and a business license tax of $25 on the first $20,000 of gross business, one-half of 1 percent on the next $80,000 and one-fourth of 1 percent on all over $100,000. To these are added levies on fisheries, mines and liquor establishments and minor miscellaneous taxes. The property tax field presently is reserved to cities and school and public-utility districts.

A study of a proposed 10-mill territorial property tax at full valuation has determined that such a tax would produce between $1 million and $1.5 million annually at the present level of property ownership.

The fear has been expressed that statehood costs well might force Alaska to resort to such revenue-attracting ventures as legalized gambling and easy divorce laws.

Already Alaska has the dubious distinction of having been the first State or Territory to exhaust its unemployment compensation funds, having done so even before the beginning of the current recession.

In January 1957, the Territory had to borrow $2,630,000 from the Federal Government to sustain its program and in February of this year was forced to request another $2,635,000. It is anticipated that it will require another $2 million to $3 million before the end of this year.

The present deficit in the Alaskan unemployment fund amounts to more than $5 million and it is operating now with a $200,000 reserve.

This situation prevails despite the fact that Alaskan payroll deductions for unemployment compensation amount to 3 percent from employers and one-half of 1 percent from employees compared with an average deduction in the 48 States of only 1.4 percent.

The facts do not bear out the contention of statehood advocates that Alaska's economy is depressed by mismanagement of public lands by the Department of the Interior.

Congress already has enacted legislation granting the Territory two sections in each township and 230,000 acres of those lands have been surveyed and are being held in trust for Alaska.

Oil leases are being signed at the rate of 5,000 a year with a backlog of 5,000 pending applications and Alaska receives 90 percent of all royalties which amount to 37½ percent.

Under the Small Tract Act individuals can purchase up to 5 acres at $10 per acre for the construction of homes.

Prospectors can file for leases on locations or mines anywhere.

Any person can homestead 160 acres for himself and an equal amount for his wife merely by living on the selected land for 2 years.

None of the latter three programs has a backlog.

Despite the complaints of proponents of statehood, the officials of the Territory of Alaska have never presented any specific recommendations for any improvement in the administration of public lands in Alaska.

The Territorial Legislature has demonstrated a degree of irresponsibility and lack of political maturity on several occasions, the latest being its passage of a bill which established an Alaskan Fisheries Commission dominated by commercial fishing interests.

The acting governor, while he did not veto the bill, sent a stinging message of rebuke to the legislature, which stated in part:

It is at once apparent that this Commission is * * * heavily weighted in favor of the commercial interests. * * *

Every protection is given to the commercial interests in senate bill 30; the recreational interests are assured of no protection whatever.

The bill makes no provision for representation of the general public. * * *

The Commission is authorized * * * to promulgate and issue regulations which shall have the force and effect of law but guidelines for and limitations on these regulatory powers are almost entirely lacking. For example, the rights and privileges of a large and important part of Alaska's population, our native people, which are safeguarded under existing legislation, have apparently been either overlooked or disregarded.

Mr. President, there are serious questions as to the ability of the Alaska Legislature, as presently constituted, to safeguard the welfare and interests of the general public should the Territory become a State.

The point is one about which Congress should fully satisfy itself before taking action which might have the effect of placing legislative control in Alaska in the hands of persons favoring vested interests.

The question has been raised as to whether Alaska has sufficient population to support statehood.

There are no exact figures on the current population.

C. W. Snedden, publisher of the Fairbanks News-Miner, estimates it at

212,500, including approximately 50,000 military personnel.

The Library of Congress reports that as of the last estimate which was made in September 1957 there were 206,000 inhabitants. It gives the following breakdown of that figure: 41,000 military personnel, 6,640 civilian military employees, 36,000 dependents of military personnel and civilian military employees, 8,400 Federal Government employees, 33,862 native Indians, Eskimos, and Aleutians.

Those figures indicate a total of 92,040 temporary residents and, excluding the 33,861 natives, a total of 80,099 permanent inhabitants.

To that small number it is proposed that the United States hand over a Territory of 586,000 square miles—twice the size of Texas with Tennessee added—which would be its largest State.

The magnitude of the area is demonstrated by superimposing it on the United States. Its southern and easternmost point would touch near Savannah, Ga.; its westernmost point near Los Angeles, Calif.; and its northernmost point on the Minnesota-Canadian border.

It is argued that many of the present States entered the Union with populations smaller than that which Alaska now has. However, there is a considerable difference when the comparison is made on the basis of relative populations at the time of admission.

Arizona became a State when it had 0.291 percent of the total population of the United States. Minnesota's percentage was 0.547 and Mississippi's was 0.7828.

Alaska at the present time has only 0.0853 percent of the total population of the Nation.

Alaska is seeking admission under the Tennessee statehood plan.

When Tennessee became a State it had a population of 105,000, or one-fiftieth of the Nation's 5,300,000 people. And, according to that ratio, Alaska ought to have a population of more than 3 million in order to qualify for statehood on the same basis as Tennessee.

As the figures now stand, Alaska's total population—including military personnel, temporary residents, and natives—is less than any of the country's 435 congressional districts.

The prevailing doubt of Alaska's ability to support itself is evidenced by the generous special considerations which are made for it in this statehood act.

The Territory would be allowed to select over a 25-year period a total of 103,350,000 acres from Federal lands, 400,000 of which could come from national forests for community expansion and recreation sites. This selection, when completed, would leave the United States in possession of about 70 percent of the Alaskan land area.

In addition, it would be granted:

Full mineral rights to the lands selected which it could lease but not sell.

Fifteen million dollars toward the cost of surveying these new lands.

Seventy percent of the net proceeds from the sale of seal and sea otter skins from the Pribilof Islands.

Ninety percent of the profits from Government coal mines and operations under the Minerals Leasing Act, of which 37½ percent of the latter would be earmarked for roads and schools.

Five percent of the net proceeds from sales of public lands to be earmarked for school purposes.

Thirty-seven and one-half percent of the proceeds from national forests for 10 years and 25 percent thereafter.

Full title to submerged tidelands.

As further concessions, the special Territorial highway matching formula would be continued to relieve the state of full participation in the Federal-aid highway program and thereby reduce the amount of funds it would be required to put up on a matching basis.

The present Territorial court would be allowed to continue its local functions up to a period of 3 years to permit the Alaskan judicial system sufficient time to be organized.

The Federal Government would reserve the right to make a national defense withdrawal of the sparsely populated northern and western half of the Territory with the understanding that, in exercising that option, it would bear the cost of administering the areas over which it assumed control.

These considerations have been referred to variously as a "dowry" and "the greatest giveaway of natural resources in the history of this country."

The size of the presently proposed land grant has been substantially reduced from the originally proposed 182,800,000 acres—which would have been half of the Alaskan Territory.

As drafted, this bill sets two precedents.

In the first place, it is an act of admission rather than an enabling act and, as such, requires no further congressional action. Upon fulfillment of the specified requirements, the Territory could be admitted by proclamation of the President.

In the second place, in granting public lands to the new State it also transfers title to mineral rights—a departure from previous statehood grants which retained mineral titles for the United States. Because it contains a savings clause repealing all laws in conflict with it, fear has been expressed that it may, by indirection, repeal the Federal statute prohibiting the transfer of lands to States without the reservation of mineral titles.

The implications of these precedents and the possible effects of their future application should be carefully considered by the Senate.

I personally doubt the wisdom of leaving to the executive branch the final word as to when an admitted Territory has satisfied the legislative requirements for admission.

I likewise have serious reservations about the prudence of relinquishing mineral title to lands known to have tremendous potential for the production of 31 of the 33 vital strategic materials.

As a State, Alaska's one great hope for economic progress would lie in a boom in the development of its great mineral potential. And, should the past prove any indication of the future, the chances of the Territory realizing that hope in the immediate future would be remote indeed.

The possibility of eventual growth does not help the situation now. The problems which Alaskans will encounter will be immediate and their solution will not wait on this anticipated growth.

The Federal Government already has withdrawn 90 million acres of Alaska's best lands and proposes, under this measure, to retain authority to withdraw for national defense purposes the northern and westernmost half of the Territory at any time it may desire.

Such authority is questionable not only because of its potential for Federal encroachment upon State and individual rights but also because of the vehicle for propaganda which it will afford our enemies.

In effect, this withdrawal authority would permit the Federal Government, for all practical purposes, to revoke half of the statehood of Alaska. Although safeguards of individual and property rights are written into the bill, none would be so naive as to contend that the imposition of military control would not result in limitations and circumscriptions upon the activities and movements of residents of and visitors to the area.

Furthermore, as was pointed out by the capable junior Senator from Washington [Mr. JACKSON] at hearings held by the Senate Committee on Interior and Insular Affairs the withdrawal authority "puts our country in a position of being accused by the Soviets of building a military base to launch an offensive attack against them immediately adjacent to them."

The net result, as the Senator explained, would be to build a no-man's land.

The Chairman of the Joint Chiefs of Staff was unable to give the committee a satisfactory explanation of what, if anything, the military could accomplish with the withdrawal authority that it could not accomplish without it. Defense Department spokesmen contended that the authority was sought as an insurance policy and to give us freedom of action in that area.

Former Alaska Gov. Ernest Gruening, in his testimony, put his finger on the reason which General Twining and Defense Department lawyers were reluctant to spell out. He said the idea is "that the western peripheral areas being so close to Soviet Russia probably could not be defended against jet plane attack and that our military desire those 400 or 500 miles empty of defenses which would give them additional time to be apprised of and prepare for the arrival of hostile airplanes."

If that is the case, I most assuredly do not think it in the interest of our national security to telegraph to the world, through the provisions of a statehood bill, that we either are incapable or have no plans of defending the northern half of Alaska.

With Alaska only 13 miles from Russian Siberia at its closest point, the creation of a military vacuum on its outer reaches can only have the result

of tempting aggression with all of its unthinkable attendant consequences.

The President already has ample authority under laws enacted in 1909 and 1910 to withdraw whatever public lands may be deemed to be required by the national interest.

It would seem to me, Mr. President, that a proper concern for our defense posture would dictate the deletion of this withdrawal authority from this bill.

As to the general proposition of granting statehood, Mr. President, I think it would be well for Congress to give attention to strengthening the admission procedure by giving the States themselves a voice in it.

It was clearly the intent of the framers of our Constitution that the States should vote on the admission of all new States but a provision to that effect inadvertently was omitted when the Constitution was drafted.

The background of this intent was ably discussed before the Senate in 1954 by the distinguished junior Senator from Florida [Mr. SMATHERS], and I read from his words as follows:

Anyone who will read carefully the debates which took place during the early days of this Republic, when the form of government we were to have was being discussed, must know that when the Articles of Confederation were finally agreed upon it was provided that no new State should be admitted to the Union without 9 States out of 12 approving it. It was the intention of the original founders of this Government that no State should subsequently be admitted without at least two-thirds or three-fourths of the existing States having an opportunity first to vote and approve of the proposal.

In article IV, section 3, of the Constitution, which is the provision under which we are operating, it is provided in one sentence that the Congress may admit new States. It has been held by parliamentarians since that time that that meant that all would be required would be simply a majority vote. Yet when we go back and read the Federalist Papers and the debates in the Constitutional Convention, we discover that the delegates from the State of Virginia proposed that there be a provision in the Constitution that no new State should be admitted unless three-fourths of the then States of the Union approved of it. In the course of the debate which took place over a period of 5 weeks that provision was inadvertently omitted. Some 16 years after the Constitution was adopted, Gouverneur Morris wrote explaining the sentence which provided that new States might be admitted into the Union. He frankly said that it was intended that the other States in the Union should pass upon the admission of new States, but that that provision was omitted. He said that we went as far as we could go when we said that new States might be admitted to the Union. It was contemplated at that time that Canada would be the only new State.

It is regrettable that in the early days, when the form of the Constitution was being debated, the provision which was originally in the Articles of Confederation, requiring approval of three-fourths of the States, was inadvertently omitted from the Constitution.

Representative JAMES C. DAVIS, of Georgia, has proposed that the Constitution be amended to provide for admission to statehood by vote of the States.

I concur in and support his proposal. The ratification of such amendment would go far toward assuring that the privilege of statehood would be granted only to areas geographically and ideologically qualified for it.

The granting of statehood, Mr. President, is an irrevocable act. The outcome of the War Between the States determined for all time that, once admitted, a State cannot leave the Union.

Therefore, it is incumbent upon us, as members of the Senate, to make certain beyond any shadow of a doubt that the admission of any new State will not be a mistake for which the Nation will have to pay the consequences for all time to come.

The granting of statehood is no time for playing politics.

It is a time when one factor—and one factor alone—must be considered; that is, what is best for our country as a whole.

The only interest with which we can legitimately be concerned in resolving this question is the interest of the 174 million Americans presently in the Union.

For the reasons I have set forth, I am convinced that it would be a mistake to grant statehood to the Territory of Alaska at this time.

In so stating, I do not mean in any manner to reflect upon the loyalty, sincerity, or ability of Alaskans.

However, I feel it is my sworn duty to resolve this question on the basis of its effect upon the continuity, strength, and unity of the present 48 States.

On that basis, Mr. President, I have no choice but to cast my vote against statehood for Alaska.

The future welfare and security of the American people demand, Mr. President, that the Senate also so vote.

Mr. STENNIS. Mr. President, will the distinguished Senator from Georgia yield to me for a question?

The PRESIDING OFFICER (Mr. JACKSON in the chair). Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. TALMADGE. I am delighted to yield to my distinguished friend from Mississippi.

Mr. STENNIS. Mr. President, I wish to commend highly the distinguished Senator from Georgia for the substance of his very fine and statesmanlike speech on what I believe to be the most important bill to come before the Senate at this session.

It is tragic that there is not a better attendance of Senators in the Chamber to hear so fine and well prepared presentation of a constitutional question and the very, very practical question of extending the bounds of the Nation beyond the confines of its present borders, over and beyond land over which the United States has no control. I do not say that as a reflection on any Member of the Senate, for we realize that all Senators are very busy. For instance, this morning at 10 a. m. I had to attend a meeting of the Committee on Armed Services, as did the present Presiding Officer [Mr. JACKSON]. I also had to attend a meeting of the Appropriations Committee Subcommittee on Defense Department Appropriations, also, at 10 a. m.; and the Senate itself convened at 10 a. m. And I am no exception; all other Senators find themselves in a similar situation.

But certainly it is tragic that the excellent speech the Senator from Georgia has delivered, as well as the other speeches which have been delivered in the Senate Chamber, on the merits of this important question—some of the speeches in favor of statehood, and some in opposition to statehood—have not been delivered before a larger group of Senators.

In the course of his speech the Senator from Georgia has brought forth facts and points which I believe constitute a landmark in our constitutional history, as well as in our national history. His speech is a valuable contribution to the debate. I would not wish to seem to discourage him by referring to the small number of Senators in attendance; as a matter of fact, I plan to give the next speech on this subject, so perhaps I am merely trying to avoid becoming discouraged myself.

But I believe the speech the Senator from Georgia has delivered will be a true landmark in connection with the subject now under discussion in the Senate.

Mr. TALMADGE. Mr. President, I am indeed grateful to the Senator from Mississippi for the warmth and the generosity of his remarks.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President, I ask unanimous consent that at this time I may suggest the absence of a quorum, without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STENNIS. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I have listened with interest to a great part of the speech of the Senator from Georgia. I have heard other speeches, both pro and con, on the Alaska statehood bill, and I read most of the speeches I was not able to hear.

In my opinion, there has been a very fine presentation of this far-reaching subject, but I also believe there has not been given to the subject the attention which would have been given to it if there were not so many other matters pressing. However, even apart from that factor, I do not believe the subject matter is receiving the attention it should have, because it not only involves statehood for Alaska, but, if the bill passes, it will be a prelude to a tremendous drive for Hawaiian statehood, and doubtless statehood for other areas.

Of course, it is said, rather hastily I think, that the idea of anything being involved except statehood for Alaska and Hawaii is ridiculous, or in the extreme,

and is not to be considered, but is simply to be laughed off. It is certainly not a laughable matter, or something to be laughed off readily, when as recently as 1952 the Republican Party platform for the year advocated statehood for Puerto Rico as well. It was a solemn declaration of that party. It either meant what it said or it was a farce, and I do not think it was a farce, even though I do not give as much weight to political party platforms as I did before I knew how they were made up. However, it certainly shows the trend of thinking and the trend of planning and looking to the future on this highly important subject.

I have before me the exact words of the platform mentioned a moment ago, which actually advocated statehood for Puerto Rico.

If we admit Alaska as a State—a Territory disconnected from our land area—I do not see how we can, within reason, deny statehood to other areas; particularly in view of the showing of the economic situation of Alaska.

I wish to make it perfectly clear that I have a very high regard for the people I saw, and some I learned to know, in Alaska. I had the pleasure of visiting there in 1953 on an official mission. I was well impressed with the people and their attitude.

I have the highest regard for Mr. BARTLETT, who has been the Delegate from Alaska in the House of Representatives for many years since I have been in the Senate.

I apply, though, an additional test to the pending statehood proposal. The test is: Is this best for the United States?

Most of the arguments I have heard are based on what is best for Alaska or what the Alaskans want. It is kind of old fashioned and out of date to weigh too carefully the question, What is best for the United States, but I think that test should apply. It is particularly applicable in this case.

I feel that our great country, Mr. President, is going to undergo a very serious operation, like a patient who is preparing to undergo a very grave and serious operation, the outcome of which is highly uncertain. In this instance, it seems to me, the ether has, to a large extent, already been administered to the patient, namely, to the people of the United States, and perhaps to those of us here who have a responsibility in connection with the bill.

Another strange thing about the matter is that the real patient, which is the United States, is not ill. The United States, the patient, has no pains. There is nothing the matter with the patient, but still he is going to be operated on, in this way: It is proposed to change his shoreline. It is proposed to establish a precedent which will pave the way for other equally valid arguments to be made for other areas, some of them even stronger arguments.

In all seriousness, Mr. President, as all of us know, the present Presiding Officer [Mr. JACKSON] comes from the great State of Washington. That reminds me of a point I have raised in the debate heretofore on this subject. If all the arguments in favor of giving Alaska the status of statehood—arguments about doing justice to the people, and so forth—are so overwhelming, why not make this area a part of the great State of Washington? That suggestion has not brought much of a response, except a smile. But I say in all seriousness if Alaska must be given statehood status, why not make it a part of the State nearest to it? There are less than 100,000 people in Alaska, which is certainly not more than could reasonably be added to a State. After all, more than 1,000 people go to the State of California every day, a number which runs very quickly up to 100,000—in a little over 3 months. Those people go to California for the purpose of staying there.

If Alaska were made a part of the State of Washington, the Alaskans would already have very fine representation in the Senate. I have the privilege of being associated with the two Senators from Washington on committees; with one on the Committee on Appropriations and with the other on the Committee on Armed Services. I notice the name of the junior Senator from Washington is signed to the report I have before me. I confer with the Senator on many matters in the Armed Services Committee and I respect his judgment very highly.

Coming back to the proposition about adding Alaska to the State of Washington, such action would confer all but one of the privileges which have been mentioned in the debate with reference to the area and to the people who live there. The one which would be denied would be the privilege of less than 100,000 people having two Senators. Frankly, I think that is why the idea and the suggestion is spurned or rejected or not even considered. It is political power, primarily, which the group is shooting for. This question has gotten into the party politics of each of the major parties which are running a race with each other to see which can first get the two Territories of Alaska and Hawaii into the Union. That is not all that is behind the movement, but it has almost gotten down to that point.

Ever since I have been a Member of the Senate, the very fine Senator from California [Mr. KNOWLAND], has strongly championed the admission of Hawaii as a State. As recently as a few days ago the newspaper reports, at least, said the Senator was planning to propose such an amendment to the bill presently under consideration. All of a sudden everything has become quiet about Hawaii. One cannot find out anything. Nobody is saying a thing.

Mr. President, I am not much of a prognosticator or political prophet, but there is no doubt in my mind that this is the quiet before the storm. If the bill presently under consideration should pass, I think our Hawaiian friends who want statehood are already in the wings waiting to rush in on the stage. If I am permitted an opinion, I think they persuaded our friend from California [Mr. KNOWLAND] to withhold his espousal of the cause for the time being. Whenever the Senator from California espouses a cause he does a good job and shows good judgment.

I mention this matter because it concerns the patient who is going to be operated on. This is a proposal to extend the shoreline not simply by leaping over Canada, but by leaping clear to the middle of the Pacific Ocean. Then, if the campaign pledge is carried through, we shall be asked to swing way back to the Atlantic, and Puerto Rico will have her day or should have her day in court.

Those are some of the reasons, Mr. President, why I say the consequences of this bill are so far reaching. The patient may survive, but will never be the same. Ours will be a different nation. I think we ought to face that fact frankly.

I am impressed with the arguments in favor of the bill, because they run to the true pattern in this day of the espousal of various causes. The argumeuts are based on three items.

First, it is said it is legally and morally right to take this action; that somebody is being mistreated and will continue to be if we do not do this; that some underdog is being kicked around and will continue to be if we do not do this. That is the first leg of the tripod, Mr. President, for most major legislation which is presented. This measure has all the earmarks. The report starts out by saying that Alaska has a legal and moral right to be admitted as a State in the Union, and therefore to deny statehood would be to do a moral and a legal wrong. That is the first leg of the tripod of the argument in this case.

The second argument which is made is that it would strengthen our defenses. We hear the same argument made in connection with nearly every bill which comes before us.

The third reason given is that we must do this because otherwise Communist agents will spread propaganda around the world against us. I shall discuss those three points briefly.

My remarks are addressed to provisions in the report which were filed with the bill. The report has on it the name of the distinguished Senator from Washington [Mr. JACKSON], who is at the moment presiding over the Senate. My remarks about the report, of course, do not reflect on him or on the committee; nor on the person who wrote the report.

The report, instead of being a report of the facts, is a very skillful argument on behalf of the passage of the pending bill. There are places in the report where contrary arguments are given, but immediately after they are stated, the man who wrote the report undertakes to answer those arguments. As I say, the writer of the report starts out with his brief for the passage of the bill, alleging substantially the same three grounds which have become so popular in urging the passage of the bills of various kinds. The report states:

> There are 4 primary reasons why Alaska should be granted statehood: It would fulfill a longstanding legal and moral obligation to 200,000 Americans—

A person who is uninformed on the subject, reading that statement, would think there really was some kind of commitment or some kind of legal obli-

gation whereby the United States of America had promised or committed itself to grant statehood to Alaska. The only authority cited to substantiate the writer's recitation is a reference to article III of the treaty by which Alaska was ceded to the United States, and then the writer states:

Forty-five years ago the Alaska Organic Act was approved and Alaska became the incorporated Territory of Alaska as we know it today.

Then the report continues:

All Territories that were ever incorporated have been admitted to statehood except Alaska and Hawaii, and only 3 Territories remained in incorporated status for longer than 45 years before admission.

In that language is there any legal basis for the admission of Alaska? Certainly not. Does that language set forth any legal obligation? Not at all.

Then the report continues:

The Supreme Court of the United States has stated that an incorporated territory is an inchoate state, and has uniformly considered that the incorporated status is an apprenticeship for statehood.

Is the use of the word "inchoate" by a judge who wrote a Supreme Court decision a basis for creating a legal obligation on the part of the United States to admit a Territory as a State? Certainly not. The argument on that point in the report is shocking to a lawyer or to anyone else who has studied the basic and fundamental principles involved. A person need not be a lawyer to understand that. The people of the United States, in a solemn document issued by a committee of the United States Senate, are being told by this smooth-running language that the United States has made a commitment and has a legal obligation to the people of Alaska to give the Territory of Alaska statehood. It is not true. That argument is characteristic of the many points which are so loosely made and which should be sharply challenged.

A great deal is said on the floor of the Senate, at times, by a Senator in argument, when he makes a particular point, which could also be referred to 50 or 60 years later as a basis for creating a right of some kind. When such a statement was made, if conditions prevailed such as have prevailed on the floor of the Senate during the last few months, the speaker probably could not be heard 15 feet away, because of the talking and the milling around and the confusion on the floor. That is how far we go when we pick up a phrase or a word and try to use it as a basis for an argument that a legal obligation exists.

What is the law? I refer to article IV, section 3, of the United States Constitution:

New States may be admitted by the Congress into this Union.

May be admitted. By whom? By Congress.

Mr. President, every State which has come into the Union since the Original Thirteen States has come in as a matter of privilege, not as a matter of right. Let us throw out the argument about rights. My State of Mississippi did not come into the Union as a matter of right; it came in as a matter of privilege. Every other State which has been added to the Original Thirteen States has come in as a matter of grace or as a matter of privilege from the sovereign power of this Nation. No man has any standing who makes the argument that any petitioner stands on a right. There is no such thing as a right in this situation. It is a matter of privilege. Only Congress can act, and it can act only and purely as a discretionary matter under all the circumstances.

I quote again from the same sentence in the Constitution:

New States may be admitted by the Congress into this Union.

So, Mr. President, let us keep first things first and rightful reasons in their right places, whatever may be the situation. Standing on this constitutional provision, I challenge any kind of petition which urges anything which can be called a legal right for admission to the Union, as long as this constitutional clause is written as it is.

I now turn to another point of the argument which is so frequently made. This is a point which the proponents give as a reason for the passage of the bill and the admission of Alaska. Therefore, the burden of proof is certainly on them to sustain their point by some kind of substantial evidence.

It is said that the admission of Alaska to the Union will strengthen the national defense. He who alleges is supposed to prove. To prove means to offer substantial evidence to sustain the point.

I shall very carefully go through some of the testimony which has been presented by the proponents. By the way, I did not have the privilege of attending these hearings on this bill.

Everyone knows the situation in the Senate. All Senators have much to do. I noticed the questions which General Twining, a very honorable man, was asked. They would have been excluded by any court in the Nation, under more than one rule of evidence, if the committee had been applying only the first beginnings of the legal test for the weight of evidence.

In the first place, almost all the questions which were asked by the proponents of statehood were leading questions. But that is all right. I do not object to that. I shall read now General Twining's testimony and shall comment on the military aspects of it first, and then comment on the other phases. I do so with all deference to a great soldier, a fine airman, an officer who is doing outstanding work as Chairman of the Joint Chiefs of Staff. But he was a witness, and I shall discuss his testimony as I would that of any other witness.

I say there is nothing to his testimony, when we finish with it, except his title of general—General Twining. That is the reason why he was called, in my humble opinion, as a witness. As I have indicated, the testimony started by the asking of leading questions, more or less putting words into his mouth. I shall read all his testimony and discuss it. I am taking his testimony from the official record of the House committee's hearings for March 11, 1957.

By the way, I had a colloquy with the Senator from Virginia [Mr. ROBERTSON], who was speaking on the bill. I referred to the question which was asked about whether the admission of Alaska would strengthen our national defense. The Senator from Virginia and I discussed that. I asked questions on another subject, and then the debate proceeded.

In reading the Senator's speech in the RECORD the next day, I found that, without his consent and without my consent, and apparently after both of us had left the floor, the Senator from Idaho [Mr. CHURCH], with good intentions, and not in a spirit of wrongdoing, of course, nevertheless received permission to insert a part of General Twining's statement in the body of the speech of the Senator from Virginia. That led to a very odd situation of a Senator making a speech and having a colloquy with someone, and then after he had left the floor on other official business someone else having cut his speech in two and put a part of another argument into it, and then put it back together in the RECORD. I do not think any rule of the Senate has been violated, but the matter certainly should be covered, if it has not been. Anyway, a rule of common courtesy has been unintentionally violated. I say that without any criticism whatsoever of the Senator from Idaho. Whatever he did was done in the very best of faith. I called him to tell him that I would mention this in my speech, and that he would have a chance to say something if he wanted to do so, or to be present when I made my statement. I make no personal point about it. I am simply trying to preserve the continuity and the integrity, so to speak, of the RECORD, so that when a Senator makes a speech and then leaves the Chamber, he will know that his speech will not be cut to pieces physically and dismembered and changed in the body of the RECORD. If it cannot be answered on the logic of the situation, that is entirely all right, but it is entirely another matter.

I have here the Twining testimony. It is my purpose to read all of it which pertains to the facts in question, whether it is altogether favorable to my position or not. I read from the testimony taken at the more recent hearings. There was other testimony taken in a prior hearing. At the hearings this year, a member of the House committee, Mr. PILLION, asked this question of General Twining when he was testifying on the military advantages of Alaskan statehood:

Mr. PILLION. General Twining, what difficulties are you experiencing at the present time in the administration of our defense needs in Alaska?

General TWINING. No particular difficulties.

Mr. PILLION. If there are no particular difficulties at the present time, would statehood be of any particular advantage then to the military in the administration of its duties and responsibilities in that area?

General TWINING. No particular advantages as far as military operation per se are concerned.

Mr. President, as I understand, the Latin phrase "per se" means "by itself," so I repeat General Twining's answer:

No particular advantages—

Meaning from statehood—

As far as military operations per se are concerned.

Mr. PILLION then asked a question about the two Senators from Alaska, to which General Twining replied:

We do not go into that part of the problem.

Mr. PILLION. I see. Then your recommendation is strictly on the basis of the military aspect?

General TWINING. That is correct.

The reference to the two Senators was what might be called the political part of the matter. I commend General Twining for not getting into that field.

At another examination, Mr. BARTLETT, the Delegate from Alaska, to whom I referred in the beginning, made these remarks:

Mr. BARTLETT. Now, General Twining, you testified on this subject in 1950, on the subject of Alaska statehood, before the Senate committee. And you were asked by Senator ANDERSON, of New Mexico, if you thought statehood would be advantageous. I am going to read your reply. You said: "Yes, I feel statehood for Alaska would help the military." May I ask you, General Twining, if that is your thought today?

General TWINING. I feel it would; yes.

In that instance the witness was more or less confronted with testimony he gave 8 years ago. He was asked if he felt the same way today, and he answered:

I feel it would, yes.

Mr. BARTLETT. Perhaps it would be fairer if I were to go ahead and quote your other remarks. You said: "For one reason, it would improve the economy of the population in Alaska and would be a great asset to military development."

Mr. President, mark those words. That great military leader was talking about the economy of the area, not the military situation.

Then the Senator from New Mexico [Mr. ANDERSON] asked:

Do you think statehood for Alaska would help in your defense plan?

His answer was, "Yes."

Then the Senator from New Mexico asked:

Could you give us any indication of the ways in which it might be helpful?

In other words, he asked how it would help—a very pertinent inquiry.

The reply was:

Well, we can obtain more materials from the increased economy of Alaska.

In other words, he was giving a reason based on economics, based on the ease of obtaining materials.

Then he said:

We would not have to send them up from the States. It would be cheaper to build them up there.

That is another economic reason, Mr. President.

Then he said:

The people up there would help, and a more stable form of government would help. I think that is about it.

He did not say the lack of statehood interferes in any way or hampers or hinders him in his military planning or in carrying out military plans. Instead, he gave economic reasons. He referred to the ease of obtaining materials, and said that certain things could be built up there more cheaply. But, Mr. President, it is certain that he knows that the cost of building almost anything the Air Force or the Navy would have to have would be greater if it were built in Alaska, rather than if it were built in the United States and if the cost of transportation to Alaska were also included.

Mr. President, when would the articles manufactured in Alaska be used? Would they be used 20 years from now? Would the B–52's be built in Alaska? Of course not.

The witness did not have any reasons based on strategic or technical or military foundations, and he was honest enough not to try to say that he was answering on that basis. Instead, he fell back on economic reasons.

Nevertheless, Mr. President, word has gone forth—over the radio and through the newspapers and by means of the debates on the floor of the Senate—that the granting of statehood to Alaska would greatly strengthen our national defense. In my humble opinion that simply is not true. The creation of a State in Alaska would put barriers and hindrances in the way of military planning and the carrying out of those plans. In a moment I shall discuss that point further.

Delegate BARTLETT concluded his questioning by asking:

Does that represent your view as of now?

General Twining replied:

Yes; it does. Of course, that was 7 years ago. When I first went to Alaska, I was assigned to the job of building the Alaskan defenses.

He was still referring to a time 7 years before then.

I read further from the testimony:

Delegate BARTLETT. And a very good job you did, I might add.

General TWINING. Things were in pretty bad shape as far as the building of these defenses was concerned. I often felt that if Alaska were a State it would move much faster. However, as soon as the people traveled up there a little more and found what was happening, we had fine support, as you know, from Congress and back home here. But there was a period when we did not. That is why I made that statement that if it was a State, things would move faster.

Mr. President, there he gave the reason for all his testimony about the period 7 years before. But whatever the situation that existed then, it has been cleared up since then. So the testimony based on the situation which existed 7 years before does not apply today, because the facts which existed then—whatever they were—do not exist now.

Mr. President, that testimony is a very slender reed on which the Chairman of the Joint Chiefs of Staff rested a major conclusion in regard to what is supposed to be top military planning. But that is what he did. I certainly commend him for his truthfulness.

However, when we examine the statement about the military need for statehood for Alaska, we find that the statement simply does not stand up. Yet those who are the proponents of statehood for Alaska are the ones who called General Twining as their witness, and they refer to his testimony as a reason for the granting of statehood to Alaska.

I read further from the testimony:

Delegate BARTLETT. If you had two Senators from Alaska sitting over there, you might have even more support? But I do not expect you to answer that.

Have you seen more progress since you have left?

General Twining was in Alaska 8 years ago, I believe. He replied:

Yes. I have been to Alaska practically every year, on a trip, since then.

I read further:

And you still believe—

Mr. President, listen to that leading question; he was not letting the witness give his own testimony, but was referring to his previous testimony—

that statehood would provide a more stable government, would promote industry and business, and in those ways would be helpful to the military?

General TWINING. Yes; I do.

Mr. President, that was an entire abandonment—lock, stock, and barrel—of all the argument about military tactics, military strategy, and other subjects which could have been in the mind of the witness. Instead, he was basing his testimony solely on the fact that he thought statehood for Alaska would promote industry and business and a more stable government, and thus would help the military.

So, Mr. President, I submit that the proof from that witness wholly fails to sustain their premise in any substantial degree whatever. That testimony has no place in this debate, in the prominent position in which an attempt has been made to place it.

Mr. President, I read now from page 104 of the House committee hearings; I do so because I certainly do not wish to omit anything which might tend to sustain the point of view of those who called General Twining as their witness:

From the military point of view, the overall strategic concept for the defense of Alaska would remain unaffected by a grant of statehood.

Mr. President, is not that statement a clincher?

I read further from that testimony:

Tactically, however, the ease of accomplishment of the military operations necessary to implement the strategic concept would be greater with proper defense area limitations and safeguards.

Mr. President, notice the limitation which the witness put on his own testimony. I shall refer to it again, in a moment. But at this time my point is that he made the flat statement that "from the military point of view, the overall strategic concept for the defense of Alaska would remain unaffected by a grant of statehood." So I take their own witness, who is a military expert, and I prove by words out of his own

mouth, not out of mine—in fact, I was not even present to cross-examine him—that "from the military point of view, the overall strategic concept for the defense of Alaska would remain unaffected by a grant of statehood."

Mr. President, that expert witness is the Chairman of the Joint Chiefs of Staff. So I submit, Mr. President, that their own point—that is of the proponents of statehood—and their own proof repudiates them totally, and it is not worthy of any further consideration by the American public or by the Congress, except on the slender thread that statehood might help out as a matter of supply of materiel.

The same witness said—not my witness, but theirs—we could manufacture materiel there and would not have to send it all the way from this country. That is what he means when he talks about the supply line. That is what he says, at least, and I assume he means what he says.

I submit, on the facts which have been brought out by other Senators, it is ridiculous to believe that in any foreseeable time there will be manufacturing of products for the Air Force and the Navy, except in a minute way, in Alaska.

I have figures to show that since 1950 we have spent more than $1,400 million in Alaska for military installations and some maintenance and operation of them. Those are not complete figures. They are too difficult to get.

So I submit, on the testimony of their chief witness, he wholly fails to make out their case, but, on the other hand, expressly repudiates the main premise on which they attempted to stand.

I hold up that point as proof that the matter is unworthy of any further major consideration by Congress. But that is not all. Let us look back a little for memories are so short, Mr. President.

I have before me a photostatic copy of the New York Times dated February 16, 1955, with the dateline Washington, February 15, United Press, which reads:

The Eisenhower administration, which favors statehood for Hawaii, moved out today in the open in opposition to the admission of Alaska to the Union this year.

Charles E. Wilson, Defense Secretary, said in a letter to the House of Representatives Interior and Insular Affairs Committee that he "believes it would be in the interest of the national security that Alaska remain a Federal Territory for the present."

Those are significant words, Mr. President, by the Secretary of Defense.

It is being contended by the proponents for statehood that by admitting Alaska as a State we shall strengthen our national defense. I am reading what the Secretary of Defense said as late as February 16, 1955. I read on:

Mr. Wilson added that this view had been endorsed by the Budget Bureau. Committee members said the bureau's opinion meant agreement by the White House.

Earlier today—

February 15, 1955—

the committee, which is considering the bill to bring both Hawaii and Alaska into the Union, rejected an Alaskan partition plan designed to make the plan more acceptable to the White House. It is scheduled to start voting on other amendments tomorrow.

The Defense Department last year endorsed Hawaiian statehood but took no position on Alaska.

There is some reason for that, Mr. President, and the reason is military. The military became greatly concerned when it went into the very heart of this question. This was 5 years after General Twining had testified, as I read a while ago. Five years later, with a general in the White House, and other generals on his staff, and General Twining still a member of the Joint Chiefs of Staff, in 1955, they change their minds on this very point.

Mr. President, I point to their acts, not mine, as being a danger signal in connection with the proposed admission of the area under discussion as a State into the Union of States, because it will tend to jeopardize the national defense. I prove that contention by their witnesses, not mine. I quote further, if I may, from the same article:

In today's letter Secretary Wilson said his Department sees no objection to Hawaiian statehood in view of the mature stage of development of the Territory, the size, and the stable character of defense activities there.

Defense activities there. What about Alaska? They were not satisfied with it. I think the provision in the bill with reference to giving the land and withdrawing it is something which has been cooked up since 1955. The proponents of statehood are trying to meet the objection of the military men who did not want that area to become a State.

Mr. President, it is tragic that Senators who are going to vote on this bill are not present to hear the presentation of facts like these. It is not tragic because they are not here to listen to me—that is of no consequence; I am only one—but I do not think the point I am now making has been placed before Senators. It has not been placed before the people. Everything in the report filed with the bill is misleading to the extent that it buries these real facts and does not bring them out, and reaches a different conclusion, and actively undertakes to lead the reader to the conclusions favored in the report. These are hard facts.

I quote further from the same article:

In Alaska, however, "the great size of the Territory, its sparse population, and limited communications, as well as its strategic location, create very special defense problems," he asserted—

Meaning Secretary Wilson.

Mr. President, I repeat, it is tragic to have facts like these asserted officially by the Secretary of Defense and, 3 years later, with no change whatsoever, except the peril has become greater, and with no change in the bill except a provision which in effect says, "I will let you have it; I want it back," statehood is being advocated. That is the only change in the facts. The bill is being espoused as providing for an improvement and a strengthening of our military program. The proponents go back 7 years to get proof from the chairman of the Joint Chiefs of Staff, in an effort to sustain their position. When he was given a real chance to testify, as brought out in the testimony I have read, he raised doubts, and he said he based his position on economic reasons. This article makes it as clear as daylight that there has been a reconsideration of the problem and a change in the military aspect. Everyone knows the economic-defense matter has become more complicated and more involved.

We have such little faith in some of these defenses. We spend billions of dollars trying to put up an individual point defense for the major cities. Whatever our defensive strength may be, a great deal of it is located in Alaska, with the highest kind of priority and the highest classification that can be given.

Still it is said that we should give Alaska statehood, which would be, in my opinion, a "blunderbuss," weakening rather than strengthening the operation of strategic military operations. I say that is my opinion. That is General Twining's opinion, as reported in the testimony he gave in an official capacity.

Mr. President, I wish those who have been asserting the case would stay to hear the testimony. On the basis of their own testimony they have wholly failed to make out a case. On the other hand, one can take their testimony and make out a case for the other side.

But that is not all. I have other testimony of other witnesses to quote. The gentleman I now wish to quote is a retired military man.

Mr. President, on my responsibility as a Member of this body, I can say, to every Senator present that in all my dealings with the military men I have never tried to embarrass any of them, and I have never heard a single one of them give any substantial reason why statehood for Alaska would strengthen the national defense. I have heard many of them give the contrary view.

Except for the economic facts and a few fringe matters, General Twining's testimony is to the same effect.

I now wish to quote from a statement made by Rear Adm. Ralph Wood. The admiral made this statement some time ago. It has been used before. I have quoted the statement in my remarks on previous occasions to the Senate in debate.

When a similar bill was under consideration by the Senate once before, and was being debated by the late Senator from Nebraska, Mr. Butler, I said in my speech that he had presented his views, and in the hearings conducted by him there was a statement by Rear Adm. Ralph Wood, retired. The statement appeared at pages 369, 370, and 371 of the committee hearings. I made my statement in 1952, so the hearings were held before that time.

I quote from Admiral Wood's words:

It has been stated that statehood for Alaska is now going to bolster somehow the national defense. In my opinion it makes no difference whether Alaska is a State or a Territory as far as national defense is concerned.

Mr. President, that is almost identical with the language of the fresh testimony by General Twining. It is not so strong, though, as the testimony of the Secretary of Defense in 1955. There is a great difference between 1950 and 1955. Complications had arisen as to any kind of so-called military defense. There were complications of weapons and complications of defenses.

This identical point was being discussed in that day by Admiral Wood. I pass the information on, as to his opinion. By the way, he had been a commander on the west coast and was personally familiar with that area of the country. General Twining is, also.

That is not all, Mr. President. I have before me the opinion of a well-known military writer, who is highly respected, Mr. Hanson W. Baldwin. This is taken from the New York Times of about the same date as Admiral Wood's statement. I said in that debate:

> Mr. President, I hold in my hand a statement which I think is quite pertinent to this discussion. Mr. Hanson W. Baldwin, writing in the New York Times of April 23, 1950, had this to say, based upon his ideas and beliefs:
>
> "As a source of wartime raw materials, Alaska in its present state of development is hardly worth defending."

I do not say Alaska is not worth defending. We are committed to that. What I have said does not detract one bit from Alaska being a part of the territory of the United States, over which the American flag flies and on which American citizens live. Alaska will be defended to the death for its own sake, as well as for ours, but Mr. Baldwin was discussing the question of raw materials. He said further:

> It produces a fair amount of gold, some copper, and enough coal for its own needs. Otherwise its mineral resources are largely either unexplored or inaccessible.

This point has a bearing upon the slender reed of testimony which was left from the economic side of General Twining's testimony. It shows Alaska could not be depended upon. This is no time to be depending upon those materials for our national defense.

I further quote from Mr. Baldwin:

> On the whole, Alaska is deficient in all industry, and could not lend any significant support to a war effort.

That is simply another statement with reference to Mr. Baldwin's investigation of the fact.

Mr. President, I submit that the proponents have not only failed to make out a case, but their witnesses' testimony, plus the testimony of others who have spoken on this subject and have spoken directly to it—the overwhelming weight of the evidence—shows that admission of Alaska as a State would give rise to new problems, and that, in spite of some little help on some phases, the military position of the United States would have barriers thrown in front of it rather than strength given to it by the passage of the pending bill.

I submit further, the bill itself is proof, Mr. President, that we should not pass it. After proposing to give the new State jurisdiction to all this vast area of land, the bill provides—not the Senator from Mississippi, but the bill itself—"Wait a minute. Wait a minute. This may not be sound. We want to take it back."

Mr. President, if it is going to strengthen our position to give something away, why do we attach a string to it to say, "We may want it back." That is written into the bill itself. It is a long leap in the dark to surrender jurisdiction over a Territory where a general could declare martial law without having to ask anyone. The general could take the area over and place it under military jurisdiction. Of course, he would have to have the consent of the President of the United States, but in an emergency he would not even have to have that consent.

It is proposed to surrender jurisdiction over that great area, but then we are not willing to do so. The bill provides that we refuse to do so.

This matter has developed since the Wilson letter of 1955. The bill is dragged in, in a deformed condition—a cripple—and pointed to as strengthening our national defense. I hope, Mr. President, the facts have clearly demonstrated that point is entirely repudiated.

I heard a statement made a few days ago by the chairman of the Senate Armed Services Committee the Senator from Georgia [Mr. RUSSELL]. I do not know whether he expects to speak to the Senate on the bill. I certainly would not try to speak for him. However, I was impressed by the statement he made the other day during the delivery of the speech of the Senator from Virginia, in which he said he could see no reason for saying that statehood for Alaska would lend strength to our national defense. I was impressed by that statement when he made it. He is not a man given to idle words. I assume he will speak for himself later. I am willing to stand on whatever he says on this point. His statement is certainly a fine supplement and addendum to what the witnesses to whom I have referred have said.

I do not wish to take too much time. I have addressed myself almost solely to the military feature. There are other strong, outstanding reasons, supported by solid facts which, in my opinion, show that the bill should not be passed. However, I leave that presentation for some future time. The subject has already been well presented by many Senators.

I return to the premise with which I started. The primary purpose behind the bill is a fight for political power alone. It has developed into a great contest between the two major political parties, vying with each other to see which can do the most, and which can do it first. That is why I referred to the fine Senator from California [Mr. KNOWLAND] at the beginning of my argument. During all the time I have been a Member of this body he has been active and vigorous—and honestly so—in behalf of statehood for Hawaii. That has been true up until the last 2 weeks or days. Suddenly he stopped. I do not think he has quit. He has not surrendered. He is only waiting. The pending bill is expected to be the breach in the line.

We might as well consider the facts. I have no objection to the fine people of Alaska—some 90,000 or more of them. There is disagreement as to the exact population figure. But I am unwilling to give them 2 percent of the voting strength in this body. I do not believe they are entitled to it. If that area must have the status of statehood and be a part of the 48 States, it could very well be made a part of the great State of Washington, the nearest State to it. I do not believe that those 90,000 people should be given 2 percent of the entire voting strength in this great body. Two percent of the present population of the United States is 3,420,000. On the average, 3,420,000 people have 2 Senators; and it is proposed here to give 90,000 people in this remote area 2 Senators.

I should like to say something, with all deference, as to who might become Senators if the bill should pass—and God forbid that we should open this breach now.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. STENNIS. May I continue?

Senators who might come here from this great area would be able to remain here only by getting money from the Federal Treasury and funneling it to Alaska. I make that statement on the basis of what I know of the needs of Alaska. It is based upon my experience as a former member of the Committee on Public Works and at present a member of the Committee on Appropriations and the Committee on Armed Services.

We have poured untold hundreds of millions of dollars into this vast area, and still the economy is as thin as tissue paper. The climate, which cannot be changed by legislation, is a depressingly forbidding feature of this great area.

Coming back to the question of money, after several months spent in going over the major phases of our military program, I have reached the conclusion that we are facing the probability, within the next few years, of a $50 billion or $60 billion military budget. That statement does not require the gift of prophecy on my part. It is based upon a consideration of the facts. Up to this time I have said nothing on the subject. I do not claim to possess any unusual foresight. However, last week the Secretary of Defense, Mr. McElroy, in a press conference at Quantico, stated that within the next 10 years we could well be facing a military budget of from $50 billion to $60 billion. He certainly is in a position to know.

This is not a subject to be dealt with on the basis of emotions. This is not a question to be decided upon the basis of political considerations, with the parties vying with each other. This is one of the most far-reaching decisions Congress has ever been called upon to make.

This question does not involve merely the matter of admitting another State. It involves the breaching of the line. As I say, the patient is about to be operated on. He is not ill, and he is not asking for an operation, but he has been put to sleep by fallacious arguments, and it is proposed to operated on him. I am not

predicting his death, but he never will be the same. Once the line is breached, the proponents of statehood for other areas will come pouring in demanding statehood; and some will get it.

I now yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I have been very much interested in the remarks of the Senator from Mississippi relating to the defense features of the bill.

I gathered from his argument that he was saying, among other things, that section 10, which would permit the President of the United States to make withdrawal, has as its purpose the assurance of the safety and defense of the United States.

Mr. STENNIS. Perhaps the Senator was not present during all of my speech——

Mr. COOPER. I ask the Senator if that was a part of it.

Mr. STENNIS. That was not all of it. I said that one of the main arguments used by the proponents of the bill was that it would strengthen the national defense. I reviewed the testimony and maintained that the proponents did not make out a case. The overwhelming proof was against them. Furthermore, it appears from the face of the bill itself that we do not want to give up the Territory. We attach strings to it.

Mr. COOPER. Judging from the first part of the Senator's argument, I assume that he was contending that section 10 was placed in the bill in order to maintain some control over Alaska, so as to give better assurance of the security of the United States. I know that the Senator from Mississippi is a great lawyer. Does he believe that section 10 could be sustained as a constitutional provision?

Mr. STENNIS. No; I do not. My colleague from Mississippi [Mr. EASTLAND] has made a special study of that subject. I heard a part of his speech. I have not had an opportunity to make an independent study of the question. I think he is entirely correct. Section 10 is a violation of the Constitution.

Mr. COOPER. If it should not be stricken by reason of the point of order, and if it should remain in the bill and the bill should become law and later should be rejected by the Supreme Court, what then, in the Senator's opinion, would be our position respecting the security of Alaska?

Mr. STENNIS. If that provision were stricken and the remainder of the act were permitted to stand, there would be nothing we could do about it, but we would have surrendered all the jurisdiction and advantage which we now have from the national standpoint, and we would be left at a distinct disadvantage. That is why I say the provision throws barriers in front of our strategic military program.

Mr. COOPER. I believe the Senator is familiar with the fact that the President and the Federal Government cannot take over territory of a State and cannot assert exclusive jurisdiction over it except by martial law or on the ground of military necessity.

Mr. STENNIS. Yes; that is the general rule as the Senator from Mississippi understands it.

Mr. COOPER. There have been constitutional decisions on that point. I believe the cases have been limited to that point. My question is, if that is the extent to which the Federal Government is permitted to assert its jurisdiction over the territory of a State, does the Senator believe that section 10 would give any power which could be upheld?

Mr. STENNIS. My opinion is that section 10 is invalid and would not be held to be operative. I was using that section a little while ago as evidence of the weakness of the position of the proponents of the bill. I did not go into the legal phase of it.

Unless there are further questions, Mr. President, I yield the floor, but, first, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, anounced that the House has passed the following bills, in which it requested the concurrence of the Senate:

H. R. 11077. An act to incorporate the Veterans of World War I of the United States of America; and

H. R. 12827. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res 344) authorizing the printing of a revised edition of the Biographical Directory of the American Congress up to and including the 86th Congress, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 2533. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 10 years, and for other purposes;

H. R. 8054. An act to provide for the leasing of oil and gas deposits in lands beneath nontidal navigable waters in the Territory of Alaska, and for other purposes;

H. R. 12088. An act extending the time in which the Boston National Historic Sites Commission shall complete its work; and

H. R. 12428. An act making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1959, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

The following bills were each read twice by their titles and referred or placed on the calendar as indicated:

H. R. 11077. An act to incorporate the Veterans of World War I of the United States of America; to the Committee on the Judiciary.

H. R. 12827. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; placed on the calendar.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 344) authorizing the printing of a revised edition of the Biographical Directory of the American Congress up to and including the 86th Congress, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be compiled and printed, with illustrations as a House document, in such style and form as may be directed by the Joint Committee on Printing, a revised edition of the Biographical Directory of the American Congress up to and including the 86th Congress (1774–1960); and that 6,500 additional copies shall be printed, of which 4,400 copies shall be for the use of the House of Representatives, 1,600 copies for the use of the Senate, and 500 copies for the use of the Joint Committee on Printing.

THE SITUATION IN LEBANON

Mr. HUMPHREY. Mr. President, earlier today the distinguished Senator from Kentucky [Mr. COOPER] directed some remarks toward the critical situation in Lebanon. I wish to concur in the expressions of the Senator from Kentucky, first as to the urgency and the critical nature of the developments in Lebanon, and also with respect to the necessity of the Government of the United States to work through and act through and under the auspices of the United Nations in this critical situation.

I believe it would be a sad mistake for the United States to act unilaterally, particularly in any display or use of armed force.

The situation in Lebanon continues to provide dangerous threats to world peace. Unfortunately that situation underscores another danger—the lack of policy on the part of our government in the Middle East, and the apparent inability or unwillingness to design one. Developments are occurring hourly, but a major one occurred yesterday in President Camille Chamoun's decision not to ask for foreign military aid outside the provisions of the United Nations Charter.

President Chamoun's appeal for a United Nations force to seal off Lebanon's frontiers from infiltration by Egyptian and Syrian volunteers should squarely place this issue on the agenda of the United Nations.

In fact, the United States should have made it its business to propose placing the entire question of the safety and sovereignty of Lebanon and the protection of the independence and freedom of

Lebanon on the United Nations agenda long before now.

I think the situation is sufficiently serious, for a special session of the United Nations General Assembly to be convened. I urge that our Government exercise its rights as a permanent member of the Security Council, and as one of the most active and important members of the Assembly, as well, to urge the United Nations to take a firm position on this particular problem.

I pay tribute to the Secretary General of the United Nations, Mr. Dag Hammarskjold, and his associates, for their courage and their effectiveness thus far in this critical area of the Middle East.

I repeat that unilateral action on our part, outside the confines of the United Nations, would be reckless at this particular time. I was pleased to read in the press this morning that the Department of Defense is reported to agree; that the position of our military authorities is that the United States should not unilaterally intervene by military action.

The situation is precarious indeed, most particularly because it involves what Hanson Baldwin calls, in the New York Times this morning, the paradox of intervention. I believe the article written by Mr. Baldwin is of so vital a nature that it merits study by every Member of Congress. I therefore ask unanimous consent, Mr. President, that Mr. Baldwin's article, together with others which relate to this particular situation, and which I have gleaned from the press this morning, be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 26, 1958]

PARADOX OF INTERVENTION: USE OF FORCE TO RESTORE STABILITY IN LEBANON MIGHT CAUSE INSTABILITY

(By Hanson W. Baldwin)

Once again, this time in Lebanon, the United States is faced with a situation in which use of military force to restore stability may bring only instability.

The use of force was becoming a possibility yesterday as the Lebanese civil war sharpened in intensity.

Secretary General Dag Hammarskjold was on his way back to New York to put Lebanon's request for a United Nations police force to guard the frontiers before, first, the Security Council, then, if necessary, the General Assembly.

In the meantime, the United States 6th Fleet was still standing by in the eastern Mediterranean with about 3,600 Marines, and British paratroopers in Cyprus were ready for action. If the government of President Camille Chamoun appears to be threatened before the United Nations can act, Beirut will almost certainly invoke the Eisenhower Doctrine and ask for armed support.

TWO POSSIBILITIES LOOM

There are thus two possibilities: national intervention by the United States and Britain or international intervention by the United Nations. Either type of intervention will be faced with major political-military difficulties and either one, particularly the former, would have wide repercussions throughout the Middle East.

A sound military and political basis for national intervention in Lebanon does not appear to exist. If the Lebanese Government could show that the principal or only threat to its security was from beyond its frontiers and that it had done its best and exerted its fullest power to put down a rebellion, a justification for United States and British intervention could be established.

But the circumstances of the fighting show rather clearly that it will be difficult for Beirut to establish such a justification. President Gamal Abdel Nasser's United Arab Republic has given both physical and psychological aid to the rebels. The amounts are unknown but cannot be sizable or given the Lebanese Government's kid-glove policies, the rebels would have won by now.

THE ARMAMENT NOT HEAVY

There is no evidence that the rebels have any field artillery, any tanks or armored cars, or any aircraft. They are equipped chiefly with small arms and a few bazooka antitank weapons and some mortars. The Cairo and Damascus radio stations and Egyptian and Syrian infiltrators have, of course, done their best to stir up the mob against the Chamoun government.

But all these efforts are of less significance than the size of the existing opposition within Lebanon and the soft measures taken by the Government to cope with what is no longer a rebellion but a small, politely conducted civil war shot with political overtones.

The Lebanese Army of more than 8,000 men, commanded by Brig. Gen. Fuad Shehab, has never exerted its full strength against the opposition. General Shehab has political ambitions and a foot in each camp.

The flimsy street barricades built by the rebels could be smashed quickly by determined troops with tanks and armored cars. Yet the opposition leaders are allowed to breathe treason daily to press correspondents and to their followers, and some receive safe conducts through army lines.

RESTRAINT EVOKES QUESTIONS

Either the Lebanese Army is politically unreliable, with its Christian-Moslem admixture, or its leaders, for political and personal reasons, have never used its full power. Probably both reasons explain the kid-glove treatment of the rebels, but both provide the best arguments against United States and British intervention.

If American marines should land by invitation of President Chamoun, would the Lebanese Army fight with us or against us? Would it split? Or would it stand idly by, leaving the cleaning up operation and the casualties to foreign troops?

National intervention would also inevitably lead to a difficult situation in the Middle East, comparable to that which existed after the British-French-Israeli attack on Suez in 1956. Perhaps nothing could be better calculated to unite Arab nationalism against the West. Only the Soviet Union could benefit.

SIMILAR PROBLEMS FOR U. N.

These same arguments have less validity when applied to international intervention. Even so, a United Nations police force would face a far more difficult problem than it had in Egypt after Port Said.

The ambiguous position and the weak efforts of the Lebanese Army, the complex cliques of rival politicians within the country, the Moslem-Christian differences and the radio agitation by Nasser would tend to keep Lebanon stirred up internally whether or not the long and difficult frontier with Syria was sealed.

Until there is a stronger hand at the Government helm in Lebanon, until the Lebanese Army determines its higher loyalty, the position of any intervening military force would be difficult.

[From the New York Times of June 26, 1958]

LEBANON ASKS U. N. FOR ARMED FORCES TO CLOSE BORDERS—A CORDON BY SEA AND LAND TO HALT SYRIAN ARMS FLOW URGED ON HAMMARSKJOLD

BEIRUT, LEBANON, June 25.—Lebanon asked the United Nations today to seal this country's land and sea frontiers with armed force and stop the flow of war supplies to Lebanese rebels from the United Arab Republic.

Premier Sami es-Solh handed to Secretary General Dag Hammarskjold a request for a United Nations emergency force similar to that keeping the peace on the Israeli-Egyptian border at Gaza.

Mr. Hammarskjold did not comment on the request, which he received shortly before departing for New York.

The Lebanese plea for a complete cordon around Lebanon's borders—by sea and land was announced by the Premier in an interview.

The rebel leader in Beirut, Saeb Salaam, said his forces would resist any increase in United Nations forces in Lebanon, even unarmed observers. There are no more than 100 observers, authorized by the United Nations, in the country.

TO ABIDE BY CHARTER

(By Sam Pope Brewer)

BEIRUT, June 25.—President Camille Chamoun said today that Lebanon would not ask for foreign military aid outside the provisions of the United Nations Charter.

He added, however, that he was prepared to ask for outside aid under article 51 of the Charter unless other measures restored law and order in the country.

Article 51 permits collective self-defense against an armed attack without recourse to the Security Council where a big-power veto can be involved. President Chamoun said he had not asked for a meeting of the Council.

It has been understood all along that by outside aid Lebanon means armed forces of the United States and Britain.

SEES WIDER PROBLEM

"We would like to do the job ourselves and we will not spare any effort or sacrifice to that end," President Chamoun said, "but should we fail and should the observer group fail in their mission I think a United Nations police force would be the proper thing to have."

Speaking at a news conference, he went on:

"Our problem is not only a Lebanese problem. It is the problem of stability and peace in the Middle East. It would be unfair to lay the whole burden on the shoulders of the Lebanese Government and the small Lebanese Army." Estimates put the total strength of the army at 8,000 men.

"We are giving time for the United Nations observation group to go on with their mission," the President said.

SHOOTING IN CAPITAL

As the crisis in Lebanon assumed a progressively widening scope, there was continued local violence.

There was some shooting in the center of Beirut tonight near the main post office, but it was not heavy. At a late hour there was no sign of anything resembling an effort by rebel forces to break out of the Basta section where they have entrenched themselves.

Nonetheless, President Chamoun said he still expected serious fighting in Beirut within the next few days.

NASSER TALKS NOT REVEALED

He said Mr. Hammarskjold had told him nothing, except that he was optimistic, concerning this weekend talks with President Gamal Abdel Nasser of the United Arab Republic of Egypt and Syria. Mr. Hammarskjold first came to Beirut on his mission, then went to Cairo and returned here yesterday.

Mr. Hammarskjold had an unscheduled farewell talk with President Chamoun just after the President met with the foreign press this morning, but its purport was not revealed.

Lebanese official circles remained pessimistic about a peaceful solution to the crisis,

I believe you are absolutely right in being against statehood for the Territory at this time; and, if a change is made, let us have Commonwealth status until we are able to handle statehood.

ODDS ARE AGAINST US

I should like to read briefly from a letter I received from Brown & Hawkins Commercial Co., of Seward, Alaska:

Statehood now for Alaska will bankrupt us and set our industrial growth back a generation. Unfortunately statehood for Alaska seems to have a patriotic and emancipation association that makes it popular with the rank and file in the States. We older and more experienced citizens of Alaska are becoming reconciled to the fact that we are going to have statehood forced on us. We will do the best we can to make it work economically, but we will have tremendous odds against us.

If you can get a commonwealth modification for us we will appreciate it. If you can't will you please support the effort we are putting forth to have the Senate insist upon modifying the Alaska constitution that will govern us? The vehicle as it is written is a paragon of oligarchy. It gives too much authority to governor-appointed commissions without benefit to the electorate of the democratic right of initiative and referendum.

Sincerely,

O. E. DARLING,
President, Brown & Hawkins Commercial Co.

I should like to read briefly the concluding paragraph from the mayor of Skagway, Alaska, which was written on June 15:

We here in Skagway have done a selling job locally on the proposal of a 20-year Federal income tax moratorium, but, ran smack into statehood, and we are not inclined to advance our plan against the antagonism advanced by the statehood advocates, and particularly without funds. The statehood advocates have made hay with moneys for a constitutional convention, the Tennessee plan, etc., with the accompanying fan-fare. If the proponents of a compromised statehood, or a commonwealth, were to have a portion of said funds (some $358,000) there may be a different story today. Frankly, if the proposition, or choice, were left to Alaskans by vote between statehood and a 20-year Federal income tax moratorium, statehood would lose 10 to 1, and the statehood advocates know this and are fighting to have a hurried passage of present statehood proposal in order that someone might smell a rat and give the matter more consideration.

Mr. President, I have read only a sampling from letters I have received.

The estimated 220,000 population of Alaska today includes 50,000 military personnel. In addition, 20,000 are military dependents. There are 16,000 noncitizen Federal employees and 16,000 dependents of Federal employees, also there are 20,000 transient and seasonal employees. Thus, 72,000 are counted in the population who really are Federal employees or dependents of Federal employees, or dependents of our temporarily assigned military personnel, or transient or seasonal employees, in addition to the 50,000 military personnel. Thus, in the vast land area of Alaska, out of a 220,000 population, there is a permanent citizen population of approximately 90,000, who would have to be depended upon, because they are the permanent residents. The other residents are on assignments at the convenience of the Government to maintain, protect, and develop this great land mass.

URGES PAUSE TO CONSIDER WISDOM

Certainly it would seem to me from these brief statistics it is time to truly stop, look, and listen. It would do little harm if we were to provide, as the amendment which I offer in the nature of a substitute would provide, that the people of Alaska shall be given a chance to vote as to whether they want statehood or Commonwealth status. The people of Alaska have had a chance to vote only on statehood in the past and nothing else. Certainly, considering the grave doubt as to the economic liability of the area, plus the fact that we would be establishing a complete and total new precedent for the admission of offshore States, I think it is high time for the Senate to pause, look, and consider whether this is the wise thing for us to do.

Mr. President, I yield the floor.

ORDER FOR RECESS UNTIL TOMORROW AT 10 A. M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in recess until 10 a. m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of Senators, I have tried to work out an informal agreement limiting the time on the amendments and the bill itself. So far I have been unsuccessful. In an attempt to try to get a little action on the bill, I wish to inform the Senate we shall stay in session tonight until 11 or 12 o'clock.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1366. An act to amend the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska," as amended;

S. 3100. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation; and

S. 3500. An act to require the full and fair disclosure of certain information in connection with the distribution of new automobiles in commerce, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 3910) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, and it was signed by the President pro tempore.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. BUTLER. Mr. President, in its history the Senate has been called upon to pass upon 35 applications for statehood. I doubt if any of the applications were accompanied by such comprehensive legislation as the proposal to admit Alaska as a State. I do know that many of the admitting acts involved a simple declaration that the given geographic area was entitled to admittance as a State within the Federal Union. By contrast, however, we are asked to approve a measure which would not only grant statehood to a vast and uncharted area, but we are expected to approve vast grants, accept novel conditions for admission to statehood, make extensive amendments to existing provisions of law, and establish a court system all within one bill.

Despite its comprehensive nature and its complex provisions, we are asked to approve the bill though it was the subject of but 2 days of hearings before the Senate Committee on Interior and Insular Affairs. Yet, there are many facets of this bill which I am convinced need extended discussion in order that their full import may be adequately grasped. I intend to contribute to such a full discussion, and believe that I am fully justified in doing so, for I am mindful of the permanency of the action which it is proposed we take.

Despite all its complex features, the primary purpose of the bill is to grant statehood. A bill which grants statehood is not some minor piece of legislation, but is a major function of the national legislature. We cannot undertake to perform that function without reminding ourselves that we are asked to make a grant which may not be revoked. We cannot, therefore, consider these bills as we would ordinary legislation in the sense that ordinary legislation may be amended or changed in subsequent years as experience dictates. The importance of this fact is heightened when we recall that we are dealing with a territory which is not contiguous to any territory now owned or occupied by the United States. For the first time in the history of our country it is proposed that we extend the indissoluble boundary lines of our Union beyond the compact area in the center of the North American continent. The precedent which is thus established will, I am sure, not be lost on other areas seeking admission. The finality of legislation proposing statehood and the precedent which this particular application would establish has caused me to make a more detailed examination of measures relating to statehood than I otherwise might have made. As a result of this examination I have found serious defects, both in the bill itself and in the proposed State constitution which it purports to ratify. I find, Mr. President, that there is a provision in the proposed State constitution which directly violates a provision of the United States Constitution. It is not, therefore, as the bill states, "in con-

formity with the Constitution of the United States."

I find that while the bill purports to grant equal footing to the proposed new State, it also contains provisions relating to the withdrawal of jurisdiction over a substantial portion of the territory within its boundaries, and this withdrawal may constitute a denial to the State of equal footing with other States as required by the bill itself and by past Supreme Court decisions.

My research has also developed that there is contained in the bill provisions which have the effect of giving away more revenue and more property than has ever been given to any State in its enabling act. I also find that there is a substantial question whether this Territory, should it achieve statehood, would possess the ability to support itself.

I also find that the bill proposes to establish a judicial system for a period after admission of this State under which State judicial authority would be exercised by a Federal court system. I know of no precedent for such a procedure, and I believe its adoption to be in violation of traditional Federal-State relationships.

These, in summary, are the points which I propose to discuss at this time.

I. CONSTITUTIONAL ASPECTS OF ALASKAN STATEHOOD

First, let us take up the constitutional questions to which the bill gives rise.

I have said that there is a provision in the proposed State constitution for the proposed State of Alaska which directly violates a provision of the United States Constitution.

This is section 8 of article XV which attempts to provide for the election of 1 United States Senator for a short term and the election of 1 United States Senator for a long term.

The exact language of this section 8 of the proposed constitution of the proposed State of Alaska is as follows:

SEC. 8. The officers to be elected at the first general election shall include 2 Senators and 1 Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated. One Senator shall be elected for the long term and 1 Senator for the short term, each term to expire on the 3d day of January in an odd-numbered year to be determined by authority of the United States. The term of the Representative shall expire on the 3d day of January in the odd-numbered year immediately following his assuming office. If the first Representative is elected in an even-numbered year to take office in that year, a Representative shall be elected at the same time to fill the full term commencing on the 3d day of January of the following year, and the same person may be elected for both terms.

The Constitution of the United States provides in the first article that the Senate of the United States shall be composed of Senators chosen for 6 years.

Any attempt to elect a Senator for what is called a short term is clearly in direct violation of the Constitution of the United States. This is no idle matter.

Even if it is considered to be only an attempt by the Alaska Constitutional Convention to designate that one Senator from the proposed new State of Alaska shall belong to one class and the other Senator shall belong to another class of Senators, it is equally beyond the authority of any State to make such a designation.

Mr. President, no one of my colleagues needs to do any more to satisfy himself on this point than to pick up the admirable new volume, entitled "Senate Procedure: Precedents and Practices," by our distinguished Parliamentarian, Charles L. Watkins, and the Assistant Parliamentarian, Floyd M. Riddick, and turn to page 553 of that work, to the section captioned "Senators," and examine the paragraph entitled "Senators, Classification of" and read the following simple, direct, and unequivocal statement:

The legislature of a new State has no authority to designate the particular class to which Senators first elected shall be assigned.

This statement, as Senators may be sure, is amply supported by the precedents.

Indeed, as all of us are aware, there are not 2, but 3 classes of Senators, and and the terms of one-third of this body expire at 2-year intervals.

It cannot be said until the classification of new Senators is accomplished, whether, indeed, a new Senator is to be assigned to class 1, class 2, or class 3.

In any event, any attempt to elect a Senator for a short term is in direct violation of the Constitution of the United States; and any attempt on the part of a proposed new State to determine in advance the classifications to be assigned to its two new Senators is in direct violation of the practice which has been followed without exception in regard to the classification of Senators from new States from the time of the organization of this Republic.

The constitutional provisions are clear.

The Constitution of the United States provides in its very first article that—

All legislative powers herein granted shall be vested in the Congress of the United States which shall consist of a Senate and a House of Representatives.

The Constitution as adopted provides in the third section of article 1, that—

The Senate of the United States shall be composed of two Senators from each State chosen by the legislature thereof for 6 years and each Senator shall have one vote.

The language "chosen by the legislature" was, of course, changed by the adoption of the 17th amendment, to which I shall address myself in a moment. The provision that the Senate of the United States shall be composed of two Senators from each State for a term of 6 years, however, has not been changed and is clear and explicit.

Section 3 of the first article of the Constitution of the United States provides as follows:

Immediately after they shall be assembled in consequence of the first election, they shall be divided equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class, at the expiration of the sixth year so that one-third may be chosen every second year.

This, too, was never changed, and remains a part of the Constitution.

The 17th amendment to the Constitution, which was proposed by Congress on July 12, 1909, and which became a part of the Constituion of the United States on February 25, 1913, provides in full as follows:

The Senate of the United States shall be composed of 2 Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have 1 vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to effect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

The point here, Mr. President, is that the Constitution of the United States provides, clearly and beyond any misconstruction, that a Senator from any State must be elected for a term of 6 years; and as we are well aware, when a vacancy occurs by death or resignation, it does not affect the term as such, and a new Member is appointed or elected to fill only the unexpired portion, or a part of the unexpired portion, of the term to which the Senator who has died or resigned was originally elected. This is no academic or trivial matter and goes to the very heart of the representation of the several States in the Senate.

Let me review a few of the historical precedents of the Senate in itself in this matter. The matter of the classification of United States Senators under the Constitution is an important matter and it is one which the sovereign States themselves have no authority to change or alter. This is a matter which has been of peculiar concern to the Senate itself over the years. I have before me a copy of Senate Document No. 334 of the 62d Congress, 2d session, ordered to be printed February 19, 1912, the title of which is "Proceedings of the Senate—Relating to the Classification of United States Senators—Under the Second Paragraph of the Third Section of the First Article of the Constitution of the United States."

This Senate document carries the legend on its cover that "most of these extracts from the Journals are contained in Senate Miscellaneous Document No. 68, 52d Congress, 2d session."

This valuable compilation of the proceedings of the Senate was assembled for the purpose of illuminating the very point which is before us today. It shows that from the first session of the First Congress, the classification of United States Senators has been a matter of continuing importance to the Senate itself. Let me call attention to some examples of this continuing interest.

The Journals of the Senate show that on Monday, May 11, 1789 (Journal, p. 24), that it was:

Ordered, That a commitee, to consist of Mr. Ellsworth, Mr. Carroll, and Mr. Few, be appointed to consider and report a mode of carrying into execution the second paragraph of the third section of the first article of the Constitution.

Three days later on May 14, 1789—Journals of the Senate, pages 25–26—that—

The committee appointed to consider and report a mode of carrying into effect the provision in the second clause of the third section of the first article of the Constitution reported:

Whereupon,

Resolved, That the Senators be divided into three classes:

The first to consist of Mr. Langdon, Mr. Johnson, Mr. Morris, Mr. Henry, Mr. Izard, and Mr. Gunn;

The second of Mr. Wingate, Mr. Strong, Mr. Paterson, Mr. Bassett, Mr. Lee, Mr. Butler, and Mr. Few;

And the third of Mr. Dalton, Mr. Ellsworth, Mr. Elmer, Mr. Maclay, Mr. Read, Mr. Carroll, and Mr. Grayson.

That three papers of an equal size, numbered 1, 2, and 3, be, by the Secretary, rolled up and put into a box, and drawn by Mr. Langdon, Mr. Wingate, and Mr. Dalton, in behalf of the respective classes in which each of them are placed; and that the classes shall vacate their seats in the Senate according to the order of numbers drawn for them, beginning with No. 1;

And that, when Senators shall take their seats from States that have not yet appointed Senators, they shall be placed by lot in the foregoing classes, but in such manner as shall keep the classes as nearly equal as may be in numbers.

Mr. President, let me emphasize that the first report of the first committee appointed in the first session of the First Congress to consider the matter of the classifications of Senators under the provisions of the Constitution—provisions of the Constitution which have remained unchanged to the present day—reported, and I repeat the direct quotation:

That, when Senators shall take their seats from States that have not yet appointed Senators, they shall be placed by lot in the foregoing classes, but in such manner as shall keep the classes as nearly equal as may be in numbers.

The following day, in that long ago of the first session of the First Congress, when the first great leaders of this deliberative body were shaping the first precedents which were to continue to guide the Senate down through the years, the Journals of this Senate show that on Friday, May 15, 1789—Journal, page 26:

The Senate proceeded to determine the classes agreeably to the resolve of yesterday, on the mode of carrying into effect the provision of the second clause of the third section of the first article of the Constitution, and the numbers being drawn, the classes were determined as follows:

Lot No. 1, drawn by Mr. Dalton, contained Mr. Dalton, Mr. Ellsworth, Mr. Elmer, Mr. Maclay, Mr. Read, Mr. Carroll, and Mr. Grayson, whose seats shall, accordingly, be vacated in the Senate at the expiration of the second year.

Lot No. 2, drawn by Mr. Wingate, contained Mr. Wingate, Mr. Strong, Mr. Paterson, Mr. Bassett, Mr. Lee, Mr. Butler, and Mr. Few, whose seats shall, accordingly, be vacated in the Senate at the expiration of the fourth year.

Lot No. 3, drawn by Mr. Langdon, contained Mr. Langdon, Mr. Johnson, Mr. Morris, Mr. Henry, Mr. Izard, and Mr. Gunn, whose seats shall, accordingly, be vacated in the Senate at the expiration of the sixth year.

There is, therefore, Mr. President, no possibility of doubt on this matter. The first Senators elected to this great body were elected, as the Constitution clearly provided, for a term of 6 years. It was then, after their election for a term of 6 years as required by the Constitution, that a determination was made, and made by lot, as to the time when their seats should be vacated in the Senate.

The matter next came before the Senate in July of 1789. We find in the Journal of the Senate, page 48, that—

On motion, the Senators from the State of New York proceeded to draw lots for their classes, in conformity of the resolve of the 14th of May; and 2 lots, No. 3 and a blank, being by the Secretary rolled up and put into the box, Mr. Schuyler drew blank; and Mr. King having drawn No. 3, his seat shall, accordingly, be vacated in the Senate at the expiration of the sixth year.

The Secretary proceeded to put 2 other lots into the box, marked Nos. 1 and 2, and Mr. Schuyler having drawn lot No. 1, his seat shall, accordingly, be vacated in the Senate at the expiration of the second year.

Early in the second session of that memorable First Congress, in January 1790, the matter once again came before the Senate in the matter of the classification of the two Senators from the State of North Carolina. The day before, on January 28, 1790, President Washington had informed the Congress that North Carolina had ratified the Constitution on November 21, 1789.

The Journals of the Senate show that on Friday, January 29, 1790—Journal, page 109:

On motion, the Senators from the State of North Carolina proceeded to draw lots for their classes, in conformity to the resolve of the Senate of May 14, 1789, and two lots, Nos. 2 and 3, being by the Secretary rolled up and put into the box, Mr. Johnston drew lot No. 2, whose seat in the Senate shall accordingly be vacated at the expiration of the fourth year.

And Mr. Hawkins drew lot No. 3, whose seat in the Senate shall accordingly be vacated at the expiration of the sixth year.

With the classification of the two Senators from the State of North Carolina, the three classes set up by the Constitution were even. Twelve States were represented in the Senate of the United States. There were accordingly 24 Senators, and there were 8 in each of the 3 classes.

Mr. President, I do not need to weary the present Members of this body with a recital of the division into classes of the Senators from each State which sent new Members to this body. I need only to say that the procedure remained unvarying through the years.

The President informed the Congress on the 1st of June 1790, that Rhode Island had ratified the Constitution on May 29, 1790. On June 25, 1790, the Journal of this Senate shows that—

On motion, the Senators from the State of Rhode Island and Providence Plantations proceeded to draw lots for their classes, in conformity to the resolve of the 14th of May, 1789, and three lots, Nos. 1, 2, and 3, being by the Secretary rolled up and put into the box, Mr. Stanton drew lot No. 2, whose seat shall accordingly be vacated in the Senate at the expiration of the fourth year, and Mr. Foster drew lot No. 1, whose seat shall accordingly be vacated in the Senate at the expiration of the second year.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. EASTLAND. The distinguished Senator from Maryland is a very able lawyer. Is there any question in the Senator's mind that that provision of the constitution of the proposed new State of Alaska which attempts to say how a United States Senator shall be elected and the term for which he shall be elected violates the Constitution of the United States?

Mr. BUTLER. I do not think there can be any question about it. Such a provision in a State constitution, or an attempt on the part of a State to determine the classification of either of its Senators, is in direct violation of the Constitution of the United States and in contravention of the rules and precedents of the Senate.

Mr. EASTLAND. That is correct. The office of United States Senator is a Federal office.

Mr. BUTLER. That is perfectly true.

Mr. EASTLAND. How could a State determine the manner in which a Senator should be elected?

Mr. BUTLER. I agree with the Senator from Mississippi. A State has no such right, or a prospective State has no such right. When a Senator comes to this body, he must be classified by this body; and the classification assigned to him by the Senate of the United States is the classification he holds so long as he remains a Member of the Senate.

Mr. EASTLAND. That rule has been applied as long as there has been a United States.

Mr. BUTLER. It applied on the first day of the first session of the First Congress, and there has never been any variation from it. Indeed, there could never be any variation from it. If there could, the Senate itself would be a chaotic group. We would have no way of determining, in an orderly way, the expiration of a term. We would have no way, in compliance with the resolution of the First Congress, of keeping the classifications of Senators as nearly equal as possible under the circumstances.

Mr. EASTLAND. The distinguished Senator from Maryland knows, of course, that the Committee on Interior and Insular Affairs held only 2 days of hearings on the bill, does he not?

Mr. BUTLER. That is correct.

Mr. EASTLAND. There has been absolutely no study of the constitution of the State of Alaska by that committee, has there?

Mr. BUTLER. None at all.

Mr. EASTLAND. Is not that a matter for the Committee on the Judiciary to consider?

Mr. BUTLER. I should think that the Committee on the Judiciary, under the precedents of the Senate and under the rules of the Senate, should pass on the constitutional questions involved in the bill. I do not think there can be any question about that.

Mr. EASTLAND. Can the distinguished Senator from Maryland think of circumstances in which the Committee on Interior and Insular Affairs would have jurisdiction to set up a Federal court system in a State?

Mr. BUTLER. I cannot think of any circumstances under which that could happen. If it could, there would be no reason to have a Committee on the Judiciary, which, under the Reorganization Act, is charged with that very task.

Mr. EASTLAND. But the bill provides for the establishment of a Federal court system.

Mr. BUTLER. That is undoubtedly true. Not only does it provide for the establishment of a Federal court system; it provides also for the establishment of a Federal court system which would dispense justice at the State level within the newly formed State of Alaska.

Mr. EASTLAND. The bill defines the borders of the proposed new State. Heretofore, in resolutions admitting new States to the Union, the boundaries of the States have been described by metes and bounds, which, of course, is the proper way to determine boundaries. Under the Reorganization Act, the Committee on the Judiciary is given exclusive jurisdiction over matters affecting the boundaries of States and territories. Is not that an additional reason why the bill should go to the Committee on the Judiciary for study?

Mr. BUTLER. I think the distinguished Senator from Mississippi is eminently correct. That is a very cogent reason why the bill should be referred to the Committee on the Judiciary, of which my distinguished friend is the chairman. I know of no Member of the Senate who is better able to judge that question than is the senior Senator from Mississippi.

Mr. EASTLAND. I thank the distinguished Senator from Maryland, but I know of one who is much better able. It is the distinguished senior Senator from Maryland, one of the great lawyers of this body.

Mr. BUTLER. I thank the Senator from Mississippi.

The State of Vermont in convention ratified the Constitution on January 10, 1789, and was, by an act of Congress, approved February 18, 1791, received and admitted into the Union as a new and entire member of the United States. Early in the Second Congress, in the first session, on Monday, November 7, 1791, Journal, page 337, the matter of the classification of the Senator from the State of Vermont came before this body; and we read in the Journal:

The Senate assembled and proceeded to class the Senators from the State of Vermont, in conformity to the resolution of the 14th day of May 1789, and as the Constitution requires. Whereupon No. 3 and a blank were by the Secretary put into the box, when Mr. Robinson drew the blank and Mr. Bradley drew No. 3; Mr. Bradley is accordingly of the class whose seats will be vacated in the Senate at the expiration of 4 years from March 1791.

The numbers 1 and 2 were then put into the box, when Mr. Robinson drew No. 1, who is accordingly of the class whose seats will be vacated in the Senate at the expiration of 6 years from March 1791.

Following Vermont, the next State to be admitted to the Union was Kentucky, which was admitted on June 1, 1792. The records of the Senate show that in the second session of the Second Congress, on Friday, November 9, 1792, Journal, page 457, the matter of the classification of the Senators from the new State of Kentucky was considered:

The Senate proceeded to class the Senators from the State of Kentucky, as the Constitution requires; when numbers 2 and 3 being by the Secretary rolled up and put into the ballot box, Mr. Brown drew No. 2, and is accordingly of the class whose seats will be vacated in the Senate at the expiration of 2 years from March 1791.

Mr. Edwards drew No. 3, and is accordingly of the class whose seats in Senate will be vacated at the expiration of 4 years from March 1791.

With the admission of Kentucky and the classification, under the Constitution, of its Senators, the classes were, as of the second session of the Second Congress, again even. Fifteen States had been admitted to the Union. Thirty Senators had taken their place in this deliberative body. There were 10 Senators in each of the 3 classes provided by the Constitution. The Senate retained this composition for the next 4 years, until the admission of Tennessee in 1796, in the Fourth Congress.

Tennessee was admitted to the Union on June 1, 1796. The records of the Second Session of the Fourth Congress of the Senate show that on Saturday, December 10, 1796, Journal, page 302, the matter of the classification of the two Senators from the new State of Tennessee came before the Senate. The record shows:

The Senate proceeded to class the Senators from the State of Tennessee, in conformity to the resolution of the 14th of May, 1789, and as the Constitution requires;

Whereupon,

Nos. 1, 2, and 3, were by the Secretary rolled up and put into the ballot box, when Mr. Blount drew No. 2, and is accordingly of the class whose seats will become vacated on the 3d of March 1799. Mr. Cocke drew number 1, and is accordingly of the class whose seats will become vacated on the 3d of March, 1797.

There was no further change in the composition of the Senate during the few remaining years of the 18th century.

The next new State was admitted to the Union in the early years of the 19th century, when Ohio was admitted on March 1, 1803. Once again the records of this body show that the procedure, which by then was becoming firmly established, was followed. In the First Session of the Eighth Congress, on Thursday, December 15, 1803, so we find in the records of the Senate, Journal, pages 325, 326, the matter of the classification of the two Senators from the new State of Ohio came before this body. We read that—

On motion,

The Senate proceeded to ascertain the classes in which the Senators of the State of Ohio shall be inserted, as the Constitution and rule heretofore adopted prescribe;

And

Ordered, that two lots, No. 2 and a blank, be by the Secretary rolled up and put into the ballot box, and it was understood that the Senator who should draw the lot No. 2 should be inserted in the class of Seantors whose terms of service respectively expire in 4 years from and after the 3d day of March 1803; in order to equalize the classes. Accordingly, Mr. Worthington drew lot No. 2, and Mr. John Smith drew the blank.

It was then agreed that two lots, Nos. 1 and 3, should be by the Secretary rolled up and put into the ballot box, and one of these be drawn by Mr. John Smith, the Senator from the State of Ohio, not classed; and it was understood that if he should draw lot No. 1 he should be inserted in the class of Senators whose terms of service will respectively expire in 2 years from and after the 3d day of March 1803; but if he should draw lot No. 3 it was understood that he should be inserted in the class of Senators whose terms respectively expire in 6 years from and after the 3d day of March 1803. Mr. John Smith drew lot No. 3, and is classed accordingly.

The composition of the Senate remained unchanged, after the admission of the two Senators from Ohio, for nearly a decade.

The matter did not again come before this body until the 12th Congress, in 1812, when the new State of Louisiana was admitted to the Union. Louisiana, part of the territory ceded to the United States by France under the Treaty of Paris of April 30, 1803, was admitted to the Union on April 30, 1812. The matter of the classification of the two Senators from the new State of Louisiana came before this body in November 1812. We read in the records of the Senate that on Tuesday, November 24, 1812, Journal pages 208–209:

Mr. Taylor submitted the following motion for consideration:

"*Resolved*, That the Senate proceed to ascertain the classes in which the Senators of the State of Louisiana should be inserted, as the Constitution and rule heretofore prescribe."

Three days later, on Friday, November 27, 1812, the Senate took up the matter; and the record shows:

The Senate resumed the consideration of the motion submitted the 24th instant, that they proceed to ascertain the classes in which the Senators of the State of Louisiana should be inserted, as the Constitution and rule heretofore prescribe; and, having agreed thereto,

On motion by Mr. Taylor,

Ordered, That the Secretary roll up and put into the ballot box two lots, Nos. 1 and 3; that the Senator for whom lot No. 1 shall be drawn shall be inserted in the class of Senators whose terms of service expire on the 3d day of March next; and the Senator for whom lot No. 3 shall be drawn shall be inserted in the class of Senators whose terms of service expire 4 years after the 3d day of March next.

Whereupon,

The numbers above mentioned were by the Secretary rolled up and put into the

box, and No. 1 was drawn for the Honorable Allan B. Magruder, who is accordingly in the class of Senators whose terms of service will expire on the 3d day of March next; and No. 3 was drawn for the Honorable Thomas Posey, who is accordingly in the class of Senators whose terms of service will expire in 4 years after the 3d day of March next.

With the classification of the two Senators from the new State of Louisiana, the classes of Senators were again even. Eighteen States had been admitted to the Union; 36 Senators had taken their place in this great deliberative body. There were 12 in each of the 3 classes provided under the Constitution.

Mr. President, I do not wish to burden the record or weary the Members of this body with a recapitulation, State by State, of the classification of Senators upon the admission of new States. I wish to make it very clear, however, that, with the admission of new States, after the organization of the Government, precisely the same procedures were followed under the Constitution in regard to the term of office to which the Senators were elected and the classification of Senators, as were followed with the Senators in the first session of the first Congress from the States which were represented in the first Congress.

On the 4th of March, 1789, the day which had been fixed for commencing the operations of Government under the new Constitution, that Constitution had been ratified by the convention chosen in each State to consider them as follows: Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, and New York.

The Senators from all of these States, with the exception of New York, were, as we have seen, divided into classes in this body in May of 1789, and the classification of the two Senators from New York was determined in July of the same year. The same procedure, as we have seen, was followed with the Senators from those States who entered the Union subsequently upon their ratification of the Constitution: North Carolina, Rhode Island, and Vermont.

Even more important to the matter which is before us today, precisely the same procedure has been followed with the classification of Senators from those States which have subsequently been admitted to the Union, as we have seen in the case of Kentucky in 1792, Tennessee in 1796, Ohio in 1803, and Louisiana in 1812.

The central fact is that in each case the Senators from the new States have been elected, as is required by the Constitution, for terms of 6 years, and the Senate has then determined the classification of those Senators.

The composition of the Senate, after the admission of Louisiana to the Union, remained unchanged until the admission of the State of Indiana in 1816. In the records of the Senate we find that in the 2d session of the 14th Congress, the matter of the classification of the 2 Senators from the new State of Indiana came before this body on Thursday, December 12, 1816, Journal, pages 42, 43. We read in the records of the Senate that—

On motion by Mr. Morrow,

Resolved, That the Senate proceed to ascertain the classes in which the Senators of the State of Indiana shall be inserted, in conformity to the resolution of the 14th of May 1789, and as the Constitution requires.

On motion by Mr. Morrow,

Ordered, That the Secretary put into the ballot box three papers, of equal size, numbered 1, 2, and 3; each of the said Senators shall draw out one paper. No. 1, if drawn, shall entitle the Member to be placed in the class of Senators whose terms of service will expire on the 3d of March 1817; No. 2 in the class whose terms will expire on the 3d of March 1819, and No. 3 in the class whose terms will expire on the 3d of March 1821.

Whereupon,

The numbers above mentioned were, by the Secretary, rolled up and put into the box; when Mr. Noble drew No. 3 and is accordingly of the class of Senators whose terms of service will expire on the 3d of March 1821, and Mr. Taylor drew No. 2 and is accordingly of the class whose terms of service will expire on the 3d of March 1819.

The occasion on which the matter of the classification of Senators next came before this body arose with the admission of the new State of Mississippi in 1817.

Mississippi was admitted to the Union on December 10, 1817. Its population at the time of admission was 75,512. Its area in square miles was 47,716. It was formed from territory ceded to the United States by the States of Georgia and South Carolina.

The Journal of the Senate for the 1st session of the 15th Congress for Friday, December 12, 1817, pages 30 and 31, shows that on motion of Mr. Barber it was resolved—

That the Senate proceed to ascertain the classes in which the Senators of the State of Mississippi shall be inserted in conformity with the resolution of the 14th of May 1789, and as the Constitution requires.

And that it was ordered—

That 2 lots, No. 3 and blank, be by the Secretary rolled up and put into the ballot box; and that it is understood that the Senator who shall draw the lot No. 3 should be inserted in the class of Senators whose terms of service, respectively, expire in 6 years, from and after the 3d day of March 1817, in order to equalize the classes; accordingly, Mr. Williams drew lot No. 3 and Mr. Leake drew the blank.

The Journal record continues:

It was then agreed that 2 lots, No. 1 and No. 2, should be, by the Secretary, rolled up and put into the ballot box, and 1 of these be drawn by Mr. Leake, the Senator from the State of Mississippi not classed; and it was understood that if he should draw lot No. 1 he should be inserted in the class of Senators whose terms of service will, respectively, expire in 2 years from and after the 3d day of March 1817; but, if he should draw lot No. 2 it was understood that he should be inserted in the class of Senators whose terms of service, respectively, expire in 4 years from and after the 3d day of March 1817; when Mr. Leake drew No. 2 and is classed accordingly.

Who were these first great Mississippi Senators who drew lots for their classes under the Constitution?

Walter Leake, the first Mississippi Senator of class No. 1, was born in Albemarle County, Va., on May 25, 1762. He served with distinction in the American War for Independence, studied law, and was admitted to the bar and practiced. A staunch Jeffersonian, he was appointed by President Jefferson as one of the United States judges for the Mississippi Territory on March 2, 1807, and moved to Hinds County, Miss., and engaged in the practice of law. When Mississippi was admitted as a State into the Union he was elected as a Democrat to the United States Senate and as the first Mississippi Senator of class No. 1, he served from December 10, 1817, to May 15, 1820, when he resigned from the Senate, and David Holmes was appointed by the Governor of Mississippi to fill his unexpired term. Senator Leake was elected Governor of Mississippi and served from 1821 to 1825 and died in Mount Salus, Hinds County, Miss., on November 17, 1825. Such, in brief, was the distinguished career of the first great Jeffersonian Senator from Mississippi in class No. 1, which class has subsequently been filled by such other great Americans as Jefferson Davis.

Let me pause to say a word about Senator Leake's immediate successor, David Holmes, another great and distinguished Mississippi Senator, who served out the remainder of the first term of the first class No. 1 Mississippi Senator, and went on to election in his own right. Senator David Holmes had the distinction of representing two sovereign States of the Union in the Congress of the United States. He served first as a Representative from the State of Virginia and then went on to become a Senator from Mississippi. David Holmes was born in York County, Pa., on March 10, 1769. He attended the Winchester Academy in Winchester, Va., studied law and was admitted to the bar in 1791, and commenced the practice of law in Winchester, Va. He held several local offices in Virginia, and was elected to the Fifth Congress and to the five succeeding Congresses, serving from March 14, 1797, to March 3, 1809, as a Representative from Virginia, and was not a candidate to succeed himself in Congress in 1808. He was governor of the Territory of Mississippi from 1809 to 1817 and was the first Governor of the State of Mississippi from October 7, 1817, to January 5, 1820. Upon his appointment to the United States Senate to fill the vacancy caused by the resignation of Walter Leake, he served for the remainder of Senator Leake's unexpired term, to March 3, 1821, and was elected and served to September 25, 1825, when he resigned. In his declining years he returned to the scenes of his youth in the Shenandoah Valley of Virginia and he died at Jordans Sulphur Springs near Winchester, Va., on August 20, 1832.

It was Thomas Hill Williams, who by the drawing of numbers, became the first Mississippi Senator of class 2, and began his term of service on October 9, 1817. Senator Williams was born in North Carolina in 1780. He studied law and was admitted to the bar and practiced. In 1805 young Thomas Hill Williams became Register of the Land Office for the

Territory of Mississippi. In the same year he was appointed Secretary of the Territory of Mississippi and in 1806, at the age of 26 he became acting governor of the Territory of Mississippi. He was a delegate to the Mississippi Constitutional Convention and upon the admission of Mississippi as a State into the Union he was elected as a Democrat to the United States Senate. He was reelected in 1823 and served until March 3, 1829.

It may be of interest to some of my colleagues to recall that it is the chance of the initial drawing in the classification of Senators which has determined the subsequent terms of office of all Members of this body and that determination has set the terms of office of each of us here today. In many instances this is a matter which is not of merely academic and historical interest, but through the years has often proved a matter of very real and immediate political significance. By the chance of the classification of the first two Senators from Mississippi, all subsequent Senators from Mississippi must necessarily belong either to class No. 1 or class No. 2. Thus, all subsequent Senators have their terms of office expire within 2 years of each other. In contrast, in my own State of Maryland, by the chance of the first Senators drawing by lot their classifications as class No. 1 and class No. 3 Senators, all subsequent Senators from Maryland must necessarily belong to class No. 1 or class No. 3, and accordingly the terms of all subsequent Senators from the State of Maryland will be elected to terms of office which will expire at intervals of 4 years from each other.

In Louisiana by the chance of the drawing of the classification of the first Senators from Louisiana as class No. 2 or class No. 3 Senators, all subsequent Senators from the State of Louisiana must necessarily belong to class No. 2 and class No. 3 and will serve terms which will expire within 2 years of each other but not the same 2-year intervals as the case of the State of Mississippi, in which the classification is in class No. 1 and class No. 2.

This is a matter which could obviously be of considerable political significance to the State conerned and it is a matter peculiarly within the province of the Senate itself to determine, under the provisions of the Constitution.

It is clearly established that the legislature of a State has no authority whatever to designate the particular class to which Senators first elected shall be assigned. This is a matter which I will discuss in more detail in a moment, but I wish to emphasize at this point the basic principles that the State itself cannot determine the class to which a Senator from that State is to be assigned.

I do not wish to weary my colleagues, or to burden the RECORD, but I feel that it is important to emphasize that the time-honored procedure for the classification of Senators from new States, upon the admission of those States to the Union, has been followed without exception in the case of the admission of every new State which has been admitted to the Union since the organization of our Government.

Following the admission of Mississippi in 1817, the matter of the classification of Senators from a new State next arose with the admission of Illinois on December 3, 1818.

Thirty years after the first session of the First Congress precisely the same procedures were followed in the classification of the Senators from the new State of Illinois when the matter was considered in the Senate in the second session of the 15th Congress on Friday, December 4, 1818, 2 days following the admission of the State.

The population of Illinois at the time of its admission to the Union was 34,620; its area in square miles was 560,400.

In the records of the Senate we read—Journal, page 53—that:

On motion by Mr. Morrow,

"*Resolved*, That the Senate proceed to ascertain the classes in which the Senators of the State of Illinois shall be inserted, in conformity to the resolution of the 14th of May 1789, and as the Constitution requires."

Ordered, That the Secretary put into the ballot box two papers of equal size, numbered 1 and 3. Each of the said Senators shall draw out one paper. The Senator who shall draw No. 1 shall be inserted in the class of Senators whose term of service will expire on the 3d of March 1819, and the Senator who shall draw No. 3 in the class of Senators whose term of service will expire on the 3d of March 1823.

Whereupon,

The numbers above mentioned were, by the Secretary, rolled up and put into the box, when Mr. Edwards drew No. 1, and is accordingly of the class of Senators whose terms of service will expire on the 3d of March 1819, and Mr. Thomas drew No. 3, and is accordingly of the class whose terms of service will expire on the 3d of March 1823.

With the classification of the two Senators from the new State of Illinois in 1818, the three classes of Senators were again even. With Illinois, 21 States had been admitted to the Union; 42 Senators had taken their place in this body; there were 14 Senators in each of the three classes of Senators.

Following the admission of Illinois to the Union in 1818, the matter of the classification of the Senators from a new State arose in the Senate with the admission of Alabama on December 14, 1819. The population of Alabama at the time of its admission was 144,317. The area of Alabama was 51,609 square miles.

Only a week after the admission of Alabama on December 14, 1819, the Senate took up the matter of the classification of the two Senators from the new State of Alabama on Wednesday, December 22, 1819. In the records of this body for that day we read—Journal, page 45—that:

On motion by Mr. Williams, of Mississippi.

"*Resolved*, That the Senate proceed to ascertain the classes in which the Senators of the State of Alabama shall be inserted, in conformity to the resolution of the 14th of May 1789, and as the Constitution requires.

"That the Secretary put into the ballot box three papers of equal size, numbered 1, 2, 3. Each Senator shall draw out one paper. The Senator who shall draw No. 1 shall be inserted in the class of Senators whose term of service will expire on the 3d of March 1821.

"The Senator who shall draw No. 2, shall be inserted in the class of Senators whose term of service expires on the 3d of March 1823, and the Senator who shall draw No. 3 shall be inserted in the class of Senators whose term of service expires on the 3d of March 1825."

Whereupon,

The numbers above mentioned were, by the Secretary, rolled up and put into the box; when Mr. King drew No. 2, and is accordingly of the class of Senators whose terms of service will expire on the 3d of March 1823; and Mr. Walker drew No. 3, and is accordingly of the class of Senators whose terms of service will expire on the 3d of March 1825.

In the short 5 years from December 1816 to the autumn of 1821, 6 great States were admitted to the Union. In this period were admitted Indiana, Mississippi, Illinois, Alabama, Maine, and Missouri.

Following the admission of Alabama in December of 1819, Maine was the next State to be admitted to the Union. It was formed from a portion of the territory of the State of Massachusetts. Maine was admitted on March 15, 1820. Although its area was only 33,215 square miles, its population at the time of admission was 298,335.

It is hardly necessary, I am sure, for me to say that precisely the same procedure was followed in the classification of the two Senators from the new State of Maine as we have seen in the case of every other State. In the records of the Senate we find that in the 2d session of the 16th Congress, the matter of classification of the two Senators from the new State of Maine came before this body on Monday, November 13, 1820—Journal, page 6. We read in the records of the Senate that:

On motion by Mr. Burrill,

"*Resolved*, That the Senate proceed to ascertain the classes in which the Senators of the State of Maine shall be inserted, in conformity to the resolution of the 14th of May 1789, and as the Constitution requires.

That the Secretary put into the ballot box two papers of equal size, one of which shall be numbered 1 and the other shall be blank, and each Senator shall draw out one paper; that the Senator who shall draw the paper numbered 1 shall be inserted in the class of Senators whose term of service will expire on the 3d of March 1821.

"That the Secretary shall then put into the ballot box 2 papers of equal size, 1 of which shall be numbered 2 and other numbered 3; the other Senator shall then draw 1 of said papers, and if he shall draw No. 2, shall be inserted in the class whose term of service will expire on the 3d of March 1823; or if he shall draw No. 3 he shall be inserted in the class whose term of service will expire on the 3d of March 1825."

Whereupon,

The papers above mentioned were by the Secretary put into the box, when Mr. Holmes drew No. 1, and is accordingly of the class of Senators whose terms of service will expire on the 3d of March 1821; and Mr. Chandler drew No. 2, and is accordingly of the class of Senators whose term of service will expire on the 3d of March 1823.

Following the admission of the new State of Maine in 1820, the matter of the classification of the Senators from a new State next came before this body with the admission of Missouri in 1821. Formed from a portion of the territory ceded to the United States by France under the name of Louisiana by the Treaty of Paris in 1803, Missouri was

admitted to the Union on August 10, 1821. Its population at the time of admission was 66,586 and its area was 69,674 square miles. In connection with the question of the classification of the two Senators from the new State of Missouri, there was followed once again the long-established procedure. We find in the records of the Senate that the matter came before the Senate on Thursday, December 6, 1821, in the 1st session of the 17th Congress. We read in the records of this body—Journal, pages 21–22—that:

On motion by Mr. Parrott,

"*Resolved,* That the Senate proceed to ascertain the classes in which the Senators from the State of Missouri shall be inserted, in conformity to the resolution of the 14th of May 1789, and as the Constitution requires.

"That the Secretary put into the ballot box 2 papers of equal size, 1 of which shall be numbered 2 and the other shall be numbered 3, and each Senator shall draw out 1 paper; that the Senator who shall draw the paper numbered 2 shall be inserted in the class of Senators whose term of service will expire on the 3d day of March 1825; and that the Senator who shall draw the paper numbered 3 shall be inserted in the class of Senators whose term of service will expire on the 3d day of March 1827."

Whereupon,

The numbers above mentioned were, by the Secretary, rolled up and put into the box, when Mr. Barton drew No. 2, and is accordingly of the class of Senators whose terms of service will expire on the 3d of March 1825; and Mr. Benton drew No. 3, and is accordingly of the class of Senators whose terms of service will expire on the 3d of March 1827.

With the classification of the two Senators from the new State of Missouri in 1821, the three classes of Senators were again even. Twenty-four States had been admitted to the Union. Forty-eight Senators had taken their places in this body. There were 16 Senators in each of the 3 classes of Senators.

After the admission of Missouri in 1821, the last of the 6 States to be admitted in the 5-year period from December, 1816, through August 1821, the number of Senators in this body remained unchanged for more than a decade and a half until the admission of Arkansas in 1836. Formed from a portion of the territory ceded to the United States under the name of Louisiana by the Treaty of Paris in 1803, Arkansas was admitted to the Union on June 15, 1836. Its population at the time of admission was 52,240; its area was 53,104 square miles.

The matter of the classification of the two Senators from the new State of Arkansas came before this body in the 2d session of the 24th Congress on Monday, December 5, 1836. We read in the records of the Senate—Journal, pages 4, 5—that:

Mr. BENTON submitted the following motion, which was considered and agreed to:

"*Resolved,* That the Senate proceed to ascertain the classes in which the Senators of the State of Arkansas shall be inserted, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires."

On motion by Mr. Benton,

Ordered, That the Secretary put into the ballot box three papers of equal size, numbered 1, 2, 3. Each of the Senators of the State of Arkansas shall draw out one paper. No. 1, if drawn, shall entitle the Member to be placed in the class of Senators whose terms of service will expire the 3d day of March 1837; No. 2, in the class whose terms will expire the 3d day of March 1839, and No. 3, in the class whose terms will expire the 3d day of March 1841.

Whereupon,

The papers above mentioned were put by the Secretary into the box, and the Hon. Ambrose H. Sevier drew No. 1, and is accordingly of the class of Senators whose terms of service will expire the 3d day of March 1837; and the Hon. William S. Fulton drew No. 3, and is accordingly of the class of Senators whose terms of service will expire the 3d day of March 1841.

Following the admission of Arkansas in 1836, the matter of the classification of Senators from a new State next came before this body with the admission of Michigan in 1837.

Formed from Territory ceded to the United States by the State of Virginia, Michigan was admitted to the Union on January 26, 1837. While we do not have precise figures on the total population of Michigan at the time of its admission into the Union, its population has been estimated as roughly 200,000 at that time. Its area was 58,216 square miles.

On the day following the admission of Michigan to the Union on January 26, 1937, the Senate took up the matter of the classification of the two Senators from the new State of Michigan on January 27, 1837. In the 2d session of the 24th Congress we read in the records of this body—Journal, pages 166–167—that:

On motion by Mr. Grundy,

"*Resolved,* That the Senate proceed to ascertain the classes in which the Senators from the State of Michigan shall be inserted, in conformity with the resolution of the 14th of May, 1789, and as the Constitution requires.

On motion by Mr. Grundy,

Ordered, That the Secretary put into the ballot box two papers of equal size, one of which shall be numbered two and the other shall be a blank. Each of the Senators of the State of Michigan shall draw out one paper; and the Senator who shall draw the paper numbered two shall be inserted in the class of Senators whose terms of service will expire the 3d day of March 1839.

That the Secretary then put into the ballot box two papers of equal size, one of which shall be numbered one and the other shall be numbered three. The other Senator shall draw out one paper. If the paper drawn be numbered one, the Senator shall be inserted in the class of Senators whose terms of service will expire the 3d day of March 1837; and if the paper drawn be numbered three the Senator shall be inserted in the class of Senators whose terms of service will expire the 3d day of March 1841.

Whereupon,

The papers first above mentioned being put by the Secretary into the ballot box, the Honorable Lucius Lyon drew the paper numbered two, and is accordingly in the class of Senators whose terms will expire the 3d day of March 1839; and the Honorable John Norvell drew the blank. The papers numbered 1 and 3 were then put by the Secretary into the box; and the Honorable John Norvell drew the paper numbered three, and is accordingly in the class of Senators whose terms of service will expire the 3d day of March 1841.

Following the admission of Michigan to the Union in 1837, the composition of the Senate remained unchanged until 1845 when Florida was admitted to the Union. Formed from territory ceded to the United States by Spain by the Treaty of Washington of February 22, 1819, Florida was admitted to the Union on March 3, 1845. Its population at the time of admission was 54,477 and its area was 58,560 square miles. The matter of the classification of the two Senators from the new State of Florida came before this body in the 1st session of the 29th Congress on Monday, December 1, 1845. We read in the records of this body—Journal, page 6—that:

Mr. Sevier submitted the following resolution for consideration:

"*Resolved,* That the Senate proceed to ascertain the classes in which the Senators from the State of Florida shall be inserted, in conformity to the resolution of the 14th of May 1789, and as the Constitution requires, that the Secretary put into the ballot box two papers of equal size, one of which shall be numbered two, and the other shall be numbered three, and each Senator shall draw out one paper; that the Senator who shall draw the paper numbered two, shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1851."

The following day we read in the record of this body—Journal, page 7—that:

The Senate proceeded to consider the resolution submitted yesterday by Mr. Sevier, to classify the Senators from the State of Florida; and the resolution was agreed to.

Whereupon,

The papers with the respective numbers specified in the resolution were, by the Secretary, put into the ballot box; when Mr. Levy drew No. 3, and is accordingly of the class of Senators whose terms of service will expire the 3d day of March 1851, and Mr. Westcott drew No. 2, and is of the class of Senators whose terms of service will expire the 3d day of March 1849.

With the admission of Florida to the Union the classes of Senators were again even. Twenty-seven States had been admitted to the Union. Fifty-four Senators had taken their places in this body. There were 18 Senators in each class. After the admission of Florida to the Union in 1845 the matter of the classification of the two Senators from a new State next came before the Senate later in the same year with the admission of Texas on December 29, 1845.

As is well known, the State of Texas was originally a part of the Republic of Mexico, but by a successful revolt the people established for themselves an independent Republic and were subsequently annexed to the United States. We do not have precise figures on the population of Texas at the time of its admission, but it has been estimated as roughly 250,000 at that time. Its area was 267,339 square miles. The matter of the classification of the two Senators from the new State of Texas came before the Senate in the 1st session of the 29th Congress on Monday, March 30, 1846. We read in the records of this body—Journal, page 216—that:

Mr. Speight submitted the following resolution, which was considered by unanimous consent and agreed to.

Resolved, That the Senate proceed to ascertain the classes in which the Senators from the State of Texas shall be inserted in conformity with the resolution of the 14th of May 1789, and as the Constitution requires:

On motion by Mr. Speight,

Ordered, That the Secretary put into the ballot box 3 papers of equal size, Nos. 1, 2, 3; that each Senator from the State of Texas draw out 1 paper, that No. 1, if drawn, shall entitle the Senator to be placed in the class whose term of service will expire the 3d day of March 1847; No. 2, in the class whose term will expire the 3d day of March 1849, and No. 3, in the class whose term will expire the 3d day of March 1851.

Whereupon,

The papers above mentioned were put by the Secretary into the box, and Mr. Houston drew No. 1, and is accordingly in the class of Senators whose terms of service will expire the 3d day of March 1847; and Mr. Rusk drew No. 3, and is accordingly in the class of Senators whose terms of service will expire the 3d day of March 1851.

Let me digress to say that Sam Houston who drew the paper numbered 1 on that far-off Monday in March 1846, is perhaps one of the most distinguished and colorful Americans ever to serve in the Senate. He was born near Lexington, Va., in 1793 and moved about 1806 with his widowed mother to Blount County, Tenn., where he was adopted into the Cherokee Tribe of Indians. He attended an academy at Maryville, Tenn., for a short time and was employed as a clerk in a store at Kingston; he then enlisted as a private in the 39th Regiment, United States Infantry, and was promoted to sergeant in 1813. He served under General Jackson in the Creek war as a sergeant in the Seventh Infantry and as a lieutenant in 1814. When he was 21 he studied law in Nashville, was admitted to the Tennessee bar in 1818, and commenced the practice of law in Lebanon, Tenn. He became district attorney in 1819, adjutant general of the State in 1820, and major general in 1821, when he was elected as a Democrat to the 18th and 19th Congresses from Tennessee. He was elected governor of Tenessee and served from 1827 until 1829, when he resigned and moved to the territory of the Cherokee nation, now a part of Oklahoma, and then to Texas in 1833. Senator Houston was a member of the Convention of 1833 at San Felipe de Austin, the purpose of which was to establish separate statehood for Texas. He was a member of the Constitutional Convention of 1835 and commander in chief of the Texas army, and he led the Texans against Santa Anna in the various battles of San Jacinto and completely routed him on April 21, 1836.

He was the first president of the Republic of Texas in 1836–1838 and was a member of the Texas congress in 1838–1840. He was again president of the Republic in 1841–1844. Upon the admission of Texas as a State into the Union he was elected as a Democrat to the United States Senate and was reelected to the United States Senate in 1847 and in 1853 and served from March 21, 1846 to March 3, 1859. He was governor of Texas from 1859 to 1861 and died on July 26, 1863.

Following the admission of Texas in 1845, the matter of the classification of the 2 Senators from a new State next came before the Senate with the seating of the 2 Senators from the new State of Wisconsin. Formed from a portion of the territory of the State of Michigan as the "Territory of Wisconsin" in 1836, Wisconsin was admitted to the Union as a State on May 29, 1848. Its population at the time of its admission was 210,596. Its area was 56,154 square miles. The matter of the classification of the 2 Senators from the new State of Wisconsin came before this body in the first session of the new Congress on June 26, 1848. We read in the records of the Senate Journal, page 418, that:

Mr. Benton submitted the following resolution; which was considered by unanimous consent and agreed to:

"Resolved, That the Senate proceed to ascertain the classes in which the Senators from the State of Wisconsin shall be inserted in conformity with the resolution of the 14th of May 1789, and as the Constitution provides."

On motion by Mr. Benton,

Ordered, That the Secretary put into the ballot box 2 papers of equal size, 1 of which is to be numbered 1 and the other to be blank; that each Senator from the State of Wisconsin draw out 1 paper; that No. 1 shall entitle the Senator to be placed in the class whose term of service will expire the 3d day of March 1849; that the Secretary then put into the ballot box 2 other papers of equal size, numbered 2 and 3; that the Senator who shall have drawn the blank shall then draw 1 of these papers; that No. 2, if drawn, shall entitle the Senator to be placed in the class whose term of service will expire the 3d of March 1851, and No. 3 in the class whose term will expire the 3d day of March 1853.

Whereupon,

The papers above mentioned, numbered 1 and a blank, were put by the Secretary in the box, and Mr. Walker drew the paper numbered 1, and is accordingly in the class of Senators whose term of service will expire the 3d day of March 1849.

The Secretary then put the papers numbered 2 and 3 into the box, and Mr. Dodge drew the paper numbered 2, and is accordingly in the class of Senators whose term of service will expire the 3d day of March 1851.

After the classification of the 2 Senators from Wisconsin in June 1848 the matter of the classification of Senators next came before this body with the classification of the 2 Senators from the State of Iowa, which State had been admitted to the Union before the admission of Wisconsin. Formed from a portion of the Territory of Wisconsin as the "Territory of Iowa" in 1838, Iowa was admitted to the Union on December 26, 1846. The population of Iowa at the time it was admitted as a State was 81,920. Its area was 56,290 square miles. Although Iowa was admitted to the Union in December 1846, the matter of the classification of the 2 Senators from the new State of Iowa did not come before this body until the 2d session of the 30th Congress in December 1848. We read in the records of this body for Tuesday, December 26, 1848—Journal, pages 81–82—that:

Mr. Allen submitted the following resolution, which was considered by unanimous consent and agreed to:

"Resolved, That the Senate proceed to ascertain the classes in which the Senators from the State of Iowa shall be inserted, in conformity with the resolution of the 14th of May 1789, and as the Constitution provides."

Mr. Allen submitted the following resolution, which was considered by unanimous consent and agreed to:

"Resolved, That the Secretary put into the ballot box 2 papers of equal size, 1 of which shall be numbered 1, and the other shall be numbered 3, and each Senator shall draw out 1 paper; that the Senator who shall draw the paper numbered 1 shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1849, and the Senator who shall draw the paper numbered 3 shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1853."

Whereupon,

The papers above mentioned, No. 1 and No. 3 were put by the Secretary in the box, and Mr. Dodge drew the paper numbered 1, and is accordingly in the class of Senators whose term of service will expire the 3d of March 1849; and Mr. Jones drew the paper numbered 3 and is accordingly in the class of Senators whose term of service will expire the 3d day of March 1853.

With the classification of the two Senators from the new State of Iowa, the classes of Senators were again even. With the admission of Wisconsin and Iowa, a total of 30 States had been admitted to the Union. A total of 60 Senators had taken their places in this body. There were 20 Senators assigned to each of the 3 classes under the Constitution.

After the classification of the two Senators from the new States of Iowa and Wisconsin, the matter of the classification of Senators next came before this body in 1850, with the classification of the two Senators from the new State of California. Formed from territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo of February 2, 1848, California was admitted to the Union on September 9, 1850. Its population at the time of admission was 107,000. Its area was 158,693 square miles. The matter of the classsification of the two Senators from the new State of California came before this body in the 1st session of the 31st Congress. We read in the records of this body for Tuesday, September 10, 1850—Journal, page 617—that:

Mr. Barnwell submitted the following resolution, which was considered by unanimous consent and agreed to:

"Resolved, That the Senate proceed to ascertain the classes in which the Senators of the State of California shall be inserted, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires."

On motion by Mr. Barnwell,

Ordered, That the Secretary put into the ballot box 3 papers of equal size, numbered 1, 2, 3. Each of the Senators of the State of California shall draw out 1 paper. No. 1, if drawn, shall entitle the Member to be placed in the class of Senators whose terms of service will expire the 3d day of March 1851; No. 2, in the class whose terms will expire the 3d day of March, 1853; and No. 3, in the class whose terms will expire the 3d day of March 1855.

Whereupon 3 papers, marked No. 1, No. 2, and No. 3, were by the Secretary put into the ballot box; and paper No. 1 was drawn by the Honorable John C. Frecmont, who is accordingly in the class of Senators whose terms will expire the 4th day of March 1851; and paper No. 3 was drawn by the Honorable William M. Gwin, who is accordingly in the class of Senators whose terms will expire the 4th day of March 1855.

After the classification of the two Senators from the new State of California in 1850, the matter of the classification of Senators next came before this body

with the classification of the two Senators from the new State of Minnesota.

Mr. President, the matter of the classification of the two Senators from the new State of Minnesota is of particular interest in regard to the matter which now is before us. The classification of the two Senators from the new State of Minnesota is one of the two cases in which a procedure other than the time-honored one was proposed to be followed. I shall discuss this matter in more detail later on; but at this point it is enough to say that after the Senate considered the proposal to classify the two Senators from the new State of Minnesota by a procedure other than that which had been followed, without exception, from the time of the admission of the first State after the organization of the Government, the Senate roundly rejected the proposal; and the procedure which had been followed without exception was once again followed in the case of Minnesota.

After the classification of the two Senators from the new State of Minnesota, the matter of the classification of Senators next came before this body with the admission of the new State of Oregon in 1859. Formed from territory ceded to the United States by the Treaty of France of April 30, 1803, the Treaty with Spain of February 22, 1819, and the Treaty with Great Britain of June 15, 1846, Oregon was admitted to the Union on February 14, 1859. The population of the State of Oregon at the time of its admission to the Union was 52,465. The area of Oregon was 96,981 square miles.

The matter of the classification of the two Senators from the new State of Oregon came before this body in the 2d session of the 35th Congress, on the very day that Oregon was admitted to the Union, February 14, 1859. The records of this body show that on that day—Journal, page 315:

Mr. Givin submitted the following resolutions: which were considered, by unanimous consent, and agreed to:

"*Resolved*, That the Senate proceed to ascertain the classes in which the Senators from the State of Oregon shall be inserted, in conformity with the resolution of the 14th of May 1789, as the Constitution requires.

"*Resolved*, That the Secretary put into the ballot box two papers of equal size, one of which shall be numbered 1 and the other shall be numbered 2, and each Senator shall draw out one paper; that the Seantor who shall draw the paper numbered 1 shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1859, and the Senator who shall draw the paper numbered 2 shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1861."

Whereupon,

The papers above mentioned, being put by the Secretary into the ballot box, the Hon. Joseph Lane drew the paper numbered 2, and is accordingly in the class of Senators whose terms of service will expire the 3d day of March 1861. The Hon. Delazon Smith drew the paper numbered 1, and is accordingly in the class of Senators whose term of service will expire the 3d day of March 1859.

With the admission of the new State of Oregon, the classes of Senators were again even. Thirty-three States had been admitted to the Union. Sixty-six Senators had taken their places in this body, and there were 22 Senators in each of the three classes. After the admission of Oregon to the Union in 1859 the matter of the classification of new Senators next came before this body with the admission of Kansas in 1861. Formed from territory ceded to the United States by France by the Treaty of Paris in 1803, and by the State of Texas in 1850, settlement of her boundaries in 1850, Kansas was admitted to the Union on January 29, 1861. The population of Kansas at the time of its admission was 107,206; its area was 82,276 square miles. The matter of the classification of the two Senators from the new State of Kansas came before this body in the first session of the 37th Congress on July 4, 1861. We read in the records of this body that on that day—Journal, page 6:

Mr. Grimes submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Senate proceed to ascertain the classes in which the Senators of the State of Kansas shall be inserted, in conformity with the resolution of the 14th of May 1789, as the Constitution requires.

Mr. Grimes submitted the following motion, which was considered, by unanimous consent, and agreed to:

Ordered, That the Secretary put into the ballot box three papers of equal size, numbered 1, 2, and 3; each of the Senators of the State of Kansas shall draw out one paper, No. 1, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire on the 3d day of March 1863; No. 2 shall entitle the Senator to be placed in the class whose terms will expire on the 3d day of March 1865; and No. 3 shall entitle the Senator to be placed in the class whose terms will expire on the third day of March 1867.

Whereupon three papers, marked No. 1, No. 2, and No. 3, were, by the Secretary, put into the ballot box. The paper No. 2 was drawn by the Honorable James H. Lane, who is accordingly in the class of Senators whose terms will expire on the 3d day of March 1865.

The paper marked No. 3 was drawn by the Honorable Samuel C. Pomeroy, who is accordingly in the class of Senators whose terms will expire on the 3d day of March 1867.

After the admission of Kansas in 1861 the matter of the classification of the Senators from a new State next came before the Senate with the admission of West Virginia to the Union in 1866. Formed from a portion of the territory of the State of Virginia, West Virginia was admitted on June 19, 1863. Its population at the time of admission was 376,683. Its area was 24,181 square miles. The matter of the classification of the two Senators from the new State of West Virginia came before this body in the first session of the 38th Congress on Monday, December 7, 1863, and we read in the records of the Senate—Journal, page 6—that:

Mr. Foot submitted the following resolution, which was considered by unanimous consent, and agreed to:

"*Resolved*, That the Senate proceed to ascertain the classes in which the Senators from the State of West Virginia shall be inserted, in conformity with the resolution of the 14th on May 1789, and as the Constitution requires.

"*Ordered*, That the Secretary put into the ballot box two papers of equal size, one of which shall be numbered 1 and the other shall be a blank. Each of the Senators of the State of West Virginia shall draw out one paper, and the Senator who shall draw the paper numbered 1 shall be inserted in the class of Senators whose terms of service will expire the 3d of March 1869. That the Secretary then put into the ballot box two papers of equal size, one of which shall be numbered 2 and the other shall be numbered 3. The other Senator shall draw out one paper. If the paper drawn be numbered 2, the Senator shall be inserted in the class of Senators whose terms of service will expire the 3d day of March 1965; and if the paper drawn be numbered 3, the Senator shall be inserted in the class of Senators whose terms of service will expire the 3d day of March 1867.

"The Secretary having put into the ballot box two papers, one of which was numbered 1 and the other a blank, the Hon. Peter G. Van Winkle drew the paper numbered 1, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1869. .

"The papers numbered 2 and 3 were then put by the Secretary into the box, and the Hon. Waitman T. Willey drew the paper numbered 2, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1865."

After the admission of West Virginia to the Union in 1863 the matter of the classification of the Senators from a new State next came before this body with the admission of Nevada to the Union in 1864. Formed from a portion of the territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo, February 2, 1848, Nevada was admitted to the Union October 31, 1864. While we have no precise information on the figures of the population of Nevada at that time, it has been estimated that its population was about 40,000 persons. Its area was 110,540 square miles. The question of the matter of the classification of the two Senators from the new State of Nevada came before this body in the second session of the 38th Congress on Wednesday, February 1, 1865. We read in the records of the Senate—Journal, page 121—that:

Mr. Foot submitted the following resolution, which was considered, by unanimous consent, and agreed to:

"*Resolved*, That the Senate proceed to ascertain the classes in which the Senator from the State of Nevada shall be inserted, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires."

Ordered, That the Secretary put into the ballot box two papers of equal size, one of which shall be numbered one, and the other shall be numbered three. Each of the Senators from the State of Nevada shall draw out one paper, and the Senator who shall draw out the paper numbered one shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1869, and the Senator who shall draw out the paper numbered three shall be inserted in the class of Senators whose term of service will expire the 3d of March 1867.

The Secretary having put into the ballot box two papers, one of which was numbered one and the other numbered three, Mr. Stewart drew the paper numbered one and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1869; Mr. Nye drew the paper numbered three and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1867.

With the admission of Nevada to the Union in 1864 the classes of Senators were again even. Thirty-six States had

been admitted to the Union. Seventy-two Senators had taken their places in this body. There were 24 Senators in each of the 3 classes.

After the admission of Nevada the matter of the classification of the Senators from a new State next came before this body with the admission of Nebraska to the Union in 1867. Formed from a portion of the territory ceded to the United States by France by the Treaty of Paris, April 30, 1803, Nebraska was admitted to the Union on March 1, 1867. While we do not have precise figures on the population of Nebraska at the time of its admission, it has been estimated that its population was about 60,000. The area of Nebraska was 77,227 square miles. The matter of the classification of the two Senators from the new State of Nebraska came before this body in the 1st session of the 40th Congress, just 3 days after the admission of Nebraska to the Union. We read in the records of this body for Monday, March 4, 1867—Journal, pages 5, 6—that on that day:

Mr. Trumbull submitted the following resolution, which was considered by unanimous consent and agreed to:

"*Resolved,* That the Senate proceed to ascertain the classes to which the Senators from the State of Nebraska shall be assigned, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires; and

"That the Secretary put into the ballot box three papers of equal size, numbered one, two, three. Each of the Senators from the State of Nebraska shall draw out one paper. The paper numbered one, if drawn shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 3d day of March 1869. The paper numbered two, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 3d day of March 1871, and the paper numbered three, if drawn, shall entitle the Senator to be placed in the class of Senators whose trems of service will expire the 3d day of March 1873."

The Secretary having put into the ballot box three papers, numbered 1, 2, and 3, respectively, Mr. Thayer drew the paper numbered 2, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1871; Mr. Tipton drew the paper numbered 1, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1869.

After the admission of Nebraska in 1867 no new State was admitted to the Union for nearly a decade.

The matter of the classification of two Senators from a new State next came before the Senate with the admission of Colorado in 1876. Formed from portions of the territory ceded to the United States by France by the Treaty of Paris of April 30, 1803, and of that ceded by Mexico by the Treaty of Guadalupe Hidalgo of February 2, 1848, Colorado was admitted to the Union on August 1, 1876. The matter of the classification of the Senators from Colorado came before this body in the 2d session of the 44th Congress on Monday, December 4, 1876. We read in the records of the Senate for that day—Journal, page 6—that:

Mr. Hitchcock submitted the following resolution; which was considered by unanimous consent, and agreed to:

"*Resolved,* That the Senate now proceed to ascertain the classes to which the Senators from the State of Colorado shall be assigned, in conformity with the resolution of the 14th of May 1789, as the Constitution requires."

Ordered, That the Secretary put into the ballot box two papers of equal size, one of which shall be numbered two, and the other shall be a blank. Each of the Senators from the State of Colorado shall draw out one paper; and the Senator who shall draw the paper numbered two shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1879. That the Secretary then put into the ballot box two papers of equal size, one of which shall be numbered one and the other shall be numbered three. The other Senator shall draw out one paper. If the paper drawn be numbered one, the Senator shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1877; and if the paper drawn be numbered three, the Senator shall be inserted in the class of Senators whose term of service will expire the 3d day of March 1881.

The Secretary having put into the ballot box two papers, one of which was numbered two, and the other a blank, Mr. Jerome B. Chaffee drew the paper numbered two, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1879.

Two papers, numbered one and three, were then put by the Secretary into the box, and Mr. Henry M. Teller drew the paper numbered one, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1877.

After the admission of Colorado, in 1876, no new State was admitted to the Union until the end of the following decade. In 1889, four States, all formed from a portion of the territory ceded to the United States by France by the Treaty of April 30, 1803, were admitted to the Union. They are North Dakota, South Dakota, Montana, and Washington.

The classification of the two Senators from North Dakota is of particular interest to us in our present discussion, inasmuch as North Dakota is the second case of a proposal to classify the two Senators from a new State in a manner other than that which had been followed without exception. In a moment, I shall discuss in more detail this proposal in regard to the two Senators from North Dakota. At this point it is enough to say that after the Senate considered the proposal, it rejected it; and the two Senators from the new State of North Dakota were classified in the manner which had been followed without exception until that time, and, indeed, Mr. President, has been followed without exception in every case of the classification of the new Senators from a new State.

Both South Dakota and North Dakota were admitted to the Union on November 2, 1889. We do not have precise figures on the population of North Dakota and South Dakota, but it has been estimated that the combined population of the two States at the time of their admission to the Union was about 460,000. The area of North Dakota was 70,665 square miles, and the area of South Dakota was 77,047 square miles.

Montana was admitted to the Union on November 8, 1889. Its population at the time of its admission has been estimated at 112,000. Its area was 147,138 square miles.

Washington was admitted to the Union on November 11, 1889. Its population at the time of its admission has been estimated as 273,000, and its area was 68,192 square miles. The northern boundary of the territory which became the State of Washington was settled by a treaty with Great Britain known as the Oregon Treaty of June 15, 1846.

After the discussion on the Senate floor of the manner by which the two Senators from the new State of North Dakota would be classified, which discussion I shall take up in more detail in a moment, the Senate proceeded to the classification of the Senators from North Dakota, South Dakota, and Washington. In the records for the 1st session of the 51st Congress, we read in the records of the Senate for Monday, December 2, 1889—Journal, page 4—and in the records for Wednesday, December 4, 1889—Journal, page 12—that:

Mr. Hoar submitted the following resolution; which was referred to the Committee on Privileges and Elections, and ordered to be printed:

"*Resolved,* That the Senate proceed to ascertain the classes to which the Senators from North Dakota, South Dakota, and Washington shall be assigned, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires.

"*Ordered,* That the Secretary put into the ballot box three papers of equal size, one of which shall be numbered 1, one of which shall be numbered 2, and one of which shall be numbered 3. The Senator from each of said States whose name comes first in alphabetical order shall thereupon, in the presence of the Senate, draw one of said papers from the box in behalf of his State. The Senators from the States drawing the paper numbered 1 shall thereupon first be assigned to their respective classes. The Senators from the States drawing paper numbered 2 shall next be assigned to their respective classes. The Senators from the State drawing paper numbered 3 shall next be assigned to their respective classes.

"The Secretary shall, as soon as said drawing is completed, put into the ballot box two papers of equal size, one of which shall be numbered 1 and one of which shall be numbered 3. Each of the Senators from the State whose Senators are first to be assigned to their respective classes shall thereupon draw out one paper, and the Senator who shall draw out the paper numbered 1 shall thereupon be inserted in the class of Senators whose term of service will expire March 3, 1893, and the Senator who shall draw out the paper numbered 3 shall thereupon be inserted in the class of Senators whose term of service will expire March 3, 1891.

"The Secretary shall then place in the ballot box three papers of equal size, one of which shall be numbered 1, one of which shall be numbered 2, and one of which shall be numbered 3. Each of the Senators from the States whose Senators are next to be assigned to their respective classes shall thereupon draw out one paper. If either Senator shall draw out paper numbered 1 he shall be assigned to the class whose term will expire March 3, 1893. If either Senator shall draw out paper numbered 2 he shall be assigned to the class whose term will expire March 3, 1895. If either Senator shall draw out paper numbered 3 he shall be assigned to the class whose term will expire March 3, 1891. The

Secretary shall then place in the ballot box two papers of equal size, one of which shall be blank, and the other shall bear the number of the class to which no Senator was assigned at the drawing of the State whose Senators were last assigned, number 1 representing the class whose term will expire March 3, 1893, number 2 representing the class whose term will expire March 3, 1895, and number 3 representing the class whose term will expire March 3, 1891. Each of the Senators from the State whose Senators are next to be assigned to their respective classes shall thereupon draw out one paper. The Senator who shall draw out the paper bearing a number shall be assigned to the class of Senators represented by the number he has drawn. The Secretary shall then place in the ballot box two papers of equal size, bearing, respectively, the numbers of the other two classes. The Senator who has drawn the blank shall thereupon draw out one of said papers, and he shall be assigned to the class representing the number he has drawn."

Mr. Cullom presented resolutions of the senate and house of representatives of the State of North Dakota, requesting that in the classification of the Senators from that State, Gilbert A. Pierce be assigned the long term; which were read.

(No further action was taken on the above resolutions.)

Mr. Hoar, from the Committee on Privileges and Elections, to whom was referred the resolution submitted by him on the 2d instant providing for the classification of the Senators from the States of North Dakota, South Dakota, and Washington, reported it without amendment.

The Senate proceeded, by unanimous consent, to consider the resolution, and the resolution was agreed to, as follows:

"Resolved, That the Senate proceed to ascertain the classes to which the Senators from North Dakota, South Dakota, and Washington shall be assigned, in conformity with the resolution of May 14, 1789, and as the Constitution requires."

Ordered, That the Secretary put into the ballot box 3 papers of equal size, 1 of which shall be numbered 1, 1 of which shall be numbered 2, and 1 of which shall be numbered 3. The Senator from each of said States whose name comes first in alphabetical order shall thereupon, in the presence of the Senate, draw one of said papers from the box in behalf of his State. The Senators from the State drawing the paper numbered 1 shall thereupon be assigned to their respective classes. The Senators from the State drawing paper number 2 shall next be assigned to their respective classes. The Senators from the State drawing paper number 3 shall next be assigned to their respective classes.

The Secretary shall, as soon as said drawing is completed, put into the ballot box 2 papers of equal size, 1 of which shall be numbered 1 and 1 of which shall be numbered 3. Each of the Senators from the State whose Senators are first to be assigned to their respective classes shall thereupon draw out 1 paper; and the Senator who shall draw out the paper numbered 1 shall thereupon be inserted in the class of Senators whose term of service will expire March 3, 1893; and the Senator who shall draw out the paper numbered 3 shall thereupon be inserted in the class of Senators whose term of service will expire March 3, 1891.

The Secretary shall then place in the ballot box 3 papers of equal size, 1 of which shall be numbered 1, 1 of which shall be numbered 2, and 1 of which shall be numbered 3. Each of the Senators from the State whose Senators are next to be assigned to their respective classes shall therefrom draw out one paper. If either Senator shall draw out paper numbered 1, he shall be assigned to the class whose term will expire March 3, 1893. If either Senator shall draw out paper numbered 2, he shall be assigned to the class whose term will expire March 3, 1895. If either Senator shall draw out paper numbered 3, he shall be assigned to the class whose term will expire March 3, 1891.

The Secretary shall then place in the ballot box two papers of equal size, one of which shall be blank and the other shall bear the number of the class to which no Senator was assigned at the drawing of the State whose Senators were last assigned, No. 1 representing the class whose term will expire March 3, 1893; No. 2 representing the class whose term will expire March 3, 1893; No. 3 representing the class whose term will expire March 3, 1891. Each of the Senators from the State whose Senators are next to be assigned to their respective classes shall thereupon draw out one paper. The Senator who shall draw out the paper bearing a number shall be assigned to the class of Senators represented by the number he has drawn.

The Secretary shall then place in the ballot box 2 papers of equal size, bearing respectively the numbers of the other 2 classes. The Senator who has drawn the blank shall thereupon draw out one of said papers, and shall be assigned to the class representing the number he has drawn.

Whereupon, in pursuance of the order, the Secretary having put into the ballot box three papers of equal size, numbered 1, 2, and 3, respectively, Mr. Allen, from the State of Washington, drew the paper numbered 1; Mr. Moody, from the State of South Dakota, drew the paper numbered 2, and Mr. Casey, from the State of North Dakota, drew the paper numbered 3.

The Secretary having then put into the ballot box two papers, one of which was numbered 1, and the other numbered 3, Mr. Allen, from the State of Washington, drew the paper numbered 1, and is accordingly in the class of Senators whose terms of service will expire March 3, 1893. Mr. Squire, from the same State, drew the paper numbered 3, and is accordingly in the class of Senators whose terms of service will expire March 3, 1891.

The Secretary having then put into the ballot box three papers of equal size, numbered 1, 2, and 3, respectively, Mr. Moody, from the State of South Dakota, drew the paper numbered 3, and is accordingly in the class of Senators whose terms of service will expire March 3, 1891. Mr. Pettigrew, from the same State, drew the paper numbered 2, and is accordingly in the class of Senators whose terms of service will expire March 3, 1895.

The Secretary having then put into the ballot box 2 papers of equal size, 1 numbered 1 and the other blank, Mr. Casey, from the State of North Dakota, drew the paper numbered 1, and is accordingly in the class of Senators whose terms of service will expire March 3, 1893.

The Secretary having then put into the ballot box 2 papers of equal size, 1 of which was numbered 2 and the other numbered 3, Mr. Pierce, from the State of North Dakota, drew the paper numbered 3, and is accordingly in the class of Senators whose terms of service will expire March 3, 1891.

In the spring of the following year on April 16, 1890, the Senate proceeded to the classification of the two Senators from the new State of Montana. In the records of the Senate for Wednesday, April 16, 1890—Journal, page 236—we read:

Mr. Hoar submitted the following resolution for consideration:

Resolved, That the Senate proceed to ascertain the classes to which the Senators from the State of Montana shall be assigned, in conformity with the resolution of May 14, 1789, and as the Constitution requires.

Ordered, That the Secretary put into the ballot boxes 2 papers of equal size, 1 of which shall be numbered 1 and the other shall be numbered 2. Each of the Senators from the State of Montana shall draw out one paper; and the Senator who shall draw out the paper numbered 1 shall be assigned to the class of Senators whose terms of service will expire the 3d day of March 1893; and the Senator who shall draw out the paper numbered 2 shall be assigned to the class of Senators whose terms of service will expire the 3d day of March 1895.

On the following day, Thursday, April 17, 1890—Journal, page 237—we read:

The Vice President laid before the Senate the resolution yesterday submitted by Mr. Hoar, providing for the classification of the Senators from the State of Montana; and

The resolution was agreed to.

Whereupon,

The Secretary having put into the ballot box 2 papers of equal size, 1 of which was numbered 1 and the other numbered 2, Mr. Sanders drew out the paper numbered 1, and is accordingly in the class of Senators whose terms of service will expire the 3d day of March 1893. Mr. Power drew out the paper numbered 2, and is accordingly in the class of Senators whose terms of service will expire the 3d day of March 1895.

With the classification of the Senators from the four States of North Dakota, South Dakota, Montana, and Washington, the classes of Senators were again even. Forty-two States had been admitted to the Union. Eighty-four Senators had taken their places in the Senate. There were 28 Senators in each of the 3 classes.

After the admission of the 4 States of North Dakota, South Dakota, Montana, and Washington in 1889 and the discussion on the Senate floor in regard to the procedure to be followed in the classification of the 2 Senators from the new State of North Dakota, there was not again any proposal on the Senate floor to deviate from the time-honored procedure of the Senate for the classification of the Senators from a new State under the provisions of the Constitution.

While I do not wish to prolong this discussion unnecessarily or to burden the RECORD, I do wish to emphasize that the Senate's procedure for the classification of new Senators has been followed in the case of the admisison of each new State.

The matter next came before the Senate with the admission of Idaho and Wyoming in 1890.

Both Idaho and Wyoming were formed from portions of the territory ceded to the United States by France under the Treaty of April 30, 1803. Idaho was admitted to the Union on July 3, 1890. Its population at the time of its admission was 84,385. Its area was 83,557 square miles.

Wyoming was admitted to the Union on July 10, 1890. Its population at the time of its admission was 60,750. Its area was 97,914 square miles.

The matter of the classification of the two Senators from the new State of Wyoming came before this body in the

2d session of the 51st Congress on December 1, 1890. We read in the records of the Senate for that day—Journal, page 4—that:

Mr. Hoar submitted the following resolutions, which were considered by unanimous consent and agreed to:

Resolved, That the Senate proceed to ascertain the classes to which the Senators from the State of Wyoming shall be assigned, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires.

Resolved, That the Secretary put into the ballot box 3 papers of equal size, numbered respectively 1, 2, 3. Each of the Senators from the State of Wyoming shall draw out one paper. The paper numbered 1, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 3d day of March 1893. The paper numbered 2, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 3d day of March 1895. And the paper numbered 3, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire on the 3d day of March 1891.

Whereupon,

The Secretary having put into the ballot box 3 papers, numbered 1, 2, and 3, respectively, Mr. Carey drew the paper numbered 2, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1895; Mr. Warren drew the paper numbered 1, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1893.

The matter of the classification of new Senators from a new State came before the Senate in the 2d session of the 51st Congress on Wednesday, January 7, 1891—Journal, page 59. We read in the records of the Senate for that day that:

Mr. Hoar submitted the following resolution which was considered by unanimous consent and agreed to:

Resolved, That the Senate now proceed to ascertain the classes to which the Senators from the State of Idaho shall be assigned, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires.

Ordered, That the Secretary put into the ballot box 2 papers of equal size, 1 of which shall be numbered 3 and the other shall be a blank. Each of the Senators from the State of Idaho shall draw out 1 paper, and the Senator who shall draw the paper numbered 3 shall be assigned to the class of Senators whose term of service will expire the 3d day of March 1891. That the Secretary then put into the ballot box 2 papers of equal size, 1 of which shall be numbered 1 and the other shall be numbered 2. The other Senator shall draw out one paper. If the paper drawn be numbered 1, the Senator shall be assigned to the class of Senators whose term of service will expire the 3d day of March 1893, and if the paper drawn be numbered 2, the Senator shall be assigned to the class of Senators whose term of service will expire the 3d day of March 1895.

The Secretary having put into the ballot box two papers, one of which was numbered 3 and the other a blank, Mr. William J. McConnell drew the paper numbered 3, and is accordingly in the class of Senators whose term of service will expire the 3d day of March 1891.

Two papers numbered 1 and 2 were then put by the Secretary into the box. Mr. George L. Shoup drew the paper numbered 2, and is accordingly in the class of Senators whose term of service will expire on the 3d day of March 1895.

The matter of the classification of the Senators from a new State next came before the Senate with the admission of Utah in 1896. Formed from a portion of the territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo of February 2, 1848, Utah was admitted to the Union on January 4, 1896.

The population of Utah at the time has been estimated at 241,000. Its area was 84,916 square miles. The Senate took up the matter of the classification of the 2 Senators from the new State of Utah in the 1st session of the 54th Congress on Monday, January 27, 1896. We read in the records of the Senate from that day—Journal, page 97—that:

Mr. Mitchell, of Oregon, submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Senate proceed to ascertain the classes to which the Senators from the State of Utah shall be assigned, in conformity with the resolution of May 14, 1789, and as the Constitution requires.

On motion by Mr. Mitchell, of Oregon.

Ordered, That the Secretary put into the ballot box two papers of equal size, one of which shall be numbered 1 and the other shall be numbered 3. Each of the Senators from the State of Utah shall draw out one paper, and the Senator who shall draw out the paper numbered 1 shall be assigned to the class of Senators whose term of service will expire the 3d day of March 1899, and the Senator who shall draw out the paper numbered 3 shall be assigned to the class of Senators whose terms of service will expire the 3d day of March 1897.

The Secretary, in pursuance of the order, having put in the ballot box two papers of equal size, one of which was numbered 1 and the other numbered 3, Mr. Cannon drew out the paper numbered 1, and is accordingly in the class of Senators whose terms of service will expire March 3, 1899. Mr. Brown drew out the paper numbered 3, and is accordingly in the class of Senators whose terms will expire March 3, 1897.

With the admission of Utah in 1896 the classes of Senators were again even. Forty-five States had been admitted to the Union. Ninety Senators had taken their places in this body. There were 30 Senators in each of the 3 classes.

The matter of the classification of the 2 Senators from a new State next came before this body with the admission of Oklahoma in 1907. Formed by the Union of Oklahoma Territory and Indian Territory, Oklahoma was admitted to the Union on November 16, 1907. Its population at the time of its admission to the Union has been estimated at 414,177. Its area was 69,919 square miles. The Senate took up the matter of the classification of the Senators from the new State of Oklahoma in the 1st session of the 60th Congress. In the records of the Senate for Monday, December 16, 1907—Journal, page 68—we read:

Mr. Burrows submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Senate proceed to ascertain the classes to which the Senators from the State of Oklahoma shall be assigned in conformity with the resolution of the 14th of May 1789, and as the Constitution requires.

Resolved, That the Secretary put into the ballot box 3 papers of equal size, numbered, respectively, 1, 2, 3. Each of the Senators from the State of Oklahoma shall draw out one paper. The paper numbered 1, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 3d day of March 1911. The paper numbered 2, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 3d day of March 1913. And the paper numbered 3, if drawn, shall entitle the Senator to be placed in the class of Senators whose terms of service will expire the 3d day of March 1909.

Whereupon,

The Secretary having put into the ballot box 3 papers, numbered 1, 2, and 3, respectively, Mr. Owen drew the paper numbered 2, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1913. Mr. Gore drew the paper numbered 3, and is accordingly in the class of Senators whose terms of service will expire on the 3d day of March 1909.

After the admission of Oklahoma to the Senate in 1907 the matter of the classification of new Senators last came before this body with the admission of New Mexico and Arizona in 1912.

New Mexico, formed from a portion of the territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo of February 2, 1848, was admitted to the Union on January 6, 1912. The population of New Mexico when it was admitted as a State has been estimated as 338,470. Its area was 121,666 square miles.

Arizona, formed from territory ceded to the United States by Mexico by the Treaty of Guadalupe Hidalgo of February 2, 1848, was admitted to the Union on February 14, 1912. The population of Arizona when it was admitted to the Union has been estimated at 216,639. Its area was 113,909 square miles.

I do not need to recite the procedure used by the Senate in the classification of the Senators from the new States of Arizona and New Mexico, as that procedure is one well within the memory of persons now still vigorous and active.

My distinguished predecessor as chairman of the Committee on the Judiciary, Senator Henry Fountain Ashhurst, now a resident of the city of Washington, served as Senator from Arizona from March 27, 1912, to January 2, 1941.

My distinguished colleague, the senior Senator from Arizona [Mr. HAYDEN], who has served as a Member of this body since March 4, 1927, was elected as a Member of the House of Representatives upon the admission of Arizona as a State and was reelected in each succeeding Congress until he became a Member of this body on March 4, 1927.

Let me return for a moment to the question of the classification of the new Senators from those States where a procedure was proposed other than that which had been followed without exception.

I have said that no State has authority to designate the particular class to which Senators first sent from that State shall be assigned in the Senate of the United States.

This, I emphasize again, is a matter which is peculiarly within the province of the Senate of the United States itself and has been so recognized as peculiarly within the province of this Senate since

that their passenger business was gone practically forever, to the enjoyment of the airlines and buslines. It was for that reason that I wrote minority views dissenting from the conclusions of the majority of the committee, subscribing to the repeal of the 3-percent tax on freight and opposing the repeal of the 10-percent tax on passenger transportation. I did so primarily because I felt that one tax was driving business away and the other tax was not.

As the Senator from Oklahoma [Mr. KERR] said on the night when the argument against the repeal of these taxes was made, during the debate on the bill, we are in practically the identical position we were in during 1940, when the tax was levied and perhaps we were in an even worse position, because we are now in a cold war and we must make expenditures which are almost identical with those we made during the war. The difference, however, is—and it is a grave one—that now we have a $280 billion debt, we have a certain $3½ billion deficit in 1958, and perhaps we will have a $10 billion deficit for 1959.

Mr. President, we cannot keep on spending and spending and not taxing. I agree with what the Senator from Pennsylvania [Mr. MARTIN] said, that the only way we can quit taxing is by reducing our expenditures. Unless we do that, we will have to tell the American people that, so long as we are operating on a deficit basis, we will have to take from them a part of the money they otherwise could put aside. In the past 17 years the dollar has declined at the rate of 3 percent a year. If that decline continues for another 5 years, the dollar will be worth as much as the paper on which it is printed. Then there will be chaos. Then there will be grief. Then the dollar will buy nothing. While I should like to reduce taxes, I shall not vote in favor of a reduction if it means the ruination of the small estates which countless millions of Americans have built up to carry them through their old age. I am not going to rob them.

FIVE DAYS UNTIL JULY 1

Mr. KEFAUVER. Mr. President, on June 24 President Eisenhower wrote to me, again rejecting my proposal that he act through voluntary measures to prevent an expected increase in the price of steel. The President reiterated his belief that "I could best discharge my responsibility in this matter by continuing on the course I had set rather than by adopting the public conference approach." One day later, which was yesterday, the Alan Wood Steel Co., a smaller steel producer, announced that it was raising the price of steel on an average of $6 a ton effective July 7.

There is an interesting coincidence here with what happened last year. On June 27, 1957, President Eisenhower made a statement which at the time was generally interpreted as a plea to the steel industry not to raise its prices. He said:

> Frankly, I believe that boards of directors of business, business organizations, should take under the most serious consideration any thought of a price rise and should approve it only when they can see that it is absolutely necessary in order to continue to get the kind of money they need for the expansion demanded in this country.

One day later, the United States Steel Corp. announced that it was raising its prices by an average of $6 a ton effective July 1.

I am not quite sure that I understand the nature of the course to which President Eisenhower refers and to which he indicates his continued adherence. I can only say that whatever it is, it did not prevent the steel price increase in 1957 and there are now added grounds for believing that it will not prevent a price increase in 1958.

It is, of course not as yet known whether the major steel producers, particularly United States Steel, will also raise their prices. In its article on the Alan Wood action, the Wall Street Journal of June 26, quotes an official of one steel company as stating that "this is purely a trial balloon."

If the large companies do match the increase by Alan Wood, they will probably do so in the name of meeting competition. The reasons why the giant United States Steel Corp. with its 40 million tons of ingot capacity would find it necessary to raise its prices to the same level as little Alan Wood, with its capacity of only 800,000 tons, may be obscure to the rest of us but not to the steel companies, who have their own peculiar concept of competition. In testifying before the Subcommittee on Antitrust and Monopoly last year, Mr. Roger Blough, chairman of the board of United States Steel, stated that only when prices of different producers are identical is there competition.

Mr. President, how different is the action, or rather lack of action, by President Eisenhower from the positive and aggressive action taken by President Roosevelt and President Truman when they were confronted with the same general problem. The invasion of Poland by the Germans in August 1939 touched off growing inflationary pressures in this country which, had President Roosevelt not taken firm steps, would have resulted in skyrocketing prices.

But long before Congress enacted a price-control statute in February 1942, President Roosevelt had used the vast powers of the President's Office, which, coupled with the force of public opinion, was successful in stabilizing the prices of most basic industrial commodities, including steel. As a matter of fact, the price of steel increased during the 28-month period by only a little more than 2 percent.

As a result of the use of these voluntary measures, which included informal conferences, public requests, publication of the facts on the need for a price increase, and even the establishment of price ceilings on a voluntary basis, the increase in the price of steel during the 28-month period between August 1939 and February 1942, was limited to only 2 percent as compared to an increase of 103 percent during the comparable period of World War I. Again, in 1947 when consumer goods were in short supply and gray markets had developed in many commodities, President Truman through public appeals and direct conferences with labor and management was able to limit the size of the price increases.

These steps which were taken in the past by both President Roosevelt and President Truman can be taken again today by President Eisenhower. But there remain only 5 more days before July 1 if he is to act.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD communications which have been sent to me by President Eisenhower; by Mr. Roger Blough, chairman of the board of the United States Steel Corp.; and by Mr. David J. McDonald, president of the United Steelworkers of America.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, June 24, 1958.

The Honorable ESTES KEFAUVER,
United States Senate,
Washington, D. C.

DEAR SENATOR KEFAUVER: I want to acknowledge your telegram of June 20 renewing your suggestion that I convene a meeting of the leaders of management and labor in the steel industry for the purpose of developing a wage-price program. I appreciate having this restatement of your views as to the best approach to this important problem.

After reading your telegram I carefully reviewed your letter of May 22 concerning this matter as well as my reply of June 3. In that reply I set forth my deep concern about the wage-price problem as it relates to healthy economic growth, a conviction which I have privately and publicly expressed on many occasions in recent years. I also expressed to you my belief that I could best discharge my responsibility in this matter by contining on the course I had set rather than by adopting the public conference approach. After reviewing my thoughts on the basis of your telegram, I remain of that conviction.

A sensible wage-price policy is vital to our future economic health. It is important that management and labor, in steel and in other industries, understand their own long-run interests in such a policy. It is necessary that each of the rest of us, in the way he believes best, help along in achieving this goal.

With kind regard,
Sincerely,

DWIGHT D. EISENHOWER.

NEW YORK, N. Y.,
June 24, 1958.

Hon. ESTES KEFAUVER,
United States Senate,
Washington, D. C.:

Answering your wire we believe Mr. Hood's statement of June 19 amply explains our position. It sets forth major cost problem occasioned by wage increases, also economic and competitive factors affecting adjustments of sales prices and our immediate conclusion to date not to attempt to change our prices until situation is clarified, the timing of which we cannot forecast.

ROGER BLOUGH,
United States Steel Corp.

PITTSBURGH, PA.
June 25, 1958.

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.:

In accordance with your request of this date concerning the wage increases due un-

der our steel wage agreements on July 1, the details of the increase are as follows: An average 9-cent wage increase plus a further 3-cent cost arising from certain improved fringe benefits (Sunday and holiday work premiums and shift differentials). The steel agreements also provide for the recovery of the loss in purchasing power suffered over the past 6 months because of the rise in consumer's prices. These prices have risen by enough to require a 4-cent wage adjustment.

Even after these increases become effective, employed steelworkers, because of short work weeks, will earn less in real weekly pay than they did a year ago. These 1958 wage adjustments have been fully earned by our members through increased productivity. The average annual growth in output per man-hour in the past decade has been large enough to offset completely the rise in hourly wage rates.

The investigations of your committee itself showed that the cost of last year's steel wage increase was more than offset by the decrease in scrap costs alone. Yet, the industry ignored this cost saving and the productivity increase and raised prices by more than twice as much as the alleged increase in labor costs.

Both because of increased productivity and lower material costs no increases in steel prices should have been made last year, and none are required now. I share with you your concern over rising steel prices and their impact on the economy. As you know, several months ago I urged the creation by the President of a top-level committee from industry and labor to consider the problems, including inflationary pricing, besetting our economy. I am still of the opinion that this approach has great merit.

DAVID J. McDONALD,
President, United Steelworkers of America.

WISCONSIN'S BENEFITS FROM THE SMALL BUSINESS ADMINISTRATION

Mr. WILEY. Mr. President, I strongly support yesterday's remarks by my distinguished colleague from Minnesota [Mr. THYE] in urging prompt enactment of a bill which will make the Small Business Administration a permanent agency of the Federal Government. As my colleagues know, this is a topic on which I have spoken many times in the past.

Regrettably, from the way debate is progressing on the Alaska statehood bill, it now appears that there will not be time to give proper attention to SBA before the lending authority of this agency expires next Monday. I had hoped that the Senate schedule would have permitted at least a limited discussion of this important measure prior to the end of the fiscal year. It now appears that this is out of the question.

In the past 5 years we have all seen dramatic evidence of the effectiveness of this agency. As is well known, the SBA has many important functions. Among these are:

First. Making long-term, low-interest loans to deserving small businesses which have exhausted other available credit sources;

Second. Making certain that small business gets its rightful share of Federal contracts under the joint determination set-aside program.

Third. Issuing certificates of competency to small-business establishments which have bid on Federal contracts.

Fourth. Granting emergency disaster loans to residential and commercial property owners who have suffered damages because of storms, earthquakes, or other catastrophes.

Among the most important functions of this agency is the business loan program. As of the end of May 1958 the SBA has granted to small-business men 10,575 loans, totaling $494,831,403. This, I believe, is a commendable record of assistance to small business over a 5-year period.

In my own State of Wisconsin the SBA has granted a total of 274 business loans over the same period of time. The total amount of money loaned in Wisconsin under the business loan program is $13,437,109. More than 700 small businesses in Wisconsin have received Federal contracts under the joint determination program during the past 5 years. These contracts amounted to $36,979,768.

Another function of SBA, which was regrettably put to the test in Wisconsin only this month, is the disaster loan program. Within 24 hours of the ravaging tornado which hit northwestern Wisconsin, the SBA was on the scene arranging assistance for owners of property damaged by the storm. This type of prompt, efficient service from the Federal Government is of immeasurable help to people who have been hit by disaster.

Regrettably, Mr. President, almost every year at about this time, the Small Business Administration is compelled to come before the Congress and fight for its life. During the same period of time, many of the vital programs of SBA run out of fuel, so to speak. The business and disaster lending program slows down because of lack of appropriations for another year, thus creating a backlog of applications which sometimes takes months to clear up.

The joint determination set-aside program is in a state of suspended animation during this period because of lack of assurance of continuity of the Agency. Other aspects of SBA activity also suffer because of this insecurity.

As Senators well realize, it is difficult for the personnel of any organization to devote undivided attention to their work when they feel that their jobs may be in jeopardy at the end of the fiscal year.

I believe that SBA has more than justified its existence by the service it has performed. The vital need for this type of Federal program will be of a continuing nature for many years from all present indications.

I understand that the Banking and Currency Committee of the Senate has reported a bill calling for a 3-year extension of this Agency. Mr. President, I do not feel that this is adequate. It merely continues SBA as a "lame duck" program. Small business certainly deserves more adequate assistance and protection than this extension will afford.

Last year the House of Representatives wisely passed legislation which would end this dilemma, by making a permanent agency of SBA. I strongly recommend that the Senate pass similar legislation without delay.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. MONRONEY. Mr. President, I send to the desk amendments in the nature of a substitute for the bill to provide for the admission of Alaska into the Union. I ask that the amendment remain at the desk until the close of business today, so that other Senators who may wish to do so may join as cosponsors of the amendment.

The PRESIDING OFFICER (Mr. CLARK in the chair). Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, the admission of any Territory into the Union as a State is a happy occasion. There have been many such happy occasions, indeed, as the size and strength of the United States of America has expanded. But on this occasion, when we are discussing the admission of Alaska as a State, the Senate and House should stop, look, and listen, to determine whether we merely are admitting another State into the Union, or whether we are violating one of the fundamental principles which have led to the greatness of the United States.

We are being asked, for the first time in our history, to admit a Territory which is not contiguous to the other States of the Union. If the bill passes we shall be going across some 2,000 miles of the sovereign territory of Canada to establish the new State of Alaska. It seems to me that such action involves the question whether a great principle of our Government, namely, that of contiguity, which has made us truly united, shall be breached, and whether we shall in effect shortly become the Associated States of America. Make no mistake: When we set the pattern breaching a policy which is as old as the Republic, there will be no possible way to refuse to admit into the Union, whenever they get ready, certain populations and certain areas over which we hold control. They will ask us to assume control over them so that they may join in the family of the United States of America.

HAWAII TO COME NEXT?

Certainly if we adopt such a pattern for Alaska, we must adopt it for Hawaii at a later date. But why not at this session?

If we do it for Hawaii and Alaska, then why not for Puerto Rico? Are we to include in our Nation other areas around the globe, such as groups of islands or territories which can claim some relationship to us, once we have breached the rule of contiguity which has always applied to the admission of States?

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished junior Senator from Florida who is one of the cosponsors of the amendments in the nature of a substitute.

Mr. SMATHERS. I take this opportunity to associate myself with the able Senator from Oklahoma in the offering of the amendment to the Senate.

I concur thoroughly in the arguments which have been advanced so ably by him. I shall not repeat them at this time, but I hope at a later date to have the opportunity further to expound the subject.

I think the amendment offered by the Senator from Oklahoma is the only sound solution to the never-ending problem of where we shall finally fix the boundaries of the United States of America, or if we are ever to fix a boundary to the United States of America.

The proposal of Commonwealth status for Alaska is a sensible, practical solution. The Senator from Oklahoma offered it, together with the Senator from Arkansas [Mr. FULBRIGHT], 2 years ago. Since that time I have seen no argument developed against such a proposal which seemed to me to be sufficiently persuasive to drop it. I am delighted to learn that the junior Senator from Oklahoma has again presented his amendments in the nature of a substitute for the Alaska statehood bill.

Mr. MONRONEY. I thank the Senator from Florida for his statement and for his support of the amendment.

STATEHOOD IS IRREVOCABLE

A violation of the rule of contiguity would establish a precedent for giving offshore areas full status as States of the Union. Once granted, statehood is irrevocable. The Civil War settled that question. Once a member of the United States, always a member of the United States. There is no way by which a State, once granted statehood, can abandon it. Once a State accepts the responsibilities and economic requirements of a State, including those of matching Federal contributions for roads and for many other activities, especially in times of great economic stress, there is no way it can surrender the privilege of statehood and revert to any other status.

I am deeply concerned about the very thin economy of Alaska, which I shall discuss later. Unless a more solid economic foundation is built under it, Alaska will not be able to carry on successfully its duties and obligations and to assume the full responsibilities of a State.

I challenge any of the sponsors of statehood for Alaska to show me how a State can surrender whatever status it has as a State, if it demonstrates complete and total economic inability to meet the challenge of providing State government.

CAN ALASKA AFFORD STATEHOOD?

That would be true if the area were small, if it involved only a few thousand square miles of territory. But in this case we are dealing with an area far larger than that of the State of Texas. Basic facilities, such as highways and other means of communication must be established if the proposed new State is to develop into a viable economic unit.

For instance, if Alaska receives statehood, her participation under the Federal highway program will be one a 50–50 matching basis, for the construction of whatever highways may be required to tie this vast area together. Similarly, the construction of hospital facilities under the provisions of the Hill-Burton Act will be handled on a 50–50 matching basis. The same arrangement would apply to a long list of other Federal-aid programs providing participation by the States on a matching basis.

So we begin to wonder just what Alaska would be able to do as a State, inasmuch as her revenue for the past year, from all her tax collections, totaled in the neighborhood of $33 million. By comparison, the Federal Government has put into Alaska a far greater amount of funds. In fact, 65 percent of all the Territory's income comes from the Federal Government. Expenditures for defense and Government spending total $356 million. In 1956, the private, nongovernmental income in Alaska totaled only $144 million, and the total tax yield was $33 million.

Mr. President, I am sure that the people of Alaska who desire statehood would not begin to say that out of the $33 million which they have been able to raise to meet their Territorial expenditures—which corresponds to what would be the normal State expenditures, at the present level—Alaska could hope to obtain sufficient revenue to be able to participate on a 50–50 matching basis, in all the Federal programs which require matching State funds.

ALASKA WOULD MISS SPECIAL STATUS

So I think that on the morning after they received statehood, the people of Alaska would be very much surprised to find that no longer would they enjoy their present special status in connection with Federal appropriation bills, and airport legislation, and dozens of other legislative items which are handled on this floor, by means of which the Federal Government provides special treatment for the Territorial areas. If Alaska becomes one of the States of the Union, no longer will she receive that treatment. Under the formulas used in connection with some programs for the allocation of Federal Government funds on a matching basis, Alaska would receive funds from the Federal Government only in the proportion to her small population.

So I believe those who so long and so ardently have urged statehood for Alaska would be greatly disillusioned when they found that the new State of Alaska would be incapable of doing anything except going into bankruptcy, as regards the requirements of statehood in connection with the various Federal programs to which I have referred.

FAVORS SELF-GOVERNMENT

Mr. President, I believe all of us abhor the lack of democracy, as we believe in it, in the Territories. We favor giving the Territories the fullest and most complete degree of self-government that can be maintained in them.

Certainly by means of the amendment I am proposing—I refer to my amendment which provides for Commonwealth status—the people of Alaska would have full and complete self-determination of their own affairs, throughout the Commonwealth of Alaska. There would be no more appointive judges or appointive governors; the people of Alaska would have their own legislature and their own Commonwealth constitution, which would provide in all respects the same responsibilities and prerogatives of self-government that any of the 48 States now enjoy; and the people of Alaska would write their own constitution, and would live under it. All they would be denied would be 2 seats in the Senate and 1 seat in the House of Representatives.

But, Mr. President, as we know, today Alaska has a delegate in the House of Representatives. Therefore, if Alaska were admitted as a State, the people of Alaska would gain one four hundred and thirty-fifth of the total vote in the House of Representatives. On the other hand, in the case of the Senate, the people of Alaska, if Alaska were to become a State, would gain—with their population of 220,000, although 50,000 of that number are military men who are in Alaska on brief assignments—exactly and identically the same numerical representation as the State of New York, the State of California, the State of Texas, or any of the other States.

OVERREPRESENTATION PROVIDED

Certainly I do not believe in taxation without representation; but, Mr. President, I say that if we gave 220,000 people the privilege of having two seats in the United States Senate, we would be giving them over-representation.

Furthermore, Mr. President, on the basis of the thin economy which the people of Alaska now have, certainly the tax funds they would provide would scarcely make up for the impact of those two extra votes in the Senate. In the case of closely contested measures, Alaska would have the same Senate representation as States which have populations of 15 million, 20 million, or more people. If Alaska were contiguous to the 48 States, if Alaska were a part of the united land mass, then certainly that argument might be pushed aside.

We should bear in mind that in this case the territory of another country lies between the present 48 States and the proposed State of Alaska—just as we also have in mind that later it will be proposed, no doubt, that the wide, blue waters of the Pacific should be passed over, in order to admit other Territories as States of the United States.

STOP, LOOK, LISTEN

So, Mr. President, I say it is time for us to stop, look, and listen, to make sure whether the new policy we are asked to adopt should be the policy of the United States, or whether it is possible to provide for Alaska a status under which her people will have complete and total self-government and control of their own areas and will receive fair and proper treatment from the Federal Government, as commonwealth-status members associated with these United States.

Mr. President, I do not believe in taxation without representation. For that reason, the amendment I propose would give Alaska a certain moratorium from taxation, so long as Alaska enjoys commonwealth status. It would provide freedom from Federal income taxes, in the case of all income earned in Alaska, so long as the money remained in Alaska and was used there. In such event, the

money would be subject only to the taxes of the Commonwealth of Alaska.

That arrangement parallels very closely the very successful arrangement used in granting commonwealth status to Puerto Rico. The economy of Puerto Rico—which was badly run down; in fact, Puerto Rico was nearly bankrupt—has made the most remarkable comeback under commonwealth status.

COMMONWEALTH STATUS SPURS INDUSTRIAL GROWTH

Today the people of Puerto Rico are assured of the complete and total right of self-government within the borders of Puerto Rico. Puerto Rico is allied to the United States in respect to defense and foreign policy, but enjoys complete and total freedom from the Federal Government income tax system, in the case of moneys earned in Puerto Rico. In Puerto Rico, under commonwealth status, the degree of industrial development has been outstanding and spectacular.

So, Mr. President, in the case of the vast land mass that is Alaska, I believe the only way we shall ever be able to encourage investment to utilize the mineral and other natural resources which are to be found there will be to provide an incentive system. Under the commonwealth plan, the high risk involved in investing in that more remote area, which has the highest costs of living, and the most difficult transportation, could be equalized somewhat by permitting the Commonwealth of Alaska to levy its own taxes as a commonwealth, with the Federal Government waiving the right of Federal income tax collection. It seems to me that is the only way whereby we shall be able to develop this great land mass. Certainly it cannot be developed by subsidies or by Government handouts or by Government experimental projects, no matter how good the intentions might be. Instead, the high risk incentive of private business and entrepreneurial ability will be required, in order to develop the raw resources of Alaska and to install the needed plants and to perfect various types of business operations, if the economy of Alaska is to become a viable one.

That does not mean that by granting commonwealth status to Alaska we would be denying to the people of that area the right to work toward statehood. But to grant statehood without making it possible for the people of Alaska to build up a sound economic framework sufficient to support statehood would be a great mistake.

If we give the people of Alaska an opportunity to attract capital and investments so as to bring about the necessary developments in Alaska, it might not be too many years before we would find that Alaska would have an economic basis which could support the establishment of statehood.

Certainly the policy to be established under my amendment would be a forward-looking one, which would provide— by granting commonwealth status as a step toward statehood—an opportunity for development into the full rights enjoyed by the present 48 States.

Mr. LAUSCHE. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. What type of bond would there be between the Commonwealth of Alaska and the United States, in the case of defense?

DEFENSE IS PROVIDED

Mr. MONRONEY. The same which now exists in the case of Puerto Rico, under which the residents of Puerto Rico are subject to the draft calls and to the other responsibilities of the citizens of the United States as regards the national defense; and the United States has full rights in connection with the provision of defense installations. In short, the people are tied to our defense system and to our foreign policy, and are given the protection of the American flag.

Alaska would enjoy the full rights of a State except, as I have said, for representation in the Senate and in the House of Representatives.

Mr. LAUSCHE. That is, in the proposal creating a Commonwealth, there would be contained a provision which would make it absolutely mandatory that there be placed in the control of the United States Government matters dealing with national defense?

Mr. MONRONEY. Indeed, that is provided for in the amendment I have proposed.

Mr. LAUSCHE. I thank the Senator.

Mr. MONRONEY. Mr. President, I feel the people of Alaska, and even the people of Hawaii, never have been given an opportunity to decide whether they would prefer to have the advantages—the economic advantages, to say the least—of Commonwealth status over that of statehood. The question has never been submitted to a vote of the people. The political leaders have been crying "statehood" for so long that many, many of the old residents of the area who dearly love Alaska have been frightened and deterred from opposing, by voice or activity, the effort to impose upon Alaska the full responsibilities of statehood.

MANY ALASKANS OPPOSE STATEHOOD

I have in my hand a few letters from the ones I have received this year on the question. I should like to read a few brief quotations. I read first from a letter written by Norman Moore, of 401 Ninth Avenue, Fairbanks:

Under statehood, there will be no tincup. The treasury had to borrow money for the employment fund. They think they will be able to raise some $600,000 for the highway fund. If not, no Federal aid; so they are looking for something else to tax. All of the taxes will have to come from the few metropolitan areas. The cost of maintaining the so-called cities is tremendous. Here in Fairbanks the tax rate is 20 mills and we get practically nothing for it. I think, if some of the Senators would make an on-the-spot, on-the-ground tour looking for the real hard-head fact, they will find the chamber-of-commerce-conducted tours only a surface estimate.

In time Alaska will be ready for statehood, but it is going to be development of its resources, with the help of outside capital that will bring this about. One cannot agree, in the face of decline in the only industry Alaska has, the salmon industry, which has suffered so severely, that making Alaska a State, raising taxes on nonexisting enterprises and being the biggest State in the Union, is going to make Alaska a better place to live in. With this, I do not agree.

There are those in Washington who say in spite of its economical infeasibility, statehood was a plank in their platform and must go through. This has appeared here in editorials in our own newspaper. In the last statehood parade, six cars bearing banners for statehood appeared; no more. The newspaper carried headlines that claimed hundreds of people were in the parade.

In our last election, the prostatehood planners, certain of defeat, tied statehood to the fishtrap bill. A vote against fishtraps was a vote for statehood. Now everyone knows fishtraps must be outlawed, as they will not allow salmon up the streams to spawn. So, most people voted against fishtraps and, despite everyone's protest, for statehood. An election should be held, with the issue clearly stated and not tied up by other bills. Then the people's mandate can be acted on.

I should like to read portions of another letter, this one from Mr. Raymond A. Sandstrom, of Soldatna, Alaska:

The majority of us bona fide Alaskans, all of whom are not in favor of statehood for Alaska at this time, have always felt the Representatives and Senators in Washington, D. C., knew that Alaska cannot support statehood, at this time; but after the vote in the House sometime ago we find we must now depend on the Senate to defeat this bill that would place an unbearable tax burden on the citizens of Alaska.

There is a portion of the Territory that is self-supporting with its mining, fishing, and lumbering. This is known as southeastern Alaska or the "Panhandle." This section, however, is not in favor of statehood at this time. The balance of Alaska depends almost entirely on the Federal Government for its economy. Anchorage and Fairbanks which are the strongholds of the "statehooders" depend entirely on the military bases in their vicinities and the many other Federal Government agencies, to exist. Alaska is, primarily, a military outpost.

The big newspapers, the radio and TV stations in Anchorage and Fairbanks constantly tell us statehood is what we need. Both political machines are for it. The last few days these papers, the radio, and TV have been begging their readers, listeners, and viewers to write or wire their Senators at home to vote for the statehood bill. These mediums will gladly furnish the names and addresses of these Senators. We bona fide Alaskans have Alaska as our home and wish to keep our homes here so we can only write to the Senators in the various States, which once were our homes, to defeat this bill. All publicity is for statehood. There is not equal time for both sides. The "statehooders" are using our tax money and Madison Avenue methods to imply that it is unpatriotic to be against statehood (the statehood we cannot afford). "The glory of being the 49th star in the flag," and so on. We are told that the cost of maintaining the proposed State would be small. Two million dollars a year has been mentioned. The Federal Government spends about that amount each year for forest-fire control and forest-fire fighting.

I shall read one more paragraph from that letter:

A few days ago, one of the Anchorage dailies had an editorial in it that claimed the Oklahomans in Alaska want statehood but the Senators from that State only want to give them Commonwealth status. This is the sort of propaganda that goes on and on.

the first session of the First Congress under the Constitution.

This is a fact which has been almost uniformly recognized by the new States themselves, which from time to time have been admitted to the Union subsequent to the first organization of our Government.

Twice, however, new States have indicated a preference in regard to the assignment of new Senators to classes and in each case the Senate has made it abundantly clear that this is a matter with which the State has no proper concern.

I believe that we should look at the cases in regard to these two States carefully because they provide exact precedents in regard to the question which is before us today.

I remind Senators that the constitution of the proposed State of Alaska, the blue-bound pamphlet which we have all seen, carrying the text "Agreed Upon by the Delegates of the People of Alaska—Published by the Alaska Constitutional Convention, University of Alaska, February 5, 1956," carries as its article XV, section 8, the following language:

> The officers to be elected at the first general election shall include two Senators and one Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated. One Senator shall be elected for the long term and one Senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States.

During the delivery of Mr. BUTLER's speech,

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator from Maryland, without losing his right to the floor, may yield to me so that I may be permitted to address the Senate for 2 minutes, with the understanding that my remarks will be printed in the RECORD at the conclusion of the address of the Senator from Maryland.

The PRESIDING OFFICER (Mr. DIRKSEN in the chair). Does the Senator from Maryland agree to yield with that understanding?

Mr. BUTLER. I will yield with that understanding, Mr. President.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

Mr. KENNEDY. Mr. President, I rise in support of the Alaska statehood measure and hope that the bill will be passed by this body without amendment.

Statehood for Alaska has been a live issue almost since the passage of the Organic Act in 1912. It has been under active consideration by both Houses of Congress for more than a decade. Few issues have been as long in public light and as closely examined by the Congress as statehood for Alaska.

As a Senator from one of the larger eastern industrial States, I find a natural reluctance among many in my State to pay a further price for the Connecticut Compromise in the Constitution by diluting even more the representative strength we possess in the Senate. But I am convinced that the case for Alaskan statehood is too persuasive and its merits too clean cut to be held up by this objection.

Examined in historical perspective, Alaska qualifies admirably for admission to statehood. In its promise of economic and population growth, in the high quality of its present political leadership in both parties, in the repeated popular support within the Territory for statehood, in its allegiance to all the political principles which govern our Federal system, Alaska has given convincing demonstration of its capacity to fulfill the responsibilities of statehood.

Statehood for Alaska can stand on its own merits. The committee report and the speeches delivered by the sponsors of the bill have clearly stated them. If, however, we need any spur to act on this bill now, we should only consider the economic development taking place in Siberia and the rapid resource development and political change in the Yukon Territory of Canada. Alaskan statehood will have a most useful influence in international affairs. It will be a demonstration to all the world that the United States is able gradually, yet effectively, to liquidate its colonial relationships. We will be able to show that there are democratic ways by which we can aline our Territories to both the economic realities and political aspirations of their people. To all Americans it will be a reaffirmation of the resilient strength of our Federal system.

It would be tragic if either through inertia or by mere parliamentary stratagem the statehood cause were lost this year. The moment for action has arrived. The right time is now.

Mr. President, I wish to express my appreciation for the very generous courtesy of the Senator from Maryland.

During the delivery of Mr. BUTLER's speech:

Mr. WILEY. Mr. President, will the Senator from Maryland yield to me?

Mr. BUTLER. Mr. President, I ask unanimous consent that I may yield to the Senator from Wisconsin without losing my right to the floor, and with the understanding that the remarks of the Senator will be printed in the RECORD following the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland? The Chair hears none, and it is so ordered.

Mr. WILEY. Mr. President, in relation to the debate now going on, I made a suggestion the other day about which I have had very favorable comment. A number of Senators have spoken to me about the matter. I have received 2 or 3 letters, and 1 or 2 Senators spoke to me in the anteroom.

It has been suggested that someone should arrange in very succinct form a statement of the advantages which would accrue to the United States and the disadvantages which would result for the United States, as well as the advantages which would accrue to Alaska and the disadvantages which would result for Alaska if the pending bill should be passed. I have heard many generalities on the floor, but I think it is all important for us not to make our determination based upon someone saying, "I am in favor of this," or "I am against this."

I believe the particular matter we have under consideration is of very serious consequence pro and con. As one who has not given study to the matter and who has simply had the reaction of what we might call the Republican and Democratic platforms—those, too, being generalities—I should like to get a statement of the absolute assets which would result for the United States or the liabilities which would be incurred by it, as well as the assets which would result for Alaska or the liabilities which would be incurred by it. If that information were available in a two-page document, everyone could put himself in such a position that he could arrive at a judicial conclusion on the subject.

Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin.

LOUDSPEAKING SYSTEM FOR SENATE CHAMBER

Mr. WILEY. Mr. President, the other day I took the floor and stated that in my opinion we should have facilities in this Chamber which would make it possible that those who speak in a very subdued tone could be heard by their colleagues. I refer to the use of a loudspeaking system.

The other day I mentioned that a distinguished representative of another nation who spoke here could not be heard. Senators who sat in the front seats, I noticed, could not hear. I was sitting at the clerk's desk, and I noticed the Senators were trying to hear what the interpreter said.

I think when we have distinguished foreign visitors we at least owe to them the courtesy of providing means so that when they speak they can be heard. We owe the same courtesy to our fellow Americans who come to the galleries to listen.

I have had very favorable comments from the newspapers in this regard. One newspaper, however, noted that I was quite an aged gentleman. I am sure it stretched my years by at least 10, and I did not think that was very courteous of the particular writer, but otherwise the article was very favorable and confirmed the conclusions which I had stated.

I wish to again say that every day people from my State come to listen, from the Senate galleries. After they leave the galleries they say to me, "Senator, we could hear you when you spoke, but we could not hear the other Senators. We could not even hear the Vice President. We could not hear the majority leader."

I have repeated those comments because I am earnest in my statement. I suspect the matter will not be taken care of this year, but I think the taxpayers who come all the way to Washington to hear their Senators are entitled to hear the discussion on the floor.

In addition, when conference reports are submitted—and, parenthetically, I have just been in a conference—the people in the galleries should be able to hear the reports. They are interested in knowing what comes from conferences. Our visitors should be able to hear what the representatives of the conferees says.

I shall keep up my discussion of this matter and perhaps make myself a nuisance or obnoxious on this subject until more of my Senatorial friends view it as I do.

I repeat that today a number of Senators came up to me and said, "Well, you have the courage to say that you could not hear the majority leader and you could not hear the Vice President. What you said is correct."

Mr. President, that is a correct statement. Senators have confirmed it and the people in the galleries have confirmed it. I think it is our duty to do something about the matter.

My suggestion is contained in my former remarks, and in the letter which I received from one who has examined into the subject as to the cost. I feel this is a matter which requires the earnest consideration of us all. We are servants of the public, the public who come to listen. The public is entitled to hear our remarks.

I thank the distinguished Senator from Maryland for giving me this opportunity to say a few words.

Mr. BUTLER. I am always happy to yield to my good friend from Wisconsin. I will say, before he leaves the floor, he always speaks very distinctly and very nicely. We never have any trouble hearing the Senator from Wisconsin. I do not think the Senator needs a loud-speaking device such as he has been promoting.

Mr. WILEY. The Senator is correct. I do not need one, and folks have so stated to me. I have in mind only one thing: Some Senators cannot be heard when they speak. They speak for the benefit of their colleagues and we should be able to hear them.

I have sat at my desk and listened to Senators on the other side of the aisle and to Senators on this side of the aisle. When Senators speak in finely modulated voices we cannot hear them.

I am not simply stating my conclusion. I repeat, this is the conclusion of many distinguished Senators. Three Senators have spoken to me about the matter. I did not ask for their confirmation of it. Today they said, "You were right, Senator, in bringing this subject up, because, after all, we are only representatives of the people and the people are entitled to hear what goes on in the Senate Chamber."

Mr. CARLSON. Mr. President, will the Senator yield to me?

Mr. WILEY. I yield.

Mr. CARLSON. The distinguished Senator from Wisconsin, who is pleading for a public address system in the Senate, brings back memories of the time I served in the House of Representatives some years ago, when there were no such facilities in that Chamber.

On one particular occasion I was sitting pretty well back in the Chamber, alongside the present minority leader, Representative MARTIN, of Massachusetts. One of the other distinguished Members was making a speech. No one could hear him very well. An individual Member sitting fairly well back would rise and say, "Mr. Speaker, I demand order. I cannot hear."

After he had done that a number of times, the distinguished Representative from Massachusetts leaned over in my direction and said, "That man does not know how lucky he is." [Laughter.]

The Senator's efforts in behalf of a public address system in the Senate reminded me of that incident.

Mr. WILEY. I appreciate the observation of the Senator. The fact that Senators frequently speak to vacant chairs indicates that in many instances the reason is that the voice of the speaker cannot be heard.

As has been indicated by the distinguished Senator from Kansas, the House finally installed a public address system, and today the voices of Members can be heard by the occupants of the galleries, as well as by Members who are in the Chamber. I see no reason why we should not qualify for the same equipment.

I thank the distinguished Senator.

STATEHOOD FOR ALASKA

During the delivery of Mr. BUTLER's speech:

Mr. CARLSON. Mr. President, will the Senator yield to me, provided he does not lose the floor, and provided the remarks which I make will follow his statement?

Mr. BUTLER. I am very happy to yield to the distinguished Senator from Kansas.

Mr. CARLSON. Mr. President, I regard it as a thrilling experience to be a Member of the United States Congress at the time, I hope, when Alaska will be admitted to the Union as the 49th State.

The last State to be admitted to the Union was Arizona, which became a State on February 14, 1912, over 46 years ago.

The admittance of a State to the Union is a matter that is not taken lightly and one that must have every consideration by the Congress.

Bills have been pending authorizing statehood for Alaska since 1916, or more than 42 years. During those 42 years, great growth and development have occurred in Alaska.

Many arguments have been advanced against the admission of Alaska to the Union, including population, area, taxation and noncontiseguity. Every one of the arguments has, in my opinion, been thoroughly debated and, based on facts, has been demolished.

In regard to population, the official Bureau of Census estimate for Alaska July 1, 1956, was 206,000. Our current estimate of population for Alaska is 220,000. Of the 220,000, approximately 50,000 are military.

It occurs to me that the argument against statehood because of the lack of population is without merit.

The facts are that the population of Alaska is now greater than the population of at least 25 States at the time of their admission to the Union. For instance, my own State of Kansas, at the time it was admitted to the Union on January 29, 1861, had a population of 102,338. Even the great State of California was admitted when it had a population of 92,000 and Illinois 34,000.

The population of Alaska has tripled in the last 17 years, and, in my opinion, will increase much more rapidly after statehood.

In 1957, the gross product from Alaska's natural resources was approximately $161,846,000. This was an increase of 18 percent over fiscal year 1956. Of this 1957 income, approximately $92.9 million was derived from fisheries; $34.3 million from timber; $24.6 million from minerals; and $1.5 million from the fur industry, exclusive of the Pribilof fur seal production. The Pribilof production amounted to $5.2 million.

Alaskans paid about $65 million in Federal taxes last year, of which $45 million was paid by Alaskan residents. The balance was derived from nonresidents doing business in Alaska.

Alaska's general revenue per capita was higher than that of 39 of the existing States in 1957. This per capita revenue compares with other States, as follows:

Alabama	$115.90
Alaska	161.60
Arkansas	106.00
Idaho	134.30
Kansas	115.30
Mississippi	110.80
Vermont	140.00
Wyoming	224.00
Nebraska	90.80
Virginia	112.90

Of the governments of the 48 States, Hawaii, Puerto Rico, and Alaska, that of Alaska was the only one which had no outstanding debt at the close of fiscal year 1957.

For many years one of the strongest arguments against the admission of Alaska as a State has been the fact that its territory was not contiguous to the United States. This may have been sound reasoning years ago, but with present-day transportation and communications, it can now hardly be a valid argument. For instance, at the time Kansas was admitted to the Union in 1861, the most rapid transportation from Kansas to California by the famed Pony Express was 9 days. The best mail service between those two points cost $5 for one-half ounce.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. BUTLER. The point as to Alaska not being contiguous is not so much a question of being able to reach the newly created State as it is a question of the particular area not being an integral part of the Union of States on the North American Continent. Canada intervenes.

The point has been made that the newly formed State of Alaska could be completely surrounded without in any way violating the sovereignty of the United States.

Another objection has been made which, it seems to me, is valid. If we once break the line of having only States contiguous one to another, we shall be flooded with applications from many outlying portions of the world, and we shall cease to be the United States of America. We shall become the United States of the world.

The Senator from Kansas knows as well as I do that once Alaska is admitted, without question we shall have to admit Hawaii; and, after that, Puerto Rico, Guam, and many other areas will submit applications. Some of them will be successful. As a result, we shall have a United States spread throughout the world, which will be very inconvenient from the standpoint of defense, and from the standpoint of the economy. It is the breaking of the line which encourages other applications of like nature, and which destroys the unity of this great Union.

Mr. CARLSON. First, I wish to discuss the point that other areas may desire admittance to the Union once we break the line. I agree. But, as I stated at the beginning of my statement, admittance to the Union is not a matter to be taken lightly. It must have serious consideration by the Congress.

The first application for the admission of Alaska to the Union as a State was in 1916, 42 years ago. That is proof to me that in the future Congress will determine, after deliberate consideration, what other areas shall be admitted as States.

The second argument, to the effect that Alaska is not a contiguous area, prompts me to remind the Senator that, when California was admitted to the Union, there was an intervening area of 1,500 miles of waste territory. No States occupied the interior. There was contiguous territory, but there were no contiguous States.

Mr. BUTLER. The intervening territory was territory belonging to the United States and to the great honor of the State of Maryland through the efforts of the person who now occupies a place in the Hall of Fame to the left of the door as one walks out of this Chamber, the theory was established that such land would, in the future, become States of the Union.

Therefore there is not involved the question of international land intervening, and international rights, as is the situation in connection with Alaska and Hawaii. In the case of Alaska, Canada intervenes, and in the case of Hawaii there are a number of islands, disconnected and lying in international waters, with international waters separating one from the other. This is a very bad situation from two standpoints; first, if we go toward the west and take in as a State territory which lies far to the west of us, there is no reason why we should not go to the east, as well, and take in an area lying in that direction. Finally there would be no reason why we should not take in other areas anywhere else in the world. That is what would happen if one the line, so called, is broken. There would be no reason why any other part of the world should not be admitted as a State of the United States.

Mr. CARLSON. Of course there is a great body of water lying between the United States and Hawaii; but that is not true with reference to the United States and Alaska.

Mr. BUTLER. In the case of Hawaii, there would not only be the question of a great body of international water lying between the continent and Hawaii, but also international waters separating the various islands from each other. The State of Hawaii itself would have no control whatever over the international waters within its own boundaries.

Mr. CARLSON. Those are some problems, of course, which would have to be considered if and when we got into a discussion of that subject.

Mr. BUTLER. But if we admit one, there is no reason why we should not admit another, and eventually others. Indeed, the President of the United States was very much opposed within the last 2 years to the admission of Alaska, and favored the admission of Hawaii. It seems that he has now reversed his position. It seems also that now everyone would like to have Alaska admitted as a State, but not Hawaii. I do not know what has caused the switch. However, it seems to me that once Alaska is admitted, it will be very difficult if not impossible to prevent other areas from being admitted to the Union also. It will become a permanent course of procedure. Congress should spend a great deal of time considering the matter. Certainly more than 2 days of hearings should be devoted to it. Furthermore, I believe the people of the country should be alerted as to the facts in the case. They should know more about what is involved in admitting the proposed new State.

Mr. CARLSON. Again I would say that there is involved a different situation in respect to Alaska, which is the area we are dealing with at the present time, from that which pertains to some of the other Territories which might be mentioned.

As I said earlier, when the time comes, if it does come, when we will be considering on the floor of the Senate the admission of other areas, all questions connected with such proposed action will have to be subjected to review and consideration by the Senate and by the House; the areas will have to meet certain tests prescribed by Congress; and all the problems connected with them will have to be solved before action will be taken.

Again I go back to what I said in the beginning with respect to transportation and communication. The best stagecoach time from St. Joseph, Mo., to San Francisco was 25 days.

It seems to me that this destroys completely any argument in regard to the need for contiguity.

Mr. President, as I stated at the beginning, it is a thrilling experience to be a Member of the United States Senate when we have an opportunity to vote for the admission of Alaska to the Union as a State and I expect to do so.

DECORATIONS AWARDED BY FOREIGN GOVERNMENTS

During the delivery of Mr. BUTLER's speech,

Mr. MORSE. Mr. President, in the Evening Star of last night I noted two stories.

The first one describes the presentation of Peruvian decorations to the Secretary of the Army, Wilber M. Brucker, and to Gen. Maxwell D. Taylor, Army Chief of Staff. These decorations were awarded by the Peruvian Government to these individuals "for distinguished service."

The same evening there is a story reporting that the Thai Government presented decorations to a number of military officials of the United States. I ask unanimous consent that these two articles appear in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Evening Star of June 25, 1958]

PERU DECORATES UNITED STATES OFFICIALS

Secretary of the Army Wilber M. Brucker, and Gen. Maxwell D. Taylor, Army Chief of Staff, were recipients of Peruvian decorations at a reception held at the Peruvian Embassy yesterday.

General Cuadra bestowed the decorations after a short introductory speech by the Ambassador in the drawing room of the Embassy.

Secretary Brucker received the Grand Cross of Merit for distinguished service, and General Taylor the Military Order of Ayacucho.

[From the Washington Evening Star of June 25, 1958]

About 450 Thai nationals living in Washington will celebrate the 26th anniversary of the Thai Constitution at a party in the Embassy tonight.

The anniversary date—and Thailand's national holiday—is June 24, and yesterday Ambassador and Mme. Khoman gave a large reception for official and social Washington in the Shoreham's Terrace Banquet Room.

Before the reception, Ambassador Khoman officiated at a decorations ceremony in the Embassy. Maj. Gen. Robert Alwyn Schow, Assistant Chief of Staff for Army Intelligence, was decorated with the Knight of the Grand Cross of the Most Noble Order of the Crown of Thailand. Gen. Graves Blanchard Erskine, USMC, Assistant to the Secretary of Defense for Special Operations, received the Knight of the Grand Cross of the Most Exalted Order of the White Elephant. The decorations were bestowed by the Supreme Commander of the Thai Royal Army, Field Marshal Srisdi Dhanarajata, now in Washington.

Both generals received their decorations for strengthening relations between the United States and Thailand, the former for "assistance and guidance in the training of officers in the Royal Thai Army" and the latter for his "constant interest in promoting the cordial understanding between the peoples of the two nations."

General Erskine attracted a good deal of attention from women at the party with his shiny new medal, a many-pointed star with an elephant in the center design.

Mr. MORSE. Mr. President, I now read from article I, section 9, paragraph

8 of the Constitution. That paragraph reads as follows:

No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state."

I now read from the act of January 31, 1881, which provides:

Any present, decoration, or other thing, which shall be conferred or presented by any foreign government to any officer of the United States, civil, naval, or military, shall be tendered through the Department of State, and not to the individual in person, but such present, decoration, or other thing shall not be delivered by the Department of State unless so authorized by act of Congress.

Mr. President, the incidents to which I refer are not isolated. Day after day we find that representatives of foreign governments are conferring decorations and medals upon officers of the United States Government. Many times I know these decorations are presented in such a way as to make it difficult, if not impossible, for the recipient to reject them without insulting the donor. Furthermore, I am sure that the recipients of these medals and decorations do comply with the law and deliver their decorations to the Department of State, where they are to be held until such time as Congress gives its consent for them to be received and worn.

Even now we have pending before the Senate S. 3195, a bill which would authorize several hundred retired officers of the United States to receive and wear their medals.

Mr. President, the time has come for the Department of State to take some initiative with respect to this matter. It seems to me that representatives of foreign governments accredited to the United States should be acquainted with the provisions of our Constitution and our laws which prohibit the tendering of medals, decorations and gifts to employees of the United States.

It seems to me that it is an essential of good diplomatic practice for diplomatic representatives to conform to the laws and customs of the nations to which they are accredited. It is incumbent upon the Department of State to request foreign governments to desist from this practice which so clearly is in violation of the provisions of our Constitution.

Mr. President, that is a good provision. In my judgment, it should not be changed. Rather, it should be adhered to. The Department of State, in my opinion, is failing in its diplomatic functions in not making clear to foreign officials on our soil that they should not be offering medals and decorations to Americans.

This is the type of initiative which I believe the executive branch should take. If it is not willing to call the attention of foreign governments to these provisions of the Constitution because for some reason our executive branch may believe that the acceptance of gifts, decorations, and medals is now proper, then I suggest they come to the Congress and ask that the Constitution be amended in this respect.

We have had this matter before the Committee on Foreign Relations on several occasions. It is a rather embarrassing matter, because we find that a somewhat different policy appears to be sanctioned in the House. I do believe, however, that we have reached the point where the matter ought to be clarified once and for all. The real trouble is to be found in the Department of State. The real trouble is that the Secretary of State, in my judgment, has not carried out his clear duty under the Constitution of the United States. The Secretary of State has the duty to make clear to the representatives of foreign governments in this country that they should not be constantly raising this embarrassing situation, which they do every time they give a decoration or a medal to a member of our government or a member of our military forces.

AMENDMENT OF RAILROAD RETIREMENT ACT

During the delivery of Mr. BUTLER's speech,

Mr. MORSE. Mr. President, will the Senator yield with the understanding that he will not lose the floor?

Mr. BUTLER. I yield on that condition.

Mr. MORSE. Mr. President, I am very much pleased—in fact, I am very proud—to tell the Senate that the Subcommittee on Railroad Retirement of the Committee on Labor and Public Welfare, of which I have the honor to be the chairman, has today reported to the full committee, by a unanimous vote, my railroad retirement bill. The Morse bill as reported out by the subcommittee contains some amendments made in the committee, all of which I approve, and some of which I myself recommended to the committee.

I ask unanimous consent that a statement I have released on the action taken by my subcommittee on S. 1313, which is the Morse Railroad Retirement Bill, be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SENATE SUBCOMMITTEE ON RAILROAD RETIREMENT REPORTS S. 1313 TO SENATE LABOR COMMITTEE

Senator WAYNE MORSE, Democrat, of Oregon, chairman of the Subcommittee on Railroad Retirement, announced that the subcommittee voted unanimously to report S. 1313 favorably to the Senate Committee on Labor and Public Welfare with amendments. Other members of the subcommittee are JOHN SHERMAN COOPER, Republican, of Kentucky; JOHN F. KENNEDY, Democrat, of Massachusetts; GORDON ALLOTT, Republican, of Colorado, and STROM THURMOND, Democrat, of South Carolina.

As reported with amendments the bill makes the following changes in the Railroad Retirement Act and the Railroad Unemployment Insurance Act:

A. RAILROAD RETIREMENT

(1) Would boost benefits 10 percent across the board for the more than 675,000 now receiving benefits. Present average amounts paid monthly: Age annuities, $117; disability annuities, $105; spouse annuities, $48; aged widows, $53; children annuities, $43.

(2) Early retirement for women and wives: Women workers and wives of annuitants would have option to receive benefits at age 62 instead of 65; reduction of 1/180 for each month below 65 as under social security as amended in 1956.

(3) Disability annuitant work clause: Present disqualification for disability annuitants is $100 or more a month in wages, salary, or self-employment income. Such earnings in 1 month cause loss of that month's benefit. The proposal is to permit $1,200 annually of such income with disqualification of 1 month for each $100 earned in excess of $1,200 annually.

(4) Financing: The bill would fully finance the existing actuarial deficit in the railroad retirement fund and the additional benefits provided by the bill. This would be accomplished by increasing the tax base from the first $350 of individual monthly pay to $400 and by increasing the rate of tax as follows: (i) Beginning with July 1959 the rate would be 15 percent (half paid by the employee and half paid by the employer), (ii) Beginning with July 1965 an additional tax equal to the excess of the then current social security tax over 5.51 (the present rate, scheduled to be increased in 1965), (iii) For the period until July 1959 the tax rate would remain at 12.5 percent (equally shared by employee and employer).

B. RAILROAD UNEMPLOYMENT COMPENSATION

(1) The daily benefit rate minimum would be increased from $3.50 to $4.50 and the maximum from $8.50 ($42.50 a week) to $10.20 ($51 a week).

Intermediate amounts based on the individual's annual earnings in the base year would be increased accordingly.

Under present law, the individual's benefit must be at least 50 percent of his daily rate when employed up to the maximum of $8.50. Under the proposed bill the alternate rate 60 percent of his daily rate of pay up to the $10.20 maximum.

(2) Provides extended unemployment insurance benefits in addition to 26 weeks of eligibility for long-time railroad employees as follows:

If employee had following years of railroad service: 10 to 15 years, would receive extended benefits for 26 weeks additional.

If employee had following years of railroad service; 15 years or more, would receive extended benefits of 52 weeks additional.

(3) Financing: Payroll tax rate (payable by carriers only) would fluctuate as the insurance fund balance changes as follows:

Insurance fund (millions)	S. 1313 proposed rate [1]	Present rate [2]
	Percent	*Percent*
$450 or more	2.0	0.5
$400 but less than $450	2.5	1.0
$350 but less than $400	3.0	1.5
$300 but less than $350	3.5	2.0
Less than $300	4.0	
$250 but less than $300		2.5
Less than $250		3.0

[1] Up to $400 of payroll per month.
[2] Up to $350 per month.

The present rate is 2.5 percent as the fund balance as of September 30, 1957, was $294.9 million.

As reported the bill differs from S. 1313 as introduced in two major respects. The financing of the railroad retirement benefits and existing deficit was changed so as to defer the immediate tax increase for a year in order to minimize the tax burden upon employees and carriers during the current recession. This 1-year deferral is more than compensated by changing from 1970 to 1965 the increases based upon social security tax rates.

The second major change deals with unemployment insurance extended benefits which were scaled down considerably from the bill as introduced. However, the extended benefits would become effective as of January 1958 and will give material assistance to career railroad workers who have exhausted their regular unemployment insurance benefits.

Mr. MORSE. Mr. President, the report sets forth the main features of the bill as we have reported it. I have asked that it be placed in the RECORD because many of our colleagues have expressed to me an interest with respect to the contents of the bill. Also, the subcommittee has been receiving voluminous mail from railroad employees across America in respect to the bill.

As I stated to the Senators on the subcommittee this morning, I deeply appreciate the wonderful cooperation which they extended to me in connection with our work on the bill.

The other members of the subcommittee consist of the Senator from Massachusetts [Mr. KENNEDY], the Senator from South Carolina [Mr. THURMOND], the Senator from Kentucky [Mr. COOPER], and the Senator from Colorado [Mr. ALLOTT].

I have worked on many committees in my 13 years in the Senate. On no occasion have I ever seen a committee more conscientious and hardworking as this one. Anyone who has worked in the field of railroad retirement knows that he has worked in a highly technical field. In fact, we inherited the work of this committee from one of the greatest statisticians and economists in the Senate, the Senator from Illinois [Mr. DOUGLAS], who formerly was the chairman of the subcommittee, and who has done so much in the field of retirement legislation. It is a very difficult field.

Although there have been criticisms of our subcommittee from time to time by some to the effect that we were too long delayed in our action on the bill, the fact is that we made our report in a remarkably short time, considering the mathematical difficulties involved in analyzing the issues and considering the actuarial problems which had to be studied and analyzed, and considering the very important relationships between the railroad-retirement fund and the social-security fund in this country.

Therefore, to my colleagues on the committee, I publicly express the same "Thank you" as I said to them when we closed our hearing on the bill this morning. The bill represents reasonable compromises of sincere and honest views on this highly complicated subject matter. I am proud to present our subcommittee report to full committee and to the Senate.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. BUTLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be incorporated in the RECORD a letter addressed to the Vice President by the Secretary of the Interior.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, June 25, 1958.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D. C.

DEAR MR. PRESIDENT: Because of some questions which have been raised concerning Alaska's population, income, per capita general revenue, and the costs of statehood, this letter is attached to a memorandum on these subjects. In my sincere opinion, these facts again demonstrate that Alaskans are ready for statehood.

The bill passed by the House (H. R. 7999) is acceptable to this Department; it represents a workable compromise on many conflicting issues difficult of reconciliation.

President Eisenhower has urged enactment of legislation to admit Alaska into the Union. In their 1956 platforms, both major political parties have pledged immediate statehood for Alaska. As Secretary of the Interior, I earnestly hope for favorable consideration by the Senate of the House-passed bill. And I also hope that you can affirmatively support Alaska's plea for political equality.

Sincerely,

FRED A. SEATON,
Secretary of the Interior.

POPULATION

The official Bureau of Census estimate for Alaska July 1, 1956, was 206,000. Our current estimate of population for Alaska is 220,000. Of the 220,000, approximately 50,000 are military.

ALASKAN INCOME

In 1957, the gross product from Alaska's natural resources was approximately $161,846,000. This was an increase of 18 percent over fiscal year 1956. Of this 1957 income, approximately $92.9 million was derived from fisheries; $34.3 million from timber; $24.6 million from minerals; and $1.5 million from the fur industry, exclusive of the Pribilof fur seal production. The Pribilof production amounted to $5.2 million.

FEDERAL TAXATION

Alaskans paid about $65 million in Federal taxes last year, of which $45 million was paid by Alaskan residents. The balance was derived from nonresidents doing business in Alaska.

GENERAL REVENUE PER CAPITA IN ALASKA

Alaska general revenue was higher than 39 of the existing States in 1957. This per capita revenue compares with other States as follows:

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Vermont	140.00
Wyoming	224.00
Nebraska	90.80
Virginia	112.90

ALASKA HAS NO OUTSTANDING DEBT

Alaska had the only government in the 48 States, Hawaii, Puerto Rico, and Alaska, which had no outstanding debt at the close of fiscal year 1957.

COSTS OF STATEHOOD

Alaska already supports many of the functions needed for a state government. The Federal Government, under the Organic Act, retained jurisdiction over the administration of justice, the Governor's office, and partially supported the legislature and other miscellaneous functions of government. Alaska now has 58 different departments, boards, commissions, and other governmental agencies supported by Territorial appropriations. In the main, the cost of statehood therefore will be the cost to Alaska of assuming the governmental functions now performed by the Federal Government.

This cost will be about $6,350,000. The breakdown is: $280,000 for executive and legislative expenses; $1,800,000 for increased costs for the administration of justice; $2,750,000 for commercial and sports fisheries and wildlife; and $1,500,000 for increased highway costs. Offset against this increased cost is approximately $5 million in new revenues available to Alaska. The net cost of statehood should be about $1,350,000.

Alaska's growing oil and gas lease income should offset this cost. In addition, this analysis assumes that the State will immediately take jurisdiction over fish and wildlife. Under the present bill, it would not do so and, therefore, the $2,750,000 assumed additional cost would not be required.

SUMMARY OF STATEHOOD COSTS—EXECUTIVE AND LEGISLATIVE

Reduction in Federal costs	*Additional expenditures for State*
The present amount of $120,000 is annually appropriated for the salaries and office expenses of the Governor, Secretary of Alaska, and staff, as well as for the maintenance of the Governor's house. This amount, a Federal appropriation, will reduce the Federal expenditure by $120,000 per year.	No basis for estimating any substantial difference in expenditure. However, will amount to an added expense to the State per year, $180,000.
Federal appropriation of $48,000 is made biennially for pay of legislators. Amounts to reduction of Federal expenditures of $24,000 per year.	State will have to assume pay for legislators. Cost will undoubtedly increase due to State constitution providing for a larger membership. Also, rates of compensation undoubtedly would increase. However, Territory now carries all costs for employees, printing, incidental expenses and compensation for extraordinary sessions. Estimated, $100,000; total, $280,000.
Total Federal expenditure reduction amounts to $144,000 per year.	
Administration of Justice	
Judiciary: Estimated present cost is $385,000 per annum for 4 Federal judges and staffs. At least 1 Federal judge would remain, but estimated reduction in Federal expenditures would be $235,000 per year.	Judiciary: Estimated cost of salaries of judges and basic court expenses, based on system outlined in State constitution, $650,000.

SUMMARY OF STATEHOOD COSTS—EXECUTIVE AND LEGISLATIVE

Administration of Justice

United States attorneys and United States marshals: Four United States attorneys and four United States marshals undoubtedly would be reduced from present allocation of $650,000 per year. Continuing expenses necessary to cover regular Federal jurisdiction but reduction in expenditures estimated to be $450,000 per annum.	Prosecutors and law-enforcement officers in State system: Territory has borne increasing proportion of basic law enforcement costs recently and now has a well-established "State" police organization. However, estimated cost for prosecutors, offices, and staffs, etc., per annum expected to be $450,000.
Penal institutions: Operations of United States Bureau of Prisons in all of Alaska for both Federal and normal "State" functions at present. Estimated present cost is $600,000 per year. Transfer of State's portion should result in a reduction in Federal expenditures of $400,000 per year.	Penal institutions: Estimated cost of necessary penal system plus debt service on the new courthouse and jails. Yearly, $700,000.
Total Federal reductions per year amounts to $1,085,000.	Total estimated annual increase, $1,800,000.

Miscellaneous

Commercial fisheries: From a total estimate of $3,050,000 per year, approximately $1,850,000 would be needed by the State to cover the expense of management and investigation. Balance, or $1,200,000 would remain as part of a continuing Federal program activity as elsewhere in the Nation. Annual reduction in Federal expenditures would be $1,850,000.	Commercial fisheries: This estimated amount, for management and investigation of commercial fisheries annually, would be in addition to what the Territory is now spending. Estimated yearly, $2,000,000.
Wildlife and sport fisheries: From a total estimate of Federal appropriations in the amount of $1 million per annum, $500,000 would be needed by the State to cover the expense of administering the Alaska game law. Balance, or $500,000 per year, would remain as a part of the continuing Federal programs—such as wildlife refuge predator control, cooperative research, etc. Annual reduction in Federal expenditures would be $500,000.	Wildlife and sport fisheries: Basic expenditure for protection and management of wildlife resources. Estimated per year, $750,000.
Total Federal reductions per year for all fish and wildlife amounts to $2,350,000.	Total estimated annual increase for all fish and wildlife, $2,750,000.
Highway department: Highway function is now performed by Bureau of Public Roads, United States Department of Commerce, with allocation of Federal grant funds matched by 10 percent Territorial funds. Assumption is, no change in Federal road aid program as applied to Alaska.	Highway department: Territory would take over operating function. Additional costs estimated for administration by State highway department and for construction and maintenance of local roads not included in program. Estimated additional costs per annum, $1,500,000.
Total reduction in Federal expenditures will be $3,579,000 yearly.	Total increase in cost of State government, estimated, yearly, $6,350,000.

New Revenues Available to Alaska

Oil and gas leases (90 percent to the State)	$3,000,000
Pribilof's income (70 percent to the State)	1,000,000
Miscellaneous (fines, fees, forfeitures, and 5 percent of proceeds from sales of public lands)	500,000
Sports fishing licenses	250,000
Forest receipts (from new Sitka operation)	250,000
Total new revenue available	$5,000,000

PROPOSED UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader, and with his full concurrence and approval, I send to the desk a proposed unanimous-consent agreement, and I ask that it be read.

The PRESIDING OFFICER. The proposed agreement will be read.

The legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Monday June 30, 1958, at the conclusion of routine morning business, during the further consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement?

Mr. THURMOND. Mr. President, I object to the unanimous-consent agreement.

The PRESIDING OFFICER. Objection is heard.

Mr. MANSFIELD. Mr. President, this was an attempt to bring about an accommodation for a great majority of the Members of the Senate. We have had 3 days of debate on the pending measure. We know that a great many Senators have engagements in their home States on Saturday. I am extremely——

Mr. THYE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I shall yield after I have finished my statement. I am extremely distressed by the objection to the unanimous-consent agreement. In all fairness, I must inform the Senate that we will remain in session tonight until at least midnight, and perhaps all night, and that we will convene early tomorrow morning and stay in session until late tomorrow night. It is my hope that absent Members will not be inconvenienced too much. It is my further hope that we will give the proposal before us the consideration which is due it. I hope further that there will be some mitigation of the delaying tactis in the consideration of the pending measure.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JACKSON. I commend the Senator from Montana for what he has just said. I trust that reasonable men will get together so that we may have an early vote on the pending bill. I should like to inquire of the acting majority leader whether we will be in session on Saturday in the event we cannot reach an agreement on Friday.

Mr. MANSFIELD. We will be. The purpose of the unanimous-consent request was to reach an agreement by means of which we could begin voting on amendments on Monday, and that after they were out of the way, we could come to a final vote during the next week. Because of the objection to it, that is out of the way at the present time.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. THYE. Mr. President, I should like to act on the Alaska statehood bill. I had a speaking engagement of long standing in my State for this evening. I have had to cancel it and send my regrets my telegraph. I also have a speaking engagement for Saturday evening in Minnesota. Apparently I shall also have to cancel that appearance and send my regrets.

My greatest regret is that an attempt is being made to prevent legislative action on the Alaska statehood bill. I hope that we shall be able to vote finally——

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. THYE. I shall be glad to yield in a moment. I hope that we shall be able to bring the discussion of the bill to a conclusion, so that we may be privileged to vote on the important question of Alaska statehood before the close of this week.

I commend the acting majority leader for endeavoring to obtain a unanimous-consent agreement to limit debate.

Mr. MANSFIELD. If I may answer the Senator first, I appreciate the sentiments expressed by the Senator from Minnesota. I call to his attention the statement by the majority leader last week that there was a strong possibility of a Saturday session this week. I in-

tend to carry out the majority leader's instructions to the best of my ability. Those instructions were given publicly to the Members of the Senate.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. EASTLAND. The Senator from Minnesota said there had been delay on the bill. The acting majority leader said that there had been 3 days of discussion. A good part of that time was taken by the proponents of the bill. Yesterday, although I had the floor all afternoon, I spoke for only an hour and 50 minutes, by actual count, because of interruptions which did not concern the bill.

I should like to know how it has come to pass that in the Senate debate on both sides of a question so important as this can be shut off by a request that the Senate vote after 3 days, when a good part of the time has been used on one side, and much of the time has been devoted to matters having no concern with the bill under consideration.

Mr. MANSFIELD. I do not like to dispute the Senator from Mississippi, but it was not proposed that a vote be taken after 3 days of discussion. As a matter of fact, the proposal was to try to reach a vote on the amendments after 5 days, because the unanimous-consent agreement specifically stated Monday, June 30.

Mr. EASTLAND. The Senator from Montana said 3 days.

Mr. MANSFIELD. There have been 3 days of debate so far.

Mr. EASTLAND. I have no objection to voting on some points of order tomorrow, and I hope we shall do so. But I should like to ask a question. The Senator from South Carolina made an objection. Have other objections been filed with the majority leader?

Mr. MANSFIELD. None were heard; but I received word indirectly that other Senators would object.

Mr. EASTLAND. Yes. Let the RECORD show that.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. Is the distinguished Senator from South Carolina willing to tell the Senate if he has any feeling that he might withdraw his objection subsequently, so that we could proceed to a vote, and Senators would be placed on notice as to when the voting might begin?

Mr. THURMOND. Mr. President, I objected to the unanimous-consent agreement, and that is all I have to say.

Mr. KUCHEL. If the able acting majority leader will allow me to do so, I may say that there have been a few more days of debate on the question of statehood for Alaska than 3. My period of service in the Senate has been almost 6 years. To my knowledge there have been debates on statehood for Alaska for the last 6 years. The question of Alaska statehood has been pending in Congress, both in the Senate and the House, in bills introduced a year ago last January. It is my considered judgment that the overwhelming majority of Democratic Senators and Republican Senators favor the bill. It seems to me that we are not being given an opportunity to proceed in an orderly fashion.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. KUCHEL. If that be the case, and we are not to be permitted to vote "yea" or "nay" on the question, then I think such action represents another indictment of the manner in which the rules of the Senate are now utilized.

Now I am glad to yield.

Mr. EASTLAND. Does the Senator from California realize that the Senate debated the St. Lawrence Seaway bill for 3 weeks?

I stated that I hoped we would begin to vote on points of order tomorrow. I assure the Senator that if I can get the floor tomorrow, I shall bring up those points of order.

But, after we have debated a bill of this magnitude for only 3 or 4 days, when the proponents have taken most of the time, and when other matters, not connected with the bill, have intervened and have taken hours, I think it comes with ill grace for any Senator to accuse any one of attempting to delay. What has happened has been a shutting off of discussion by both sides on the bill.

Mr. KUCHEL. With all due respect to the Senator from Mississippi, I deny that the proponents of the bill have taken most of the time.

Mr. EASTLAND. The RECORD will speak for itself.

Mr. MANSFIELD. I agree with the Senator from California. I do not believe that the proponents, either in the number of words spoken or the amount of material placed in the RECORD, have taken most of the time. But I hope that from now on the proponents of the measure will say as little as possible about it, and that the opponents will have as much time as they desire.

Furthermore, I hope that the Senator from Mississippi will bring up his points of order tonight or tomorrow, so that we may have a chance, at long last, to vote on the constitutional questions which he has raised.

Mr. EASTLAND. I expect to bring up 1 or 2 points of order; and there is no attempt to delay the debate. As I understand, it is now sought to impose gag rule in the Senate. I certainly think both sides of the question should be presented to the Senate and to the American people. A large number of Senators who oppose the bill have not had an opportunity to speak. Yet we are accused of delaying because we do not rush into a unanimous consent agreement to limit debate.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KNOWLAND. I support, and I have fully supported, the request for the unanimous-consent agreement made by the distinguished acting majority leader. I feel certain that neither the acting majority leader, the minority leader, nor any other Senator on either side of the aisle wishes to curtail the debate. Neither would it be within the province of the Senate to prevent a full discussion of the bill.

But I think both the acting majority leader and the minority leader were hopeful that, by proposing a unanimous-consent agreement to become effective Monday, which would give us the remainder of tonight, continuing to a late hour, and all day tomorrow and Saturday to speak on the bill, there would be ample opportunity for a full exploration and discussion of this important matter.

I agree with the Senator from Mississippi and other Senators that the question of the admission of a State to the Union is important. Some of us happen to feel deeply that there is ample justification for the admission of Alaska to statehood. Others, and just as strongly, feel that there are arguments to be made in opposition.

But I was hopeful that perhaps the Senator from South Carolina, if he felt that a limitation of debate beginning Monday would not permit sufficient time, might offer a counterproposal as to the time when we might begin to vote.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. Yes; I yield. I do not think there is any attempt or desire on the part of anyone to foreclose the debate on this issue. That has not been the custom of the Senate, but we were hopeful of agreeing upon a time when the Senate could exercise its will.

Mr. EASTLAND. The entering of a unanimous-consent agreement at this time would, of course, foreclose discussion of the question.

I know of no filibuster. I assure the Senator on my word as a Senator that I am not engaged in a filibuster. I know that the Senator from South Carolina [Mr. THURMOND] is not engaged in a filibuster. Certainly each side of the question is entitled to the opportunity to present its views. I do not know how I could be any fairer than to say that if I can obtain the floor tomorrow, I shall call up 1 or 2 of my points of order.

Mr. KNOWLAND. I do not think that even the acting majority leader or the minority leader has charged that a filibuster is in progress at this point. But certainly it has not been unusual, in the procedure of the Senate, for both the majority leader, the distinguished Senator from Texas [Mr. JOHNSON] and myself, in the consideration of measures from time to time, to propose unanimous-consent agreements to the Senate.

Setting Monday as the time for the beginning of the limitation of debate did not seem to be an unreasonable foreclosure of the discussion.

Mr. EASTLAND. Well, Mr. President, I——

Mr. MANSFIELD. Mr. President, if the Senator from Mississippi will indulge me, I wish to go on record as being in full accord with what the distinguished minority leader [Mr. KNOWLAND] has said.

There has been no attempt to impose a gag. After all, under the proposed unanimous-consent agreement there

would be two more days of debate before the agreement would go into effect.

I believe there has been ample opportunity for both sides to state their views; and I do not think any gag has even been suggested today, except by the Senator from Mississippi.

Mr. EASTLAND. But we have been accused of engaging in a filibuster.

Mr. MANSFIELD. That is correct, and that is what I repeat.

Mr. EASTLAND. But we are not conducting a filibuster.

Mr. MANSFIELD. The Senator from Mississippi can term it as he wishes.

Mr. EASTLAND. We insist that each Senator shall have a right to express his views on this bill.

Mr. MANSFIELD. Certainly no one can find fault with that assertion.

Mr. EASTLAND. And I am willing to call up 1 or 2 of my points of order tomorrow.

Mr. MANSFIELD. I appreciate that; and I hope we can reach, not only 1 or 2, but also 3, 4, or 5 of the Senator's constitutional questions.

Mr. EASTLAND. The Senator from Montana exaggerates; there are not five.

Mr. MANSFIELD. I understand that the Senator from Mississippi has three constitutional points of order.

Mr. EASTLAND. That is correct.

Mr. MANSFIELD. And also a motion to recommit, and perhaps a motion to refer the measure to the Committee on the Judiciary.

Mr. EASTLAND. I do not know about a motion to recommit; that is new.

Mr. MANSFIELD. Then, there are three points of order, and a motion to refer the bill to the Committee on the Judiciary——

Mr. EASTLAND. That is correct.

Mr. MANSFIELD. Of which the Senator from Mississippi is the chairman.

Mr. EASTLAND. And I hope the distinguished Senator from Montana will join me in that request.

Mr. MANSFIELD. No; I will not.

Mr. THURMOND. Mr. President, will the Senator from Montana yield to me?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Montana yield to the Senator from South Carolina?

Mr. MANSFIELD. I yield.

Mr. THURMOND. I wish to say that this is one of the most important pieces of proposed legislation that has come before the Senate thus far this year, or that will come before the Senate between now and the end of the session. The matter is of great importance to the American people. On the St. Lawrence seaway bill, the Senate spent approximately three weeks, and the action taken in connection with that bill could be revoked. But if the pending bill is passed and if Alaska is admitted into the Union as a State, that action will be irrevocable; once taken, it cannot be revoked.

So far as constitutional questions concerning the bill are concerned, let me say that I believe that if the constitutional lawyers of the Senate will study, they will realize that it is unconstitutional, that it is not in accord with the Constitution.

I shall not be surprised if various Senators will desire to address themselves to the bill before the debate is over. The debate may take 2 more days; it may take 2 more weeks. But certainly I would not think of agreeing to a limitation of debate on a bill of such great importance in the way proposed.

I believed the American people should know what is going on. The only way they can become acquainted with what is taking place in the Senate is through debate in the Senate. If we wished to put the Senate in the position of the House of Representatives, and if we wished to make arrangements of such a sort that the Senate would not be the greatest deliberative body in the world, that would be one thing. But I am not in accord with such an arrangement.

It is my opinion that we should have full and free debate, and that there should be long debate on the question of admitting a new State to the Union, especially when the matter involves great constitutional questions, as does the pending bill.

Mr. President, I thank the Senator from Montana for his kindness in yielding to me.

Mr. MANSFIELD. Mr. President, the Senator from South Carolina is to be commended for his frankness.

Let me say that I believe the Senate is the greatest deliberative body in the world; but I hope it will not become the longest deliberative body in the world. [Laughter.]

Mr. DIRKSEN. Mr. President, will the acting majority leader yield to me?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I should like to ask the distinguished Senator from South Carolina [Mr. THURMOND] whether the unanimous-consent agreement could be modified in a way which would meet any objection he might have.

Mr. EASTLAND. Mr. President, the acting majority leader said that other objections had been filed.

Mr. MANSFIELD. I heard indirectly about one.

Mr. EASTLAND. No; it was officially filed. So why press the matter?

Mr. DIRKSEN. I did not know it was filed. If I had known that was the case, obviously I would not have addressed the question to the Senator from South Carolina—knowing that there would be another objection.

Mr. EASTLAND. Another objection was officially filed.

Mr. DIRKSEN. Now I should like to ask the acting majority leader whether it is official, perhaps, that the Senate will remain in session around the clock, throughout the night and into the morning?

Mr. MANSFIELD. Well, the prospects of that are fair. [Laughter.]

Mr. DIRKSEN. I think the acting majority leader could be a little more definite. Perhaps Senators would like to send for their pajamas and their electric shaving kits, and for whatever else will be necessary in order to be presentable in the morning.

Mr. MANSFIELD. So would I; and I could also use a clean shirt, as well as a shave.

But until we are able to determine what is agreed upon, I think we should proceed hard and long, despite the fact that it will inconvenience a great many Senators.

Mr. DIRKSEN. Mr. President, perhaps I should phrase the question in another way. More politely uttered, is it a fair presumption that one might very well send for clean linen and for whatever else is necessary, on the theory that the Senate will remain in session until the wee hours of the morning, and perhaps longer than that?

Mr. MANSFIELD. Clean linen and a toothbrush. [Laughter.]

Mr. BYRD. Mr. President, I oppose this bill to admit Alaska into the Union as a State, for the simple and obvious reasons that—

First. Alaska does not yet have the population or other elements of the sound economy necessary for responsible statehood.

Second. Without these elements of responsibility, there can be no justification for granting Alaska the political power it, as a sovereign State, might exert over the rest of the Nation.

Third. To admit as a State an area so far removed from our compact Nation as Alaska would establish a precedent which would be certain to be both embarrassing and regrettable.

Alaska was acquired from Russia in 1867. The subject of its government has been continually before Congress since 1884 when a district government was formed. That government was expanded in 1900, and again in 1906. The Territory of Alaska was incorporated in 1912. Bills for Alaska statehood have been introduced regularly since 1916.

I regard this proposed legislation with deep concern. I have tried to reach an intelligent, logical, and fair conclusion; but I have been amazed at the inadequacy of the facts and information on the subject. I have read the debates and the reports. I have requested information from the Library of Congress and from numerous Federal agencies with jurisdiction extending into the area.

Among the Federal agencies, I have consulted the Budget, the Departments of Treasury, Agriculture, Commerce, Interior, Labor, Health, Education and Welfare, and the Civil Service Commission.

I have sought information on Federal expenditures, tax collections, programs, and personnel in Alaska, territorial government expenditures, and receipts, and materials on the Alaskan economy, including population, income, employment, unemployment, wage scales, cost of living, agriculture, major industries, trade, transportation, roads, and so forth.

With enough exceptions to prove the rule, it was generally conceded in all of the agencies contacted that current information on Alaska is fragmentary and inadequate. I found the most concise correlation of available information in a publication by the Department of Defense.

My conclusions are based on the best data available, with some necessary in-

terpretations and projections. But in view of the confusion and conflict in the use of available material. I hesitate to vouch for the absolute accuracy of all of the facts and figures I am forced to use. By the same token, I reserve the right to challenge any alleged facts and figures used in this debate.

POPULATION

For instance, statements in the House and Senate debates on the pending proposal fix population of Alaska all the way from 108,000 to 212,000. The last official United States census in 1950, showed the population to be 128,643. But the latest census estimate, as of 1956, gives a figure of 206,000.

But none of these figures in total is acceptable for purposes of statehood consideration.

Inquiry reveals that all of these population figures include some 45,000 uniformed military personnel quartered on United States military bases in Alaska, with approximately 31,000 dependents! These people cannot be regarded as citizens of Alaska.

There are 9,700 Federal civilian employees in Alaska, with an estimated 6,700 dependents, who retain their citizenship in the 48 States, with no intention to change.

The population of Alaska is predominately Caucasian, but in addition there are some 36,000 Indians, Eskimos, and Aleuts.

On the basis of these figures, it is likely that the permanent qualified population of Alaska at this time would not exceed 113,000.

I suspect other population figures will show up in this debate, but whatever the accurate total population figures may be, perhaps the most significant figure available is the official count of qualified Alaskan citizens voting in the delegate election in 1956. The total was 28,266.

It is easy to be misled by statements of population increases expressed in terms of percentage. For example, an increase of from 1 to 2 is an increase of 100 percent. I am not impressed by the statements in these debates showing Alaskan population has increased anywhere from 50 percent to more than 100 percent since the 1940 census.

In the consideration of increase figures the fact should be recognized that military personnel are included. In 1940 there were 1,300 uniformed military personnel in Alaska and in 1956 the number was 45,000. The percentage of increase in civilian employment by the Federal Government probably has been as great.

With this in mind, an analysis of the increase in the number of persons who may qualify for Alaskan citizenship indicates that population growth in the 16 years between 1940 and 1956 totals about 44,000, or about 2,756 per year.

At this rate, it would take Alaska 52 years to reach the 256,000 population of Nevada, which ranks number 49 among the 48 States and the District of Columbia.

These are some of the facts on which I base the conclusion that Alaska does not have the population—as one element of sound economy—to justify responsible statehood.

In this connection I cannot leave unchallenged the contention appearing throughout the debate that Alaskan population at this time is greater than was the population of numerous States at the time of their admission to the Union.

Strictly speaking, this may be true in some of the instances cited. But such a bare statement may be misleading. To be meaningful, in each instance the comparison must be made in terms of ratio to total population of the United States at the time of entry. The currently estimated population of Alaska is one-fifteenth of 1 percent of the total population of the United States. On this basis the population of every State admitted to the Union since the purchase of Alaska has been in a higher ratio to the continental total.

A Library of Congress summary of arguments pro and con on Alaskan statehood, as of February 1954, in part states:

> In later years a territorial population equal to the current unit of representation in the House of Representatives was considered satisfactory as a population prerequisite for statehood. This rule is still considered by many to be a reasonable standard.

The present unit of representation in the House of Representatives is 345,000 people. Alaska's population, by any figure one may care to take, is far short of statehood requirements by this standard, and it is not likely to be met in the near future.

It seems to me that Alaska does not meet the first requirement for statehood—sufficient population.

OTHER ELEMENTS OF SOUND ECONOMY

Population is certainly the first consideration in a sound economy. But it cannot be considered alone and apart from the other requirements for sovereignty. There are other vital elements required, not only in support of the population, but also in the fulfillment of statehood responsibilities and relationships to the remainder of the Union.

One third of the vast Alaskan territory lies above the Arctic Circle.

Less than one percent of Alaska has been surveyed. More than 98 percent of the territory is owned by the Federal Government. Only about one tenth of one percent of the total area is privately owned.

In all of the more than 365 million acres of land in Alaska, only 2 million, or about one-half of 1 percent, are arable. While there is no current information on the subject, the 1950 census showed that of the 2 million acres of arable land, only 14,000 acres could be described as improved.

According to the 1950 census, there were only 525 farms in the whole Territory, and these were valued at about $15 per acre. The value of agricultural products sold in 1950 was $1,572,000. This included the sale of crops, livestock, fur animals and pelts, poultry, and dairy products.

The Office of Territories, United States Department of Interior, publication Mid-Century Alaska in 1957, stated:

> Agriculture in Alaska continues to be a subject of study, research, and great interest. Exploratory investigations reveal that Alaska is capable of producing 45 to 55 percent of its own requirements of agricultural products, instead of approximately 10 percent, the quantity now produced. Economically this level of production has not been feasible due to insufficient cleared cropland, storage problems with some crops, poor production practices, problems of market organization, and lack of production credit.

The Canadian Defense Department, in its 1956 publication, after discussing the problems of climate and frozen soil, stated:

> However, it is perhaps the economic factors that have most retarded the development of agriculture in Alaska. Because of the high cost of labor and equipment, it is much more expensive to clear land in the Territory than it is in the United States. Furthermore, farmers must bear the cost of transporting their crops to the market where lack of storage space and efficient marketing facilities add still further to their difficulties. Most of Alaska's food consequently has to be shipped in from the United States and this factor contributes to the high cost of living in Alaska.

The cold hard facts are that Alaska at present is clearly deficient in the first two requirements of a sound economy—population, and agriculture to sustain it. It is not only deficient now, but necessary improvement within the limits of reasonable cost-of-living levels is not indicated in the foreseeable future.

The Territory is equally deficient in transportation, a third essential to a sound economy.

To serve all of its 571,000 square miles—an area equal to about one-fifth of continental United States—Alaska has less than 600 miles of railroad and only about 5,000 miles of roads, of which only 2,000 miles are open the year around. This road mileage includes the 1,500 Alaska Highway mileage built in 1942 by the United States Army, primarily for war and military use.

Waterborne transportation to Alaska and within the territory historically has been the transport mainstay of the area. But although scheduled steamship lines have been developed, the climate confines year-round service to southern and southeastern areas. Both the Bristol Bay and the Bering Sea areas are frozen in during the winter, and ships can make only one round trip a year to Point Barrow.

In fact, a large portion of Alaska can be reached only by dogsled and airplane.

The airplane has been used in Alaska for a long time for both passenger and freight transportation, and in fact for hauling almost anything. But even bush pilot transport is both hazardous and expensive.

Summing up the transportation problems in Alaska, the Canadian Department of Defense says:

> Adequate transportation to and within Alaska is generally recognized as the prime factor in the development of the Terriory. The biggest hindrance to the progress of the country today is undoubtedly lack of land transportation.

So, we find that Alaska is characterized by deficiencies in three fundamentals of sound economy—population, subsistence, and transport.

Traditionally, fisheries have been Alaska's leading industry, followed by fur production and mining.

There can be no doubt about Alaska's tremendous natural resources, but to date they are largely only an undeveloped potential. Some of them, such as critical minerals, are of inestimable value to the whole free world. A few, such as forestry, oil, and power, are gradually being developed.

But actually this great potential is practically unscratched. The unbiased Canadian Defense Department says the reason is the high cost of operations in Alaska.

The very fact that the high cost of operations prevails against productive development of this great potential wealth is, in itself, convincing evidence of the lack of soundness in the Alaskan economy necessary to fulfill the obligations of statehood.

High cost of living, high cost of operations, and the handicaps of rigorous climate are certain to result in paucity of agricultural production, transportation difficulties, and vast unproductive areas.

These are obvious basic economic reasons why Alaskan wages run up to twice the cost of comparable labor on the mainland. The counterpart of a $70 a week United States worker earns about $120 a week in Alaska.

Generally speaking, the same elements of the Alaskan economy are also contributing factors in the high rate and high cost of Alaskan unemployment. The percentage of unemployment is nearly double the unusually high rate in the United States this year.

Unemployment pay in Alaska runs to a maximum of $45 a week. The employment tax is 3.2 percent, 0.5 percent on the employee and 2.7 percent on the employer.

The Alaskan unemployment fund has been virtually bankrupt four times in recent years. There have been three previous loans to Alaska from the United States Unemployment Insurance loan fund. One of these loans was repaid. Two are still outstanding.

There was less than $200,000 in the Alaska fund at the middle of this month. United States Treasury officials have advised me within the week that application for the fourth Alaskan loan is imminent. It may have been received by now.

The total labor force of Alaska is less than 50,000. Unemployment is running at more than 8,000.

The detrimental effect of such an unemployment situation and its high cost are felt throughout the flimsy Alaskan economy.

The fact is, of course, that the United States Federal Government, the principal property owner in Alaska, is also the principal source of steady employment and income in the Territory.

Exclusive of all others working on Federal projects let to private contractors, regular Federal agency employees in Alaska including both civilians of Alaska and the 48 States, total nearly 16,000. This is 32 percent of the total labor force and 38 percent of the employed population.

According to House Committee testimony, confirmed by official representatives of the area, the latest estimates available indicate the Territorial income in calendar year 1956 totaled about $500,300,000.

Of this total United States Federal Government spending accounted for $355 million, or about 70 percent. Other producers of income in Alaska in 1956 were fishing $78 million, forestry $34 million, mining $24 million and others, including agriculture, $8 million.

Against this Federal expenditure of $355 million in calendar year 1956, United States Federal revenue collections in the Territory totaled $43,566,000 in fiscal year 1956, which ended June 30, 1956, and $36,431,000 in fiscal year 1957 which started July 1, 1956.

It may be worthy of note that Federal revenue collections in Alaska declined $7,135,000 or more than 16 percent between fiscal years 1956 and 1957. All of this decrease was in income tax collections.

Of the $355 million United States Federal expenditures in Alaska in 1956, it is to be assumed that the greater portion was for military activity, and the testimony on this bill is to the effect that major military construction now contemplated is about completed.

Frankly, from budget sources I am unable to arrive directly at a figure for United States military expenditures in Alaska, but a check of budget-expenditure estimates for the coming fiscal year 1959 shows expenditures in Alaska for United States Federal civilian agency programs and projects totaling at least $57,743,000.

This figure shows that Federal expenditures in Alaska for civilian programs and projects alone exceed Federal revenue collections.

Analyzing these Federal expenditures, I find no area where substantial reduction might be expected if statehood were granted. For instance, Alaska already enjoys full participation in United States grants-in-aid to States programs. And payments through these programs to Alaska in the coming year are estimated at between $18 million and $20 million.

In contrast to nearly $58 million in United States Federal expenditures in civilian programs and projects in Alaska, the Territorial government for the biennium period April 1, 1955, to March 31, 1957, appropriated $31 million or about $16 million a year, plus $3½ million for segregated programs.

If power follows the purse, what manner of State sovereignty can be developed in an area where grants-in-aid payments equal Territorial government expenditures for all purposes; where Federal expenditures for strictly domestic-civilian programs and projects are nearly 3 times Territorial expenditures for presently accepted responsibilities; and where total Federal expenditures are nearly 20 times total public outlays by the Territorial government?

This is the relationship between the Federal and Territorial governments now. And, even with the granting of statehood and all that goes with it, I find nothing to indicate this situation would change very much in the foreseeable future.

Of course, there will be a few areas where present Territorial responsibilities will be increased and Federal domination decreased. This would occur principally in the judicial system.

As usual with current information on Alaska, estimates as to additional Territorial costs under statehood are vague. They vary all the way from $2 million a year to $11 million.

While Territorial officials who testified in the hearings seem to be certain they can meet the additional costs, there is evidence also of substantial public opinion to the contrary.

On the face of available facts and reasonable expectation, it is difficult to see how the economy of the area can support much increase in public assessment. The Alaskan tax system already, in recent years, has been reorganized and expanded to produce more revenue.

We can milk only so much public revenue from an economy which is producing only $500 million, with 70 percent of that from Federal payments, and a people whose personal and business deposits in Alaskan banks total only $166 million.

Since the recent tax revisions, the principal remaining source of public revenue lies in taxes on real estate outside of the incorporated towns.

In this connection it is pertinent to note that this statehood legislation would make a birthday present to the new State of Alaska of more than 100 million acres of land. This is property now owned by the people of the 48 States. In the House debate this was described as the greatest giveaway on earth.

Even with such an outright grant, under the economic handicaps characteristic to Alaska, it is doubtful that the ability of the Territory to meet the requirements and responsibilities of a sovereign State would be increased very much in the reasonably near future.

The testimony of Mr. Ralph J. Rivers, the Alaskan Tennessee-plan Representative-elect, himself, sustains this point. In response to House committee interrogation on the question as to whether this land—the 100 million acres—"would eventually become a tax base from which the new State could obtain real estate tax revenues," Mr. Rivers said: "That 103 million acres would probably be the best and most available, and would become, as it is taken up and acquired by private ownership, taxable property, but that is projecting quite a bit in the future."

To confer the privileges of statehood upon Alaska is one thing, but to anticipate its ability to meet the requirements, and fulfill the responsibilities of statehood, we must project the whole proposal quite a bit in the future.

I can reach no other conclusions with respect to a territory so grossly lacking in sufficient population and an economy capable of sustaining it.

I cannot cast a vote in the Senate of the United States to confer American statehood upon an area still so thoroughly unfit as Alaska at this time to

fulfill the responsibilities of State sovereignty.

POWER OF STATEHOOD

Alaskan difficulties are economic. They are not political. I submit statehood would solve none of Alaska's economic problems.

But it would give the sparsely settled, economically handicapped, federally dominated Territory, with less than 30,000 voting citizens, tremendous political power in, and perhaps over, the greatest Nation on earth—and this in time of cold war tensions when we cannot afford to make mistakes.

Alaska as a State would have 2 Members in the United States Senate who could nullify the votes of 2 Senators from New York, California, Illinois, Texas, Massachusetts, Virginia—or any of the other States.

In times such as present, when lines are closely drawn, it is possible that as the result of the pending bill two votes representing a State deficient in all respects could hold the balance of power in determining the destiny of this Nation.

That would be political power beyond any fundamental concept in this democracy and republican form of government. It would be political power beyond comprehension. It would be political power beyond reason and justification.

The Members of the House of Representatives is rigidly fixed at 435. Alaska as a State would be entitled to at least one Member.

This means that some continental congressional district will have to sacrifice to Alaska its seat in the House of Representatives.

What congressional district will it be?

Statehood for Alaska would give it 3 electoral votes, or better than 1 for each 38,000 citizens. By comparison with 1 vote for every 320,000 citizens of the 48 States this would be disproportionate representation in the electoral college in tremendous degree.

We have spoken about foreign giveaways for years. The land grant to Alaska provided in this bill has been described in the House as the greatest giveaway of all times.

A REMOTE AREA

Speaking classically, Alaska must certainly be regarded as part of the American realm, and I think proudly of it as such.

But actually, geographically, economically, and politically, it is remote from the 48 States of the American Union. It is remote even under conditions of modern communication and transportation.

It is separated by nearly 1,000 miles through a foreign country. It is a half a continent removed. Its boundary is the international date line. It is only 56 miles from Siberia.

Much of our great strength in this Nation springs from our compact union of contiguous States, naturally bounded within the Temperate Zone. No other nation is so naturally blessed in such great degree.

I think this is what the late Nicholas Murray Butler of Columbia University had in mind when he said:

> Our country now consists of a sound and compact area, bounded by Canada, by Mexica, and by the two oceans. To add outlying territory hundreds or thousands of miles away, with what certainly must be different interests from ours, and very different background, might easily mark * * * the beginning of the end.

We have never conferred statehood upon a territory separated by foreign soil. I regard it as dangerous policy now.

Certainly Alaska must be regarded as strategic to our well-being. But so is our treaty possession, the Panama Canal Zone. So are many of our island possessions in the Pacific. But outpost values do not necessarily qualify an area for the responsibilities of sovereign statehood.

It is no secret that if this bill passes there will be shortly before the Senate again the proposal to confer statehood upon Hawaii.

There is serious consideration of proposing Puerto Rico for statehood after Hawaii.

But I cannot follow the reasoning of the proponents of these proposals when they contend that conferring American statehood half way around the globe will make us less vulnerable to Russian imperialism propaganda.

I am fully convinced that to admit as States areas so far away as Alaska, separated by the territory of another nation, and Hawaii, separated by the international waters of an ocean, is certain to be both embarrassing and regrettable in our future history. It is for these reasons that I am compelled to vote against the pending bill.

The PRESIDING OFFICER (Mr. JORDAN in the chair). The bill is open to amendment.

Mr. BYRD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Without objection, it is so ordered. The bill is open to amendment.

Mr. THURMOND. Mr. President, I am opposed to the enactment of legislation which violates the Constitution of the United States. In my opinion, the bill pending before the Senate providing for the admission of the Territory of Alaska into the Union, is unconstitutional. The Alaskan statehood bill provides that the President of the United States may withdraw certain territory from the State of Alaska. I know of no constitutional authority which gives the President of the United States that permission. If the President of the United States can withdraw territory from the State of Alaska, he can withdraw territory from the State of South Carolina, the State of California, the State of New York, or any other State.

The Alaska statehood bill raises grave legal questions which have not been answered. For example, the section authorizing the President to withdraw northern Alaska from State control and to transfer the governmental functions to the Federal Government would weaken the sovereignty of Alaska and make it inferior to the other States. This could set a precedent for further invasion of the sovereignty of the other States of the Union.

The so-called national-defense withdrawal proposal deserves considerable more attention than it is getting. Much propaganda has been disseminated in an effort to show that even the original native population of Alaska has adopted the American way of life, and thus qualifies for statehood. The proposed withdrawal indicates, on the contrary, that the United States Government is adopting the philosophy of the native Indians, as exemplified by the most gigantic "Indian gift" conceivable.

First, Alaskan statehood proponents and this bill would allow the entirety of the Territory of Alaska to be incorporated within the bounds of the proposed State. The State would have, initially, complete jurisdiction of the entire area now included within the Territorial limits of Alaska. The United States, however, once conceived as a Government of limited power, derived by grant from the States themselves, proposes to reserve the right to withdraw from the State, and administer as a Territorial possession, almost one-half—270,000 square miles of the total 586,000 square miles—of the State, and to return it to semi-Territorial status and administration.

If the President can withdraw almost one-half of the land in the proposed State of Alaska, why can he not withdraw land from any State in the Union?

There occur to me two reasons why this strange and unprecedented procedure may have been proposed. I am inclined to believe that both reasons were influential, but that the second is paramount. Let me say at this point that I thoroughly agree that the area embodied in this "Indian gift" should be retained by the United States for defense purposes. The United States would make a terrible mistake to impair its jurisdiction of this area to any extent whatsoever.

The first logical explanation for the "Indian gift" embodied in this bill is that a great proportion of the propaganda promulgated for the purpose of obtaining statehood was based on the dubious economical assets within the so-called withdrawal area. Included in the withdrawal area is all of northern Alaska; the Seward Peninsula, including the city of Nome with all of its overly touted gold mines; one-half of the Alaskan Peninsula; the entirety of the Aleutian Islands; St. Lawrence Island; and those other islands of the Bering Sea which provide the home for seal and walrus. Without the inclusion of this area within the State, Alaska's bid for statehood would be even weaker, if a weaker case could be conceived.

The second motive to which I attribute this "Indian gift" is more subtle, and, in my opinion, paramount. Our Government is one which relies for its operation, to a great extent, on precedent. Even on the floor of the Senate, the

proponents of legislation invariably take the trouble to point out to their colleagues that there has been a precedent for such legislation, even though the precedent might be very illusory.

Now let us look at the precedent which our ambitious Federal Government is seeking to establish. The United States, by this proposed treaty with Alaska, seeks to confirm its right, as exercised by the President in his discretion, to withdraw from the jurisdiction of the States, unlimited areas, which our all-powerful Federal bureaucracy can administer according to its whim in the status of a Territory. If such a right is established in one instance, would we be so naive as to believe that the Federal Government would not cite this as a precedent for its authority to withdraw all of the coastal areas of the United States from the jurisdiction of the individual States in the interest of national defense? Do not be deceived. I do not hesitate, like Mark Anthony, to attribute ambition to the ambitious. This Federal bureaucracy is ambitious, and worse, it is power hungry. It is a constant usurper of authority. It is a would-be tyrant. It is only through the maintenance of the integrity of the individual States that we can preserve the inherent right to local self-government that is our precious heritage. The proposed withdrawal agreement is a step toward the destruction of State entities and, thereby, a step toward the destruction of the right of local self-government.

The use of such a precedent is in defiance of the Constitution and contrary to the basic concepts on which this country was founded. The withdrawal proposal, although only one of many legally questionable aspects of the bill, is a more than sufficient cause, in itself, for the Senate of the United States to reject statehood for Alaska in the form proposed.

Some of the proponents of the bill question the authority which I have just recited and the constitutional basis to which I have just referred. I should like to read section 10 of the bill, to show that it does exactly what I said it would do:

SEC. 10. (a) The President of the United States is hereby authorized to establish, by Executive order or proclamation, one or more special national defense withdrawals within the exterior boundaries of Alaska, which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President.

That section gives to the President of the United States the power, by Executive order or proclamation, to make withdrawals from the proposed State of Alaska if it is deemed advisable by him.

Where is there any authority in the Constitution of the United States to permit the President of the United States or anyone else to withdraw territory from a State after it has once been ceded to a State? Again, I say that if the President of the United States can withdraw land from Alaska, he can withdraw land from Wisconsin, he can withdraw it from Idaho, he can withdraw it from Maine or Florida, or from any other State in the Nation.

Section 10 (b) of the bill specifies the areas which the President can withdraw. I read:

(b) Special national defense withdrawals established under subsection (a) of this section shall be confined to those portions of Alaska that are situated to the north or west of the following line: Beginning at the point where the Porcupine River crosses the International boundary between Alaska and Canada; thence along a line parallel to, and 5 miles from, the right bank of the main channel of the Porcupine River to its confluence with the Yukon River; thence along a line parallel to, and 5 miles from, the right bank of the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160 degrees west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along a line parallel to, and 5 miles from the right bank of the Kuskokwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162 degrees 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 57 degrees 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156 degrees west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50 degrees north.

There, Mr. President, in section 10 (b) of the bill, is delineated and specified the portions of Alaska which could be withdrawn by the President from the sovereign State of Alaska, if it becomes a State in the event the pending bill becomes law.

Again, I say the President under the Constitution has no authority to withdraw land from any sovereign State; and, if Alaska were to be admitted to the Union, it would be a sovereign State, just the same as any other State in the United States.

Section 10 (c) of the bill reads as follows:

(c) Effective upon the issuance of such Executive order or proclamation, exclusive jurisdiction over all special national defense withdrawals established under this section is hereby reserved to the United States, which shall have sole legislative, judicial, and executive power within such withdrawals, except as provided hereinafter. The exclusive jurisdiction so established shall extend to all lands within the exterior boundaries of each such withdrawal, and shall remain in effect with respect to any particular tract or parcel of land only so long as such tract or parcel remains within the exterior boundaries of such a withdrawal. The laws of the State of Alaska shall not apply to areas within any special national defense withdrawal established under this section while such areas remain subject to the exclusive jurisdiction hereby authorized: *Provided, however,* That such exclusive jurisdiction shall not prevent the execution of any process, civil or criminal, of the State of Alaska, upon any person found within said withdrawals: *And provided further,* That such exclusive jurisdiction shall not prohibit the State of Alaska from enacting and enforcing all laws necessary to establish voting districts, and the qualification and procedures for voting in all elections.

Section 10 (d) of the bill reads as follows:

(d) During the continuance in effect of any special national defense withdrawal established under this section, or until the Congress otherwise provides, such exclusive jurisdiction shall be exercised within each such withdrawal in accordance with the following provisions of law:

(1) All laws enacted by the Congress that are of general application to areas under the exclusive jurisdiction of the United States, including, but without limiting the generality of the foregoing, those provisions of title 18, United States Code, that are applicable within the special maritime and territorial jurisdiction of the United States as defined in section 7 of said title, shall apply to all areas within such withdrawals.

(2) In addition, any areas within the withdrawals that are reserved by act of Congress or by Executive action for a particular military or civilian use of the United States shall be subject to all laws enacted by the Congress that have application to lands withdrawn for that particular use, and any other areas within the withdrawals shall be subject to all laws enacted by the Congress that are of general application to lands withdrawn for defense purposes of the United States.

(3) To the extent consistent with the laws described in paragraphs (1) and (2) of this subsection and with regulations made or other actions taken under their authority, all laws in force within such withdrawals immediately prior to the creation thereof by Executive order or proclamation shall apply within the withdrawals and, for this purpose, are adopted as laws of the United States: *Provided, however,* That the laws of the State or Territory relating to the organization or powers of municipalities or local political subdivisions, and the laws or ordinances of such municipalities or political subdivisions shall not be adopted as laws of the United States.

(4) All functions vested in the United States commissioners by the laws described in this subsection shall continue to be performed within the withdrawals by such commissioners.

(5) All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporation, district, or other subdivision, and the laws of the State or the laws or ordinances of such municipalities or local political subdivision shall remain in full force and effect notwithstanding any withdrawal made under this section.

(6) All other functions vested in the government of Alaska or in any officer or agency thereof, except judicial functions over which the United States District Court for the District of Alaska is given jurisdiction by this Act or other provisions of law, shall be performed within the withdrawals by such civilian individuals or civilian agencies and in such manner as the President shall from time to time, by Executive order, direct or authorize.

(7) The United States District Court for the District of Alaska shall have original jurisdiction, without regard to the sum or value of any matter in controversy, over all civil actions arising within such withdrawals under the laws made applicable thereto by this subsection, as well as over all offenses committed within the withdrawals.

Section 10 (e) of the bill reads as follows:

Nothing contained in subsection (d) of this section shall be construed as limiting the exclusive jurisdiction established in the United States by subsection (c) of this section or the authority of the Congress to implement such exclusive jurisdiction by appropriate legislation, or as denying to persons now or hereafter residing within any portion of the areas described in subsection (b) of this section the right to vote at all elections held within the political subdivisions as prescribed by the State of Alaska

where they respectively reside, or as limiting the jurisdiction conferred on the United States District Court for the District of Alaska by any other provision of law, or as continuing in effect laws relating to the Legislature of the Territory of Alaska. Nothing contained in this section shall be construed as limiting any authority otherwise vested in the Congress or the President.

Mr. President, I have just read from the pending bill—the bill to provide for the admission of the State of Alaska into the Union—section 10, which gives to the President of the United States the authority to withdraw land from the State of Alaska in the event Alaska should become a sovereign State.

Again, I reiterate that any such authority is ultra vires, it being beyond the power of the President of the United States under the Constitution, and such a provision in this bill is unconstitutional.

Mr. President, the issue of Alaskan statehood is a complex one. It is a highly important one. It involves questions of national defense, conservation of resources, rights and duties of States, and the setting of a precedent for admission of additional noncontiguous territories to statehood in the Union.

I hope that we all will bear in mind, in considering this momentous question, the element of finality involved. Statehood once granted is irrevocable. The time to consider all aspects of the question is now, for once the statehood bill becomes law, it will be too late for this body to reconsider its action and to correct the situation by repealing its previously-enacted bill, as it can do in most other cases. In view of this finality which stares us in the face, I feel that we should all take a long and careful look before setting forth down this road of no return.

We have already heard and read a great deal of background information on the subject of Alaska. We have heard eloquent and glowing descriptions of the physical grandeur of the land. We have heard much of the character of the inhabitants, both the native Indians, Eskimos, and Aleuts and the newcomers who now make up a great majority of the population. We have heard detailed reports of the economic situation in Alaska. We have been given an abundance of statistics and figures of every sort. In short, we have been provided more than generously with background information, piled high, pressed down, still running over.

However, according to the Senate's sentiment, as indicated in the press, this information has not been properly digested by the Members of this august body. I shall, therefore, review some of these facts and figures during the course of my address.

Mr. President, I reaffirm my opposition to the admission of Alaska to statehood. I shall state the reasons for my position. I shall urge my fellow Senators to join with me in opposing this legislation, so fraught with danger to the future well-being of the United States of America.

First, I shall state, and then answer, the principal arguments—of which there appear to be seven—which have been advanced by the proponents of statehood.

Next, I shall deal—at some length, if I may—with the principal reasons why I feel that the admission of Alaska would be unwise.

Finally, I shall show why the admission of Alaska is unnecessary.

The advocates of statehood argue that the Alaskan economy is suffering and that this suffering is due to the disadvantages of territorial rule. They claim that statehood is necessary to bring economic progress to Alaska, even though, at the same time, they proclaim that Alaska is making great economic progress.

It is of course quite true that Alaska has made considerable economic progress—under territorial rule, it should be noted. The Honorable E. L. BARTLETT, Alaska's Delegate in the House of Representatives and leading advocate of statehood, inserted in the March 3, 1958, CONGRESSIONAL RECORD an article from the magazine Business Week describing the prospect of an economic boom.

Despite this great progress which has been made, it remains true that the Alaskan economy is in unsound condition. But what is it, specifically, that is wrong with it? It is this: Alaska suffers from high taxes and a high-price economy. And this is a situation which would be aggravated, rather than ameliorated, if Alaska were to be admitted to statehood. The people of Alaska, already overtaxed and burdened with an extremely high cost of living, simply cannot afford to pay the high cost of running an efficient State government.

Mr. President, I hold in my hand the Anchorage Daily News of June 10, 1958. This newspaper is filled with thousands of names of persons listed as defendants in a suit to collect delinquent taxes. These defendants are all in one school district. These thousands of people are unable to pay the taxes which are now levied by the school district under territorial rule. I ask, Mr. President, how many more names would appear in this newspaper if the high taxes which would surely accompany statehood were imposed?

Responsible opinion in Alaska is aware of the economic facts of life in Alaska. A highly respected newspaper in the capital city of Juneau recently declared in an editorial:

> Alaska needs a 10-year moratorium on the statehood issue, which is a political football, and is being forced by intimidation on the property owners of Alaska. During this moratorium we can put our house in order to develop industry so that we can afford statehood at the end of 10 years.

Mr. President, I have read only a small portion of this editorial. It is such a good editorial, however, that I would like to read its entire contents as it was published in the Daily Alaska Empire of Juneau, Alaska, on a recent date. It was reprinted in the Washington Daily News of March 12, 1958. The text of the editorial follows:

> Alaska's Delegate ROBERT (BOB) BARTLETT, has put his finger on the statehood problem in the only realistic way that it can be solved for the benefit of the 48 States and the Territory of Alaska.
>
> Delegate BARTLETT announced February 2 of this year that he has a bill pending in Congress to remove the 25-percent ceiling on the cost-of-living bonus given Federal employees in Alaska and allowing this 25-percent tax benefit to be placed at a realistic figure of about 50 percent or more.
>
> Statehood in Alaska is the most misunderstood fact facing the House of Representatives and Senate because it is loaded with political emphasis and is sponsored by voters in Alaska, 90 percent of whom never remain in Alaska longer than 36 months.
>
> Congressman Dr. MILLER, of Nebraska, conducted a survey and found that the overwhelming majority of the people of Alaska only want statehood after some realistic adjustment of taxes and are against statehood at this time. And yet Congressman MILLER stated before his survey that he would be for statehood regardless of what his sample balloting reflected.
>
> The Alaska Daily Empire is the oldest daily newspaper in Alaska and it has been owned by three separate families, including the present owners, who have had interests and members of their families in Alaska more than 60 years.
>
> Considering statehood, this is what the Federal Internal Revenue Department announced last fall: "The tax collections in Alaska have dropped from a high of $43,566,000 down to $36,431,000," which indicates that Alaska's economy has only approximately 20 percent of the strength of the Hawaiian economy.
>
> In other words, Hawaii pays in Federal income taxes five times as much as Alaska ever paid and Hawaii's is increasing and Alaska's economy is decreasing.
>
> To further reflect the soundness of Alaska's economy, 65 percent of all income in Alaska is paid to Army personnel and Federal Government employees and because the Army spending in Alaska is on the decline, Alaska's economy is on the decline.
>
> To further reflect the truth about Alaska, we combined some figures for Mr. Seaton and for Congressman MILLER of Nebraska and this showed that Lincoln, Nebr., had a far greater amount of money in savings accounts than the total of Alaska and yet the population of Alaska was approximately twice the population of Lincoln, Nebr.
>
> Alaskans are the highest taxed group under the American flag, with sales tax and territorial income tax and a cost of living that runs 50 percent to 100 percent higher than the balance of the United States.
>
> Alaska needs a 10-year moratorium on the statehood issue, which is a political football, and is being forced by intimidation on the property owners of Alaska. During this moratorium we can put our house in order to develop industry so that we can afford statehood at the end of 10 years.
>
> And we need to have Delegate BARTLETT's realistic tax concession granted to Federal employees and extended to all taxpayers in Alaska for 10 years so industry can be established and we in Alaska can pay into the Treasury of the United States rather than being a liability, which is now the case. We believe industry will bring us revenue and growth plus statehood.
>
> Now here's some sober thinking for the Congressmen and Senators who have the interests of the United States in the uppermost part of their minds: To grant statehood to Alaska at this time, we would find that the leftist extreme element in Alaska and Hawaii would undoubtedly run a race in case of war to see which area would voluntarily joint the Communist bloc first, and being next door to Russia, Alaska might go first.
>
> These Congressmen and Senators should heed the statement of Dr. Allan M. Bateman, professor of geology of Yale University, who said on February 23 of this year: "There are 32 critical minerals necessary for suc-

cessful war or peace or industry." Now what he didn't say was that Alaska is the great reservoir under the American flag for these 32 necessary minerals and statehood at this time would delay the development of these minerals for at least 25 years.

Dr. Bateman stated that Russia alone has more of these necessary 32 minerals and is less dependent than any country in the world. The British Commonwealth has a surplus of 25 of these minerals with a deficiency of only 7 of these minerals.

He further stated that the United States is third from the top and is in a serious position.

Alaska has more of these necessary minerals. Therefore, statehood taxes and the welfare of our Nation should be considered in one package—which is the true way to develop Alaska. Bring about statehood and at least a 10-year moratorium by having Congress wash its hands of this situation which is festered throughout with leftist intimidation and is lacking in integrity and good for the 48 States plus the Territories.

Our continued request to be heard has been jockeyed and moved around. Anyone who speaks realistically about the development of Alaska for the benefit of all of the United States meets the propaganda of the emotionists and the leftists and those who put political gain first and our Nation second.

Mr. President, that was the editorial to which I referred. I thought it would be of interest to the Senate to know exactly what that Alaska newspaper published. The editorial was published in the Daily Alaska Empire, of Juneau, Alaska; and, as I have said, the editorial was reprinted in the Washington Daily News of March 12, 1958.

Here is some more sentiment from Alaska. I have before me a letter which reads as follows:

BROWN & HAWKINS COMMERCIAL CO.,
Seward, Alaska, June 18, 1958.

Senator J. STROM THURMOND,
Washington, D. C.

DEAR SENATOR: I represent the Alaska Citizens for Commonwealth Committee. We speak for many, many thousands of veteran Alaskans who are not convinced that statehood for Alaska is a wise move at this time. Alaska is politically immature. Our population is so unstable that it would be inimical to the best interests of the Union and of Alaska to force on us the complete responsibility of administering such a large and complex Territory. We now have one of the highest tax structures in the world. To finance the added costs of statehood we would have to increase our present punitive taxes to a prohibitive one. We should develop a self-sustained economy before becoming a State. At present it depends entirely on defense spending.

For the most part our members and the people we speak for live in the hinterlands and the smaller towns of Alaska. Because our Territory is so vast and undeveloped it is hard for us to communicate and organize. That is why our voice has not been more commanding.

We have asked Senator KNOWLAND to have the Senate review the Alaska State constitution and have it returned for amendment so that it will conform to democratic principles. We believe that you oppose statehood for Alaska on the same grounds we use, but we would like to ask for your certain support of this particular action.

Just a cursory study of the Alaska constitution as it now stands reveals that it was written by pedagogs who in themselves did not think that the rank and file of Alaskans are capable of self-government. It is a paragon of oligarchy. It gives too much power to Governor appointed commissions without benefit to the electorate of the traditional democratic right of initiative and referendum.

Under statehood it is going to be an impossible job for us as businessmen to keep our economy solvent. We don't want the added burden of unbridled oligarchy in our State Capitol. We will appreciate your support in this important matter.

Sincerely,

O. E. DARLING,
Chairman, the Alaska Citizens for Commonwealth Committee.

That letter is very impressive. It is well written, and seems to express the sentiment of a large segment of the population of Alaska.

Today I received a telegram which I should like to read to the Senate. It is addressed to me, and reads as follows:

KETCHIKAN, ALASKA, *June 26, 1958.*

Hon. J. STROM THURMOND,
United States Senator from South Carolina, Senate Office Building, Washington, D. C.:

Only parts of Alaska's economy that are healthy are service industries, and the others dependent on huge Federal expenditures, such as construction, coal mining, and some agriculture. Adjacent Anchorage and Fairbanks, Alaska's largest lumber mill, Ketchikan Spruce Mill, closed nearly whole of past year. Ketchikan pulp mill, although granted substantial tax exemptions, have curtailed daily operations and closed down 1 month for lack of profitable market and high costs. Plywood mill, Juneau, bankrupt. Ketchikan fishmeal plant bankrupt. Many small plants closed. Cannery salmon fishing permitted only 20 to 30 days a year. Petersburg shrimp industry unable pay even minimum Territorial wage. Gold mining and fur trapping depressed lowest point in 50 years. Only four fur farms in operation. Most Alaska steam freighters operated only 3 months a year and return practically empty 9 months of year. All American passenger ships discontinued. Twenty thousand workers come to Alaska each spring for seasonal work, leave Alaska in fall. Result, unemployment fund depleted and Alaska only State of Territory which owes Federal fund $5 million and which taxes employees as well as employers and has no experience rating. Thirty thousand Indians and Eskimos hard hit by closing and consolidation salmon canneries. Thousands on relief. Additional taxes of statehood would impose further hardships. Believe your plan for commonwealth status only one which would permit Alaska to grow industrially and thus enable Alaska to eventually gain statehood on firm economic basis.

SID D. CHARLES,
Editor, Ketchikan Daily News.

Mr. President, I have in my hand a communication from a prominent editor of a large newspaper in Alaska setting forth the facts with regard to conditions which now exist in Alaska. It is called a letter to an editor from an editor, and is entitled "Can Alaska Afford Statehood Now?" It is signed by Emery F. Tobin, the editor of the Alaskan Sportsman, and is dated March 23, 1956, at Ketchikan, Alaska. It is addressed to the editor of the Daily News and reads:

CAN ALASKA AFFORD STATEHOOD NOW?—A LETTER TO AN EDITOR FROM AN EDITOR

(By Emery F. Tobin, editor, the Alaska Sportsman)

KETCHIKAN, ALASKA, *March 23, 1956.*

EDITOR, DAILY NEWS:

In connection with some studies I have been making on the Alaska constitution and statehood for Alaska, I have gathered certain facts and figures, some of which I gave in a talk at the meeting of the Ketchikan Chamber of Commerce yesterday and at a meeting of the Business and Professional Women's Club a few weeks ago.

In reporting my appearance at the chamber of commerce in the Daily News yesterday, several serious misstatements were made. In view of these misquotations and the several requests I have had for copies of the figures I quoted, perhaps your readers may be interested in the following review of my talk on the costs of statehood:

In general, the proposed Alaska constitution is a good one, and except for some features which have been subject to criticism, is very democratic, and provides for a government of the people, by the people, and for the people.

However, when a householder or a business organization wants to acquire something, the first factor usually considered is the cost, and next is whether it can be afforded. In considering statehood for Alaska, the last thing that seemed to be discussed is the cost.

HAVE PUBLIC MONEY

The advocates of "statehood now" have been granted over $150,000 of public money by the Territorial Legislature to promote statehood. This is money from the pockets of those Alaskans who do not believe Alaska is ready for statehood, as well as from those who do. The opponents have to use their own time and money for research to oppose the propaganda of the statehood adherents using public money. It is rather a losing proposition.

The supposition that Alaska is economically sound and can afford immediate statehood is based on the fact that most of the money earned in Alaska often comes easily, in a few months of the year, or from Uncle Sam. But if Alaska were as prosperous industrially as some would make it out to be, there would be no necessity for more than 20,000 people to leave Alaska every fall for lack of work. They come back in the spring, but they do not make permanent residence.

That is why Alaska, with its 586,400 square miles, does not have a population of more than 208,000. And most people do not realize that of the 208,000, some 80,000 are military men in the pay of the Federal Government, and their dependents. In addition, there are another 15,000 Government civil service employees, plus their dependents.

Of the total, also, about 35,000 people in Alaska are Indians, Aleuts, and Eskimos and 30,000 are schoolchildren. In the fiscal year ending June 30, 1955, there was an average of 26,500 persons in private industry, and even of these 6,715 were employed in contract construction, most of which was Government. Mining employed an average of 1,333; manufacturing, 4,476; transportation and utilities, 3,956; wholesale and retail business, 5,894; service industries, 2,732; and others, 1,395. These are averages for the year. The peak employment was about 40,000 in private industry in the summer; the low, somewhat less than 20,000 in winter.

COSTS $28 MILLION

The workers and industries of Alaska may be called upon to pay as much as $28 million a year to cover the costs of State government in addition to the other taxes they pay. That's more than $1,000 a year each for the average number of wage earners in private industry.

Right now, Alaskans are paying into Uncle Sam's Treasury nearly $100 million a year in taxes. Income taxes amount to about $75 million. The rest are revenues from excise taxes on liquor, cigarettes, luxury items, transportation, gasoline, and so forth. We'll continue to pay that load as a State. In addition, we are currently paying more than

$14 million a year into the Territorial treasury. Then we pay city taxes.

It has been estimated that the additional costs of statehood may be as much as $14 million a year. Total, with what we are now paying for Territorial government, $28 million.

These additional costs are for fish and wildlife administration, $2,500,000. Operation of courts, nearly $1 million. Support of the schools now operated by the Alaska Native Service, $2 million. Borough government, $150,000. Additional police system, $300,000. Care and custody of insane, $500,000. Roads, $7 million. Operation of governor's office, legislative expenses and state buildings, $600,000. These are estimated costs. Other figures run between $10 million and the above $14 million.

UNCLE MAKES NO PROFIT

Uncle Sam spends in Alaska for nonmilitary items, every dollar that he gets from Alaska in income and excise taxes, nearly $100 million a year. The President's budget for the coming fiscal year is almost $100 million. But on the whole the States are pouring into Alaska about $300 million more than they're taking out and this money is all reflected in Alaska's present economy.

Alaska's biggest industry—and it is booming—is military defense. We don't know just what the Federal Government is spending on defense in Alaska, but it has more than 50,000 men stationed here. It costs "Uncle" at least $400 a month a man. That's $240 million a year. Then he's spending from $50 million to $100 million a year on Army, Navy, and Air Force construction work. That's a total of more than $300 million a year for construction and men.

In addition to the money that comes to Alaska as a result of military activities, the only other steady wealth-producing revenues result from the work of one pulp mill and some lumber mills and logging operating all or most of the year. The rest are seasonal industries, working for only a few months, consisting of the fisheries, some trapping, the tourist business, and mining, which also create income. The total of Alaska-produced resources in 1954 was about $120 million. The other activities are service businesses, dependent on military spending and the other activities without which they could not exist.

NATIVE COSTS HIGH

The Federal Government pours in millions of dollars for promotion of the health, welfare, education, and relief of Alaska's large proportion of natives—35,000. In education it even goes to the extent of providing boarding schools, such as Wrangell Institute and Mount Edgecumbe, where everything, food and housing, but excepting transportation, is furnished.

An estimated 65 to 70 percent of Alaska's gross business depends for its existence on Federal money. Washington officials realize that Alaska's economy, tied up as it is with Federal spending, is unable to support a State government at this time without extraordinary Federal help. Various bills in Congress would ease the load by millions of dollars—some estimate by as much as $9 million a year—if Alaska takes on the responsibilities of statehood now.

Nearly all Alaskans are in favor of eventual statehood. Those who demand it now point to the financial help the Federal Government is proposing to give and say that the additional cost to Alaska taxpayers will be much less than the figures presented above indicate. They also claim that statehood will increase population.

Some of the strongest advocates of statehood now find it difficult if not impossible to meet the present burden of taxation. The additional load of taxes imposed by the last Territorial legislature was the deciding factor in causing the Alaska Sportsman to have its printing done in the States instead of Ketchikan.

Year-around businesses such as ours are penalized not only by the employment security tax, but by the gross business tax, the increase in the Territorial income tax by 25 percent last year, the school tax by 50 percent, the imposition of an employment security tax of one-half of 1 percent on employees, and the raising of the minimum wage to the highest in the country—$1.25 an hour.

Before the employment-security credit rating was eliminated, we were on the same basis as most States in that respect. Now we, along with the pulp mill, the lumber mills, and other year-around industries are penalized. We cannot compete on the same basis as companies in the States, and it is less costly for us to have our printing done in Illinois than in Alaska.

The shrimp industry of Petersburg found that it could not pay some of its employees the minimum wage and compete with the shrimp industry of California and Mexico. Unions and workers appealed for relief from the commissioner of labor.

CAN'T FINANCE UNEMPLOYMENT

And Alaska is the only State or Territory which has been unable to finance its employment-security payments and has had to get a loan from the Federal Government of $3 million. It isn't just the taxes that the one business has to pay, it's the additional that the firm doing business has to pay for its supplies and the additional wages it has to pay in Alaska because of the cumulative taxes everyone has to pay to do business here. Everyone has to figure "taxes on taxes" to exist. Costs of living in Alaska today are more than 25 percent higher than in any State or other Territory.

It seems certain that population increase will take place when there is industry to support it and not before.

The only additional industries we can hope to get are those which will come here to take advantage of resources which we have but which are in dwindling supply in the States, such as timber, minerals, and fish.

Higher taxes stifle initiative and discourage investment in new enterprises. If new businesses cannot compete here on the same basis as in the States they will not come. And if the Federal Government should reduce its Military Establishments, or discontinue military construction, what would happen to Alaska's economy? Can Alaska afford statehood now?

Yours very truly,

EMERY F. TOBIN.

Mr. President, I wanted to present to the Senate this letter written by Emery F. Tobin, the editor of the Alaska Sportsman. It is entitled "Can Alaska Afford Statehood Now?" and is dated March 23, 1956. It contains many facts and figures and is very pertinent to the question whether Alaska should be granted statehood now.

Mr. President, it is asserted by the advocates of statehood that Alaska has a sufficiently large population to warrant statehood. It is estimated that the civilian population increased from 108,000 to 161,000 from 1950 to 1956, while the military population was estimated at between 45,000 and 50,000. Statehood advocates point out that 18 Territories were admitted to statehood when their respective populations were less than 150,000.

What they do not say, however, is that the situation existing today in the United States is not what it was when earlier States were admitted. The total population has grown to such an extent that 150,000 is now a much smaller proportion of the whole United States population. Although much of this great increase in population has occurred in the last four decades, as far back as 1912, when New Mexico and Arizona were admitted, they attained populations of 338,470 and 216,639, respectively, before being granted statehood.

In considering the size of the Alaskan population, it should also be borne in mind that the situation there is atypical, in that 65 percent of the workers are employed by the Federal Government. Furthermore, because of the huge size of Alaska, the population per square mile is very much smaller than in even our most sparsely settled States. The population density of Alaska is less than one-third of that of Nevada, the least densely populated of our States.

Mr. President, time and time again I have heard the proponents of this proposed legislation argue that statehood for Alaska will mean immediate and immeasurable growth in the population of the new State. They say that Territorial status is prohibitive of growth, and that statehood means an immediate boom in population.

I do not think those claims are borne out by the experience of the States that have entered the Union. I think it would be highly informative to examine the figures for these States and disclose for the RECORD whether statehood meant an immediate boom in population.

Arkansas was admitted in 1836, and increased in population 112.9 percent in the decade before admission; 221.1 percent in the decade in which she was admitted; and only 115.1 percent in the decade after.

Colorado was admitted in 1876, and in that decade increased in population 387.5 percent. How much was acquired before admission and how much afterward is a matter of speculation. The growth in the next decade dropped to 112.1 percent.

The Dakotas were admitted in 1889. From 1860 to 1870 the Territory of Dakota increased in population 193.2 percent; from 1870 to 1880, 853.2 percent; from 1880 to 1890, 278.4 percent; and in the decade succeeding admission the combined percentage of increase of the two States fell to 87.7 percent.

Florida was admitted in 1845. In the decade before, she increased in population 56.9 percent; in the decade in which she was admitted, 60.5 percent; and in the succeeding decade, 60.6 percent.

Idaho was admitted in 1890. In the decade from 1870 to 1880, she increased in population 117.4 percent; from 1880 to 1890, 158.8 percent; and from 1890 to 1900 decreased to 88.6 percent.

Illinois was admitted in 1818. In that decade her population increased 349.5 percent; in the next decade, 185.2 percent; and in the succeeding decade, 202.4 percent.

Indiana was admitted in 1816, in which decade her population increased 500.2 percent, as compared to 334.7 percent in the preceding decade, and then fell back to 133.1 percent in the succeeding decade.

Iowa was admitted in 1846, and increased in population in that decade 345.8 percent, as compared to 251.1 percent for the next decade.

Louisiana was admitted in 1812, and increased in population in that decade 100.4 percent, and only 40.6 percent for the next decade.

Maine was admitted in 1820. Her population increased, from 1800 to 1810, 50.7 percent; from 1810 to 1820, 30.4 percent; and 1820 to 1830, 33.9 percent.

Michigan was admitted in 1837. In that decade her population increased 570.9 percent, as compared to 255.7 percent in the preceding decade, and only 87.3 percent in the decade after her admission.

Minnesota was admitted in 1858. Her population increase in that decade reached the marvelous figure of 2,730.7 percent, which dropped in the next decade to 155.6 percent.

Missouri was admitted in 1821. From 1810 to 1820 her population increased 219.4 percent; from 1820 to 1830, 110.9 percent; from 1830 to 1840, the highest figure reached in her history as a State, 173.2 percent.

Montana was admitted in 1889. From 1880 to 1890 she increased in population 237.5 percent, and from 1890 to 1900 only 75.2 percent.

Nebraska was admitted in 1867. In that decade she increased in population 626.5 percent; in the next decade 267.8 percent; and from 1880 to 1890, 134.1 percent.

Oklahoma increased in population from 1890 to 1900, 518.2 percent, a figure even she, with all her marvelous possibilities, will likely never again equal, regardless of admission to statehood.

Oregon was admitted in 1859. In that decade she increased in population 294.7 percent; and in the next decade, 73.3 percent; and from 1870 to 1880, only 92.2 percent.

Utah was admitted in 1896. Her population increased from 1850, when she was organized as a Territory, to 1860, 253.9 percent; from 1860 to 1870, 115.5 percent; from 1870 to 1880, 65.9 percent; from 1880 to 1890, 44.4 percent; from 1890 to 1900, 32.2 percent, a constantly decreasing ratio.

Washington was admitted in 1889. From 1860 to 1870 she increased in population 106.6 percent; from 1870 to 1880, 213.6 percent; from 1800 to 1890, 365.1 percent; and in the decade after her admission, only 46.3 percent.

Wisconsin was admitted in 1848. From 1840 to 1850 she increased in population 886.9 percent; and in the next decade, 154.1 percent, which dropped in the succeeding decade, 1860 to 1870, to 85.9 percent.

Wyoming was admitted in 1890. In 1870 to 1880 she increased in population 128 percent; from 1880 to 1890, 192 percent; and in the last decade, only 49.2 percent.

Mr. President, I should like to have the figures which I am presenting carefully considered by the Senate, for I believe them to be very, very significant:

Arkansas remained an organized Territory 17 years; Colorado, 14 years; Iowa, Kansas, and Louisiana, about 7 years; Minnseota, 8 years; Missouri, nearly 9; Montana, about 25; Nebraska, 13; the Dakotas, 28; Wyoming, 22; Nevada, 3; Utah, 44; Idaho, 27; Oregon, 11; and Washington, 36.

The unavoidable conclusion is that statehood has little to do with growth. In nearly every instance the percentage of growth dropped off very materially after a Territory became a State. Where the natural advantages induce people to settle, there they will flock, regardless of the form of government or the lack of government. Where the people go, railroads and other industrial developments follow.

As their third argument, the proponents of statehood claim that the United States has a legal and moral obligation to admit Alaska to the Union. This argument is based, in part, on the treaty between Russia and the United States by which Alaska was ceded. Article III of this treaty states as follows:

> The inhabitants of the ceded Territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years, but if they should prefer to remain in the ceded Territory, they, with the exception of uncivilized native tribes, shall be admitted to be citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, subject to such laws and regulations as the United States may, from time to time adopt in regard to aboriginal tribes of that country.

To claim that this treaty obligates the United States to admit the Territory of Alaska is a far-fetched and specious argument.

The treaty of cession obviously refers to the individual rights of the inhabitants, not to the right of statehood, since statehood could be conferred only through established procedures set forth in the Constitution and could not be conferred by treaty.

It is further claimed that the Supreme Court has settled the right of the Territories to ultimate statehood. This claim is presented as follows in the Senate report:

> Forty-five years ago the Alaska Organic Act was approved and Alaska became the incorporated Territory of Alaska as we know it today. All Territories that were ever incorporated have been admitted to statehood except Alaska and Hawaii, and only 3 Territories remained in incorporated status for longer than 45 years before admission. The Supreme Court of the United States has stated that an incorporated Territory is an inchoate State, and has uniformly considered that the incorporated status is an apprenticeship for statehood.

The Supreme Court, it is true, has attempted to state, or to imply, that there is an obligation to admit incorporated Territories to statehood. As we have all been made painfully aware, however, the Court is not infallible. In attempting to make this determination of policy, it was once again usurping the power of the legislative branch. This was an early example of what was later to become, in our own day, a confirmed habit on the part of the Court—that of legislating for the Congress.

In making their fourth point, the proponents of statehood have tried to advance their cause by loudly stating and restating the axiom that local problems can best be solved by local self-government. I certainly support that principle and am a firm believer in local self-government; but I must point out that statehood is not the only kind of local self-government which is possible.

The Alaska Organic Act of 1912 could be amended to give the Territory as much local self-government as is consistent with the welfare of the Territory and of the United States as a whole. But in pressing so single-mindedly for admission into the Union, statehood advocates in Alaska have been delinquent in seeking changes in the organic act which would provide more practical relief from their difficulties. This inescapably leads one to suspect that local self-government is not really a genuine issue here, but is only being used as a smokescreen. If it were local self-government that is primarily desired, it could easily be provided without a grant of statehood. In fact, especially when one considers how little self-government is being left to the States in the face of ever-increasing Federal encroachment, a nonstatehood solution to Alaska's dilemma could provide that Territory with a far greater degree of self-rule than the people there could obtain through statehood.

The point is, of course, that it is not really local self-government that the statehood advocates are after. What they seek is the very large and disproportionate degree of political power in national affairs which they would wield if Alaska were admitted as a State; for, although Alaska could actually obtain much more self-rule by choosing a nonstatehood status, it is statehood alone which would provide Alaska with two Senators and a voting Representative in Congress.

A fifth argument advanced by statehood advocates is that Alaskan statehood would be helpful to our national defense by providing better machinery for getting local militia into action in case of invasion.

To this argument I shall only say that those who rely on it will be deceived by a false sense of security. The area of Alaska is so great and its civilian population so sparse that there seems little likelihood that local militia would be able to deal effectively with an enemy invasion of any substantial size. In fact, regarding the areas of Alaska most crucial to national security—the north, the west, and the Aleutian Islands—the administration asks for a proviso in the bill giving it permission to withdraw this land from State domain for national security purposes.

Mr. President, I desire to quote the words of General Twining, one of the greatest military men this country has produced, so as to give to the Senate the benefit of a statement by him on this particular point.

These are the words of Gen. Nathan Twining:

> From the military point of view, the overall strategic concept for the defense of Alaska would remain unaffected by a grant of statehood.

In argument number six, it is claimed that the admission of Alaska would be a saving to the United States, in that many costs now borne by the Federal Government would fall on the new State government.

This argument simply will not hold melted snow. The Alaskan economy could not support an efficient State government. It has been estimated that the cost of State government in Alaska might amount to as much as $217 per capita, which is more than the economy of the Territory could bear. The Federal Government, it would appear, would be obliged to give extraordinary aid to Alaska in order for the new State to remain solvent. I shall have more to say on this matter of Federal aid later in my remarks.

Mr. President, I have dwelt at some length upon a qualification for statehood which I strongly believe should be possessed by any Territory hoping to enter the Union, that qualification being that the new State has sufficient population, economic resources, and ability to sustain itself on governmental functions, and, at the same time, carry its fair share of the burdens imposed upon it by the Union of States. I have stated before that Alaska cannot meet that requirement. I do not feel that its population is sufficient, nor do I perceive that it has the economic and financial resources to carry its burden.

This requirement or test which has historically been demanded of the States which have entered the Union has been debated time and time again in this body. In the consideration of debate on the admission of Arizona, Oklahoma, and New Mexico in 1906, Senator Morgan, of Alabama, laid down a principle which I think is equalily applicable in the present instance. Senator Morgan said:

> The admission of a State into the Union is intended for the benefit of all of the people of the United States rather than for the benefit of the inhabitants of an area or territory that is included in the limits of such a State.

I say those remarks are applicable now, because we are concerned not only with the effect of statehood upon the people of Alaska but also its effect upon the present Union of 48 States. How can the admission of Alaska at this time prove beneficial to all the people of our Nation? The proponents state that Alaska is necessary as a State because it is vital to our national defense needs. I fail to see how it can add to our national defense any more as a State than it is presently benefiting us in its territorial status.

I ask, Mr. President, will the admission of Alaska benefit the people of all of the United States? Will it benefit our Nation if, after we have granted statehood, it develops that the new State has neither the economic nor financial strength to carry on its own State functions, but rather has to depend upon financial aid from the Union itself in meeting its financial obligations? This could very easily happen, in view of the past economic development and progress of that Territory. This would mean that the new State, rather than conferring a benefit upon the people of the 48 States, would impose a burden on our Nation by forcing it to assume the obligation of carrying that State rather than looking to the State to carry itself.

Since 1791, 35 States have been approved by the Congress as meeting the necessary requirements for admission into the Union of States. While no form of procedure for the organization of a new State is prescribed by the Constitution, and Congress has not by statutory enactment prescribed a mode of procedure by which new Territories shall become a part of the Federal Union, each State has been admitted after full debate and after the determination has been made that these States have met various necessary requirements. The growth and development of the United States has been such, since the time of the adoption of the Constitution, that no hard and fast rule has been evolved to declare with particularity what the necessary elements of statehood shall be. Within this framework, the Congress has determined the admission of these States on the broad principle of—shall the new State's admission benefit the entire Union? Within this pattern which has evolved since the formation of the Union, Congress has taken a long and hard look at each new State in order to insure that the new States shall contribute to a more perfect Union. Time and experience have proved that the Congress has acted wisely.

Congress has been extremely careful in insuring that each new State measure up to its sister States in all respects before granting the privilege of statehood. The reason Congress debates this so carefully and screens the applicants so thoroughly is obvious. Legislation enacted by the Congress admitting a new State is not of a temporary character. Legislation enacted into law by this Congress admitting a State fixes the status of that State for all time. It clothes that new State with all of the rights and privileges, authority, and immunity which are now possessed by each one of the 48 States of the Union. Because of the permanent character of such legislation, it is of the greatest importance that Congress, in each instance, give careful consideration not only to the interests of the people who are seeking statehood, but also as to the possible effect that favorable action on a proposal such as this will have on all of the States which now form our Federal Union.

Therefore, viewing the relative position of the Territory of Alaska today, and its possible effect upon the States of our Union and its citizens, I feel that Alaska would be more of a burden than a benefit to our people.

As their crowning argument, advocates of statehood claim that the admission of Alaska to statehood would prove to other nations of the world that we believe in Territories becoming self-governing, according to the principles of the United Nations Charter.

This is an irrelevant argument. In the first place, as I have already mentioned, and as I shall explain in some detail a little later, statehood is not the only form of self-government open to Alaska. The same purpose would be served by permitting the Territory of Alaska a greater degree of self-government, either under territorial law, or by the establishment of a commonwealth type of government there. But in any event, we should not take a step that is unwise and unsound merely to please or impress foreign nations. Surely we should have learned that by now. Four years ago our Supreme Court rendered a decision dealing with a domestic issue largely on the basis of foreign propaganda considerations. The result has been turmoil and strife at home, which in turn has led to increased disrespect and enmity abroad.

The Alaska problem is not a colonial problem. The majority of the inhabitants are of American stock, most of them born in the States, or children of parents born in the States. The problem of Alaska is, therefore, strictly an internal United States problem. No nation which decides its internal affairs on the basis of what would be most pleasing to the masses of Asia will keep the respect of any other nation in the world—not even of the masses of Asia.

Having now reviewed briefly the principal arguments advanced in favor of statehood for Alaska, I should like at this time to discuss what I feel are the main reasons why Alaska should not be admitted to statehood in this Union.

The first reason is this: By conferring statehood on a Territory so thinly populated and so economically unstable as Alaska, we, in effect, cheapen the priceless heritage of sovereign statehood. If Federal aid in extraordinary doses is necessary to keep Alaska solvent—and it would be needed, make no mistake about that—it will be used as an excuse for increased Federal aid to all the States, with accompanying usurpation of State powers by the Federal Government.

I realize full well that some members of this body do not concern themselves with the preservation of the rights of the States. To them the States are little more than convenient electoral districts within an all-powerful monolithic national structure. They are far more interested in the attainment of an all-powerful Central Government and certain socio-political objectives in relation to which the doctrine of States rights often appears to them to be an annoying obstacle.

I do not believe, however, that this is true of most Members of this body. I do not believe that the majority of Senators are ready to throw down and cast aside completely, once and for all, 1 of the 2 main principles which the Founding Fathers established to protect the individual liberties of the people. I believe that more and more people, including Members of Congress, are coming to realize that the principle of separation of powers, alone, is not enough to insure our individual liberty; that the principle of separation of powers cannot, in fact, stand by itself, but must be supported by the complementary pillar of States rights, in the manner that the founders intended and prescribed. I believe that the people are at last beginning to see that, if their liberties are

to be preserved, the trend toward ever greater centralization of power in the Federal Government must somehow be halted. I believe that this growing awareness of the necessity for action is shared by an increasing number of Members of this body.

I, therefore, urge my fellow Senators, Mr. President, those at least who are aware of the dangers of centralization and who are interested in stopping the flow of powers to Washington, not to support a step which would very shortly lead to greatly stepped-up Federal encroachment on what remaining powers the States have. This would definitely be a result of granting statehood to a Territory economically unable to support an efficient State government. Vast amounts of Federal financial aid would be needed to enable the new State to maintain services which the Federal Government maintains directly now; and this would be seized upon as an excuse for further Federal financial involvement in similar programs maintained in the other States, even where Federal aid was not needed. That acceptance by a State of Federal financial assistance leads sooner or later to Federal usurpation of State power is a truism which I consider unnecessary to explain.

My first reason, then, for opposing the admission of Alaska to statehood is that it would further weaken, to a very great extent, the already weakened position of the States in our Federal system.

My second main reason for opposing Alaskan statehood is that I believe that in admitting a noncontiguous Territory to statehood we would be setting a very dangerous precedent. Statehood advocates have tried to brush off this objection as arbitrary, whimsical, silly, and merely technical. But the admission of Alaska would serve as precedent for the admission of Hawaii, which, in turn, would be cited as precedent for the admission of other, even more dissimilar, areas.

No, Mr. President, our objection to noncontiguity is not based on any mere arbitrary whim. There is no mere sentimentality at stake—we are not urging that the United States retain its present geographical form simply because it looks pretty on the map that way. The entire concept and nature of the United States is at stake, and therefore the future of the United States also.

Three years ago in an article published in Collier's magazine the distinguished junior Senator from Oklahoma [Mr. MONRONEY] expressed in a very clear fashion the importance of maintaining our concept of contiguity. I should like to quote him at some length:

> Unless the proposal is blocked or altered we will be on the highroad—or high seas—moving no one knows how swiftly toward changing the United States of America into the Associated States of the Western Hemisphere, or even the Associated States of the World. We will be leaving our concept of a closely knit union, every State contiguous to others, bonded by common heritages, common ideals, common standards of democracy, law, and customs.
>
> There is physical strength and symbolism in our land mass that stretches without break or enclave across the heart of North America. If we depart from the long-established rectangular land union that represents the United States on all maps of the world and bring in distant States, unavoidably they will be separated from existing States by the territory of other sovereign nations, or by international waters. It would be physically impossible to extend to them such neighborhood associations as now exist among our 48 States.
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> But far more than the physical shape of our country would be changed if we embark on this policy of offshore States. Senators and Representatives from them would stand for the needs and objectives and methods of the areas from which they come. Inevitably there would be serious conflicts of interest, and a few offshore Members of Congress could, and someday probably would, block something of real concern to a majority of the present States. Island economies are, by their very nature, narrow and insular.
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> The debates in Congress indicate to me that many Members have not thought the issue through to its ultimate possibilities, but regard it as a matter of immediate political expediency, of no great long-range importance one way or another. I think our two parties in their conventions have been much too casual about statehood.

The PRESIDING OFFICER (Mr. CARROLL in the chair). The Senate will be in order.

Mr. THURMOND. Mr. President, I think that the Senator from Oklahoma put his finger on the vital matter at stake when he mentioned the "ultimate possibilities." As men charged with the responsibility for the future welfare of the United States, it is our responsibility to consider ultimate possibilities. We cannot consider the admission of Alaska, or of Hawaii, in a vacuum, closing our minds to the future. We must weigh carefully any and all considerations which are likely, or even reasonably possible, to flow out of our present actions.

And it should be emphasized that in mentioning these "ultimate possibilities," the Senator from Oklahoma [Mr. MONRONEY] was not bringing up any argumentum ad horrendum. He was not simply raising nightmarish specters which have no basis in fact. The possibilities to which he and I are referring as ultimate are not necessarily remote. In fact, once the principle of contiguity is broken by the admission of Alaska, they would no longer be possibilities but probabilities.

If Alaska is admitted to statehood in this Union, Hawaii will be admitted—regardless of the entrenched and often-demonstrated power which is wielded there by international communism. And if Alaska and Hawaii are admitted, is there anyone so naive as to think that the process will stop there? The precedent would have been set for the admission of offshore territories, territories totally different in their social, cultural, political, and ethnic makeup from any part of the present area of the United States.

There is on Puerto Rico still a faction that would like to see statehood. Admission of other offshore territories will greatly strengthen their hand in that island's political scene. And if Puerto Rico demands statehood, on what excuse can we deny it, once we have broken our contiguity rule by admitting Alaska and Hawaii?

Nor could we discriminate against Guam. That would have to be another State. Then would come American Samoa, to be followed by the Marshall Islands and Okinawa.

Furthermore, I see no reason why the process should stop with American possessions and trust territories. Suppose some southeast Asian nation, beset by political and economic difficulties, should apply for American statehood. Would we deny them? On what basis? The argument might be raised that unless we granted the tottering nation statehood and incorporated it into our Union it would fall to Communist political and economic penetration. Even without that dilemma as a factor, there would always be a considerable bloc in both Houses of Congress who would favor admitting the nation to statehood for fear that otherwise we might offend certain Asian political leaders or the Asian and African masses generally. Add to these the bloc of Senators and Representatives we would already have acquired from our new Pacific and Caribbean States, and the probabilities are that Cambodia, or Laos, or South Vietnam, or whatever the nation might be, would be admitted to American statehood.

Now I wish to make it clear that I bear no ill-will towards the Cambodians, the Laotians, or the Vietnamese, just as I have no enmity toward the people of Alaska, Hawaii, and Puerto Rico. But I do not feel that Cambodia or the United States or the free world, in general, will benefit by the participation of two Cambodian Senators in the deliberations and voting of this body. I feel that such dilution of our legislative bodies would gravely weaken the United States and reduce its capability to defend the rest of the free world, including Cambodia.

As the Senator from Oklahoma [Mr. MONRONEY] pointed out, "the French have tried making offshore possessions with widely differing peoples and interests an integral part of the government of continental France. The plan has been less than satisfactory. It has played a part in the instability and the inconsistency of the French parliamentary system."

The late Dr. Nicholas Murray Butler, long the president of Columbia University and Republican candidate for the Vice Presidency of the United States in 1912, devoted long and careful study to this matter of distant, noncontiguous States. Here is the conclusion he reached. I quote the words Dr. Nicholas Murray Butler used:

> Under no circumstances should Alaska, Hawaii, or Puerto Rico, or any other outlying island or territory be admitted as a State in our Federal Union. To do so, in my judgment, would mark the beginning of the end of the United States as we have known it and as it has become so familiar and so useful to the world. Our country now consists of a sound and compact area, bounded by Canada, by Mexico and by the two oceans. To add outlying territory hundreds or thousands of miles away with what certainly must be different interests from ours and very different background might easily mark, as I have said, the beginning of the end.

Those were the words of Dr. Nicholas Murray Butler, the distinguished president of Columbia University.

Mr. EASTLAND. Mr. President, will the distinguished Senator from South Carolina yield?

Mr. THURMOND. I yield to the distinguished Senator from Mississippi.

Mr. EASTLAND. Mr. President, I ask unanimous consent that the Senator from South Carolina, a very distinguished American, who is making a very able speech, may yield to me so that I may suggest the absence of a quorum, with the understanding that he will not lose the floor, or any of his rights while we have a quorum call.

The PRESIDING OFFICER. Does the Senator from South Carolina yield for that purpose?

Mr. THURMOND. I yield for that purpose, with that understanding.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF SMALL BUSINESS ACT OF 1953—AMENDMENT

Mr. PROXMIRE (for himself and Mr. BUSH) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended, which was ordered to lie on the table and to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 26, 1958, he presented to the President of the United States the following enrolled bills:

S. 2533. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 10 years, and for other purposes; and

S. 3910. An act authorizing the construction, repair, preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

RECESS TO 10 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, under the agreement previously entered, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 9 o'clock and 54 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Friday, June 27, 1958, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 26 (legislative day of June 24), 1958:

COLLECTOR OF CUSTOMS

Gustav F. Doscher, Jr., of South Carolina, to be collector of customs for customs collection district No. 16, with headquarters at Charleston, S. C. (Reappointment.)

IN THE MARINE CORPS

Brig. Gen. Roy M. Gulick, United States Marine Corps, to be Quartermaster General of the Marine Corps, with the rank of major general, for a period of 2 years from the 1st day of July 1958.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 26 (legislative day of June 24), 1958:

UNITED STATES COAST GUARD

The following-named persons to the grades indicated in the United States Coast Guard:

To be lieutenant commander

Theodore S. Pattison, Jr.

To be chief warrant officers, W–2

William H. Blaylock, Jr.
William P. East
Leroy F. Bent
Perry Christiansen
Lester W. Willis
Jay E. Law

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 30, 1958
For actions of June 27, 1958
85th-2d, No. 107

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HIGHLIGHTS: Senate concurred in House amendments to employee training bill. House passed omnibus transportation bill. Both Houses agreed to conference report on mutual security authorization bill. House committee reported mutual security appropriation bill. Both Houses passed appropriation continuation measure, including funds for pay raise costs. House committee ordered reported area redevelopment bill.

SENATE

1. APPROPRIATIONS. Both Houses passed without amendment H. J. Res. 640, making temporary appropriations for fiscal year 1958 to pay for Federal employee pay raises, which had been reported earlier in the day by both Houses (S. Rept.1765; (H. Rept. 2046). pp. 11297, 11348-50, 11395, 11263. This measure will now be sent to the President.

   The Appropriations Committee reported with amendments H.R. 12948, the D. C. appropriation bill for 1959 (S. Rept. 1764). p. 11263

2. PERSONNEL. Concurred in the House amendments to S. 385, to provide general legislative authority for the training of Federal employees. pp. 11297-301. This bill will now be sent to the President.

3. FOREIGN AID. Both Houses agreed to the conference report on H. R. 12181, the mutual security authorization bill for 1958. pp. 11317-9, 11341-8. This bill will now be sent to the President.

4. FORESTRY. Sen. Neuberger inserted various letters on S. 3051, the Klamath Indian termination amendment bill, and the testimony of the National Lumber Manufacturers' Ass'n, which he criticized. pp. 11270-6

Senate June 27, 195

5. FARM PROGRAM. The Agriculture and Forestry Committee received permission to file a report before midnight, June 28, on an original farm bill. p. 11267

6. STATEHOOD. Continued debate on H. R. 7999, to admit Alaska into the Union as a State. (pp. 11278-84, 11285-96, 11301-11, 11313-6, 11320). Rejected a proposed amendment to provide commonwealth status for Alaska (pp. 11286-90), and overruled a point of order on the future defense land withdrawal section (pp. 11290-6, 11301-8).

7. MINERALS. The Interior and Insular Affairs Committee ordered reported with amendments S. 4036, to provide stabilization payments for the production of certain minerals. p. D606

8. R.E.A. Sen. Humphrey inserted resolutions of the Carlton County, Minn., Cooperative Power Ass'n and the Northern Electric Cooperative Ass'n urging enactment of the legislation to divest the Secretary of control over REA functions. p. 11260

9. RECESSED until Mon., June 30. p. 11328

HOUSE

10. TRANSPORTATION. Passed, 348 to 2, with amendments H. R. 12832, the omnibus transportation bill. pp. 11350-84

Agreed to a committee amendment, as amended by amendments by Reps. Staggers and Roberts, to place under ICC regulation vegetables, coffee, tea, bananas, cocoa or hemp, and wool imported from any foreign country, wool tops and noils, or wool waste, carded but not spun, woven, or knitted. The amendment by Rep. Staggers continues the present exemption of cleaned or scoured wool from ICC regulation. The amendment of Rep. Roberts included bananas in the list of commodities subject to regulation. pp. 11375-7

Rejected amendments by Rep. Miller, Md., to continue the present exemption from ICC regulation of frozen fruits, berries and vegetables, and by Rep. Gubser to restore the existing exemption for frozen fruits, berries, and vegetables in less than carload lots. pp. 11381-2

Substituted the language of H. R. 12832 as passed for that of a similar bill, S. 3778. H. R. 12832 was laid on the table. (pp. 11388-91) Conferees were appointed.

11. TAXATION. Agreed, 366 to 9, to the conference report on H. R. 12695, to extend for 1 year the corporate normal-tax rate and certain excise tax rates, and to repeal the tax on transportation. pp. 11332-41, 11385-6. This bill will now be sent to the President.

12. APPROPRIATIONS. The Appropriations Committee reported without amendment H. R. 13192, the mutual security appropriation bill (H. Rept. 2048). p. 11395

13. FORESTRY. The Agriculture Committee reported without amendment H. R. 12161, to provide for the establishment of townsites from national forest lands (H.Rept. 2044). p. 11394

14. AREA REDEVELOPMENT. The Banking and Currency Committee ordered reported with amendment S. 3683, to establish an effective program to alleviate conditions of substantial unemployment in certain economically depressed areas. p. D608

15. WATER RESOURCES. A subcommittee of the Merchant Marine and Fisheries Committee ordered reported with amendment H. R. 13138, to amend the Coordination Act so as to provide more effective integration of fish and wildlife conservation programs with Federal water resource development programs. p. D608

which has administered this company's affairs for years, then I am very suspicious, and I shall call upon my good friend, the Senator from Mississippi [Mr. EASTLAND], Chairman of the Internal Security Subcommittee of the Senate Committee on the Judiciary to continue his investigation into the subject of banking secrecy and to subpena the bankers or the banker's representatives when they come here to negotiate a settlement, and require them to appear and testify concerning their principals and the source of their funds, as there is always present in circumstances like these a danger of Communist infiltration into our vital defense industries.

DISTINGUISHED CITIZEN AWARD TO SENATOR WILLIAMS

Mr. BEALL. Mr. President, the Delmarva Poultry Industry, which represents the poultry farmers and processors of the Eastern Shore of Maryland and Virginia, and the State of Delaware, has, during this, its 11th annual Delmarva chicken festival, at Denton, Md., presented its distinguished citizen award to the senior Senator from Delaware, JOHN WILLIAMS.

Senator WILLIAMS is known to all of us in the Senate as an able authority on agriculture in general, and in particular on the problems of the poultry industry. He has constantly exerted his best efforts in the Senate for the welfare of our agricultural population.

It is a very great pleasure for me to inform the Senate of this honor bestowed upon Senator WILLIAMS by many of his constituents, and his friends throughout the Delmarva Peninsula.

I ask that this distinguished citizen award citation to Senator WILLIAMS be printed at this point in my remarks.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

DELMARVA POULTRY INDUSTRY'S DISTINGUISHED CITIZEN AWARD TO JOHN J. WILLIAMS

A pioneer in the poultry industry of the Delmarva Peninsula, when during the early twenties he opened the first of 4 feed stores; for his continued expression of confidence in the future of the area's poultry industry, now operating 12 farms and a hatchery for the production of high quality broiler chicks; in recognition of outstanding service to his fellow citizens as a United States Senator, crusading for the need of honesty among those holding positions of public trust and striving for economy in the operation of our Government; the Delmarva Poultry Industry, Inc., is proud to present Delmarva's distinguished citizen award to Senator JOHN J. WILLIAMS, successful businessman, poultryman, statesman, and highly respected citizen.

JOHN R. HARGREAVES,
President.

STATEHOOD FOR ALASKA—AUTHORIZATION FOR SENATOR THURMOND TO ADDRESS THE SENATE ON THE UNFINISHED BUSINESS LATER TODAY

Mr. THURMOND. Mr. President, I yielded the floor last night with the understanding that I would have it again this morning. I am a member of the Labor and Public Welfare Committee, and we have a very important meeting beginning at 10 o'clock. I am chairman of the Veterans' Subcommittee. We have several veterans bills coming up. I am badly needed there. I ask unanimous consent at this time to attend the meeting of the Committee on Labor and Public Welfare and come back and finish my address, which I began last evening, later in the day.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

STATEHOOD FOR ALASKA

Mr. MANSFIELD. Mr. President, I ask that the unfinished business be laid before the Senate for consideration.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

UNOPPOSED NOMINATION OF SENATOR STENNIS AS DEMOCRATIC CANDIDATE FOR UNITED STATES SENATE

Mr. MANSFIELD. Mr. President, on yesterday the time passed for filing for nomination in the State of Mississippi. Accordingly, our distinguished and able colleague, the Senator from Mississippi [Mr. STENNIS], will be unopposed for renomination as the Democratic candidate for the Senate in 1958.

I extend my congratulations and best wishes to the Senator from Mississippi, and assure him that, in my opinion, I think the people of Mississippi have displayed good sense in selecting him as sole nominee for the nomination for reelection to the United States Senate.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Georgia.

Mr. TALMADGE. I desire to associate myself with the remarks of the able acting majority leader. I have known the distinguished junior Senator from Mississippi for some 7 or 8 years, and have been intimately associated with him for the short period of time since I have been a Member of the Senate.

I do not know of any Member of the Senate who is more sincere, conscientious, hardworking, and diligent in looking after his senatorial duties than the distinguished junior Senator from Mississippi. Mississippi is exceedingly fortunate to have him as a Member of this body. I am proud to call him my warm personal friend.

Mr. MANSFIELD. Mr. President, I wish to thank the Senator from Georgia for his remarks, and I join him in what he has had to say. The Senator from Mississippi has proved himself to be an understanding man and a man who has been a real credit to his State.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to associate myself with the remarks of the acting majority leader and the Senator from Georgia concerning the junior Senator from Mississippi [Mr. STENNIS]. I consider the Senator from Mississippi to be one of the most able Members of the Senate. I, too, believe that Mississippi is very fortunate to have such an able and outstanding Senator to represent the State on the Senate floor and in Senate matters.

The junior Senator from Mississippi has been nominated without opposition by the Democratic Party. I consider such nomination to be almost equivalent to election without opposition in a State such as Mississippi. That being so, the Senator is to be commended twice for being nominated as Senator. I look forward to serving with him for the next 4 years, at least, until I again campaign for reelection. I hope it will be longer. I hope the people of my State will do the same for me.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Virginia.

Mr. ROBERTSON. I desire to be associated with the sentiments expressed by my distinguished colleague from South Carolina and previously expressed by the acting majority leader and my colleague from Georgia. I have enjoyed the warmest friendship with our distinguished friend from Mississippi. I did not anticipate the Senator would have opposition in the primary, and I was delighted, of course, when the date for filing for the primary closed without opposition being noted.

I share the sentiments heretofore expressed. We are indeed fortunate, and the Nation is fortunate, to have so fine and good and able a man as JOHN STENNIS a Member of this body.

As the Senator from South Carolina has said, nomination in Mississippi is equivalent to election, so Senators who are to be here for 6 years more know they will have the pleasure of serving with him. Other Senators who do not have that much term remaining can merely hope.

Mr. President, once again let me say that we are fortunate indeed. We are glad for our colleague that this honor has been bestowed upon him.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I also wish to associate myself with the remarks made by my colleagues with ref-

erence to the distinguished junior Senator from Mississippi [Mr. STENNIS]. I have had the honor and the privilege of serving with the Senator from Mississippi on the Committee on Armed Services. The Senator came to the Senate with a wonderful judicial background. He is a man possessed of a judicial temperament, and of a spirit of fairness and objectivity in matters coming before the United States Senate.

While we do not necessarily agree on all issues, I know the junior Senator from Mississippi to be a fair and honorable man. He is a man whose word is good. He is a man who makes a presentation with great logic and great effectiveness. We are honored indeed that he will be back with us for another 6 years.

Mr. JOHNSTON of South Carolina. I thank the Senator.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I would not like to let this opportunity pass without saying a word about the junior Senator from Mississippi [Mr. STENNIS]. Especially in the past 2 years it has been a great privilege to serve with him on the Armed Services Committee, on which he is really one of the hardest workers. I think perhaps I could say honestly the Senator from Mississippi does more work for the Armed Services Committee than any other member of the committee. I am inclined to think even the distinguished chairman, for whom we all have great respect, would agree with that statement about the Senator from Mississippi.

I certainly agree with the remarks of my friend from the State of Washington about the Senator's objectivity, fairness, and eagerness to arrive at the right decision on every question which comes before us and before him for decision. He is one of the most conscientious men with whom I have ever had the privilege of working.

So long as we have such little opportunity to nominate a Republican in Mississippi with, let us say, an even chance of defeating my good friend, I must say that we can be satisfied that in this splendid gentleman, this remarkably able Senator, the people of that State can certainly feel they are well represented in the Senate of the United States. We in the Senate who have the privilege of his friendship can look forward to enjoying it in the years ahead.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. JOHNSTON of South Carolina. Mr. President, before I begin to discuss the reasons why I oppose having Alaska made a State of the United States, I should like to say that Alaska is a wonderful country. Alaska has some very fine people. The remarks which I shall make today are not in any way a reflection upon the people who now inhabit Alaska.

Mr. President, literally millions of words have been spoken and written on the subject of Statehood for Alaska. Well-meaning advocates have vied with one another in oratorical marathons in making out the case. And to the enduring credit of statehood supporters, let it be said that the testimony has been colorful and romantic.

The proposition that the Alaskan Territory, with its small population and vast spaces, be brought into the Union, is the kind of appeal which recommends itself to the sentimentally of Americans.

The role of Alaska as the underdog has been vividly portrayed, the image of this David struggling against Goliath forces has been amply projected. Every last shred of emotional appeal has been wrung in the name of the cause of statehood.

I appreciate the effort and applaud the proponents—but I must part company with them on the all-important, vital, essential consideration of the national interest.

When all has been said and done, when all the poetic prose has been spoken, when all the stirring and imaginative exhortions have been penned, the question all boils down to this:

Would Statehood for Alaska be good for the United States?

By every objective and dispassionate consideration, I am forced to a conclusion in the negative.

The sprawling area of Alaska does not have a population equal to that embraced in the smallest congressional district in the United States.

Statehood for Alaska, as constituted in relation to people, to geographical territory, and in relation to statehood, is a political impossibility—the inhabitants could not begin to meet and sustain the financial obligations inherent in statehood status.

Statehood for Alaska violates the principle of contiguous territory, thereby establishing a precedent for other noncontiguous Territories, the admission of which as States would pose serious problems for the continental United States.

The pending bill is a gigantic giveaway. Senators spoke of a giveaway of the oil along the coast. If they will but study the bill, they will find that this giveaway is many times the size of the so-called giveaway involved in the oil given to all the States along the coast. If the bill is enacted, this giveaway is to go to one little State of Alaska. It would surrender to the proposed new State all the valuable mineral rights of Alaska, taking away from the National Treasury one of our prized assets.

Granting statehood to Alaska would open Pandora's box.

If statehood for Alaska, why not statehood for Hawaii? For Guam? For Puerto Rico? For the Virgin Islands? For the District of Columbia?

Statehood for all of these would add 10 new Senators and also would take away Representatives from the States to give them representation. Representative government would go out the window. The District of Columbia has a population approximately four times that of Alaska.

Equality of representation in our legislative halls is one of the cardinal principles of our democracy. In granting to some 28,000 voters of Alaska 2 United States Senators and 3 electoral votes, in effect we would be virtually disfranchising the voters of the several States and reducing proportional representation to a nullity. The enthronement of the minority over the rights of the majority makes a mockery of representative government. It would represent the promotion of excessive disproportion to the detriment of the national welfare.

The distinguished Senator from Georgia [Mr. RUSSELL], in a recent commencement address to the graduating class of Georgia State Teachers College, among his very fine remarks made this pertinent observation on minority and majority rights:

> We must carefully examine problems purporting to do justice to a minority lest we actually do injustice to a majority and eventually work great injustice to both the majority and the minority.

By this measurement, we must look not only at a particular problem and the interests of one group or one section of the population, but above and beyond, to the interests of all, the national interest.

As I have said before, Alaska is only the first entry in this parade for statehood; and if one succeeds who can say where it will all end? Once we open the gates of admission to the Senate in this way, we will have produced a system opposed to the best legislative principles of a democracy, equitable representation and proper apportionment.

On the economic and fiscal side of the question there is the proposition that the Federal Treasury accounts for about 65 to 70 percent of Alaska's business. It is apparent that Alaska would not be able to support a State government at this period in its development without extraordinary help from the United States Treasury. It is a fact that Alaska has the dubious distinction of being the only State or Territory that has been unable to finance its unemployment-security payments and was compelled to get a loan from the Federal Government of $3 million for this purpose.

I hope the people of Alaska will realize that if they are granted statehood, taxes will be increased. Considering the assessed valuation of property possessed by the people of Alaska, if they are to operate their own government they must realize that taxes will have to be increased in order to take care of the situation in which they will find themselves when and if Alaska becomes a State.

Possessing a physical area of 586,000 square miles, or one-fifth the actual size of the continental United States, Alaska has a population of only 208,000, and some 80,000 of this number consist of military personnel and their dependents. As a further breakdown of the population of Alaska, there are some 15,000 civil service employees, and about 35,000 who

are Eskimos, Aleuts, or Indians. Of the latter groups, a large number are on relief, and of the total population there are about 30,000 schoolchildren.

It must be remembered that the people of Alaska will have to help take care of those on relief. Also, if Alaska is granted statehood, it will have to bear the cost of operating the schools. I do not believe the people of Alaska are able to sustain the financial burden involved. Alaska, from a north-south, east-west geographical consideration, is approximately equal to the size of the entire United States.

These statistics point up the unreasonable tax and fiscal burdens that would be placed on the few who would have to sustain the heavy responsibilities of statehood. It must be borne in mind that 80,000 people sent to Alaska by the United States will not be taxpayers in the event statehood is granted. An oppressive tax structure would be necessary if the proposed new State were to achieve solvency, a structure that certainly would not produce a climate or establish an economic condition that would prove inviting to business or industry.

When the taxes go up, business will not be encouraged to come to Alaska, but, to the contrary, it will stay away from Alaska.

I am worried about making a State of Alaska, knowing the distressed financial condition in which the State will be. I fear that the people will not be able even to develop the natural resources which are in Alaska. There are many reasons why that will be so. Considering the high taxes which will have to be paid in Alaska, business will not want to go there. We must bear in mind that the climate of Alaska also will be a detriment to industries.

So many factors enter into the picture that it seems to me to be not in the best interests even of Alaska to grant her statehood at this particular time.

Subtract from the 208,000 persons who are now in Alaska the 80,000 who are a part of the military organization, and there will be left only 128,000. Bear in mind the type of people who live there. The withdrawal of the military will mean, probably, another drain on the economy. I am not criticizing the people who live in Alaska, but because most of them have been used to living in the climate and under the conditions which exist in that country, they have not pushed out, so to speak, to build up their own Territory.

If Alaska remains a Territory and all its resources belong to the United States, then the gas and the many minerals which abound in that region will be developed. I shall enumerate them later in my speech.

Actually Alaska's biggest industry is defense, and for the maintenance of the military there our Government is expending millions of dollars annually, as well as expending additional millions for installations.

Alaska is a country one-fifth the size of the continental United States, populated by about 160,000 permanent residents, if we consider even a part of the military. Its economic activities are largely seasonal, and are in great part underwritten by the United States Government. Is this Territory, by any fair test of measurement, ready for statehood? It is estimated that Alaska could supply, if all agricultural potentials were utilized, only one-half of its present food requirements. In time of emergency, under full statehood and full development, the problem of affording equal and fair distribution of supplies would be impossible.

As I said a few minutes ago, Alaska's small population is less than one-half the population of a congressional district in the United States, if we concede its population of 160,000 permanent residents. The average apportionment for a congressional district in the United States is 365,000.

What is proposed in the statehood bill is a marked departure from anything that has ever been done in our national history: Jumping over a friendly power, Canada, to take in as a State a Territory beyond the northern boundaries of that country.

I call attention also to the fact that Alaska is farther away from the capital of the United States than is Western Germany. It is as far away as England, France, or Belgium. The people of Alaska will have to travel far to do business at the seat of their Federal Government; the Federal Government will have to travel far to do business with the State. That is one reason why I have been advocating moving the Capital of the United States from Washington to the center of the United States. If it is inconvenient to come from the west coast to Washington, it is much more inconvenient to come here from Alaska. That distant Territory does not have sufficient population to warrant the departure of planes for the United States every hour. That may take place on the west coast, but it is not true of Alaska.

The admission of Alaska as a State would make a break in the compactness of the United States; never in the past, when admitting a new State, have we crossed over territory owned by a foreign power. Admitting the friendliness of our relations with Canada, and anticipating no serious trouble between us, the fact of the physical location of Alaska is still a matter of concern to me.

One of the more disturbing problems connected with the question of extending statehood to Alaska is that of noncontiguity. Unfortunately, Alaska is not connected at any geographical point to any State, Territory, or other land of the United States. The Territory of Alaska is separated from our mainland by, at the very least, 510 miles of water—not an inland lake, not a territorial gulf or bay, not waters the property of the United States. Seattle is separated from Ketchikan by some 700 miles of high seas.

Furthermore, the Alaskan Peninsula's landward connection to the North American Continent is not with the United States but with Canada, a foreign country—a friendly foreign country, true, and, we hope, likely to remain friendly for some time to come, but a foreign country nonetheless.

This problem of the noncontiguity of a proposed State to the United States is unique in American experience. Our history offers no precedent for any move of this sort. But other nations have occasionally experimented in one form or another with a noncontiguous extension or maintenance of national boundaries. The instances that come to mind are few in number, but those situations, some approximately analogous to our own, ended always in disaster. I think it might be instructive to examine some of them.

Ancient history tells us of the glories and victories of Alexander the Great. Having completed the unification, begun by his father, of a state on the Greek mainland, Alexander crossed the Hellespont into Asia in 334 B. C. During the 11 years that followed he conquered an empire at least 50 times as large as his own, and attempted by various methods to amalgamate the 2 parts, European and Asian, into 1 harmonious whole. But upon Alexander's death the sprawling, disconnected empire disintegrated into quarreling factions. Greek Europe and Asia Minor, though separated by only a minor body of water, could not be maintained as a unit.

In a later day, Rome attempted to realize Alexander's dream, but on an even vaster scale. Every shore of the Mediterranean Sea, almost all the Balkans, and the greater part of central and western Europe fell to the Roman sword. Lands as disparate as Britain and Egypt were ruled from the Roman nerve center. So long as they were ruled by the original Romans, the empire hung together. But the effort to maintain control over so immense an area proved too much for Roman manpower. To remedy this lack, the privilege of Roman citizenship was gradually extended to the provincial peoples, and with the diffusion of citizenship began the long and painful decline of the empire.

Another example of the attempt to maintain a noncontiguous nation occurred during the Middle Ages. For some 400 years after William the Conqueror, English monarchs strove to hold both the British Isles and large portions of France and the low countries, separated, though they were, by the English Channel and the Straits of Dover.

There were many ties of kinship between the people of the two lands; and the distances by which they were separated were not very great, even for those days. Yet the effort failed. It culminated in the 100 years' war and in the eventual loss of all of England's territory on the European mainland.

Closer to our own time, all of us are familiar with the case of Germany between the two world wars. Originally a compact land mass, Germany emerged from the peace settlements of World War I with its northeastern province, Prussia, split by a Polish land corridor to the Baltic Sea. It was an unnatural division, greatly resented by the German people, and a not unimportant cause of the resentment that led to the coming to power of Adolf Hitler and to the outbreak of World War II.

In our own day, the headlines present us with an even more poignant example

of the disastrous consequences of noncontiguity. France has for generations insisted that Algeria, separated from Europe by the width of the Mediterranean, is not a colonial territory similar to its other overseas possessions, but is an integral part of metropolitan France. The tragic results of this policy, both for the French and for the people of Algeria, are known to all of us.

We might contrast these examples with the comparative wisdom Britain has displayed in similar situations during the past half century. Instead of attempting to incorporate their farflung territories into the United Kingdom, the British have permitted their colonials greater and greater measures of independence as the people have become progressively more capable of self-government.

I do not contend that the situations I have cited are in every detail parallel to our own problem. But certainly these examples from both ancient and modern history should cause us to suspect the consequences that may attend the integration of a distant land into our own national system.

Noncontiguous territories do not make the ideal states for absorption into a nation. History records they have always been a liability, rather than an asset. The late Dr. Nicholas Murray Butler, president of Columbia University, was quite outspoken in his opposition to statehood for noncontiguous Territories. In a letter to the New York Times on July 15, 1947, he said, in part:

I am greatly distressed at the progress being made in Congress toward the admission of Hawaii to statehood and the like action contemplated first, for Alaska, and then for Puerto Rico.

It is my judgment that to admit one or more of these distant Territories to statehood would be the beginning of the end of our historic United States of America. We should soon be pressed to admit the Philippine Islands, Cuba, and possibly even Australia.

We now have a solid and compact territorial nation bounded by two great oceans, by Canada, and by Mexico. This should remain so for all time.

It would be grotesque to put territory lying between two and three thousands miles away on the same planes in our Federal Government as Massachusetts, or New York, or Illinois, or California, or Texas, or Virginia.

Mr. President, as I have remarked, this bill, as it comes from the House, has a gigantic "giveaway" feature. It grants to the proposed new State of Alaska all the mineral rights for the next 25 years.

As all of us know, Alaska is very wealthy in minerals; and properly these mineral rights are a national asset of the United States Government. At present there is on the books a statute which prohibits this Government from transferring lands to States without reserving the mineral rights; but this bill, as it comes from the House, would violate that statute.

A few years ago the newspapers were filled with articles about the giveaway of some of the oil lands along our coasts. That giveaway was nothing compared to what is proposed to give to Alaska in the bill now before the Senate.

We would be establishing a costly precedent in this bill, for if it should be enacted in its present form, we would be taking away from the United States Treasury great mineral riches; we would be breaking an established pattern that has held throughout our history. The pending bill gives to the proposed State of Alaska the mineral rights to every piece of land it takes, and the land so granted includes one-half of the Territory of Alaska. This giveaway embraces the priceless mineral rights to some 182 million acres of land—natural wealth that belongs to all the people of the United States.

What are the mineral deposits of Alaska? Let us take a look. Alaska has immense mineral deposits, including oil, coal, gold, copper, silver, platinum, tungsten, nickel, tin, and iron, just to mention a few, as well as great timber reserves, hardly touched, and waterpower sites capable of producing about one-tenth as much electricity as the United States produces from all sources.

In the bill before the Senate the proposed State of Alaska is given the right for a quarter of a century to claim any of the lands where valuable minerals are found to be located—and let us remember that Alaska boasts of 33 strategic minerals. This constitutes one of the greatest giveaways in all history, and each and every inhabitant of the United States is going to be short-changed by this proposed surrender of these vital, valuable national assets. What a promotion. What a promoter's dream. It makes Teapot Dome a piker's scheme by comparison.

As I said at the beginning of my remarks, by all the essential measurements of the national interest, the proposal of statehood for Alaska should fail, and I urge the defeat of this ill-advised measure.

Mr. President, conferring statehood on a noncontiguous Territory is a very grave step for our country to take and consideration of the issue requires the most careful and deliberate thought.

The truth of the matter is, I think it would be well for the bill to go over until next January. The Senators could then go home, talk to the people in their particular States about the proposal, and find out what the people are thinking. Moreover, the people at home are the ones who will be most affected.

One can gather from the welter of comments and commentaries, that to some people the taking of a new State into the Union is about as casual a matter as buying a new suit of clothes. It would be fine if it were that simple.

Another thing: From the press one would gather the impression that the merits of the case had been decided long ago; that because the idea of statehood for Alaska is appealing to many, then the form and content of the bill dealing with statehood is of small concern. They, however, do not look into the provisions of the bill at all.

It is interesting to note how those without the responsibility for this important decision can decide the issue in a twinkling, obviously without any regard for the grave and vital concerns which attend this problem.

To listen to the popular discussion of this issue, one would come to the conclusion that our Government functions as a curbstone debating society and the functioning of the Congress was an outmoded and useless activity.

I have found the debate on the question of statehood for Alaska most enlightening. New light continues to be shed on this many-sided question. Each presentation offers further illumination. Certainly a meritorious measure has nothing to fear from full discussion.

As I have analyzed this proposition, one of the most disturbing aspects of statehood for Alaska remains the question of noncontiguity. I realize that proponents of this bill brush aside this factor as being of little consequence. I, unfortunately, cannot get rid of it so easily or so lightly. When one takes down the map and looks at it, one sees that Alaska is not connected at any geographical point with any State, Territory, or other land of these United States. I believe that by any fair standard of determination this is a fact of considerable importance. Remember that the Territory of Alaska is entirely separated from our mainland by, at the very least, 510 miles of water—not an inland lake, not a territorial gulf or bay, not waters the property of the United States. This is something to think about and dwell on. As an example, Seattle is separated from Ketchikan by some 700 miles of high seas.

The geographic facts I have just cited pose many questions as to transportation, safety and national security. They are challenging facts which cannot be wished away or dismissed with a snap of the fingers.

Additionally there is this striking factor: the Alaskan Peninsula's landward connection to the North American continent is not with the United States, but with Canada, a friendly but foreign country. We have enjoyed the utmost of friendly relations with Canada. There are no border fortifications along the American-Canadian border. In both countries there is a recognition of the mutuality of interests—we have joint committees dealing with our problems here on the North American continent. No nation could ask for a better neighbor than Canada, and certainly that is the way the average American feels about it. Canada has always been ready to stand with this country when totalitarian powers have made war against the free world. Canada has made her contributions to the Allied cause in past wars. There is no question that Canada realized that hers is a common lot with the United States in the world as it is constituted today. Yet when all this is said and done, the fact remains that Canada is a foreign country and no one here can predict what turn events will take 50 or 100 years from now.

If history teaches us anything it is that things do not remain static. There is an element of the dynamic in history. Literally, powers come and powers go; civilizations, in fact, arise, flourish and die. Our scientists are continually unearthing evidences of the erstwhile glories of past civilizations, some of them

on the American continent, as elsewhere on the face of the earth.

Much as we desire it, much as we will do everything within our power to cherish the friendship of the Canadian people and the Canadian Government, the plain fact is that the future course, nature, and complexion of the Canadian Government is an external matter so far as the United States is concerned. The determination of Canada's future lies with the Canadian people. No one can give a guaranty in perpetuity that the situation vis-a-vis the United States is going to remain the same. We would like to think that it would; we would want it that way. The continuance of our existing relations would well serve both countries. But time brings changes in men, political climates, in national institutions. And a government, our Government, has the responsibility of looking down the distant road for possible future contingencies, and for the planning and the adoption of such courses as will best serve our national interests.

Thus, much as we might wish to sidestep this question, much as we might wish it to vanish conveniently and thus remove a vexing problem, we run right smack into the question of noncontiguity. It is a problem unique in American experience, for never since the foundation of the Nation have we had to deal with the question of noncontiguity in connection with a proposed State of the United States. We are handicapped in a great sense by the lack of any precedent in this field. We are handicapped insofar as we the people of the United States have never had to deal with it. In the broader field of history, however, we see that other nations have occasionally experimented in one form or another with it as they have moved toward a noncontiguous extension or maintenance of national boundaries. Although the instances are limited, they are of an analogous nature, significantly they all have had a disastrous end.

Mr. President, let us take a closer look at Alaska, its history, its makeup, its problems, its assets and liabilities.

We are told that Alaska was discovered by a Danish captain of the Russian Navy, Vitus Bering, on July 16, 1741. Soon Russian traders and trappers entered the country and as a result of their activities other countries became interested in the region. In 1774 and 1775 Spanish expeditions visited the southeastern shore, and in 1778 the famous English explorer, Capt. James Cook, made extensive surveys of the coast for the British Government. Historically the first settlement was made by the Russians under Grigor Shelekof at Three Saints, on Kodiak Island on August 3, 1784, and in 1804 the Russian-American Company founded Sitka, making it the seat of government in 1805. Alexander Andreevich Baranof, a Russian merchant employed by Shelekof, was the leader of this easternmost extension.

Following up, we find that in the year 1779 the trade and regulation of the Russian possessions were given over to the Russian-American Company for a term of 20 years—a contract, we are informed, which was twice renewed for similar periods.

In 1821 Russia attempted to exclude foreign navigators from the Bering Sea and the Pacific coast of her possessions, a development which caused a controversy with the United States and Great Britain. The difficulty was adjusted by a treaty with the United States in 1824, and one with Great Britain in 1825, by which an attempt was made to fix permanently the boundaries of the Rusisan possessions in America.

The purchase of Alaska by the United States for the sum of $7,200,000 in gold was made in March 1867. The transaction was consummated for the United States by Secretary of State William H. Seward at 4 a. m. on March 30, 1867. Baron de Stoeckl acted for Russia on the treaty, which was ratified and proclaimed by President Andrew Johnson on June 20, 1867. Under the treaty, the United States acquired an area of approximately 586,000 square miles. Formal transfer of sovereignty took place at Sitka, the Russian Capital, on October 18, 1867. The terms of the treaty provided that all natives of Alaska acquired full rights of American citizenship.

A civil government was established in Alaska in 1884 through a bill approved by President Arthur. The next important step was the creation of the Territory of Alaska in 1912 with the capital at Juneau, providing for a legislature of 2 houses elected every 2 years by popular vote, and a Governor appointed by the President. The legislature meets biennially in odd years and has 40 members; 24 in the lower house and 16 in the senate. Also the Territory has a Delegate to Congress, who has a seat in the other body and membership on committees dealing with Territorial affairs, but no vote. He is elected every 2 years.

The administration of justice in the Territory is through a Federal district court having four divisions with judges sitting at Juneau, Nome, Anchorage, and Fairbanks. These courts enforce both Federal and Territorial laws. There are also local courts in incorporated towns.

The Federal Government took notice of the situation created in Alaska by the Klondike gold rush back in 1890 when it established a code for civil and criminal law in 1889 and 1900. In 1903 the Homestead Act was passed, and Congress in 1906 empowered Alaska to elect a Delegate to represent it in the other body.

Mr. President, I have recited this history in detail to show the slow, gradual development of Alaska. It is a vast, vast land—one might say "sprawling"—it is sparsely populated and cannot be said to be abreast modern standards in that many of its towns lack community facilities. As an overall proposition you could say it does not have the social organization or development that would meet the criteria for statehood.

For example, the Department of the Interior in its Information Bulletin No. 2, Revised, on Alaska, in dealing with the subtopic of transportation facilities, states:

> Persons who contemplate traveling to Alaska over the Alaska Highway should check with the proper Canadian authority as to requirements, restrictions, and road conditions. Travel over the highway usually involves the following conditions: Snow, rain, and mud in the spring; dust in the summer; ice and snow in the fall; and hard-packed snow and extreme subzero tempartures in the winter.

This is not a very pretty picture. Neither is it very inviting. I might say that the whole temper and tone of the booklet from which I have just quoted is friendly and generally is intent on selling Alaska to the reader. Yet we can see from a reading of this section on transportation that the highway facilities hardly qualify as recommended; in fact, this official description carries the suggestion of the wild, the rugged, the primitive. One does not get the impression that this Territory has advanced to the point in its development that it is equipped to meet the responsibilities of statehood.

We are dealing with a condition, a terrain, and a climate which are not suited to modern highways and we cannot expect from Alaskan highways what we find in the continental United States in the way of transportation facilities from the standpoint of travel vital to Government business, the Nation's security, and the profitable, pleasureable, and essential movement of large numbers of people back and forth and up and down the United States.

The roads in Alaska were built by the United States. When Alaska becomes a State, it will have to bear the cost of the building of roads. It would not be fair to give one State any preferential treatment over another, or treat it any differently with regard to the building of roads. Alaska will be one of the United States, and she will no longer receive gifts as a Territory, but will have to bear her share of the burden, just as every other State of the United States now does. That is the condition with which it will be confronted.

Mr. President's allow me to quote from the Interior Department's booklet again:

> Transportation to most of Alaska is by regularly scheduled airlines, or by car via the Alaska Highway. Passenger steamship service is available only to southeastern Alaska from Vancouver, B. C. Once in Alaska, many of the important settlement areas can be reached over the Territorial highway network. Most settlements in southeastern Alaska can be reached by air.
>
> The Alaska Highway extends from Dawson Creek, British Columbia, about 1,600 miles to Fairbanks. If Anchorage is the destination, the distance from Dawson Creek is roughly 1,700 miles.

Let us keep these distances in mind and relate them to distances in our own States.

> Dawson Creek is about 500 miles from Edmonton, Alberta, about 1,500 from Seattle, and about 2,150 miles from Chicago. The highway was conceived and constructed as a military road and is paved only in Alaska. Automobile accessories, such as gas and oil, are available, and minor repairs may be obtained at reasonably short intervals along the highway. Fairly good camping and night accommodations are also available.
>
> Persons who contemplate traveling to Alaska over the Alaskan highway should check with the proper Canadian authority as to requirements, restrictions, and road

conditions. Travel over the highway usually involves the following conditions: Snow, rain, and mud in the spring; dust in the summer; ice and snow in the fall; and hard-packed snow and extreme subzero temperature in the winter.

It seems to me that when a territory is a candidate for admission to statehood it should be able to pass an examination, as it were, just as a law student has to take his bar exams and the prospective doctor has to pass the State board examinations. It is not enough that a Territory be wished into the Union for emoluments of such status. We are not engaged in a popularity contest. We are here concerned with a vital question that must be squared with the national welfare. This is the test-stone of the issue: Does the proposed action of admission of Alaska to statehood serve the national interest? By every fair and objective standard, I am compelled to answer in the negative. By density of population, by the arrested state of development, by the liabilities created by this retardation, owing to the geographic facts and rigorous climate, Alaska does not measure up to the standards the American people have the right to expect from a candidate for statehood.

My suggestion is that the people of Alaska try a little longer and see if they can develop a little bit further.

Again, taking official Department of the Interior literature as my text, I would like to read a section on Fire on Public Domain:

The long hours of daylight and light rainfall which characterize the summers of western and interior Alaska, create a serious forest and range fire season from April through September each year. Forest fires have burned over an estimated 80 percent of Alaska's domain forest lands during the past 60 years. A majority of the fires are man-caused, by abandoned campfires, carelessly discarded cigarettes, land-clearing fires, and so forth. Lightning fires occur north and west of the Alaska range.

The Bureau of Land Management maintains a small force of fire control personnel which is able to extend limited protection to the more heavily populated areas located along the territorial highway system and areas within 150 miles by air from Anchorage and Fairbanks.

The Alaska fire control act, as amended, carries penalties for allowing any fire burning on vegetated land in Alaska to escape control. All prospective residents or travelers in Alaska should exercise extreme care to prevent the occurrence of uncontrolled fires; they should contact Bureau of Land Management fire guards at stations located along the highways and obtain copies of the fire laws. They should report all fires detected by them.

It can scarcely be said that this is a condition which recommends statehood. This problem is an immense liability. It is unfortunate, it is regrettable, that it results from the vagaries of nature; nonetheless, it shows again a primitive condition. For the United States, if Alaska were to be admitted as a State, it would represent the inheritance of a large and costly problem, an enormous tax consumer, a perpetual headache to the Federal Government, requiring the diversion of a battalion of Federal workers.

Little has been said about Alaska's school system. The University of Alaska is a territorial, as well as a land-grant institution located near Fairbanks. Tuition for residents of Alaska is free, but students from the States are required to pay a tuition fee. When Alaska becomes a State will she give free tuition to all American students, or will she take away free tuition from Alaskans?

Alaskans will have to operate the university then and pay for it. Certainly we could not allow 1 State to get free tuition while 48 other States must require their citizens to pay.

The Territorial department of health is financed largely by funds provided by the Children's Bureau of the Department of Labor. There is a territorial commissioner of health, who is a full-time official. The functions of the department include communicable disease control, maternal and child health services, crippled children's services, public health engineering, and public health laboratories. Eight relief stations are maintained in Alaska by the United States Public Health Service. There are general hospitals in all of the larger towns in Alaska, most of them under the supervision of religious organizations.

Will the new State of Alaska assume these and other public duties, which the other 48 States now primarily conduct for themselves, or must we treat Alaska a little differently from the other States of the Union? Will the new State of Alaska be able to finance the many programs of self-government conducted by the average of the 48 States? If the Alaskans take over their government, the taxes will be unbearable. If they do not take over the government, then the Federal Government will have to treat one State a little differently from the other States. Or, with its small population and huge area and tremendous problems, will Alaska become a sort of welfare state for the other 48 States to support?

It is ironic, but the largest single industry and source of income for Alaskans is the United States Government. Yes, the Federal Government is the largest single contributor to the wealth of Alaska.

Mr. President, southeastern Alaska, which contains the capital city of Juneau, and other cities, is poorly adapted to diversified agriculture. As has been pointed out, the cost of living in Alaska is on the average higher than that of the continental United States because so much of its food supply has to be imported. This does not make for a stable situation.

Southeastern Alaska has a few small areas of farmland suitable for dairying and for the growing of many of the more hardy vegetables and small fruits. However, the dense cover and rugged topography make the cost of clearing and preparing the land very expensive; indeed, almost prohibitive.

Another unfavorable factor is that the general agricultural enterprises suffer from heavy precipitation. In some sections of the area, the average rainfall is over 150 inches; at Juneau it is about 82 inches. The length of the growing season is about 160 days.

All of these factors have to be weighed, for unless a region has the means of self-support and those assets necessary to a healthy economy, then it is a gross liability to begin with.

Alaska is far from being self-sufficient in the field of agriculture or anything else. As the Interior Department informs us:

Of the potential farm acreage in Alaska, approximately 6,450 acres were harvested in 1950 by about 510 people gainfully employed on the farms. The products of Alaskan agriculture are insufficient to meet local demands and, as a consequence, much farm produce is shipped into the Territory. It is believed that 50 percent of Alaska's food requirements could be produced in the Territory.

Agricultural experience in Alaska has demonstrated that farming practices of the United States cannot be applied in Alaska without modification. Conditions peculiar to Alaska will be encountered, such as early and late frosts and permanently frozen ground in many northern localities.

Agriculture can be economically expanded at least to provide the Alaska market with a greater proportion of those agricultural products which can be produced there. However, southeast Alaska will probably continue to be more easily provisioned from the United States than from producing areas in the Territory.

With this information, it can readily be seen that it would be unfair for us to entice setlement of a new "State" which, under no circumstances, could ever be guaranteed the same free access which our other States enjoy for purposes of general trade and for obtaining food and fiber. Alaska, be it granted statehood, would never be able to attain equality, for it would always be more subject to the high seas, the airways, and the unguaranteed friendliness of Canada than it would be upon the United States.

Alaska, as a Territory will progress perhaps more slowly than as a State. But, at least, those going there will not be going under the false pretense of a false label; namely, full statehood. Because of the geographical location, the international times, the distances, and the other differences that exist, Alaska, in name or otherwise, will never be able to attain full equality as a State.

Mr. President, just how far we would be extending the boundaries of the United States if we grant statehood to Alaska, the extent to which our then outermost State would be removed from continental United States, can be realized from a comparison of distances.

I wish to bring to the attention of the Senate some official mileage figures which have been provided me by the American Automobile Association. The figures represent actual miles, rather than air miles, for the distances between our Nation's Capital and several pertinent points around the world.

Washington, D. C., to Nome, Alaska, 5,160 miles.

Washington, D. C., to London, England, 3,657 miles.

Washington, D. C., to Rome, Italy, 4,496 miles.

Washington, D. C., to Buenos Aires, 5,801 miles.

Washington, D. C., to Caracas, 2,534 miles.

Washington, D. C., to Moscow, 5,396 miles.

As you will be noted, Nome, Alaska, is farther away from Washington, our Nation's Capital, than is London, England. The distance from Washington to Nome is 5,160 miles, whereas the distance from Washington to London is 3,657 miles. Actually, London is closer to Washington by 1,503 miles than is Nome. I wonder how many of us realize this fact. It is something to think about. The comparative figures I have just stated certainly emphasize the degree to which we would be extending our flanks if Alaska were to be taken in as a State. We should also recall that Alaska is extremely close to Russia.

Of equal interest are the statistics on the distances between Washington and Moscow, compared with the Washington-Nome totals. The approximate mileage from our Nation's Capital to Moscow is 5,396. This total, as we can readily see, is only slightly greater than the miles separating Washington and Nome. It is apparent that we would be going far afield if we were to reach out to embrace Alaska for statehood. We would be conferring statehood on a Territory more distant from our seat of Government than large areas on the European continent. It is an historic fact that provinces far removed from seats of government have been trouble spots for the parent powers, down through the centuries.

Canada and the United States have always enjoyed close relations since the end of our struggles with Great Britain. I ask in all sincerity: Will the admission of Alaska as a State, with all the problems of noncontiguousness present, some day prove to be a grave irritant between the United States and Canada? Would the overwhelming desire to become a "real part" of the continental United States some day cause an expansionist-minded or imperialist-minded President to provoke a war between the United States and Canada—God forbid—to bring about a physical union of Alaska with the other 48 States?

This is not an unreasonable question, for stranger things than this have happened in history. It was only within recent years, as I pointed out earlier, that Germany brought on World War II, partly in order to bring Prussia and other noncontiguous people back to the motherland.

No, Mr. President, I have not yet heard one good argument in favor of the incorporation of Alaska as a full-fledged State. I have not heard anyone say that Alaska as a State could pay her way. If she could not, the taxes in Alaska would have to be increased; and, of course, increased taxes would dissuade people from settling in Alaska.

So, Mr. President, I hope the Congress will not pass this measure. I know the arguments on both sides are weighty and sincere. But, Mr. President, it is not proper for emotions to influence the decision of the Senate on this or any other important issue. Instead, it must be decided solely on the basis of facts and the lessons of history.

On that basis, Mr. President, this bill should not be passed. I urge all my colleagues to vote against it, and thus to vote in the best interests of the entire Nation.

I can see nothing but trouble for the United States in the future if Alaska is made a State. I do not like to call any country an enemy, but the country we fear most and the one which many persons think would be the next country we would go to war with, if we should ever go to war, is a country that is close to Alaska—Russia. How easy it would be for Russia to take over Alaska, being so close to her, and Alaska being so far away from us. It is something to think about. The question of statehood is something that could well wait until next year, so that we could think the matter over thoroughly, instead of rushing statehood for Alaska.

Some persons say statehood for Alaska would porbably result in our having 2 more Democratic Senators. I, for one, do not believe we need to get Senators on this side of the aisle in that manner. I am not willing to sacrifice the good of the United States for 2 additional Democratic Senators; and, so far as that is concerned, I am as strong a Democrat as is any Senator on this floor.

I know that if 2 Senators are to be admitted into this body from Alaska, they will desire certain things to be done in and for Alaska. Watch my prediction. Alaska cannot survive without additional help, such help as other States are not receiving at the present time. Will we have to show partiality to Alaska? That is a question for each Senator to ask himself.

I wish to make another point so far as gaining Democratic Senators is concerned. I am not worried about that problem, either. With everything going as it is, I predict the Democrats will have a majority of 18 or 20 in the Senate next year, anyway. We on this side of the aisle do not need to compromise with anybody. But the matters I have mentioned enter into the question of whether Alaska should be admitted as a State.

As we look back into history, we know that in the days of slavery one State was admitted into the Union with slavery, and then another one without slavery. Trades were entered into in order to balance the number of Republicans and Democrats. But at the present time the issue before us is a greater one than the question of Democrats or Republicans. It is a question of what is best for the United States, and also for Alaska. Alaska will suffer in the long run, and she will find it out when it is too late, after she has become a State.

I hope my colleagues will weigh this matter carefully, in order that they may vote in the way they believe will be for the best interests of the United States. That is what we are hoping.

INCREASED GROUP HEALTH COSTS SHOW NEED FOR SOCIAL SECURITY IMPROVEMENT

During the delivery of the speech of Mr. JOHNSTON of South Carolina,

Mr. PROXMIRE. Mr. President, will the Senator yield with the understanding that he will not lose the floor and that my remarks will appear at the conclusion of his remarks or at some other point in the RECORD?

Mr. JOHNSTON of South Carolina. I yield under those conditions.

Mr. PROXMIRE. Mr. President, the Washington Post and Times Herald this morning published an article about an increase in Blue Cross hospitalization rates in Washington on an average of 42 percent or more, effective in September. This rate increase is part of a general increase in group hospitalization rates across the country. Blue Cross was granted a 30-percent rate increase in Virginia last March, after requesting a 37-percent increase. Blue Cross is now asking for a 22-percent increase in Maryland.

These rate increases underline the predicament of aged people who are trying to live on social security benefits. The reason for the rate increase is that more subscribers are going to the hospital, they are staying there longer, and the cost of caring for them is going up. The average cost of a hospital room in 1952 was $23 a day; today it is $32.

If a retired person has the very good fortune to be a subscriber to a group hospitalization plan, he will have to pay a very substantial part of his monthly benefit to cover the cost of hospitalization. The average old couple on social security receives a benefit check of $110 a month. If they live in Washington, they will pay, after September, $7 a month of that amount for hospitalization.

The single man on social security gets a check, on the average, of $70 a month, and the single woman a check for $54. Out of that, the single person will pay $3.50 a month for hospitalization after September 1.

But these are the fortunate older people. They have group hospitalization. Most older people do not. Only a third of the people over 65 have any kind of health insurance, and less than a fourth of the persons over 75 have health insurance.

Mr. President, I think that group health insurance is one of the great social achievements of our generation. It is a plan of mutual self-help which is far better than calling upon the Government to solve people's health problems. I support private health insurance with genuine enthusiasm. I think it should be clearly recognized and clearly stated that group health insurance rates are going up only as the cost of everything goes up, and as the medical profession discovers more ways to help people stay alive and well.

Nevertheless, there is now an urgent problem which requires a liberalization

of our social-security system. Illness is a handmaiden of age, and there is an increasing number of older people. That is why I provide in my social-security bill, S. 3086, that any person eligible for social security, whether or not he is actually receiving benefit payments, is eligible for 60 days free hospitalization annually. It will meet the emergency until older people can qualify for and pay for private insurance.

We cannot close our eyes to the plight of our old and aging people. The cost of living climbs higher all the time. The benefits fixed in the social-security legislation stay the same—unless we have the wisdom and the sense of justice necessary to change them.

Mr. JOHNSTON of South Carolina. I may say to the Senator from Wisconsin that the Committee on Post Office and Civil Service, of which he is a member, is at present making a study of insurance for sickness and hospitalization. In recent years Congress has passed a law for the insurance of Government workers. We have found that such insurance can be obtained for a group at cheaper rates than if it is purchased individually. Furthermore, I think we have found that it is very good to have a yardstick, so as to ascertain the amount of profit which insurance companies make. In that way, they are restrained from paying large salaries, such as $125,000 a year, in one instance, and $150,000 a year in another. Of course, that is not true of all insurance companies.

However, it has been found that the Government workers can be benefited by having the Government cooperate in obtaining insurance for them.

Next year I hope the committee will be able to report a bill which will enable the Government workers to obtain insurance rates much cheaper than they are paying at present, and also insurance which will benefit them to a greater extent.

PROPOSED PADRE ISLAND NATIONAL PARK, TEX.—BILL INTRODUCED

During the delivery of the speech of Mr. JOHNSTON of South Carolina,

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the junior Senator from Texas with the understanding that his remarks will appear at the conclusion of mine, and that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to provide for the establishment of Padre Island National Park in the State of Texas.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 4064) to provide for the establishment of the Padre Island National Park, in the State of Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. YARBOROUGH. Mr. President, recently the United States Department of the Interior, National Park Service, issued an important report on America's vanishing shorelines.

In this report Conrad L. Wirth, the Director of the National Park Service, points out:

> One of our greatest recreation resources—the seashore—is rapidly vanishing from public use. Nearly everyone seems to know this fact, but few do anything to halt the trend.
>
> In 1954 a friend of the National Park Service provided funds to take the first step—a survey of the Atlantic and Gulf coastline. The facts uncovered by the survey are alarming.

Mr. President, this survey showed that it is time to act to preserve this priceless heritage—desirable seashore for the public enjoyment.

Along the eastern seashore, millions of Americans wanting a day at the beach face thousands of signs like "Private Property," "No Trespassing," and "Subdivision, Lots for Sale."

With the rapid growth and development of America, and particularly the Southwest, it will be only a few years before Americans will find their gulf seashores no longer accessible to the public if something is not done.

Mr. President, the survey shows that of the 3,700 miles of general shoreline constituting the Atlantic and gulf coasts, only 6½ percent, or 240 miles, are in Federal and State ownership for public recreation uses. This is not nearly enough.

The survey also showed that of the 54 areas most suitable for public seashore recreation, 6 of the areas and one-third of the total beach mileage are in Texas. The total shoreline is approximately 206 miles.

The United States Park Service has urged since 1955 that the highest priority be given to the public acquisition of the 98 miles of Padre Island between the developments at its tips.

Mr. President, in my opinion, the golden sands of Padre Island and the white-capped blue waters of the Gulf of Mexico beckon Americans to one of the most desirable semitropical rest spots in the world.

It is a place of undying historic charm. It was near here that LaSalle first set eyes on this land destined to be the home of freedom. Here the Karankawas Indians tied their canoes and lived on their catch from the waters alive with trout and crabs and shrimp. From this island the last of Karankawas headed their canoes out into the gulf into an unknown future.

Today, Mr. President, much of this water is still alive. Many the morning when the light first breaks over the surf a silver spoon with a yellow feather will kill big trout until the angler's heart pounds and his arms grow weary from the struggle. Then it is pleasant to lie on the sundrenched sand and watch the seagulls dance stiff-legged along the water's edge—as if they are afraid of getting their feet wet, or watch a fishing boat bob out of sight over the horizon. Somehow cares of man and the world fade away, a man can relax, and God seems near.

Mr. President, this is an area of this country which all Americans should own and have the right to use.

I ask unanimous consent that the text of the bill be printed at this point RECORD, along with an excellent editorial on this subject from the Texas Observer entitled "A Public Seashore."

There being no objection, the bill and editorial were ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) the Secretary of the Interior shall acquire by gift, purchase, transfer from any Federal agency, or otherwise, such lands (together with any improvements thereon), as he shall consider necessary or desirable for the purpose of establishing a national park on Padre Island situated in the coastal waters of the State of Texas and extending from near Corpus Christi to near Brownsville, except that the Secretary of the Interior shall not exercise any authority under the provisions of this act unless and until the State of Texas by appropriate legislative action has consented to the establishment of such park.

(b) Any Federal agency is authorized to transfer, without consideration, to the Secretary of the Interior any lands (together with any improvements thereon) which are excess to the needs of such agency for use by the said Secretary in carrying out the provisions of this act.

SEC. 2. (a) The lands acquired under the first section of this act shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Padre Island National Park. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of the act entitled "An act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535).

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

[From the Texas Observer of June 13, 1958]

A PUBLIC SEASHORE

In 1955 the United States Department of Interior's National Parks Service urged that highest priority be given to the public acquisition of the 98 miles of Padre Island between the developments at its tips. The land, owned by but a few people, could be bought for $3.5 million, providing an opportunity for beach recreation of a type unmatched by any other areat along the Atlantic or gulf coasts. The Government report sang on:

"Its great size and remote character, the attractiveness of its climate for summer and winter use, the excellent fishing and boating opportunities, the safe beach and infinite expanses for hiking and beachcombing * * * the endless sweep of broad beach, grass-topped dunes, and windswept sand formations * * *. These admirable recreation qualities of Padre Island commend it for preservation as a public use area" and raise the question "whether most of the Padre Island area that remains undeveloped might be preserved as a public seashore."

Since 1955 the report has mouldered and the subdividers and exploiters have crept farther and farther down the sand. The State parks board is prohibited by law from spending money to acquire park sites. With such timidity about taxes and the likelihood of a deficit the legislature is not likely to be overtaken by a fit of public zeal. Texas has but the one national park, Big Bend; yet we are the largest of the States. Cannot our potent (alas sometimes too potent) Texans in Washington persuade the Congress to make Padre Island our second national natural shrine? Gentlemen, before it becomes too late, and honkytonks and shacks and litter make the matter moot, let us the people have this for the long, quiet future.

Mr. YARBOROUGH. I wish to thank the distinguished Senator from South Carolina for yielding to me so that I might introduce this important measure. I know that he, representing a State on the south Atlantic coastline, is fully conversant with the need for seashore recreational areas.

Mr. JOHNSTON of South Carolina. I am always glad to yield to the distinguished junior Senator from Texas, for I know what he has to say is always of great importance. What he has stated at this time proves my statement. His proposal is important, not only to Texas, but to all this Nation of ours.

Mr. YARBOROUGH. I thank the distinguished senior Senator from South Carolina for his interest in the matter of the national park proposal.

OBJECTION TO COMMITTEE MEETINGS DURING SENATE SESSION TODAY

Mr. MANSFIELD. Mr. President, for the information of the Senate, I should like to announce that if any requests are made for committees to meet this afternoon during the session of the Senate, I shall object. Unfortunately, the Senate agreed to permit the Committee on the District of Columbia to meet this afternoon. I trust that committee will use a modicum of good judgment, because I hope that three votes on amendments and points of order will be had this afternoon. I repeat that if any requests are made for Senate committees to meet during the session of the Senate today, I shall object.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER (Mr. JORDAN in the chair). The Senator from Montana.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Case, S. Dak.	Green
Barrett	Clark	Hill
Beall	Dirksen	Hruska
Bricker	Dworshak	Ives
Bush	Eastland	Jackson
Butler	Ellender	Johnston, S. C.
Jordan	Purtell	Sparkman
Kefauver	Robertson	Talmadge
Mansfield	Saltonstall	Thurmond
Martin, Iowa	Smith, Maine	Thye
Neuberger	Smith, N. J.	Wiley
Proxmire		

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE], the Senators from Texas [Mr. JOHNSON and Mr. YARBOROUGH] and the Senator from Michigan [Mr. MCNAMARA] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from California [Mr. KNOWLAND] and the Senator from West Virginia [Mr. REVERCOMB] are absent on official business.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of illness.

The PRESIDING OFFICER (Mr. JORDAN in the chair.) A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. ANDERSON, Mr. BENNETT, Mr. BIBLE, Mr. BRIDGES, Mr. BUTLER, Mr. BYRD, Mr. CARLSON, Mr. CARROLL, Mr. CASE of New Jersey, Mr. CHAVEZ, Mr. CHURCH, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DOUGLAS, Mr. ERVIN, Mr. FREAR, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. HAYDEN, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HUMPHREY, Mr. JAVITS, Mr. KENNEDY, Mr. KERR, Mr. KUCHEL, Mr. LAUSCHE, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MARTIN of Pennsylvania, Mr. MCCLELLAN, Mr. MONRONEY, Mr. MORSE, Mr. MORTON, Mr. MUNDT, Mr. MURRAY, Mr. O'MAHONEY, Mr. PASTORE, Mr. POTTER, Mr. RUSSELL, Mr. SCHOEPPEL, Mr. SMATHERS, Mr. STENNIS, Mr. SYMINGTON, Mr. WATKINS, Mr. WILLIAMS, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. YARBOROUGH. Mr. President, the strong sentiment in Texas for Alaskan statehood is reflected in editorials from the Dallas Times Herald, San Antonio Light, Beaumont Enterprise, Houston Press, and Amarillo Globe-Times. I have endorsed and spoken for Alaskan statehood; I think it is time to add the 49th star to Old Glory. I request unanimous consent that all these editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Houston (Tex.) Press of May 28, 1958]

DECISION ON ALASKA

Alaska statehood is not the sort of issue that stirs the masses to elect or defeat a candidate for office.

But for that very reason it should stir the consciences of Members of Congress and stimulate them to statesmanship. When a man is not under pressure to vote his district he is free to vote his country—perhaps the greatest challenge and the greatest privilege in politics.

The men who vote on statehood for Alaska this week will be making history. We believe a majority will vote for the bill.

We hope a majority also will stand firm against the tricky efforts to riddle it with amendments, whose purpose is simply to kill statehood itself.

Alaska needs the help of all friends of self-rule in this fight. But it will repay them by making our Nation a stronger and better land.

[From the Amarillo (Tex.) Globe-Times of March 28, 1957]

ALASKA'S STATEHOOD

Alaskan statehood is the aim of the little group of determined elected representatives of that Territory. Chief advocate is Ernest Gruening, Territorial Governor for 14 years.

It is now almost a century since Secretary William H. Seward purchased their entire Territory (one-third the size of the United States) for $7,200,000. At first it was called Seward's Folly. Yet in the past 50 years this investment has repaid itself to the United States many thousandfold in the resources of the far northern area.

In the act by which Alaska was made a Territory in 1867, there was the specific promise that one day it would become a State. Tired of waiting, they called a constitutional convention, officially designated themselves a State and elected themselves a congressman and two senators to represent them in the Congress. Congress, of course, has seated only the Delegate who has no voting rights.

The stratagem is reminiscent of that successfully employed first by Tennessee in 1796. It was said to have been the invention of Andrew Jackson. This same identical route to statehood was followed by Michigan, Oregon, California, Minnesota, Iowa, and Kansas. They designated themselves States, sent representatives to Congress, and Congress finally took them.

The Alaska advocates, mostly people who migrated there from the States, have adopted as their slogan the battle cry of the American Revolution, "Taxation without representation." Their residents pay income taxes like any other citizens and their sons are identically drafted.

Of course, Alaska would be a bigger State than Texas but there is one comfort in the fact that a sizable part of the Alaskan population is ex-Texan.

[From the Houston (Tex.) Press of May 29, 1958]

A NEW STAR TWINKLES

Now it is the Senate's turn to speak up for representative government.

The House, on the firm insistence of Speaker SAM RAYBURN, finally got a chance to vote on Alaskan statehood yesterday and passed the bill by a comfortable margin.

The Senate twice before has approved similar legislation. Its committees have held a multitude of hearings and repeatedly have endorsed admission of this rich Territory to the Union.

The Senate is thus in a position to act promptly and send the bill to President Eisenhower, who yesterday renewed his plea that it be passed.

Only last August the Senate's Committee on the Interior, reporting out a statehood bill for the fourth time, stated the case eloquently and concisely.

The committee said: "Over a period of many generations, and under conditions that would stop a weaker breed, Alaskans have tamed a great land and have offered it to

the Nation for its many values, all in justifiable reliance on Alaska's ultimate destiny as a full member of our proud Union of States. Now is the proper time for Congress to fulfill this destiny.

The 49th star twinkles. The Senate can make it gleam.

[From the Beaumont (Tex.) Enterprise of May 30, 1958]

ALASKAN STATEHOOD

What will happen to the Alaska statehood bill in the Senate is anybody's guess.

However, some statehood advocates believe the outlook for passage is good. Among these is Secretary of the Interior Seaton, who exclaimed after House approval, "We will win the battle."

We also learn that the action of the lower Chamber gave the people in the big northern Territory a severe case of statehood fever—for them a happy ailment.

Republican leaders and southerners tried hard to prevent passage of the measure in the House.

In this connection, it is interesting to note that one of the arguments against statehood for both Alaska and Hawaii is that the Senators elected by them, whether Republican or Democratic, would in all probability vote "liberal" on many issues because of their pioneer status.

Southerners have long argued, in a somewhat similar vein, that the new Senators might upset the delicate balance on the issue of cloture.

Many Americans think these reasons for opposing statehood for the two Territories are shallow and unreasonable. We are among them.

In fact, opinion polls show the public to be in favor of admitting both Alaska and Hawaii by an overwhelming majority.

Besides, both political parties are officially committed to admission. Special appeals for such action have been made by President Eisenhower.

[From the San Antonio (Tex.) Light of May 30, 1958]

ALASKA

After having been floored by an unofficial vote the day before, the Alaska statehood bill got off the canvas Wednesday and through to passage in the House by the surprisingly impressive vote of 208 to 166.

It was not only a dramatic victory against the aggressive opposition of a coalition of Republicans and southern Democrats. It may be the key one in the more than 40 years that Alaska has been seeking statehood. For the prospects of passage in the Senate look good.

In this fight for statehood for a great and worthy Territory we extend our congratulations to Speaker SAM RAYBURN, who exerted his tremendous influence in its behalf; to Representative LEO O'BRIEN, New York Democrat and author of the bill, and to such stalwart Republican helpers as Representatives JOHN SAYLOR, of Pennsylvania, and A. L. MILLER of Nebraska.

And may we add that we are proud that the Light and the other Hearst newspapers have been fighting for Alaska statehood for years.

The American people support Alaska statehood 12 to 1. President Eisenhower has placed his weight behind it. Let's hope the Senate will remove the last barrier—soon.

[From the Dallas (Tex.) Times Herald of May 9, 1958]

WHY ISN'T ALASKA ADMITTED?

Alaska is all dressed up and ready to go as the 49th State of the Union. It has adopted a State constitution, and its 210,000 inhabitants have voted 2 to 1 for statehood.

Yet it is proving hard to get an Alaskan statehood bill through Congress. The Territory thought it might get in as Tennessee did by electing Senators and Representatives for Congress to seat, but these men are still waiting in Washington for formal recognition.

The Alaskans pay the same Federal taxes we pay and send delegates to our national party conventions. But they are not allowed to vote in our presidential elections, they have no voting spokesmen in Congress, and the President appoints their Governor.

The situation of the Alaskans is much like that of the Thirteen Colonies before the revolution who raised so much cain about taxation without representation and made things hot for the governors set over them by King George.

The Alaskans are more patient than the colonials were. They have held no indignation meetings to talk about "liberty or death." They have not done violence to tax collectors. And they have not dumped any United States cargoes overboard. But their patience is beginning to wear thin.

When we bought the area from Russia 91 years ago the Alaskans were promised "all the rights, advantages and immunities of citizens of the United States." They hold that it is about time for this promise to be kept.

Inhabitants of some of the States who are restive under Federal encroachment and the rulings of the Supreme Court may wonder why the Alaskans are panting so earnestly for statehood. But for some reason the territorials want to get into the Union. They like the United States and they crave the honor of being represented by a star on the blue field of Old Glory. Why is Congress so reluctant to admit them?

Mr. MONRONEY. Mr. President, I call up my amendments, which are submitted by me on behalf of myself, the Senator from Florida [Mr. SMATHERS], and the Senator from Arkansas [Mr. FULBRIGHT].

The PRESIDING OFFICER (Mr. CLARK in the chair). The amendments will be stated.

The CHIEF CLERK. It is proposed to insert the following preamble:

Whereas the principle of self-government is the cornerstone of democracy; and

Whereas our Government exercises sovereignty over the Territory of Alaska wherein the principles above stated are not now given their fullest expression; and

Whereas it is the desire of the Congress to remedy this condition and establish a policy for the future for overseas or noncontiguous areas consistent with our ideals and principles as to the maximum degree of self-government and as to principles of taxation; and

Whereas the people of the Territory of Alaska have demonstrated their loyalty to the Government of the United States, its traditions and teaching, and a readiness to achieve a status above and beyond that of an incorporated territory; and

Whereas the Congress is desirous of granting the Territory of Alaska the fullest practical self-expression in the form of Commonwealth status under the jurisdiction of the United States: Now, therefore.

It is also proposed to strike out all after the enacting clause, and insert in lieu thereof the following:

That (a) this act is enacted in the nature of a compact so that the people of the Territory of Alaska may organize a government pursuant to a constitution of their own adoption. Such government, when properly organized as hereinafter specified, shall be called a "Commonwealth of the United States of America." It is the intent of Congress that the highest degree of self-government within their respective areas be vested in the people and in their elective governments. This authority will be exercised within the framework of and under the Constitution of the United States and the laws of the United States, excepting those which by act of the Congress are made inapplicable to such areas. This act shall be submitted to the qualified voters of such Territory for acceptance or rejection in a referendum to be held for such purpose under the laws of such Territory. If this act is approved by a majority of the votes cast in such referendum, the legislature of such Territory shall call a convention to draft a constitution providing self-government as a Commonwealth of the United States for the people of the Territory. Such constitution shall provide a republican form of government and shall include a bill of rights.

(b) Upon adoption of the constitution by the people of such Territory, the President of the United States shall, if he finds that such constitution conforms to the Constitution of the United States and the provisions of this act, transmit such constitution to the Congress of the United States. Upon approval of the Congress, the constitution shall become effective in accordance with its terms, subject to the conditions and limitations of the act of Congress approving it.

SEC. 2. It is hereby declared to be the intent of Congress that upon adoption of a constitution by, and with the granting of complete Commonwealth status to, the Territory of Alaska, as provided for in this act, the laws of the United States shall be amended in order to provide that residents of Alaska shall be treated under such laws in a manner similar to the treatment given to residents of Puerto Rico under such laws at the present time, the purpose of such treatment being to allow the government of Alaska, in line with its newly acquired Commonwealth status, to realize full benefits from taxation of income produced within its boundaries.

It is also proposed to amend the title so as to read "An act to authorize the people of the Territory of Alaska to form a constitution which will provide self-government as a Commonwealth of the United States for such Territory."

Mr. MONRONEY. Mr. President, on the question of agreeing to my amendments, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. MONRONEY. Mr. President, I should like to describe briefly, once again, my amendments which call for Commonwealth status for the Territory of Alaska.

Yesterday I spoke at length in describing these amendments, which are in the nature of a substitute, would strike out all after the enacting clause, and provide that the citizens of Alaska shall have a right to vote and to determine whether they wish to have statehood or wish to have a Commonwealth status.

Mr. President, this proposal has never been offered to the Territory of Alaska. Consequently, the people of Alaska have not had a chance to choose between the two forms. Only the political leadership in Alaska and, to judge from the mail I have received, not an overwhelming majority of the people of Alaska advocate statehood even for themselves.

I have never seen less enthusiasm in the Senate, during my service here, for any measure than has been evidenced in the effort to pass the Alaskan Statehood bill during the past few days. Perhaps a sufficient number of Members of the Senate have been committed, by the consistent and effective lobby, and have pledged votes for the admission of Alaska. Since a rule as old as the Republic, namely, that against taking into the Union areas which are not a part of the land mass which forms the United States—and are not contiguous either to other States or to Territories of the United States—would be violated, I feel that we should stop, look, and listen before we set a new pattern of admitting offshore territories to statehood.

Mr. President, this is not a simple decision of acceding to the wishes of nice people who wish statehood. If we vote for statehood for Alaska, it is a decision we shall have to reckon with, not only in the case of other Territories, which may seek admission, but also in the case of islands and other parts of the world which might like to become States of the Union.

As I said yesterday, I feel much of the strength of the United States rests in the fact that it is united, that every State touches another State. We have a common North-South border and a common East-West border, within which we have a united land mass. When we depart from that pattern and take into the Union as a State a Territory that is over 2,000 miles away from this country, between which area and the present United States lies the sovereign territory of Canada, we set a new pattern. If we take in Hawaii as a State at a later date—and we certainly will if we pass this bill—we shall have a State which is separated by more than 2,000 miles of blue water from the present United States. When such a new pattern would be set, I think the question deserves better examination and more thoughtful consideration than apparently the Senate is giving to this proposed legislation.

I feel, if we believe in the right of the people to make their own determination, the least we can do is permit the people of Alaska to vote on whether they prefer statehood or a commonwealth status. Under a commonwealth status the people of Alaska would have complete autonomy. They would elect officials of their own government, the legislature, and the courts. They would have complete self-government in every respect, except that they would not have two United States Senators or a voting Member of the House of Representatives. They would still have their delegate in the House.

I do not believe in taxation without representation. In exchange for giving the Alaskan people a commonwealth status, they would be exempt from income tax on money invested in the Territory of Alaska.

If we want to develop this great land mass—and I am one of those who does—we shall help the people of Alaska to obtain that objective more by working for an economic base on which statehood can be sustained than by giving the Territory statehood on an economic basis which cannot possibly support the duties and obligations of statehood. The Territory would lose much of the $350 million that goes into the area by way of highways, defense activities, public works, and other such projects, which Alaska receives as special consideration and which the 48 States do not receive. If Alaska were to obtain statehood she would have to face up to the duties of statehood and pay her proportionate share of State matching funds. The payments for the construction of airports, highways, hospitals, and other such works would have to meet the same tests as apply to such projects in the State of New York or the State of California.

Statehood would be a poor substitute for a viable economy and the extraordinary support from the Federal Government which Alaska now receives in a myriad number of activities, such as public highways and hospitals. As one citizen stated in a letter to me, which I read into the RECORD yesterday, "The tin cup will be gone."

Mr. President, are we afraid to trust the people of Alaska to vote on the question whether they favor statehood, or a commonwealth status, which will give them a moratorium on certain obligations over the years and also freedom from income tax so long as they remain under a commonwealth status?

If we cross the line and grant statehood to Alaska, the action will be irrevocable. There will be no way whereby Alaska will be able to rid itself of statehood and revert to a territorial or a commonwealth status.

I think the 90,000 permanent residents, a third of whom are Eskimos, Aleuts, and others, will be unable, with the revenues which will be available to them, to pay the high Federal income taxes and the capital gains taxes on investments in high risk areas in an effort to create a suitable economy.

By granting statehood we would be letting Alaska build up to an economic collapse, long after the shouting is dead, and lead them to regret that they took the statehood step instead of the commonwealth status step. My amendment affords an opportunity to let the Alaskan people choose the commonwealth status, if they wish to take it. I feel it is one step which could be taken really to build up and create a greater Alaska.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to a long supporter of commonwealth status for Alaska.

Mr. FULBRIGHT. I wish to associate myself with what the Senator from Oklahoma has said.

Have the people of Alaska ever directly voted upon the question of statehood?

Mr. MONRONEY. It is my understanding they voted upon the question when it was tied in with a vote on fish traps. The people were told they should vote "no" in order to kill fish-trap regulation and "yes" in order to have statehood. I do not recall the exact vote, but there was a vote in favor of statehood. The people adopted a State constitution, which has raised some questions. Frankly, if an accurate vote were taken on the question of statehood or commonwealth status, there is no doubt in my mind the vote would go the other way, knowing as the people of Alaska would, the facts and the advantages if allowing the Territory to build up its economy. The people have had nothing else to vote for but statehood. The lobby has made it appear that unless one is for statehood, he is against Alaska. I think that those who are so anxious for statehood for Alaska, without an economic basis to maintain it, are doing an injustice to Alaska. They would do far more to help Alaska by providing a means by which Alaska could build up its economy, so the people could later vote to join the Union.

Mr. FULBRIGHT. Has any Senate committee seriously considered commonwealth status for Alaska? Has the committee called before it witnesses and has it examined into the effect of such a move?

Mr. MONRONEY. I think I testified, and I believe the distinguished junior Senator from Arkansas testified, before committees of the Senate. The distinguished chairman of the Committee on Interior and Insular Affairs held hearings a number of times. He has been very courteous to me in allowing me to address the committee.

Mr. FULBRIGHT. My memory may be faulty, but I thought we testified with respect to a commonwealth status for Hawaii. I believe that was in 1954.

Mr. MONRONEY. I believe the question of Hawaii was up for consideration at that time, but the question applies both ways. If we are to set a pattern, I believe it is important to set a pattern of commonwealth status for offshore areas, which gives them the right of self-government, without overrepresentation in the Senate of the United States.

I thank my distinguished colleague for his support. I feel we should have a vote on the amendment. It is a very important amendment. I yield the floor——

Mr. SALTONSTALL. Mr. President, will the Senator yield to me so I may ask him a question?

Mr. MONRONEY. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Massachusetts is a Commonwealth. There are four Commonwealths in the United States. I assume what the Senator from Oklahoma means, of course, is such a commonwealth status as that of Puero Rican?

Mr. MONRONEY. That is correct. The term commonwealth status is not one of depreciation. Of course, the proud name of the Commonwealth of Massachusetts proves that. But, of course, Massachusetts is a State that calls itself a Commonwealth. We have tried the commonwealth status in Puerto Rico. It has worked well. I think it would be a fine thing for Alaska, and would help develop it, if the Senate would adopt my amendment.

Mr. FULBRIGHT. Mr. President, I wish to associate myself with the re-

marks of the Senator from Oklahoma. I shall support the substitute.

For the record, I should like to say that on March 29, 1954, as shown in the CONGRESSIONAL RECORD at page 3712, I undertook to describe at great length my views on the question of commonwealth status for Hawaii. I should like to invite the attention of Senators to that RECORD. I shall not take the time of the Senate to repeat the arguments, since I know the Senate is anxious to vote, but I wish to add 1 or 2 observations about the matter.

It seems to me, Mr. President, it would be extremely shortsighted of the Senate to take precipitate action, which would be irrevocable if the bill were passed, on the question of statehood for Alaska. If, in the light of experience, we consider the very favorable developments in Puerto Rico, I think that alone should give the Senate pause to reconsider what I think is a rather sentimental decision with respect to a noncontinguous Territory.

Puerto Rico has had an unusually successful experience under the status of a Commonwealth. There are many aspects of that particular development which I think would apply to Alaska and would apply to Hawaii or to any other Territory which desires to be closely associated with this country.

Briefly stated, as was mentioned by the Senator from Oklahoma, such a status would confer complete local autonomy, but the United States would furnish defense, in the form of an Army and Navy, in the international sense, and also diplomatic representation. The Commonwealth would be reviewed of that burden, but would be enabled to exercise complete local autonomy.

If we look at the United States today impartially and objectively, it is easy for us to see that the United States is suffering from a great many difficulties. It is suffering from a great many difficulties internally relating to the adjustment of racial differences and economic differences. We are having great trouble in making our system, which is extremely complex, operate efficiently. We are having even greater troubles on the international scene. We should not be further burdened with additional States, it seems to me. That appears to be exactly the wrong thing tc do. I think it would be far better and much more efficient to grant to the outlying Territories, if they wish to have it, the status of a Commonwealth.

The people of Puerto Rico regard their Commonwealth in the nature of an associated country. The people there feel they are an independent State associated with the United States. I believe that is the proper concept.

The difficulties which arise within a community growing out of racial, economic, or religious differences should be settled at the local level, and should not become embroiled with national policies which involve the 48 States.

I think we would be asking for additional trouble to admit Alaska as a State. I expect that soon thereafter there would be a request for statehood for Hawaii, and I presume for any other island so desiring it. Once the process gets started, I do not know where it would stop. Such a process would only further burden the already creaking machinery of the United States Government.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MONRONEY. Would the Senator be able to conceive of any reason in the world why if we admit Alaska to full statehood, as well as Hawaii, Puerto Rico would not be entitled to the same status as a State?

Mr. FULBRIGHT. The only thing I can say is that I do not think the people of Puerto Rico want to have Puerto Rico become a State.

Mr. MONRONEY. The people there are happy.

Mr. FULBRIGHT. The people there are intelligent enough to see the advantages of their present status. If our people would bother to consult the people of Puerto Rico, I think they would discover there are great advantages in not being subjected to arbitrary dictation from the Federal Government on many matters, as would happen under statehood because of our great attachment to conformity in all its aspects in regard to social and economic life.

I have 1 or 2 other ideas I should like to offer for the consideration of my colleagues.

In addition to our own satisfactory experiences in Puerto Rico, the British experiences in the same field have resulted in the decentralization of their great empire. Britain was a country during the last century which had a power comparable to that of the United States today. Instead of incorporating and completely integrating all their possessions into one single government, the British have proceeded to decentralize, to give independence, by the creation of commonwealth status, which in many respects is similar to the relationship between Puerto Rico and the United States. That effort has been successful.

In contrast, the French have attempted to integrate or to incorporate within the metropolitan government certain areas in north Africa, a process which is already causing great trouble, as we all know. The relationship today between Algeria and France is causing extreme concern not only in that area, but throughout the Western world, because of the dangers inherent in the relationship.

The proposal for Alaskan statehood is a proposal to incorporate a noncontiguous territory, which is similar in many respects to the incorporation of Algeria by France. I predict it will be a most unsatisfactory relationship in the long run.

Both those experiences are in accord with the basic reasoning which supports the substitute offered by the Senator from Oklahoma.

I think the country and the Senate have become committed as a result of ill-considered planks in the platforms of the two parties, adopted under what we all know to be the superheated emotional atmosphere of a political convention. When the delegates went to the conventions they thought, "What can we do to attract a little support here and there?" Then poth political parties decided they wanted to favor statehood for Alaska and Hawaii. I think that was an extremely shortsighted view to take on such an important matter.

There is one last thought I should like to suggest. We should consider the many other countries which lie in this hemisphere, many of which have their own individual customs and traditions. I do not wish to in any way interfere with the local control of their affairs. I have often thought how much more reasonable would be a relationship of association of many of the small countries and this country, after the fashion of Puerto Rico, which association would relieve those countries of the great burden of defense and conduct of their external affairs.

I say this not with any thought that we should attempt to persuade or coerce any such country to follow such a course; but I believe commonsense indicates it might be most beneficial for this country, and many other countries, to associate in the same way Puerto Rico has associated with the United States.

The recent report of the Rockefeller Bros. Fund on the development of the economics of the Western Hemisphere I think is consistent with the idea I have suggested. There should be a regional approach for the whole hemisphere, North and South America together. If there is to be closer economic association—and there certainly ought to be closer economic association—I see no reason why a similar voluntary association in the political field would not be extremely useful.

I shall regret the action of the Senate if, instead of pondering these matters, it rushes into granting statehood. The concept of statehood developed in an era when none of the problems which today threaten this country and the Western World were really urgent. I submit that conditions have changed substantially since the time when the idea of taking Territories into the Union was a current one and one which was justified by conditions then existing. Many changes have taken place since 1912. The burdens of administering the affairs of 48 States has become almost unmanageable.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I wonder if the Senator from Arkansas has looked into the question of the permancy of the action. It is easy to grant statehood, but how impossible is it for a State to get out of the Union?

Mr. FULBRIGHT. As I said, the action is irrevocable. As I understand, short of a revolution, which would upset the whole arrangement, a State cannot abandon or reject statehood itself from once it is established.

Mr. JOHNSTON of South Carolina. If, on the other hand, Alaska should became a commonwealth, it could make a change; is that not true?

Mr. FULBRIGHT. The status of commonwealth results in a flexible situation. If we so desired, and Puerto Rico so desired, we could change the basic legislation and make a State of it. However, as I understand the constitutional system, no State may secede. As I recall, we had a little controversy over that question some 98 years ago, and it was determined by a superior power that a State may not secede. But our association with Puerto Rico is entirely voluntary. Congress passed an enabling act. The Puerto Rican legislature drew up a constitution and we approved it. I think there is no inhibition upon them which would prevent them from coming forward and saying, "We would like to change the constitution"—in any reasonable way they might wish. They might apply for statehood.

I think the best evidence of the wisdom of our relationship with Puerto Rico is the satisfaction of the people of Puerto Rico today with their own status. I spent a week there during the Easter recess, and I went into conditions at considerable length with the great Governor of Puerto Rico.

That island has developed one of the finest governments I know of. Their Governor, Luis Muñoz-Marín, is one of the outstanding public servants I know of anywhere, either in this country or any other country.

In addition, he has developed some very fine officials in his Cabinet, and they are doing a remarkable job in the development of Puerto Rico. There is a sense of purpose and of dedication in their public service which is very difficult to find in any other country in the world.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JOHNSTON of South Carolina. I do not believe that many inhabitants of Puerto Rico would be willing to have Puerto Rico come into the Union as a State.

Mr. FULBRIGHT. Certainly it would be only a very small minority. There is practically no such talk any longer. The people of Puerto Rico are extremely proud of what they have done under their constitution.

Mr. JOHNSTON of South Carolina. The Senator is entirely correct. I have been there several times in the past few years. The people are very well pleased. I believe they would vote 3 to 1 not to come in as a State.

Mr. FULBRIGHT. It is only commonsense. Those people have control of all their local conditions, in every aspect—taxation, economic development, religion, racial relationships, education, and so forth. They control everything at the local level. It would be extremely dangerous to subject that island to control from Washington. What do Members of Congress know about Puerto Rico? What do we really know about Alaska? How many Members of Congress will take the trouble to learn about it, so as to be qualified to legislate intelligently about Alaska or Hawaii?

I think it would be very stupid to grant statehood to Alaska.

Mr. JACKSON. Mr. President, I regret very much to have to disagree with three of my distinguished colleagues in connection with the pending substitute proposal to provide commonwealth status for Alaska in lieu of statehood.

Much has been said about Puerto Rico, and about north Africa, in connection with north Africa's relationship to France.

First, let me make it clear that the people of Puerto Rico asked for commonwealth status. On three different occasions the people of Alaska have voted for statehood. They voted for statehood in 1946 by a 3-to-2 majority.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. FULBRIGHT. Can the Senator say what that vote was?

Mr. JACKSON. I do not have the figures.

Mr. FULBRIGHT. Is it not true that only a few thousand votes were cast?

Mr. JACKSON. Let us not talk about the percentage of votes cast. It might be a little embarrassing to look at the percentages of votes cast in a number of States.

Mr. FULBRIGHT. The total number of votes was only a few thousand; is not that true?

Mr. JACKSON. I have read some accounts of elections in certain parts of the United States in which the total number of votes cast, as compared with the number of those eligible to vote, was very small.

Mr. FULBRIGHT. That is irrelevant. The point I make is this: Are we, a country of 170 million people, to grant statehood merely because eight or ten thousand people in Alaska wish it?

Mr. JACKSON. I am merely answering the argument posed by the distinguished Senator from Arkansas. In April 1956 the voters approved the proposed constitution for the future State of Alaska by a 2-to-1 majority; and at their last session the members of the Territorial legislature, by unanimous vote, petitioned Congress for immediate statehood.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. JOHNSTON of South Carolina. I should like to ask how many voted in the election referred to in Alaska.

Mr. JACKSON. I will have the figures in a moment.

Mr. JOHNSTON of South Carolina. Let me ask one further question. If Alaska should become a State, would the Senator deal with it as we deal with other States in the United States, and give Alaska the same financial aid we give other States of the Union?

Mr. JACKSON. Provision has been made for such aid. For example, the Highway Act, except the superhighway program, applies to Alaska on virtually the same basis as it applies to other States.

Mr. JOHNSTON of South Carolina. Would the Senator expect the people of Alaska to support themselves, as do the people of every other State in the Union?

Mr. JACKSON. Certainly they would support themselves. Under the Constitution, we cannot enact special legislation for one State, discriminating against another.

Mr. JOHNSTON of South Carolina. Would it not be found that taxes would be unbearable in Alaska, and that no one would go there to create any new industries?

Mr. JACKSON. That question has been thoroughly covered in the debate. I respectfully differ with my distinguished friend from South Carolina.

Mr. BARRETT. Will the Senator yield?

Mr. JACKSON. I yield.

Mr. BARRETT. First, let me commend the Senator from Washington for the excellent fight he is making for statehood for Alaska. He and I made a trip to the Territory about 5 years ago. We held hearings in five different communities there. We gave everyone the opportunity to come forth and state his position on statehood, one way or the other. The sentiment was overwhelmingly for statehood on that occasion. I understand that it is even stronger today.

It seems to me that the chief difference between Puerto Rico and Alaska rises mainly from the fact that Alaska was incorporated as a Territory by the Congress in 1912. The Supreme Court has stated on more than one occasion that an incorporated Territory of the United States is an inchoate State. Congress, by its action in 1912, gave its commitment to the people of Alaska that, at some time or other, they would be entitled to come into the Union as a State, on an equal footing with all the other States of the Union. So it seems to me that the evidence is conclusive that the time has now arrived, and that the Congress is in duty bound to carry out the promises and implications of the action of 1912, and grant full statehood to Alaska. Therein lies the difference between Alaska and Puerto Rico.

Mr. JACKSON. I was about to come to that point. In Rasmussen against United States, the Supreme Court held, by implication, that once a Territory is incorporated, it cannot be unincorporated. I think my colleagues overlook that point.

Furthermore, in connection with the vote by the people of Alaska, I remind my colleagues that under the terms of the pending bill, the people of Alaska, as a condition precedent to ultimate statehood, must approve immediate statehood by a plebiscite.

Reference has been made to France and north Africa. In the case of Africa, the French population is a small minority. The majority of the population does not speak French. In the case of Puerto Rico, the majority of the population does not speak English. Most of the people speak Spanish. It is a bit ridiculous to say that the relationship of Alaska to the United States is the same as north Africa to France, or as Puerto Rico to the United States.

I invite the attention of Senators to the fact that, in the recent primary election for Alaska's Delegate in Congress, the only candidate advocating common-

wealth status received only one-ninth of the vote. The people of Alaska know what they want. They want statehood.

In conclusion, I should like to say that we have thoroughly considered the question of commonwealth status, not only in connection with the pending bill, but at previous sessions of Congress when the question of Alaska statehood was before Congress. I respectfully submit that, in the best interest of our country and the people of Alaska, the substitute proposal should be voted down, so that statehood may be granted to Alaska.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. JACKSON. I yield.

Mr. LAUSCHE. I am looking at page 99 of the committee report. Shown there are the dates on which the various States were admitted to the Union, and the population of those States at the time they were admitted. It also shows the increase in population which took place after the States were admitted to the Union. Does the chairman of the subcommittee have a table showing what the population of the country was in the years when the respective States were admitted? I ask that question because the table in the report does not give a true picture. For example, California, at the time of its admission in 1850, had a population of 92,000. One should know what the population of the country was in 1850 in order to understand what proportion 92,000 was to the total population of the country. Alaska now has a population of about 220,000. That is a proportion of 220,000 to 174,000,000.

Mr. JACKSON. I do not have the specific figures to which the distinguished Senator from Ohio refers. However, I should like to call his attention to an example in that respect. Wyoming in 1890 had a population of 62,000. If we allow an increase of over 3½ times since then, Alaska would still have a population in the same proportion. I do not have the specific figures.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment, in the nature of a substitute, offered by the Senator from Oklahoma [Mr. MONRONEY]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. IVES (when his name was called). On this vote I have a pair with the senior Senator from California, the distinguished minority leader [Mr. KNOWLAND]. If he were present and voting he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. BUSH (after having voted in the affirmative). On this vote I have a pair with the junior Senator from Kentucky [Mr. MORTON]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. GORE], the Senators from Texas [Mr. JOHNSON and Mr. YARBOROUGH], and the Senator from Michigan [Mr. MCNAMARA] are absent on official business.

I further announce that, if present and voting the Senator from New Mexico [Mr. CHAVEZ], the Senator from Michigan [Mr. MCNAMARA], and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from California [Mr. KNOWLAND], the Senator from Kentucky [Mr. MORTON], and the Senator from West Virginia [Mr. REVERCOMB] are absent on official business.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of illness.

The Senator from Wisconsin [Mr. WILEY] is detained on official business.

The pair of the Senator from California [Mr. KNOWLAND] has been previously announced.

Also, the pair of the Senator from Kentucky [Mr. MORTON] has been previously announced.

If present and voting, the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the Senator from West Virginia [Mr. HOBLITZELL], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

The result was announced—yeas 29, nays 50, as follows:

YEAS—29

Bridges	Johnston, S. C.	Robertson
Butler	Jordan	Russell
Byrd	Kerr	Saltonstall
Curtis	Lausche	Schoeppel
Eastland	Malone	Smathers
Ellender	Martin, Iowa	Stennis
Ervin	Martin, Pa.	Talmadge
Frear	McClellan	Thurmond
Fulbright	Monroney	Young
Hickenlooper	Mundt	

NAYS—50

Aiken	Douglas	Mansfield
Allott	Dworshak	Morse
Anderson	Goldwater	Murray
Barrett	Green	Neuberger
Beall	Hayden	O'Mahoney
Bennett	Hennings	Pastore
Bible	Hill	Potter
Bricker	Holland	Proxmire
Carlson	Hruska	Purtell
Carroll	Humphrey	Smith, Maine
Case, N. J.	Jackson	Smith, N. J.
Case, S. Dak.	Javits	Sparkman
Church	Kefauver	Symington
Clark	Kennedy	Thye
Cooper	Kuchel	Watkins
Cotton	Long	Williams
Dirksen	Magnuson	

NOT VOTING—17

Bush	Ives	Morton
Capehart	Jenner	Payne
Chavez	Johnson, Tex.	Revercomb
Flanders	Knowland	Wiley
Gore	Langer	Yarborough
Hoblitzell	McNamara	

So Mr. MONRONEY's amendment, in the nature of a substitute, was rejected.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the amendment in the nature of a substitute was rejected.

Mr. JACKSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. EASTLAND. Mr. President, I make the point of order——

The PRESIDING OFFICER. The Senate will be in order. Senators will refrain from audible conversation. They are requested either to take their seats or to leave the Senate Chamber.

Mr. EASTLAND. Mr. President, I make the point of order that section 10 of H. R. 7999 violates the constitutional requirements for equality of States.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Chair rules that it is not within the province of the Presiding Officer to rule a bill out of order on the ground that it is unconstitutional. The Presiding Officer has no authority to pass on the constitutionality of a measure or of amendments. That is a matter for the Senate itself to decide. The Chair accordingly refers the point of order to the Senate.

Mr. EASTLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, will the Senator from Mississippi yield for an inquiry?

Mr. EASTLAND. I yield.

Mr. DIRKSEN. I assume that the Senator from Mississippi will debate the point of order at considerable length. I am inquiring, only for the convenience of Senators.

Mr. EASTLAND. To be perfectly frank, I spoke all afternoon the day before yesterday on the points of order; I had not intended to debate them at length today.

Mr. DIRKSEN. I was asking only in order that we might notify the Members, since there is to be a yea-and-nay vote.

Mr. EASTLAND. I do not know what Senators will speak. The Senator from Illinois may be able to make a better estimate in that regard than I could.

Mr. DIRKSEN. I was only attempting to obtain an estimate.

Mr. EASTLAND. I do not know what Senators will speak, or for how long they will speak.

Mr. DIRKSEN. Of course; I appreciate that.

Mr. EASTLAND. Mr. President, I shall not detain the Senate at great length on this point of order.

Under the Constitution, the Supreme Court of the United States, since the beginning of our country, has held that States must come into the Union on an equal footing. Under our system of government it is fundamental that ours is a Union of equal and sovereign States, a Union of States which are equal in every respect.

Section 10 of the pending bill authorizes the President, without a declaration of marshal law, but at his discretion, to withdraw over half the Territory of Alaska, to discharge State employees and State officers, and to appoint Federal officers in their places; and it deprives the proposed State of Alaska of the power to have a uniform system of taxation.

The hearings show that if the proposed State of Alaska desired to enact a sales-tax law, it would not apply in more than half of its area.

The bill gives the President the power to move from the area 24,000 people who presently inhabit it and 250,000 or 1 million people who might live there in the future. That would be done on the ground of national defense.

Mr. President, I submit that under the unanimous decisions of the United States Supreme Court, that provision is void. The President certainly would not have the power to declare the coast of Washington or the coast of California or the coast of Oregon a defense area, move the inhabitants from the area, substitute Federal law for State authority there, and suspend statehood. So the question answers itself.

If such power were vested as a condition for the admission of Alaska to the Union, Alaska would not be on an equal footing with the other States, because no such power exists as to any of the present States.

Furthermore, Mr. President, a person who violated the Alaskan State law would be tried in the United States courts. Of course that is an impossibility.

Mr. President, one of the leading cases on this question, as I stated the other day, is Coyle v. Smith, secretary of state of the State of Oklahoma. The facts in that case apply in this instance. A condition was placed upon the admission of Oklahoma to the Union. That condition was that the State capital would have to be located at Guthrie, and could not be moved from Guthrie before 1913; and the legislature agreed, as a condition for the admission of Oklahoma to the Union, that no money would be appropriated to move the State capital. However, it was moved to Oklahoma City, and a suit was filed.

In that case the Supreme Court said:

> The definition of a "State" is found in the powers possessed by the original States which adopted the Constitution, a definition emphasized by the terms employed in all subsequent acts of Congress admitting new States into the Union. The first two States admitted into the Union were the States of Vermont and Kentucky, one as of March 4, 1791, and the other as of June 1, 1792. No terms or conditions were exacted from either. Each act declares that the State is admitted "as a new and entire member of the United States of America."

Mr. President, we hear much to the effect that the decisions of the Supreme Court are the law of the land. I have been reading from the decision of the Supreme Court, and I continue to read from it:

> Emphatic and significant as is the phrase admitted as "an entire member," even stronger was the declaration upon the admission in 1796 of Tennessee, as the third new State, it being declared to be "one of the United States of America," "on an equal footing with the original States in all respects whatsoever," phraseology which has ever since been substantially followed in admission acts, concluding with the Oklahoma Act, which declares that Oklahoma shall be admitted "on an equal footing with the original States."

Mr. President, the same statement appears in the pending Alaskan statehood bill.

I read further from the decision in the case of Coyle against Oklahoma.

> The power is to admit "new States into this Union." "This Union" was and is a union of States, equal in power, dignity, and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. To maintain otherwise would be to say that the Union, through the power of Congress to admit new States, might come to be a union of States unequal in power, as including States whose powers were restricted only by the Constitution, with others whose powers had been further restricted by an act of Congress accepted as a condition of admission. Thus it would result, first, that the powers of Congress would not be defined by the Constitution alone, but in respect to new States, enlarged or restricted by the conditions imposed upon new States by its own legislation admitting them into the Union; and, second, that such new States might not exercise all of the powers which had not been delegated by the Constitution, but only such as had not been further bargained away as conditions of admission.

Mr. President, that is what the Supreme Court of the United States said.

Then the Court said:

> When a new State is admitted into the Union, it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original States, and * * * such powers may not be constitutionally diminished, impaired, or shorn away by any conditions, compacts, or stipulations embraced in the act under which the new State came into the Union, which would not be valid and effectual if the subject of congressional legislation after admission.

Mr. President, if we believe in the law of the land, there it is; and throughout the history of this country there has not been a dissenting opinion of the Court.

A State must come into the Union on an equal footing with other States. It must have all the powers of sovereignty every other State possesses. That sovereignty cannot be diminished and cannot be taken away through stipulations by Congress in connection with admission.

Mr. BUTLER. Mr. President, will the Senator from Mississippi yield to me?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Mississippi yield to the Senator from Maryland?

Mr. EASTLAND. I yield.

Mr. BUTLER. Does the power to withdraw extend to 270,000 square miles of Alaska?

Mr. EASTLAND. It extends to 279,000 square miles.

Mr. BUTLER. That is approximately one-half of the land area of the Territory of Alaska; is it not?

Mr. EASTLAND. That is correct.

Mr. BUTLER. So that if this bill, as passed by the House, is enacted, the President of the United States, in his sole discretion, tomorrow, next year, 10 years from now, 50 years from now, will be able to withdraw any part of that 279,000 square miles and make it a federalized Territory, over which the Government of the United States will have complete sovereignty. Is that correct?

Mr. EASTLAND. That is correct.

Mr. BUTLER. And in which area the laws of the proposed State of Alaska will not be enforced by State courts, but will be enforced by Federal court; is that correct?

Mr. EASTLAND. That is correct.

Mr. BUTLER. And the persons who inhabit that area will be expelled; is that correct?

Mr. EASTLAND. That is correct.

Mr. BUTLER. They will have to make their homes elsewhere. So a newly found citizen of Alaska will have no place to lay his head if he happens to settle in that particular area, and if the President, for reasons of defense, or for other reasons, sees fit to move him out. Is that correct?

Mr. EASTLAND. That is correct. In the future there may be 1 million persons residing in that area who will be subject to this condition. The Senator from Maryland is an able lawyer. I should like to ask him whether there is such a thing in the law as the power to withdraw statehood.

Mr. BUTLER. If there is such a thing, there should not be.

Mr. EASTLAND. Is it not a violation of the Constitution?

Mr. BUTLER. Of course it is.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I have been pondering this question in my mind: Assume the bill passes and Alaska becomes a State, and assume section 10 comes before the Supreme Court, and the Supreme Court declares it to be unconstitutional. What would be the effect?

Mr. EASTLAND. Of course, the section would be void. The President would not have the power the bill proposes to confer upon him. The section is placed in the bill on the ground of national defense. As I understand, the bill would be opposed if that provision were not in it. Where would we stand? It is said that section is necessary for the protection of the Nation. Yet if it should be declared void, how would the protection of the country be effectuated?

Mr. SALTONSTALL. The only thing that could happen would be that the Government would have to do what it does now in the State of Massachusetts or in the State of Mississippi or any other State. It would have to purchase the land.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. Will the Senator from Mississippi answer my question?

Mr. EASTLAND. Is the Senator from Massachusetts suggesting that the land could be condemned?

Mr. SALTONSTALL. Or purchased.

Mr. BUTLER. Mr. President, will the Senator from Mississippi yield so I may make a suggestion in answer to the question of the Senator from Massachusetts?

Mr. EASTLAND. I yield.

Mr. BUTLER. In other cases, the territory has been reserved by the United States, such as was the case when Arizona came into the Union, and such as took place in Wyoming, when Yellowstone National Park was reserved prior

to the time the Territory was admitted as a State. There is no reason why a similar provision should not be made in this case. But to say to the citizens of Alaska, "Do you want your Territory to become a State? If you do here is the price"—is wrong.

Mr. EASTLAND. It is a club over the head of the people of Alaska—an unconstitutional club.

Mr. BUTLER. At the very least, it is very strong form of coercion, which should not be practiced by the Government of the United States on its citizens.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one more question?

Mr. EASTLAND. I yield.

Mr. SALTONSTALL. I have not studied the subject as thoroughly as have the Senators from Mississippi and Maryland. As I understand, 28 percent of the Territory would be turned over to Alaska by the Federal Government to the State of Alaska in connection with its becoming a State. Has that been done in the past, or has what the Senator from Maryland said been done—that the Territory deeded the land to the Federal Government, and the Federal Government reserved it?

Mr. EASTLAND. In the Yellowstone Park case, in 1872, 18 years before Wyoming was admitted to the Union, the United States reserved that area. The Constitution, as interpreted by the Supreme Court, provides as follows:

> Full power is given to Congress to make all needful rules and regulations respecting the Territory or other property of the United States. This authorizes the passage of all laws necessary to secure the rights of the United States to the public lands, to their sale, and to protect them from taxation.

The United States has power over the public lands and other property it owns within a State, but the United States and the Congress have no power to put any condition on the admittance of a State into the Union. There cannot be any dispute about that point. Of course, every Senator is a judge of what his duty is, but we are obligated, under our oath of office, to pass on the question whether we think certain acts are constitutional or not.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. COOPER. The Senator from Mississippi is raising a constitutional point. At times when a legal or constitutional point is raised I know the general impression is that it is merely a question for the lawyers and may not have any material bearing on the measure being considered. In this case, however, the point does have bearing on the issue of the defense of Alaska and therefore the continental United States.

I have read the record of the hearings, and I hope very much the junior Senator from Idaho [Mr. CHURCH] and the junior Senator from Washington [Mr. JACKSON], who have charge of the bill, will address themselves to this point. What I am about to say is not quite in the nature of a question, but it provides a background for the question I desire to ask.

In his testimony before the committee General Twining said:

> I am pleased officially as well as personally to testify in favor of statehood for Alaska.

As reported on page 104 of the hearings he then stated:

> The Department of Defense believes the limitations in this bill which are imposed in section 10 are necessary for the defense of the United States.

From the statements, it follows, it seems to me, that his support of the admission of Alaska to statehood is based upon his belief that section 10 will protect the security of Alaska and the United States.

I am sympathetic toward Alaskan statehood, but I am more concerned about the defense of the United States. General Twining, speaking for the Department of Defense, seems to predicate support of statehood upon the condition that the withdrawal amendments are required to assure the security of Alaska and the United States. So the question of the validity of section 10 becomes important.

If section 10 cannot be maintained, it would appear to me that the reasons for General Twining's support of the bill would be withdrawn.

Section 10 would enable the President, after the admission of Alaska into the Union as a State, to withdraw a certain area from Alaska. State jurisdiction would be largely withdrawn, and Federal jurisdiction would become effective. The language of the bill would not only direct Federal courts to supersede State courts but in those circumstances in which the President could exercise powers as Commander in Chief for the defense of the country military courts could also supersede local courts. Further, under the doctrine of military necessity it would seem to give the President the authority to withdraw the protection of the courts entirely from the people, even exclude them from the area by taking jurisdiction wholly in the hands of a military commander.

I hope these questions will be answered in the debate, and particularly as they relate to defense. I have not heard them answered by those who have spoken in favor of the bill.

I should like to ask the Senator from Mississippi a question. Does he know of any case in which the President of the United States has ever been able to exercise such a power, to supersede State jurisdiction, except in the case of a declaration of martial law, which depends upon the consent of the governor or the legislature of a State, or in the case of a cession of territory by the legislature of a State, or in the case of military necessity such as was exercised on the west coast during World War II?

Mr. EASTLAND. The Senator is correct. The case about which the Senator speaks, in World War II, involved the arrest of people in a battle area. That was a case of a war zone.

Mr. COOPER. One case was on the Pacific coast, where the Japanese were excluded from the Pacific area; and the other case, on the Atlantic coast, which involved trial by a military court—rather than a Federal court—of Germans who were captured on the coast.

The holdings of the Supreme Court in those cases was that the authority to withdraw those areas from the jurisdiction of the law—rested on the doctrine of military necessity, and even then there must be a situation of eminent danger.

Mr. EASTLAND. Of course, the Senator realizes nothing like that is involved in the Alaska case.

Mr. COOPER. That is my belief. I do not believe the President can withdraw areas, except as provided in the Constitution.

Mr. EASTLAND. Yes; but the language is not based upon an imminent danger.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. COOPER. I should like to make a further comment. Everyone who has been a lawyer always wants to give a judgment, on constitutional questions, and not always correct, nevertheless, I make my venture—I do not believe section 10 will hold up. Congress cannot pass an act which will contravene the Constitution. Amendment 5, in the Bill of Rights, is a prohibition against the Congress abridging the rights of individuals within them.

I come back to my original point. I am interested in defense of this country. If section 10 should be stricken, either on a point of order or by later being declared unconstitutional by the Supreme Court—and I believe it would be—and since the Department of Defense, through General Twining has based his argument in support of the admission of Alaska upon section 10, which I doubt will be upheld, what would be the position of the Department of Defense on defense if section 10 is eliminated?

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. COOPER. Much as I like Alaska, and great as my sympathy for its admission, yet I consider the defense of the United States and the defense of Alaska, when we are on the razor's edge of security a most important question.

Mr. STENNIS. Mr. President, will the Senator from Mississippi yield to me briefly?

Mr. EASTLAND. I yield to my colleague from Mississippi.

Mr. STENNIS. I invite the attention of the Senator from Massachusetts and the Senator from Kentucky to the fact that the points which they raised are directly covered, I think, by a comment made in February 1955, by the then Secretary of Defense, Mr. Wilson, who wrote a letter to one of the House committees. Reading from the letter, I note that Secretary Wilson stated at that time he believed "it would be in the interest of the national security that Alaska remain a Federal Territory for the present."

Among other comments in this sentence:

> The great size of the Territory, its sparse population, and limited communications, as well as its strategic location, create very special defense problems.

That was the statement made in February 1955. Section 10 of the bill is an

attempt to meet that situation, and is directly based on the military problem. If section 10 is stricken from the bill, the Government will be left helpless.

To be brief, on page 104 of the hearings, Senators will note that General Twining said he favors Alaskan statehood with the area limitations and safeguards, and he believes that they are what the President had in mind. That very clearly points out the military problem. There was an attempt to meet the military problem by section 10. If section 10 is declared invalid, we shall face the problem again.

Mr. EASTLAND. Does the Senator think section 10 would be declared invalid?

Mr. STENNIS. I do not think there can be any doubt about that. The Senator from Kentucky is entirely correct. The section could not stand.

Mr. SALTONSTALL. Mr. President, will the Senator yield so that I may ask a question of the Senator's colleague on that point?

Mr. EASTLAND. I yield.

Mr. SALTONSTALL. I should like to ask the junior Senator from Mississippi the same question I asked the senior Senator from Mississippi. If we assume the bill is passed and assume Alaska becomes a State, with section 10 in the bill, and if we then assume that the Supreme Court of the United States declares section 10 to be unconstitutional, how could the President proceed to take the land? Could it be done under the power of eminent domain, with the Government paying for the land? How would the President take the action, in the interest of national defense?

Mr. STENNIS. The President would have no authority to declare martial law, or anything like that, except under the conditions mentioned by the Senator from Kentucky. It would take the consent of the Governor or the legislature to enable such action to be taken.

With reference to the problem of eminent domain, even if that power were invoked it would be necessary to condemn the whole area. There would be no other way to meet the situation. But this is a question of jurisdiction and sovereignty. If section 10 should remain in the bill, that area still would be excluded from statehood. That is the testimony of the proponents' witnesses, not mine.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. BUTLER. I should like to invite the attention of the Senate to the language of the first paragraph of section 10, of the bill on page 19, particularly the language at line 10, which says in part:

> or withdrawals may thereafter be terminated in whole or in part by the President.

In other words, the situation referred to by the Senator from Kentucky is one in which the national defense would immediately require the clearing of the area. There would be no permanent taking of the land at all. The land would be returned as soon as the war was over, or as soon as the emergency was over.

Under the language of the bill we are considering, the President of the United States could withdraw the property and keep it in perpetuity. The only language bearing on the question is that he "may thereafter" terminate the withdrawal. The President does not have to terminate it.

I know of no law which enables the President of the United States to go into a State and take land, for any purpose, except he pay for it.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield to the Senator from North Carolina.

Mr. ERVIN. I should like to ask the able and distinguished Senator from Mississippi a few questions.

As I construe section 10 in conjunction with the other provisions of the bill, it would provide, in effect, that Congress would grant statehood to Alaska, and in the same breath would give the President of the United States the uncontrolled power to revoke that statehood in at least 30 percent of the Territory of Alaska.

Mr. EASTLAND. Fifty percent.

Mr. ERVIN. Fifty percent of the Territory of Alaska?

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. Section 10 provides, does it not, that the only judge in the universe of the question as to whether or not to exercise the power to withdraw statehood from 50 percent of the Territory, or any part of that 50 percent, is the President of the United States?

Mr. EASTLAND. The Senator is correct. But is there any power anywhere to withdraw statehood? Does such a power exist?

Mr. ERVIN. I agree with the Senator from Mississippi that it does not.

The bill provides that when the President withdraws any portion of this area, the laws which have been enacted by the Legislature of Alaska shall cease to operate in that area to the extent that they are inconsistent with the laws of the United States.

Mr. EASTLAND. The Senator is correct; and the legislature could not enact laws in the future which would conflict with the laws of the United States.

Mr. ERVIN. Under this section the President, in his uncontrolled and unreviewable authority, could withdraw portions of the area, and he could later withdraw certain portions from his withdrawal, and restore them to the State of Alaska.

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. So there would be a situation in which such areas would be subject to the laws enacted by the Legislature of Alaska while they were not withdrawn, and when they were withdrawn the laws of Alaska, to the extent of their inconsistency with the laws of the United States, would cease to apply.

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. Then the President could turn around and restore withdrawn areas to the State of Alaska. So we would have the laws in a territory of approximately 280,000 square miles in such a situation that they could be changed from day to day by the exercise of the power of the President.

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. Does not section 10 provide that whenever the President withdraws this area, or any part of this area, from the State of Alaska, the United States acquires jurisdiction over the legislative, executive, and judicial powers theretofore exercised by the State of Alaska in the area?

Mr. EASTLAND. The Senator is correct. The State officials would be discharged, and the President would appoint Federal officials in the area.

Mr. ERVIN. I ask the Senator if section 10 does not also provide that regulations governing the manner in which powers shall be exercised in the withdrawn area shall be written by the President's representatives?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Does it not further provide that the President's representatives may be any persons or any agencies designated by the President?

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. I ask the Senator if it is not a fact that, in effect, section 10 undertakes to provide that the laws and regulations governing the withdrawn area may be written by any person or any agency, either public or private, that the President, in his uncontrolled and unreviewable authority, may designate.

Mr. EASTLAND. The Senator is exactly correct.

Mr. ERVIN. I invite the Senator's attention to the provision on page 23, subparagraph (6). Does it not provide that all—except for a few functions relating to the collection of certain taxes, precinct elections, and the like—

> functions vested in the Government of Alaska or in any officer or agency thereof, except judicial functions over which the United States District Court for the District of Alaska is given jurisdiction by this act or other provisions of law, shall be performed within the withdrawals by such persons or agencies, and in such manner as the President shall from time to time, by Executive order, direct or authorize.

Mr. EASTLAND. The Senator is correct.

Mr. ERVIN. Since this section excepts only the judicial power, can it not be interpreted to mean that the legislative powers and the executive powers are to be exercised in the withdrawn territory by such persons, aliens or citizens, or such agencies, public or private, as the President, in his uncontrolled and unreviewable discretion, may name?

Mr. EASTLAND. The Senator is exactly correct.

Mr. ERVIN. In other words, we have, in effect, a proposed provision of law which says that the legislative powers of Alaska, so far as the withdrawn areas are concerned, may be exercised by private persons or private agencies designated by the President of the United States.

Mr. EASTLAND. That is correct; and the only power the State officers would have would be to go into this area to serve process.

Mr. ERVIN. Under such regulations as the President's representatives may establish?

Mr. EASTLAND. That is correct.

Mr. ERVIN. Which means that if we wish to find out what the regulations in the withdrawn areas are, we must run down a third assistant administrator of some kind, and look in his hip pocket for them.

Mr. EASTLAND. The Senator is exactly correct.

Mr. ERVIN. The section to which I have just referred not only gives the President the power to withdraw statehood from an area to which Congress has given statehood, but it also provides that these private or public persons, or private or public agencies designated by the President to exercise legislative and executive power within the withdrawn areas, are to do so in such manner as the President shall, from time to time, by executive order, direct or authorize.

I ask the Senator if that does not, in effect, undertake to confer upon the President of the United States the power to enact legislation to govern these areas.

Mr. EASTLAND. Of course it does—as Commander in Chief.

Mr. ERVIN. I think the Senator from Mississippi has made a real contribution in pointing out the defects of section 10.

Let me make this observation on my own part. I believe that a person would search the legislative annals of the United States in vain for any parallel to the constitutional and legal monstrosity which constitutes section 10 of the bill. I cannot reconcile my oath to support the Constitution of the United States with a vote for a bill which contains such a constitutional and legal monstrosity as this, under which the President of the United States could rob the people of statehood which had been conferred upon them by Congress, and could appoint private citizens to exercise governmental powers, and, through executive orders, exercise for himself the power to legislate.

I thank the Senator from Mississippi.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. LAUSCHE. I ask the Senator from Mississippi whether the proponents of Alaskan statehood—those who came from Alaska initially—included in their proposal the provision granting the President of the United States the right to withdraw parts of the area from statehood?

Mr. EASTLAND. No. If the Senator will permit me, I shall read from former Governor Gruening's testimony on that point.

Mr. LAUSCHE. I wish the Senator would do so.

Mr. EASTLAND. I quote from the hearings:

Senator CARROLL. Mr. Chairman, I would like to ask the Governor just a few questions.

About 10 years ago, Governor, this bill was before the House. Are the contents about the same as that bill?

Mr. GRUENING. No; it is not the same. The bill that was before the House, one of several bills, was a less generous bill and did not make the provisions for land that have now been incorporated in the bill both before the Senate and before the House.

Mr. LAUSCHE. That has reference to the giving of 400,000 acres of the national forests, and so forth.

Mr. EASTLAND. Yes. I read further:

Senator CARROLL. Is this request by the Secretary of the Interior setting aside land; is that precedence for this in other States who have been seeking statehood?

Mr. GRUENING. No, Senator Carroll; there is not.

Frankly, we do not see any particular reason for it since the Federal Government, the President, could, for military reasons, withdraw any part of Alaska, which is largely public domain, for defense purposes.

But if that is what the administration requests, and if that is a condition for the granting of statehood, we see no objection to it.

Mr. LAUSCHE. Then it is my understanding that the Secretary of the Interior and the Secretary of Defense insist on the provision in the bill giving the President of the United States the right to terminate in part the statehood which we shall have granted. Is that correct?

Mr. EASTLAND. That is correct.

Mr. LAUSCHE. The right to terminate statehood would involve practically 50 percent of the new State's area. Is that correct?

Mr. EASTLAND. That is correct.

Mr. LAUSCHE. May I ask what will be the legal situation with respect to the 25,000 inhabitants and of the 276,000 acres——

Mr. EASTLAND. Two hundred and seventy-six thousand square miles.

Mr. LAUSCHE. Two hundred and seventy-six thousand square miles. What will be their legal situation in the event the President exercises his power of withdrawal? I am speaking with regard to constitutional rights, as distinguished from rights granted by the laws of Alaska, which the Federal courts would enforce.

Mr. EASTLAND. The people would be put off the land.

Mr. LAUSCHE. Has there been any discussion of that point between the proponents and opponents of the bill? The Senator from Mississippi states that the Government of the United States will have the power to remove those people from the withdrawn areas.

Mr. EASTLAND. That was admitted in the hearings.

Mr. LAUSCHE. Under what conditions will the President have the power to remove them?

Mr. EASTLAND. When the President withdraws the land, whenever he desires.

Mr. LAUSCHE. What about the constitutional right of reimbursement for damages sustained, and so forth?

Mr. EASTLAND. I believe that would be a matter for the Federal courts and Congress.

Mr. LAUSCHE. But the President, through his duly designated agents, would have the power to remove them. Is that correct?

Mr. EASTLAND. That is correct.

Mr. LAUSCHE. That would not be in pursuance of a previous declaration of martial law.

Mr. EASTLAND. That is correct.

Mr. LAUSCHE. It would be wholly in the absence of a declaration of martial law and wholly in the absence of a declaration of a defense necessity. Is it the interpretation of the Senator from Mississippi that the inhabitants could be removed from the land under the terms of the bill?

Mr. EASTLAND. The President could remove them at any time he desired. If there were a million people living in that area, the same conditions would apply. I judge that the population will increase, from the claims which have been made.

Mr. LAUSCHE. What is the Senator's opinion as to what the attitude of the Department of Defense and the Department of the Interior would have been if that provision had not been included in the bill?

Mr. EASTLAND. I believe they would have been opposed to statehood. The President made a statement several years ago—I believe it was 2 years ago, in 1956—when he advocated making a State of the southeastern part of Alaska, with the remainder of the area remaining a Territory. My information is—this is only my information—they would have opposed statehood without the withdrawal provision.

Mr. LAUSCHE. In effect, the right given to the President means that if and when the President determines to do so, he can convert 276,000 square miles of a State into a Territory. Is that correct?

Mr. EASTLAND. That is correct. I should like to ask the Senator from Ohio this question. The Senator, of course, knows that a State can come into the Union only on an equal footing. Does he believe the President has the power to declare the lake coast of Ohio a defense area and move the people out of that area and supplant State authority by the appointment of Federal authorities?

Mr. LAUSCHE. I have listened with interest to the questions asked by the Senator from Mississippi. I am sure that he knows what the powers of the State are and what the powers of a governor are. The Federal Government, except in the case of a declaration of martial law, has no authority in a State to take any land belonging to the State without the consent of the State. Indeed, the President does not have the power to reduce our 43,000 square miles to 21,500 square miles and subsequently, at his discretion, to declare that the withdrawn acreage shall be returned to the sovereign power of the State.

Mr. EASTLAND. The Senator is correct. If the President does not have that power in the State of Ohio, how can he have it in the State of Alaska?

Mr. LAUSCHE. I have not determined in my own mind how the constitutional question should be answered. I heard what the Senator from Kentucky said about it. I can say that it raises a serious question in my mind.

Mr. EASTLAND. Mr. President, for the reasons I have stated, I believe section 10 is void and violates the Constitution of the United States. I certainly

hope the Senate will sustain my point of order.

Mr. CHURCH. Mr. President, I have listened with great interest to the colloquy between the distinguished Senators on the floor for the past 30 minutes with reference to the section in the bill which permits the President of the United States to withdraw lands for military purposes in the westernmost and northernmost portions of Alaska. The constitutionality of that provision has been questioned. Therefore, I believe we ought to understand clearly what it is that we are talking about. This land is the remote land of Alaska. It is the northernmost and westernmost land of Alaska.

At the present time, 99 percent of all the land in Alaska is owned by the Federal Government, and even a higher percentage of the land here in question is owned by the Federal Government. Therefore, it would not be a distortion to say that almost all that land is owned by the Federal Government. Under the provisions of the pending bill, Alaska, if it becomes a State, will be permitted to select certain lands—102 million acres of land—from the land now held and owned by the Federal Government.

The likelihood is that when the State of Alaska makes its selection, it will be made from the land within the boundaries of the State which is not affected by the military reservation provision, because the military reservation provision pertains to the tundra land, the land on the exterior of Alaska, which has the least value and is of the least importance.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I will yield in a moment, when I have completed my thought.

Mr. EASTLAND. But I wish to get one fact clear. As I understand, the Federal Government owns 99 percent of the land in question. Is that correct?

Mr. CHURCH. Of the land in question, the Federal Government owns 99.9 percent.

Mr. EASTLAND. I understood from the hearings—and I wanted the fact—that 99 percent of the land involved in the withdrawal area is owned by the Federal Government. Is that correct or incorrect?

Mr. JACKSON. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. JACKSON. The figures available, as they pertain to all of Alaska, show that 99.9 percent of the land is owned by the Federal Government. One-tenth of 1 percent is owned either by the Territory of Alaska or by municipalities or by private interests. I think the Senator from Mississippi would be correct in saying that the Federal Government owns at least 99.9 percent of the withdrawable area.

Mr. EASTLAND. The Senator from Washington and the Senator from Idaho stated in the hearings that the amount of land owned by the Federal Government was 99 percent. I wanted to get the fact; that is all.

Mr. CHURCH. Over the entire Territory, it would be 99 percent.

Mr. JACKSON. In all of the Territory, the amount of land owned by the Federal Government is 99 percent. It is not less than 99 percent.

Mr. EASTLAND. It is at least 99 percent.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. SALTONSTALL. Assume Alaska becomes a State. Will the title to the land still remain in the Federal Government, so that the only land which will become the State of Alaska will be what is taken under the so-called 28-percent provision?

Mr. CHURCH. The Senator is absolutely correct. The withdrawal provision does not affect the underlying title to the land involved.

Mr. SALTONSTALL. Are there any precedents for statehood being enacted by Congress where the land was given to the State as a part of the condition of becoming a State?

Mr. CHURCH. Yes; with respect to the admission of a great many States, indeed, all the Western States, so far as I know, special provisions were typically written into the enabling act, whereby the new State is given the opportunity to select lands belonging to the Federal Government in order that the State might have a proper economic base upon which to tax as a State.

Mr. SALTONSTALL. Then, the title is in the State?

Mr. CHURCH. The title is in the State.

Mr. EASTLAND. That is not the question in this instance.

Mr. CHURCH. The point raised by the Senator from Kentucky [Mr. COOPER] relates to the constitutionality of this provision; and he has expressed doubts about its constitutionality. The constitutionality of the provision is open to arguments pro and con by reasonable men. The bill contains a referendum provision under which the people of Alaska will be asked to vote upon the propositions contained in the enabling act, to vote them up or vote them down. If they vote them up, I submit that in doing so they will have acquiesced in all the provisions, including the reservation provision in the enabling act.

However, even if the Senator is correct, and even if the withdrawal provision is defective from a constitutional point of view, any person who is adversely affected or whose property is adversely affected by the withdrawal, should the withdrawal ever take place, will have an opportunity to go to the courts; and if any part of the act is repugnant to the Constitution, the rights of that individual citizen will be upheld.

Mr. COOPER and Mr. EASTLAND addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield; and if so, to whom?

Mr. CHURCH. I am happy to yield, first, to the Senator from Kentucky.

Mr. COOPER. I must say to the Senator from Idaho, with all deference, that he has misconstrued my argument.

Mr. CHURCH. I was trying to get to this question.

Mr. COOPER. I began my prior statement by saying that I was not interested particularly in the constitutional argument except as it bore upon the problem of defense. I think the Senator will agree with me—and certainly my sympathies concerning the admission of Alaska to statehood are with the Senator from Idaho—that the question of the defense of the United States at this time is much more important than the admission of Alaska to statehood. It is more important to the United States; it is more important to Alaska.

My argument upon section 10 is this: If the Government of the United States and the Secretary of Defense thought it was necessary to include section 10 in the bill to make certain that the defenses of the United States and Alaska are secure—and it seems to me from reading the testimony that the reason for including section 10 in the bill was to better assure the safety of the United States and of Alaska—if that section is not valid, and if it is knocked down, then my question is: What would be the consequence on the defenses of the Nation? The matter is hardly discussed in the hearing on the debate. It is too important to be glossed over.

Mr. CHURCH. I shall address myself to the question which the Senator from Kentucky poses. I had hoped to reach that question, and my other remarks were in the way of a preliminary explanation of the provision itself.

I was present during the hearings when General Twining came before the committee; I heard all his testimony. To speak frankly, there was not a member of the committee, including myself, who did not have doubts as to the need for including section 10 in the bill. We questioned General Twining at length about the need for section 10. I think that if the Senator from Kentucky will review the questions which were asked and answers which were made, and will review all of General Twining's testimony in connection therewith, he will find that it was only with great difficulty that General Twining himself could make a case for section 10, so far as the military need was concerned.

I recall at one point asking General Twining if ordinary statehood had ever been any kind of obstacle or handicap to the defense of the United States or any part of it, or if it had ever constituted any impediment to the military. General Twining in effect answered, "No."

So I suggest to the Senator from Kentucky that inasmuch as the President has the constitutional power in any case to impose martial law, should a dire emergency arise threatening the security of the country; inasmuch as a fair reading of the General's testimony before the committee will not, I think, show any great need for the provisions in section 10, so far as the security of our country is concerned; and inasmuch as the rights of our citizens are fully protected in any event by recourse to the Federal courts; therefore, the Senate ought not to sustain this point of order, for to do so would undermine the opportunity which

has finally come to us to admit Alaska into the Federal Union as the 49th State. For the want of a nail, the empire would be lost.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. JORDAN in the chair) laid before the Senate a message from the President of the United States submitting the nomination of William H. G. FitzGerald, of Connecticut, to be Deputy Director for Management of the International Cooperation Administration, in the Department of State, which was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 385) to authorize the training of Federal employees at public or private facilities, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 82. Concurrent resolution to print the proceedings in connection with the acceptance of the statue of Charles Marion Russell, late of Montana; and

S. Con. Res. 87. Concurrent resolution to print additional copies of the hearings entitled "Civil Rights—1957," for the use of the Committee on the Judiciary.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12181) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12695) to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 8543. An act to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof;

H. R. 9196. An act to authorize the construction of a nuclear-powered icebreaking vessel for operation by the United States Coast Guard, and for other purposes;

H. R. 10069. An act to amend the act of August 5, 1953, creating the Corregidor Bataan Memorial Commission;

H. R. 11123. An act providing for the extension of certain authorized functions of the Secretary of the Interior to areas other than the United States, its Territories and possessions;

H. R. 11133. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes;

H. R. 11192. An act to provide for the conveyance of certain real property of the United States to the State of Maryland;

H. R. 12457. An act to further amend Public Law 85–162 and Public Law 84–141, to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes;

H. R. 12628. An act to amend title VI of the Public Health Service Act to extend for an additional 3-year period the Hospital Survey and Construction Act;

H. R. 12694. An act to authorize loans for the construction of hospitals and other facilities under title VI of the Public Health Service Act, and for other purposes;

H. R. 12739. An act to amend section 1105 (b) of title XI (Federal Ship Mortgage Insurance) of the Merchant Marine Act, 1936, as amended, to implement the pledge-of-faith clause;

H. R. 12776. An act to revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways";

H. R. 12850. An act to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes; and

H. J. Res. 640. Joint resolution making temporary appropriations for the fiscal year 1959, providing for increased pay costs for the fiscal year 1958, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1366. An act to amend the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska," as amended;

S. 3100. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 3500. An act to require the full and fair disclosure of certain information in connection with the distribution of new automobiles in commerce, and for other purposes; and

H. R. 12695. An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain rates, and to provide for the repeal of the taxes on the transportation of property.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON THE CALENDAR

The following bills and joint resolution were severally read twice by their titles and referred or placed on the calendar, as indicated:

H. R. 8543. An act to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof;

H. R. 9196. An act to authorize the construction of a nuclear-powered icebreaking vessel for operation by the United States Coast Guard, and for other purposes;

H. R. 12739. An act to amend section 1105 (b) of title XI (Federal Ship Mortgage Insurance) of the Merchant Marine Act, 1936, as amended, to implement the pledge of faith clause; and

H. R. 12850. An act to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 10069. An act to amend the act of August 5, 1953, creating the Corregidor Bataan Memorial Commission; to the Committee on Foreign Relations.

H. R. 11123. An act providing for the extension of certain authorized functions of the Secretary of the Interior to areas other than the United States, its Territories and possessions; and

H. R. 11192. An act to provide for the conveyance of certain real property of the United States to the State of Maryland; to the Committee on Interior and Insular Affairs.

H. R. 11133. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes; to the Committee on Government Operations.

H. R. 12457. An act to further amend Public Law 85–162 and Public Law 84–141, to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; placed on the Calendar.

H. R. 12628. An act to amend title VI of the Public Health Service Act to extend for an additional 3-year period the Hospital Survey and Construction Act; and

H. R. 12694. An act to authorize loans for the construction of hospitals and other facilities under title VI of the Public Health Service Act, and for other purposes; to the Committee on Labor and Public Welfare.

H. R. 12776. An act to revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways"; to the Committee on Public Works.

H. J. Res. 640. Joint resolution making temporary appropriations for the fiscal year 1959, providing for increased pay costs for the fiscal year 1958, and for other purposes; to the Committee on Appropriations.

PROPOSED LIMITATION OF POWERS OF THE SUPREME COURT

Mr. BUTLER. Mr. President, there has come to my attention a thoughtful editorial which was published in the Indianapolis Star of June 15. The editorial deals with the Supreme Court and the Jenner-Butler bill, and with an article and editorial in this same field which was published in the magazine Life for June 16.

Because S. 2646 is pending on the Senate Calendar, and has evoked great interest among Members of the Senate, I ask unanimous consent that the Indianapolis Star editorial may be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

(2) Central Intelligence Agency: Section 4 of the Central Intelligence Agency Act of 1949 (63 Stat. 208; 50 U. S. C. 403d) is repealed. Sections 5, 6, 7, 8, 10, 11, and 12 of such act are redesignated as section 4, 5, 6, 7, 8, 9, and 10, respectively, of such act.

(3) Civil Aeronautics Administration, Department of Commerce: Section 307 (b) and (c) of the Civil Aeronautics Act of 1938, as amended (64 Stat. 417; 49 U. S. C. 457 (b) and (c)), is repealed. Section 307 (a) of such act is amended by striking out "(a)".

(4) Federal Maritime Board and the Maritime Administration, Department of Commerce: The last sentence in section 201 (e) of the Merchant Marine Act, 1936, as amended (53 Stat. 1182; 46 U. S. C. 1111 (e)), is repealed.

(5) National Advisory Committee for Aeronautics: The act entitled "An act to promote the national defense and to contribute to more effective aeronautical research by authorizing professional personnel of the National Advisory Committee for Aeronautics to attend accredited graduate schools for research and study," approved April 11, 1950, as amended (64 Stat. 43; 68 Stat. 78; 50 U. S. C. 160a–160f), is repealed.

(6) Bureau of Public Roads, Department of Commerce: Section 16 of the Defense Highway Act of 1941 (55 Stat. 770; 23 U. S. C. 116) is repealed.

(7) Veterans' Administration: Section 235 of the Veterans' Benefits Act of 1957 (71 Stat. 94; Public Law 85–56), subsections (b) and (c) of section 1413 of the Veterans' Benefits Act of 1957 (71 Stat. 134 and 135; Public Law 85–56), and that part of the first sentence of paragraph 9 of part VII of Veterans Regulation No. 1 (a) (57 Stat. 45; 38 U. S. C., ch. 12A) which follows the words "The Administrator shall have the power" and ends with a semicolon and the words "and also", are repealed.

(c) Section 803 of the Civil Aeronautics Act of 1938, as amended (60 Stat. 945; 49 U. S. C. 603), is amended—

(1) by inserting "and" immediately following the semicolon at the end of clause (6) of such section,

(2) by striking out the semicolon at the end of clause (7) of such section, and

(3) by striking out "and (8) detail annually, within the limits of available appropriations made by Congress, members of the Weather Bureau personnel for training at Government expense, either at civilian institutions or otherwise, in advanced methods of meteorological science: *Provided*, That no such member shall lose his individual status or seniority rating in the Bureau merely by reason of absence due to such training."

EXISTING RIGHTS AND OBLIGATIONS

SEC. 22. Nothing contained in this act shall affect (1) any contract, agreement, or arrangement entered into by the Government, either prior to the date of enactment of this act or under authority of section 20, for the education, instruction, or training of personnel of the Government, and (2) the respective rights and liabilities (including seniority, status, pay, leave, and other rights of personnel of the Government) with respect to the Government in connection with any such education, instruction, and training or in connection with any such contract, agreement, or arrangement.

ABSORPTION OF COSTS WITHIN FUNDS AVAILABLE

SEC. 23. (a) The Director of the Bureau of the Budget is authorized and directed to provide by regulation for the absorption by the respective departments, from the respective applicable appropriations or funds available for the fiscal year in which this act is enacted and for each succeeding fiscal year, to such extent as the Director deems practicable, of the costs of the training programs and plans provided for by this act.

(b) Nothing contained in subsection (a) of this section shall be held or considered to require (1) the separation from the service of any individual by reduction in force or other personnel action or (2) the placing of any individual in a leave-without-pay status.

And to amend the title so as to read: "An act to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties."

Mr. JOHNSTON of South Carolina. Mr. President, the House made some minor amendments in S. 385. I have discussed them with the ranking minority member and several other members of the committee. All have agreed that it would be best at this time to concur in the House amendments. Therefore I move that the Senate concur in the amendments of the House.

Mr. CARLSON. Mr. President, I concur in the statement made by the Senator from South Carolina, the chairman of the Committee on Post Office and Civil Service. The proposed action has the approval of the members of the committee. I am happy to join the chairman in asking that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. STENNIS. Mr. President, some inquiries have come from Members whose service in the Senate has not extended over a great number of years, and there have also been other inquiries, about the historic situation which resulted in the inclusion of section 10 in the pending bill.

I believe we have documentary evidence which conclusively proves that the President and others who are concerned with the military defense of the Nation not only interposed objections to the previous Alaskan statehood bill but actually stopped the progress of that bill, and that section 10 has been included in the pending bill in an attempt to answer those objections.

I shall refer only briefly to this point. Yesterday, I read from an article in the New York Times which quoted a statement by former Secretary of Defense Wilson, under date of February 15, 1955. In that official letter he stated that he believed it would be in the interest of national security for Alaska to remain a Territory "for the present." In the same letter he said that the great size of Alaska, its sparse population, its limited communications facilities, and its strategic location create very special defense problems.

So that explains what happened to the bill in 1955. I think most of us who serve on the Armed Services Committee understood that at the time; and it was my belief that any future Alaskan statehood bill would provide that the territory about which they were concerned would be excluded.

I believe that this part of the pending bill is clearly unconstitutional and cannot be upheld by the courts. In that event, section 10 would fall; and, in that event, we would be right back where we were in 1955.

On yesterday, I covered that point when I answered the argument that the admission of Alaska to statehood would strengthen the national defense.

One of the witnesses quoted from the President's message in regard to Alaska. I wish to read the following from that message:

> The area limitations and other safeguards for the conduct of defense activities are vital and necessary to the national security.

That is what the President said before, when he recommended Alaskan statehood under those conditions.

That documentary evidence establishes beyond all doubt the opinion of those men, including that of General Twining, who testified before the committee. He has been quoted as saying that the granting of statehood to Alaska would strengthen the national defense. I now quote a statement he made:

> As I have stated, the Department of Defense believes the proposed Interior amendments—

They are the ones to be found in section 10——

> would implement the area limitations and safeguards the President has in mind. I am not an expert on the highly technical details of withdrawal language, but I am satisfied that the proposed amendments meet the demands of national security.

But without these amendments and without this section of the bill, those national-security demands will not be met.

That is why we now deal with this very serious constitutional question. In my humble opinion, this section of the bill cannot possibly stand in a court of law.

Mr. JACKSON. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I yield.

Mr. JACKSON. In connection with the letter from the Secretary of Defense in 1955—to which the Senator from Mississippi has referred—I should like to say to the Senate that beginning on page 65 of the hearings held during the 84th Congress, we find the testimony of James H. Douglas, then the Under Secretary of the Air Force, who represented the Secretary of Defense at the hearing. At that time I went into this question as to how the new statehood act would affect the national defense. Frankly, one who reads the testimony can see that a detailed breakdown as to the specific ways in which it would affect the national defense was not presented to the committee.

I wish to say to my distinguished colleague that the administration later reversed itself, and agreed that it was not necessary to the national defense to keep Alaska as a Territory, and submitted to the committee section 10 as a condition of statehood. I am being very candid about the matter.

Mr. STENNIS. Mr. President, that is a very candid statement, and is altogether characteristic of the Senator from Washington. What he has said reemphasizes the importance of section 10.

It was the opinion of those witnesses, including the President, that unless section 10 is included in the bill, the national security will not be protected.

So, Mr. President, I now address myself briefly to the legal point that, according to all the authorities, section 10, if included as a condition applicable to the admission of Alaska to statehood, will be invalid.

The facts have recently been presented to the Senate; so at this time I shall merely point out that this matter involves 276,000 square miles, with a present population of 24,000 persons, about 5,000 of whom are now in the military service.

I also wish to commend the Senator from Idaho [Mr. CHURCH] who clearly stated the situation in regard to this section. At the hearings he said:

Except that here, and this is the unique feature in the Alaskan case, this very, very large area is being marked off; and the Federal government is given, in effect, the power to suspend full statehood in that area.

The Senator from Idaho stated the matter very clearly, and much better than I could. His statement that "The Federal Government is given, in effect, the power to suspend full statehood in that area" relates to the very part of this provision which cannot possibly stand in a court of law.

Then the Senator from Idaho said that was proposed to be done because of military reasons. He said he could not understand the validity of those reasons, but stated that the fact remains that that is the effect of that part of the bill. I had a quotation from the Senator from Washington [Mr. JACKSON], but in view of his statement, I shall not include it in my present arguments.

The seriousness of this question was raised in the hearings, and Mr. Dechert, general counsel for the Department of Defense, was questioned about it. This very question was raised, as to whether the jurisdiction which was going to be extended and withdrawn from the State would actually pertain to the people or just to the taking of property. There was a good deal of sparring of words, but I read the conclusion. The Senator from Washington said:

I think what is involved here is the question of being able to move people around and to exercise Federal police power in the area. Is that not what you are really aiming at?

Mr. DECHERT. Jurisdiction is usually related to people. Of course, it may also be related to property.

Senator JACKSON. But if you rest your case on property, you are on weak grounds, because this is Federal land.

Mr. DECHERT. That is right.

Senator JACKSON. And it will remain Federal land, even if it is a State. And if it is private land, you can get an order of taking and take it, and get your damages decided in court. Is that not correct? Have I stated the law correctly?

Mr. DECHERT. That is right.

What we are really talking about is that we are going to deal with people.

The Senator from New Mexico [Mr. ANDERSON] said:

You see, I am not a lawyer like Senator JACKSON. So I want to know what you can do if it is withdrawn.

He went on and restated his question:

What can you do if it is withdrawn, in accordance with section 10, that you cannot do otherwise?

Mr. DECHERT. I think the answer, sir, is that no one can be sure of the various things that can be done. But the shortest answer is that anything can be done which thereafter the Congress alone says can be done.

Senator ANDERSON. Well, suppose you name it.

Mr. DECHERT. Move everybody out of a certain portion of it.

I emphasize that matter because it was disputed for a while that there would be authority to move the people out, that there was merely a property right involved. But the testimony shows, and it has been pretty generally agreed in debate by now, that this is sweeping, unlimited, and exclusive power. That is clearly the legal point which makes it invalid and upon which it cannot stand.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Washington.

Mr. JACKSON. It is obvious from a reading of the hearings that I had serious reservations about the request of the Department of Defense in connection with this section. Very frankly, as I interpret this section, I do not believe the Government could move anyone out of, for example, the city of Nome, unless, pursuant to an order of court, the Government took all the property which was involved. So, as a condition precedent to moving people out, Mr. President, I think the Government would be subject to the laws of eminent domain, and, as required by the Constitution, would have to provide full and just compensation. That is fundamentally a condition precedent to any action to move any people out of the area. Bear in mind that at least 99 percent of the land we are talking about is now federally owned.

Mr. STENNIS. The Senator does not expect it to continue to be federally owned for any appreciable length of time, does he—certainly not over 2, 3, 4 or 5 decades? We are now legislating for the future.

Mr. JACKSON. The area which we are discussing, which is roughly north of Brook's Range and north of Fairbanks represents a wild and desolate area. To my knowledge, none of that area is susceptible to agriculture, for example. I have serious doubt whether that area of Alaska will be populated to any extent in the foreseeable future.

Mr. STENNIS. Why was not this area simply left out of the Territory to be brought into statehood?

Mr. JACKSON. Very candidly, looking at the overall picture, we were thinking about obtaining approval, by the administration of the request for statehood. There was serious doubt whether the administration would support statehood for Alaska.

Mr. STENNIS. And that doubt was based, was it not, upon military and national defense situations?

Mr. JACKSON. One of the reasons given was that it might be inconsistent with the military defense needs of the area. I am speaking of the official reason given by the executive branch of the Government. Section 10 as proposed by the administration was the answer to that problem. On that basis the committee tried to go halfway and accede to the request of the President of the United States. It was done at his request.

Mr. STENNIS. I appreciate that statement. I think serious doubt was raised in his mind as to the legal situation.

Mr. President, I submit that every Member of this body must agree that such a condition imposed upon the new State, as a price for its admission into the Union of States, is such a condition precedent to its admission that does violence to the equal footing doctrine which has governed the admission of all new States into the Union.

The power of Congress in respect to the admission of new States is found in article IV, section 3, of the Constitution, providing that "new States may be admitted by the Congress into this Union." The only expressed restriction upon this power is that no State shall be formed within the jurisdiction of any other State, nor by the junction of two or more States or parts of States without the consent of such States as well as of the Congress. Under the Constitution, Congress has the power to admit new States, but no where in the Constitution is there any authority delegated to the Congress to impose conditions for admission of a State into the Union which would prevent a new State from entering the Union upon an equal footing with all of the other States.

H. R. 7999 proposes to admit Alaska into the Union of States provided that the new State agree before admission that it surrender a part of its jurisdiction and sovereignty over a part of its citizens.

Mr. President, this poses a serious constitutional question and one which deserves the utmost consideration of this body.

Just what is equal footing?

Equal footing certainly means on an equality with others, and it denotes a reciprocal position, a position equal in its relationship to the United States and other States. Is the State of Alaska entering the Union on an equal footing in all respects whatever with the other States when it has to surrender jurisdiction and complete sovereignty over a part of its area and its citizens?

Mr. President, I should like to take a few minutes to cite the controlling and clear-cut and far-reaching case which went up to the Supreme Court regarding the admission of the State of Oklahoma. I refer to the constitutional problem which arose after the State of Oklahoma had been admitted.

This question as to the constitutional equality of States has been answered with considerable definiteness by the Supreme Court in *Coyle* v. *Smith* (221 U. S. 559). The Congress in the admission of Oklahoma on an equal footing with the original States provided that the capital of Oklahoma should be at Guthrie, and should not be changed

therefrom until 1913. This enabling act stipulated that the condition should be accepted irrevocably by the Oklahoma Constitutional Convention. The convention did not include the matter in the constitution but did make the provision separately by what it called an irrevocable ordinance, and this ordinance as well as the constitution was ratified by popular vote. Within the proscribed period the Oklahoma Legislature enacted a law removing the capital to Oklahoma City. The Supreme Court held that the removal was proper and the condition imposed against this removal invalid. The opinion by Mr. Justice Lurton stands for the constitutional doctrine that States can only be admitted on an equal basis.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CLARK. I have been much interested in the argument made along those lines by both Senators from Mississippi with respect to the Oklahoma case. Although the condition was declared by the Supreme Court to be invalid, and was set aside, nevertheless the decision had no effect upon the constitutionality of the enactment of statehood, did it?

Mr. STENNIS. No. The Supreme Court held the limitation or the condition to be invalid. I am making the point that the condition proposed in the bill is invalid, and that therefore the country will be left unprotected militarily.

Mr. CLARK. If the Senator should happen to be correct in his legal position or in his argument, in the meantime the only effect of his argument would be that in the bill passed, if it were passed as it is now before the Senate, that particular section would be invalid. The rest of the bill would still be constitutional, would it not?

Mr. STENNIS. That is as far as I have looked into the matter. I would not make any other point.

Mr. CLARK. Therefore, those of us who might perhaps feel the distinguished Senator is not correct in his legal argument would yet be protected, and the act would still be constitutional. If the bill now in the Senate should pass, and the President should sign it, Alaska would nevertheless be a valid State.

Mr. STENNIS. The Senator qualifies his remarks with the idea that the bill is valid. Of course, if a Senator feels it is valid, and is otherwise satisfied with the proposed law, he should vote for it. I believe it is clear cut that this provision is invalid. I submit I do not see how Senators can vote for the bill with such a provision in it.

Mr. CLARK. Mr. President, will the Senator yield once more, since I do not want any misunderstanding about the colloquy?

Even if this provision of the bill should be held to be invalid by a court, that would not affect the validity of the enabling statute.

Mr. STENNIS. So far as that point is concerned, I think the Senator is correct. However, I want to make it clear that, in my opinion, a Senator should not vote for a bill he thinks contains unconstitutional provisions. I am sure the Senator from Pennsylvania agrees with that.

Mr. CLARK. I thank my friend.

Mr. STENNIS. Mr. President, Mr. Justice Lurton, in discussing the powers of Congress and of the States, as defined by the Constitution, stated at page 569:

This Union was and is a union of States, equal in power, dignity, and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. To maintain otherwise would be to say that the Union, through the power of Congress to admit new States, might come to be a union of States unequal in power, as including States whose powers were restricted only by the Constitution with others whose powers had been further restricted by an act of Congress, accepted as a condition of admission.

Mr. President, that is simply plain, old-fashioned, rockbottom commonsense. There could not be a union except one of equal States.

Mr. Justice Lurton concluded:

When a new State is admitted into the Union it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original States and that such powers may not be constitutionally diminished, impaired, or shorn away by any conditions, compacts, or stipulations embraced in the act under which the new State came into the Union, which would not be valid and effectual if the subject of congressional legislation after admission.

Coyle against Smith, cited supra, is a landmark decision by our highest court and stands for the doctrine that there can be no limitation upon the authority and sovereignty of a new State required as a condition precedent for admission to the Union. The courts have consistently adhered to this theory of equal footing since the admission of the first State into the Union, and that the Congress cannot diminish or impair the powers and sovereignty of a new State.

In this connection, Willoughby, in his work on the Constitutional Law of the United States—volume 1, page 238, 1910—says:

The Constitution, without distinguishing between the original and new States, defines the political privileges, which the States are to enjoy, and declares that all powers not granted to the United States shall be considered as reserved to the States. From this it almost irresistably follows that Congress has not the right to provide that certain members of the Union, possessing full statehood, shall have their constitutional competences in any manner less than that of their sister States. According to this, then, though Congress may exact of territories whatever conditions it sees fit as requirements precedent to their admission as States, when admitted as such, it cannot deny to them any of the privileges and immunities which the other commonwealths enjoy.

Burgess, in his Political Science and Constitutional Law—volume 2, page 163—says:

The conclusion is that the Constitution recognizes no natural right to commonwealth powers in any population, but views these powers as a grant from the sovereign, the State, which latter employs the Congress to determine the moment from which the grant shall be taken. When the Congress discharges this function, however, the Commonwealth powers, both as to local government and participation in general government, are vested in the given population by the Constitution, not by the Congress. I cannot convince myself that the Congress has the right to determine what powers the new Commonwealth shall or shall not exercise, although I know that the Congress has assumed to do so in many cases. I think the Constitution determines these questions for all the Commonwealths alike. Certainly a sound political science of the Federal system could never countenance the possession of such a power by the Congress. Its exercise might lead to interminable confusion. In fact, its possession is inimical to the theory of the Federal system. As we have seen, that system can only really obtain, where the power-disturbing organ exists back of both the General Government and the Commonwealths.

Willoughby—volume 1, page 240, supra—says:

Beginning with the admission of Nevada in 1864, the promises exacted of Territories seeking admission as States assumed a more political character. Of Nevada it was required that her constitution should harmonize with the Declaration of Independence, and that the right to vote should not be denied persons on account of their color. Of Nebraska, admitted in 1867, it was demanded that there should be no denial of the franchise or any other right on account of race or color, Indians excepted. Of the States that had attempted secession, still more radical were the requirements precedent to the granting to them of permission again to enjoy the other rights which they had for the time being forfeited. Of all of them it was required that there should be, by their laws, no denial of the right to vote except for crime; and of three, that Negroes should not be disqualified from holding office, or be discriminated against in the matter of school privileges. Finally, Utah, when admitted as a State in 1894, was required by Congress by the Enabling Act to make by ordinance irrevocable without the consent of the United States and the people of the United States, provisions for perfect religious toleration, and for the maintenance of public schools free from sectarian control; and that polygamous or plural marriages are forever abolished. It would seem that as regards the enforceability of these contracts, a distinction is to be made between those that attempt to place the State under political restrictions not imposed upon all the States of the Union by the Federal Constitution, and those which seek the future regulation of private, proprietary interests. The first class of these agreements the Supreme Court has repeatedly held are not enforceable against the State after it has been admitted into the Union.

Tucker on the Constitution—volume 1, page 614—says:

The States have confided to the Congress as their agent the admission of a State into the Union under the Constitution. Can this constitutional authority in Congress be construed as to invest Congress as an agent with powers to impose conditions upon the new members which the Constitution has not prescribed? And, if so, does the new State enter the Union shorn of its powers pro tanto by the agent authorized to open its doors to the new Commonwealth without any such condition? The better opinion would clearly be that Congress could not impose as an obligation upon a State at the time of its admission into the Union such a restriction as it had no original power to enact or enforce.

Mr. President, I yield the floor.

Mr. ROBERTSON. Mr. President, very briefly I desire to associate myself

with the position taken by my two distinguished colleagues from Mississippi concerning the invalidity of section 10 of the pending bill.

I shall be brief, for two reasons. First, several of our colleagues wish to leave the city as soon as this vote is taken, and I do not desire to unduly delay them. Secondly, the desks in this distinguished Chamber which are empty cannot vote. Neither can they record a constitutional argument.

Senators should think of what the desk behind me would say if it could talk. This was the desk of Jefferson Davis. Over beyond was the desk of John C. Calhoun. Both those Senators believed in the Constitution and in States rights.

Across the aisle, two seats from my distinguished friend, the Senator from Wisconsin [Mr. WILEY], is the desk of Daniel Webster. He believed in the Constitution and in States rights.

As to the point raised by my friend the Senator from Pennsylvania, who seems to have temporarily departed from the Chamber, whoever framed the bill had some misgivings about some of the provisions in it—possibly section 10—because we find on page 36, section 29, this language:

> If any provision of this act, or any section, subsection, sentence, clause, phrase, or individual word, 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 any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

The junior Senator from Mississippi is of course correct in saying that under the savings clause if one provision is held to be invalid the other provisions can stand. However, the Senator from Mississippi is very accurate when he says that the framers of the bill felt it would be vetoed unless they included in it a reservation which has never before been inserted in any statehood bill. I refer to section 10, which would permit the President to withdraw from a sovereign State for defense purposes millions of acres subject to the jurisdiction of such sovereign State, and on which citizens of the State live.

I hope my colleagues will read again page 11213 of yesterday's RECORD, June 26, on which page the junior Senator from Mississippi outlined the testimony showing the vital importance, from a national security standpoint, of the northwestern area of Alaska, which the President and all those connected with the defense organization have insisted through the years be kept subject to exclusive use by the National Government. So section 10 has been written into the bill to give the President the necessary authority.

Mr. President, yesterday and again today the senior Senator from Mississippi cited more than 20 decisions of the Supreme Court bearing directly on the provision that there must be preserved the sovereignty of the States and the equality of rights among the States, and also on the point that, once a State is created, we cannot impinge upon its sovereignty and thereby make of it a second-class State.

It is true, as the junior Senator from Mississippi has said, that the case so often cited is the Oklahoma case. In that case Congress said, "Put your capital in one place," and Oklahoma said "No, we will put it where we want to put it." Oklahoma located the capital at Oklahoma City, and the Supreme Court said Oklahoma had a right to do that, and the capital stayed there. The principle in the Oklahoma case has been cited by the present Supreme Court within the past year.

Mr. President, every one of us knows that when he entered this body he went to the Vice President's desk and the Vice President asked him to hold up his right hand and swear that he would support and uphold the Constitution. Every one of us did so. Times may arise when it it is not too clear in our minds what the Constitution means. If we have doubts—and especially if the doubts in favor of a measure outweigh those against the measure—we might say, "We will not turn this good purpose down because of some fear or unreasonable doubt."

That is not the situation at present. Twenty or more cases already cited to us demonstrate the meaning of the Constitution on the point raised, and make it crystal clear. There cannot be any argument about it. No one has attempted to make an argument about it. It is crystal clear that the language means exactly what the senior Senator from Mississippi and the junior Senator from Mississippi say it means. It is an unconstitutional reservation against the sovereignty of a new State.

What is the answer? The answer is that if this provision were not written into it, the bill would be vetoed. That narrows the choice of the Members of the Senate, Mr. President, so they must decide whether they will honor the oath they took to support and uphold the Constitution and not deliberately vote for unconstitutional provisions, or whether they will vote to adopt a provision in the bill simply because they want to see our fine fellow Americans in Alaska get statehood now.

We are suggesting the part of wisdom, Mr. President, aside from the economic questions which have been so fully discussed and never adequately answered on the floor. This is important from the point alone of our national security, and how it should be provided for in a legal way. Land might be set aside, if Senators please, as the land was set aside in Wyoming. That was the first park created in the history of the world—Yellowstone National Park. It is a wonderful park. That was done before Wyoming was made a State. There could be no question about taking from Wyoming jurisdiction over its own lands, setting aside what was essential to future defense, and saying, "Here always will be exclusive Federal jurisdiction."

As I stated last Tuesday, there are other questions which should be referred to the Judiciary Committee for consideration and investigation and report to this body.

The vote we are about to take is on a very clear constitutional principle. Shall we or shall we not, with our eyes wide open, knowing that we cannot answer the 20 or more cases which have been cited to show that this section is unconstitutional, vote to approve it anyway?

I hope that a majority of the Senate will say, "Regardless of how much we would like to see immediate and favorable action taken in behalf of Alaska, we cannot go back on the oath we have taken to uphold and support the Constitution."

Mr. JACKSON. Mr. President, the points of order seek to raise questions on the merits of the bill, as it may or may not conform with constitutional law. As has been discussed here on the floor during this debate, it is most difficult to say how the Supreme Court will decide any constitutional question. Though the proponents of these points of order are learned in the constitutional law, it is an inescapable fact that 50 percent of the lawyers are wrong in every lawsuit.

We would spend the rest of this session and all of the next arguing the legal authorities on both sides of this question. But that is not the function of this body. Our function is to make a legislative decision: do we want statehood for Alaska, or do we not?

Nothing we do here can change the Constitution, nor is it intended to do so. Nothing is more certain in our law than the fact that State laws and the laws of Congress must conform to the Constitution as interpreted by the Supreme Court of the United States. To the extent that they violate the Constitution, all such laws will be inoperative.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. EASTLAND. A Senator has an obligation under his oath of office to pass upon the constitutionality of proposed legislation. Of course, every Senator is the judge of what he should do, and I have no complaint or criticism with respect to any decision which other Senators may make.

I should like to ask the Senator a question. What authority is there for the constitutionality of section 10 of the bill?

Mr. JACKSON. Let me answer the first part of the question first.

Certainly I would be the last to say that there can be no doubt that the proposed section is in all parts constitutional. Obviously, as a reading of the printed record of the hearings will show, I raised some questions about this section.

Mr. EASTLAND. Of course the Senator did. He was in doubt.

Mr. JACKSON. I had some doubts, but I have resolved them in favor of the bill's constitutionality.

Mr. EASTLAND. That is a decision for the Senator to make, without any criticism on my part.

Mr. JACKSON. The distinguished senior Senator from Mississippi was detained at the moment I was interrogating the distinguished junior Senator from Mississippi on this point. I made

the point that the Federal Government, as a condition precedent to moving people from this area, would have to take the State property, city property, or private property pursuant to the law of eminent domain.

Mr. EASTLAND. Where is the decision holding that Congress may place conditions on the admission of a State to the Union?

Mr. JACKSON. I will mention one case which I believe to be particularly in point. But this is an example of the problem which arises when we get into detailed constitutional arguments.

Mr. EASTLAND. We do not need to get into detailed questions on the subject of constitutionality. Where is the case which holds that Congress may place conditions on the admission of a State into the Union?

Mr. JACKSON. In the case of *Fort Leavenworth* v. *Lowe* (114 U. S. 525, at p. 526), the court made this statement with reference to Federal retention of the area which constituted Fort Leavenworth:

> But in 1861 Kansas was admitted into the Union upon an equal footing with the original States, that is, with the same rights of political dominion and sovereignty——

Mr. EASTLAND. "With the same rights of political dominion sovereignty." We can understand that.

Mr. JACKSON (continuing)—

> subject, like them, only to the Constitution of the United States. Congress might undoubtedly, upon such admission, have stipulated for retention of the political authority * * * so long as it should be used for military purposes * * * that is, it could have excepted the place from the jurisdiction of Kansas.

Mr. EASTLAND. That is, Fort Leavenworth.

Mr. JACKSON. That is the closest case I have been able to find on this point. To my knowledge, this exact situation has never occurred before. I am giving the distinguished Senator from Mississippi the closest case in point.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. LAUSCHE. Was the reservation and withholding of that particular area made at the identical time when the State was created, or was there reserved the right to withdraw after the State came into existence?

Mr. JACKSON. Neither. It is my understanding that Fort Leavenworth existed before Kansas was admitted to the Union.

Mr. EASTLAND. What the Senator is mentioning is a question of control of land. The question involved here is control of sovereignty and the rights of people.

Mr. JACKSON. I do not intend to enter into a lengthy colloquy on that subject. I merely wish to say that surely no one can deny the right of the Federal Government to condemn State-owned land or city-owned land for military purposes.

Mr. EASTLAND. The Senator does not mean that that is the question involved in this case, does he?

Mr. JACKSON. Certainly that is one of the questions involved.

Mr. EASTLAND. Is that the question here?

Mr. JACKSON. It certainly is.

Mr. EASTLAND. When we are giving the Federal Government the right to suspend statehood?

Mr. JACKSON. States cannot enact laws inconsistent with the national security.

Mr. EASTLAND. It is proposed here to give the Federal Government the power to suspend State laws which are inconsistent with Federal laws. It is proposed to give the Federal Government the power to discharge State officials and appoint Federal officials. Am I to understand the Senator to say that no question about suspending statehood is involved?

I think our colleague the Senator from Idaho [Mr. CHURCH] is a very intelligent, able man. I quote from his statement at the hearing:

> Senator CHURCH. Except that here, and this is the unique feature in the Alaskan case, this very, very large area is being marked off, and the Federal Government is given in effect the power to suspend full statehood in that area, and the justification for doing this is that it will enhance the defense of the country; that it will facilitate the defense of Alaska and the country.

Mr. JACKSON. There is no doubt in my mind about the right of the Federal Government to take over any part or all of any city if it can establish the fact that such is necessary for the national defense.

Mr. EASTLAND. There is a great deal of difference between condemning property and denying sovereignty to half a State and making it revert to the status of a Territory.

Mr. JACKSON. Surely in those areas where the Federal Government exercises exclusive jurisdiction, as on a military reservation, the reservation is not subject to any exercise of State soverignty that is in conflict with the national interest.

Mr. EASTLAND. There is no question of sovereignty involved there.

Mr. JACKSON. There is the same question whenever the Federal Government takes land for defense purposes.

Of course we can argue this point interminably. Whatever doubts may exist on the subject, I believe they should be resolved in favor of constitutionality.

Mr. LAUSCHE. Mr. President, I contemplate supporting the point of order raised by the Senator from Mississippi. I shall do so on the basis of the clear declaration made by Mr. Justice Lurton in the Coyle case, which is conceded to be the ruling case on the issue involved in the debate now in progress in the Senate. Mr. Justice Lurton said in that case:

> When a new State is admitted into the Union it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original States and that such powers may not be constitutionally diminished, impaired, or shorn away by any conditions, compacts or stipulations embraced in the act under which the new State came into the Union, which would not be valid and effectual if the subject of congressional legislation after admission.

The condition contained in the pending bill does not deal with expanded powers given to the United States Government in pursuance of a declaration of martial law. It does not deal with the power of the Federal Government to exercise eminent domain within the States. It does not deal with the power of the Federal Government under conditions of necessity in time of defense to exercise powers which are not exercised in times of peace.

Under the pending bill, a sovereign State will be created, and there will be reserved to the United States Government the power to suspend the sovereignty of that State at the discretion of the President of the United States. In one breath the State is created, with geographical boundaries; in the next breath, it is declared that after that sovereign State comes into existence, in the discretion of the President it can be terminated or suspended insofar as practically one-half of its area is concerned.

I shall vote to sustain the point of order on the basis that that provision is not constitutional. All the proponents in their discussions have conceded their positive doubt about the constitutionality and propriety of the provision. I do not believe that I would be acting in accordance with my responsibilities as a Senator if I voted in the affirmative in connection with a section of the bill which I believe to be unconstitutional.

Mr. THURMOND. Mr. President, I rise to speak on the first point of order directed against H. R. 7999, which has been raised by the distinguished Senator from Mississippi [Mr. EASTLAND].

The admission of a State to the Union is an irrevocable step. It would be tragic if Congress should admit the Territory of Alaska to statehood by passing a bill which did not stand four-square with the law. It would be a tragic thing if the Congress should pass a bill on such an important matter which had in it defects which would be challenged successfully in the courts.

My position on the subject of Alaskan statehood is well known to the Members of the Senate. I do not believe that it is a wise step to admit Alaska to statehood at this time. At the same time, I feel a genuine sympathy and affection for the people of Alaska. If a statehood bill is to be passed at all, then I devoutly hope that it will be a good bill from the standpoint of the legal technicalities involved. No doubt those Alaskans who desire statehood would be disappointed if the Alaskan statehood bill is not enacted. They will be much more deeply disappointed, however, if a bill is passed which flies in the face of the Constitution of the United States. Such a bill would cast grave doubts on the legality of any and every action taken by the government of the new State of Alaska.

Therefore, Mr. President, I believe that it is of paramount importance that the Senate examine H. R. 7999 with extreme care.

I will begin by discussing the point that section 10 of H. R. 7999 violates the

constitutional requirement for equality of States in the Union.

Section 10 authorizes the President of the United States to establish by Executive order or proclamation one or more special national defense withdrawals within the exterior boundaries of Alaska which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President.

These withdrawals may be made in a wide area of Alaska. The line begins at the point where Porcupine River crosses the international boundary between Alaska and Canada; thence along the main channel of the Porcupine River to its confluence with the Yukon River; thence along the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160° west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along the right bank of the Kuskokwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162° 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude of 57° 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156° west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50° north.

The purpose of this section of the bill is to permit the President of the United States to secure jurisdiction over this wide area for national defense purposes. No doubt this section of the bill is well intentioned. The difficulty is that it is clearly in violation of the Constitution of the United States. Congress cannot legislate solely on the basis of good intentions. Ours is a government of laws. It is necessary for Congress to consider the basic law of our country, the Constitution, in considering any and all legislation. H. R. 7999 states that the State of Alaska is to be declared a State of the United States of America and is declared admitted into the Union on an equal footing with the other States of the Union in all respects whatever. This, too, is a laudable declaration of intention. If Alaska is to be a State, then surely it should be and must be placed on an equal footing with the other States; however, this good intention that the State of Alaska shall be equal in all respects to other States is contradicted by the language of section 10 of the bill.

Nor would it be possible, under our Constitution, to admit the State of Alaska under any condition except that of equality. The courts have said time and time again that the condition of equality of States is an inherent attribute of all of the States of the United States.

I am sure that the Members of the Senate all recall the memorable words of Chief Justice Salmon P. Chase in the case of Texas versus Wyatt when he said:

> The Constitution, in all of its provisions looks to an indestructible Union, composed of indestructible States.

Nevertheless, it is proposed that the State of Alaska be admitted to the Union under conditions which would permit the Federal Government to destroy the sovereignty of that State over a large part of its territory.

This area consists of approximately 166,000,000 acres of land, most of it unsettled. There is very little civilian activity in the acres under discussion. As a practical matter, it has been argued, there are not enough civilians in this large area for it to make much difference whether it is under the jurisdiction of the Federal Government or the Government of the State of Alaska. I submit that while it may not make much practical difference, the principle involved is one of the utmost importance. Nor can we say what will be the status in years to come. We do not know whether this area of Alaska will be subject to great economic development in years to come. Therefore, in the future, it may be of great practical importance. For the present, however, we must concern ourselves principally with the fact that this provision of the bill is a direct contradiction of the Constitution of the United States.

It may be helpful now to refer to some of the discussion of the problem of the national defense withdrawal area, as it appears in the report of the hearings before the Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs of the House of Representatives.

A number of questions arose concerning the manner in which this section would be applied.

Gen. Nathan B. Twining, appearing in the capacity of Acting Chairman of the Joint Chiefs of Staff, testified that the withdrawal provision would satisfy the doubts which the Department of Defense has had in the past concerning the wisdom of granting statehood to Alaska. General Twining said:

> From the military point of view the overall strategic concept for the defense of Alaska would remain unaffected by a grant of statehood. Tactically, however, the ease of accomplishment of the military operations necessary to implement the strategic concept would be greater with proper defense area limitations and safeguards.

General Twining then went on to say:

> I am not an expert on the highly technical details of withdrawal language, but I am satisfied that the proposed amendments meets the demands of national security.

Mr. President, there are no experts in withdrawal language. The fact is that no State was ever admitted to the Union under a bill containing any sort of withdrawal language and, therefore, there are no experts on this subject. There is not a great deal to know about the technical details of implementing such a withdrawal because no such implementation can be made under the provisions of our Constitution.

Now to further illustrate the manner in which these defense withdrawals might be made, I refer also to testimony by the Honorable Hatfield Chilson in his capacity as Under Secretary of the Interior. Mr. Chilson was questioned by the gentleman from Colorado, the Honorable WAYNE N. ASPINALL, the object of the questioning being to ascertain exactly what jurisdiction would be given up by the government of the State of Alaska if the President exercised his authority to make special national defense withdrawals within the Territory.

Mr. ASPINALL brought up the example of the fishing industry, a substantial proportion of which is centered in areas which might be withdrawn from State jurisdiction. Mr. Chilson gave what might be taken to be a reassuring reply. He said, essentially, that the withdrawal power would be used discreetly by the Federal Government, and that it would not infringe upon or override the laws of the State of Alaska, unless it was necessary. I quote now from Mr. Chilson:

> If the President did not exercise his authority to make any special national defense withdrawals, upon admission the laws of the State of Alaska would govern. If the President should exercise his power for a special defense withdrawal in a fishing area, the laws of the State of Alaska could well govern the fishing industry, unless the nature of the use of that withdrawal should interfere with it, or, two, unless some law passed by Congress should be inconsistent with the State law. In that event, the congressional expression would govern in the national defense withdrawal area.

There was, however, one important point which advocates of Alaskan statehood should not overlook. Mr. Chilson said further:

> The State laws would apply even in the special defense withdrawal. They would be executed, of course, by Federal representatives, because it would be exclusive jurisdiction in the Federal Government.

The fact is that the law provides that the Federal Government shall withdraw as much jurisdiction from the State as suits the convenience of the Federal Government, provided only that such exclusive Federal jurisdiction shall not prevent the execution of any process, civil or criminal, of the State of Alaska, upon any person found within said withdrawals and, that such exclusive Federal jurisdiction shall not prohibit the State of Alaska from enacting and enforcing all laws necessary to establish voting districts and the qualifications and procedures for voting in all elections. Those were only two matters which were left out of the exclusive jurisdiction of the Federal Government.

Of course, the great majority of the acreage under discussion is the property of the Federal Government. Under normal conditions, the State of Alaska will have concurrent jurisdiction with the Federal Government over all public lands not otherwise areas of exclusive jurisdiction, such as military reservations established prior to statehood. This State jurisdiction would extend to the police power exercised by the State through legislative and executive action. The courts of the State would have jurisdiction over criminal and civil actions throughout Alaska. Municipalities would be the creation of, and subject to, Alaska State law.

When the President decided to exercise the authority given him to establish

a special national defense area, he would issue an Executive order or proclamation specifying the area and setting forth the exceptions from the requirement of exclusive Federal jurisdiction. The Federal Government would take exclusive jurisdiction, except in areas of government which the President excepted from his executive proclamation.

Upon issuing such an order, the Chief Executive would take the responsibility for enforcing all applicable laws of the State of Alaska in the area covered by the order. For the purposes of administration and enforcement, these Alaska State laws would become for all practical intents and purposes Federal laws. They might be enforced by United States marshals or, at the discretion of the President, by local police officials authorized by the President to act as law enforcement agents.

It is a curious fact that after the issuance of an order by the Chief Executive establishing a national defense area, the laws of the State of Alaska, as they apply to that area, could be amended, revised, or even suspended, by action of the United States Congress. The only exceptions would be laws relating to municipalities and State laws relating to elections.

The Federal Government is given, in effect, the power to suspend full statehood in the areas withdrawn from State sovereignty.

This provision is, in no sense of the word, a contract or a compact between the government of Alaska and the Federal Government, limiting or restricting the activities of the Federal Government in the future. It is no more and no less than an arrangement by which the Congress agrees to confer statehood on Alaska at the price of Alaskan sovereignty over this large area of Alaska.

It has been argued that certain States of the Union were admitted only subject to certain conditions set forth in advance by Congress. However, no conditions similar to those have ever been attached to statehood as are attached in the Alaskan statehood bill. These conditions are so stringent that the approximately 24,000 citizens in the withdrawal area could be evacuated at a moment's notice on order of the Federal Government. It would require only two Executive orders from the President of the United States, one withdrawing the area from State control and another ordering the citizens to depart.

I now refer to the case of Coyle versus Oklahoma. I read from the opinion of the Court:

> The definition of "a State" is found in the powers possessed by the original States which adopted the Constitution, a definition emphasized by the terms employed in all subsequent acts of Congress admitting new States into the Union. The first two States admitted into the Union were the States of Vermont and Kentucky, one as of March 4, 1791, and the other as of June 1, 1792. No terms or conditions were exacted from either. Each act declares that the State is admitted "as a new and entire member of the United States of America" (1 Stat. 189, 191). Emphatic and significant as is the phrase admitted as "an entire member," even stronger was the declaration upon the admission in 1796 of Tennessee, as the third new State, it being declared to be "one of the United States of America," "on an equal footing with the original States in all respects whatsoever," phraseology which has ever since been substantially followed in admission acts, concluding with the Oklahoma act, which declares that Oklahoma shall be admitted "on an equal footing with the original States."
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> The power is to admit "new States into this Union."
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> "This Union" was and is a union of States, equal in power, dignity and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself. To maintain otherwise would be to say that the Union, through the power of Congress to admit new States, might come to be a union of States unequal in power, as including States whose powers were restricted only by the Constitution, with others whose powers had been further restricted by an act of Congress accepted as a condition of admission. Thus it would result, first, that the powers of Congress would not be defined by the Constitution alone, but in respect to new States, enlarged or restricted by the conditions imposed upon new States by its own legislation admitting them into the Union; and, second, that such new States might not exercise all of the powers which had not been delegated by the Constitution, but only such as had not been further bargained away as conditions of admission.
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> The plain deduction from this case is that when a new State is admitted into the Union, it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original States, and that such powers may not be constitutionally diminished, impaired, or shorn away by any conditions, compacts, or stipulations embraced in the act under which the new State came into the Union, which would not be valid and effectual if the subject of congressional legislation after admission.

In that case Congress passed a law admitting Oklahoma into the Union. The law provided that the admittance of the State of Oklahoma was conditional; that the State capital must be located at the town of Guthrie, and that the State capital could not be moved from Guthrie by State authority until 1913. The new State of Oklahoma disregarded this provision in the law. The legislature almost immediately removed the capital to Oklahoma City. The Court, in that case, found in favor of the State of Oklahoma.

It has been pointed out, too, that the State of Wyoming was admitted to the Union with the condition that the Federal Government would maintain jurisdiction over the area encompassed by the boundaries of the Yellowstone National Park. This example was, in fact, used as an argument during the Senate hearings to justify the constitutionality and the legality of the withdrawal provisions of the Alaskan statehood bill. The facts of the matter are that Yellowstone Park was reserved by an act of Congress 18 years before Wyoming was admitted to the Union as a State.

The argument has also been made that the Federal Government was given jurisdiction over land in the State of Arizona and in the State of New Mexico, for purposes of national defense. The facts are, however, that jurisdiction over those lands was given by the Legislatures of the States of New Mexico and Arizona. It was a case of action by the States; it was not Federal action.

Mr. President, I believe it will be desirable at this point to cite certain decisions of the Supreme Court, in which the Court has consistently held in favor of the doctrine that new States must be admitted into the Union on an "equal footing" with the old ones.

The United States Supreme Court, in *Ex parte Webb* (225 U. S. 663), at page 690, had this to say:

> It is not our purpose to qualify the doctrine established by repeated decisions of this Court that the admission of a new State into the Union on an equal footing with the original States imparts an equality of power over internal affairs.
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> * * * * *
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> The most recent decision of this Court upon the subject of the proper construction of acts of Congress passed for the admission of new States into the Union is *Coyle* v. *Smith* (221 U. S. 559), where it was held that the Oklahoma Enabling Act (34 Stat., c. 3335, p. 267), in providing that the capital of the State should temporarily be at the city of Guthrie, and should not be changed therefrom previous to the year 1913, ceased to be a limitation upon the power of the State after its admission. The Court, however, was careful to state (221 U. S. 574): "It may well happen that Congress should embrace in an enactment introducing a new State into the Union legislation intended as a regulation of commerce among the States, or with Indian tribes situated within the limits of such new State, or regulations touching the sole care and disposition of the public lands or reservations therein, which might be upheld as legislation within the sphere of the plain power of Congress. But in every such case such legislation would derive its force not from any agreement, or compact with the proposed new State, nor by reason of its acceptance of such enactment as a term of admission, but solely because the power of Congress extended to the subject, and therefore would not operate to restrict the State's legislative power in respect of any matter which was not plainly within the regulating power of Congress."

In the case of *Case* v. *Toftus*, 39 Federal Reports 730, at page 732, the Court said:

> The doctrine that new States must be admitted into the Union on an "equal footing" with the old ones does not rest on any express provision of the Constitution, which simply declares (art. 4, sec. 3) "new States may be admitted by Congress into this Union," but on what is considered and has been held by the Supreme Court to be the general character and purpose of the union of the States, as established by the Constitution, a union of political equals. (*Pollard* v. *Hagan* (3 How. 233); *Permoli* v. *New Orleans* (Id. 609); *Strader* v. *Graham* (10 How. 92).)

In *Boyd* v. *Thayer* (143 U. S. 135), at page 170, the Court said:

> Admission on an equal footing with the original States, in all respects whatever, involves equality of constitutional right and power, which cannot thereafterward be controlled, and it also involves the adoption as citizens of the United States of those whom Congress makes members of the political community, and who are recognized as such in the formation of the new State with the consent of Congress.

In *Escanaba Company* v. *Chicago* (107 U. S. 678, at p. 688), Mr. Justice Field, speaking for the Supreme Court, said:

Whatever the limitation upon her powers as a government whilst in a territorial condition, whether from the ordinance of 1787 or the legislation of Congress, it ceased to have any operative force, except as voluntarily adopted by her, after she became a State of the Union. On her admission she at once became entitled to and possessed of all the rights of dominion and sovereignty which belonged to the original States. She was admitted, and could be admitted, only on the same footing with them. * * * Equality of the constitutional right and power is the condition of all the States of the Union, old and new.

In *Skiriotes* v. *Florida* (313 U. S. 69), at page 77, the Court said:

If the United States may control the conduct of its citizens upon the high seas, we see no reason why the State of Florida may not likewise govern the conduct of its citizens upon the high seas with respect to matters in which the State has a legitimate interest and where there is no conflict with acts of Congress. Save for the powers committed by the Constitution to the Union, the State of Florida has retained the status of a sovereign. Florida was admitted to the Union "on equal footing with the original States, in all respects whatsoever" (act of March 3, 1845, 5 Stat. 742). And the power given to Congress by section 3 of article IV of the Constitution to admit new States relates only to such States as are equal to each other "in power, dignity and authority, each competent to exert that residuum of sovereignty not delegated to the United States by the Constitution itself" (*Coyle* v. *Smith* (221 U. S. 559, 567)).

Mr. President, the situation which would exist under the Alaskan Statehood bill has been compared, correctly, with the situation which existed in the State of California during World War II, when a large number of persons of Japanese ancestry were evacuated from the coastal areas by order of the Federal Government. There was one important difference. In the case of California, a national emergency existed. In the case of Alaska, it is proposed to give to the President of the United States blanket authority without the invocation of martial law, without the necessity of gaining the permission of the State, and without the presence of a national emergency.

The simple fact of the matter, then, is that Congress is establishing as a condition for the admission of the State of Alaska that it consent in advance to exclusive authority in the Federal Government to supercede State sovereignty over a portion of its area and a portion of its citizenry. Mr. President, if we adopt the principle that Congress can set forth conditions which the citizens of territories must agree to in order to achieve statehood, it follows that we can have a Government of unequal States, some States with unrestricted powers, and other States whose powers have been restricted by the act of Congress which admitted States to the Union.

I urge, Mr. President, that this point of order be sustained, and section 10 of H. R. 7999 be stricken from the bill.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The question is on the point of order No. 1 of the Senator from Mississippi.

Under the precedents of the Senate, when a question is raised in the Senate involving the constitutionality of a provision of a bill, the Presiding Officer has no authority to pass upon such a question, but is required to submit the question for the decision of the Senate, itself. The Chair therefore submits to the Senate the question: Is the point of order that section 10 violates the constitutional requirement for equality of States well taken?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. I announce that the Senator from Tennesee [Mr. GORE], the Senators from Texas [Mr. JOHNSON and Mr. YARBOROUGH], and the Senator from Michigan [Mr. MCNAMARA] are absent on official business.

I further announce that, if present and voting, the Senator from Michigan [Mr. MCNAMARA] and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from California [Mr. KNOWLAND], the Senator from Kentucky [Mr. MORTON], and the Senator from West Virginia [Mr. REVERCOMB] are absent on official business.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of illness.

The pair of the Senator from California [Mr. KNOWLAND] has been previously announced.

Also, the pair of the Senator from Kentucky [Mr. MORTON] has been previously announced.

If present and voting, the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the Senator from West Virginia [Mr. HOBLITZELL], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

Mr. BUSH (when his name was called). On this vote I have a pair with the distinguished junior Senator from Kentucky [Mr. MORTON]. If he were present and voting, he would vote "nay;" if I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. IVES (when his name was called). On this vote I have a pair with the distinguished senior Senator from California, the minority leader [Mr. KNOWLAND]. If he were present and voting he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

The result was announced—yeas 28, nays 53, as follows:

YEAS—28

Bridges	Hickenlooper	Russell
Butler	Johnston, S. C.	Saltonstall
Byrd	Jordan	Schoeppel
Cooper	Lausche	Smathers
Curtis	Malone	Stennis
Eastland	Martin, Iowa	Talmadge
Ellender	Martin, Pa.	Thurmond
Ervin	McClellan	Young
Frear	Mundt	
Fulbright	Robertson	

NAYS—53

Aiken	Dworshak	Monroney
Allott	Goldwater	Morse
Anderson	Green	Murray
Barrett	Hayden	Neuberger
Beall	Hennings	O'Mahoney
Bennett	Hill	Pastore
Bible	Holland	Potter
Bricker	Hruska	Proxmire
Carlson	Humphrey	Purtell
Carroll	Jackson	Smith, Maine
Case, N. J.	Javits	Smith, N. J.
Case, S. Dak.	Kefauver	Sparkman
Chavez	Kennedy	Symington
Church	Kerr	Thye
Clark	Kuchel	Watkins
Cotton	Long	Wiley
Dirksen	Magnuson	Williams
Douglas	Mansfield	

NOT VOTING—15

Bush	Ives	McNamara
Capehart	Jenner	Morton
Flanders	Johnson, Tex.	Payne
Gore	Knowland	Revercomb
Hoblitzell	Langer	Yarborough

So Mr. EASTLAND's point of order numbered 1 was not sustained.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the point of order was not sustained.

Mr. JACKSON. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. MORSE. Mr. President, of all the arguments which have been used in opposition to statehood for Alaska, and for Hawaii, too, the least impressive to me is that Alaska is noncontiguous to the continental United States.

In none of the speeches which I have heard citing the noncontiguous factor have I heard any explanation given to show why it is a bad thing.

Senators have said that Canada separates the Territory of Alaska and the continental United States. This is a fact of geography, but I do not see that it has much to do with whether or not Alaska should be a State of the Union.

The history of the settlement of America is evidence of the conquest of time and space by modern transportation and communication that we have achieved.

The fact is that most of the west coast became part of the American Union when the people living there were far more isolated from their fellow citizens than Alaskans are today.

The pattern of orderly, progressive settlement of the United States stopped at the Mississippi River. From its banks westward lay the treeless Great Plains, then the Rocky Mountains, and great deserts. It was the lush valleys of California and Oregon that attracted settlers, and they crossed hundreds of miles of what was then tortuous country, to live in California and Oregon, and make them States.

The settlers who crossed the middle of the continent to settle the west coast in the 1840's and 1850's, had to start in April in order to reach the Willamette Valley in Oregon by the next November. Many of their trains were delayed by weather or hostile Indians at the military outposts in Nebraska and Wyoming and they had to wait until the following spring to continue their trip. The hazards and trials they underwent have been vividly recorded by such great writers as A. B. Guthrie, and this epoch of our

history lives today in every medium of our entertainment.

There were few attractions for settlers between Missouri and the west coast. The territory between was nominally under the jurisdiction of the United States, but it was inhabited only by Indians, most of them hostile. Trappers, explorers, a few miners, military stations, and stage stations along the traveled routes were about the only representatives of western civilization. The Great Plains and the Rockies were regarded only as obstacles to be overcome in order to reach the coast. Aside from the trials of nature, the wandering Indian tribes regarded the whites as invaders—and rightly so—who imperiled their way of life, and they were always a threat to travelers, not to mention settlers. Little protection from Indians existed, except near the Army forts.

Yet California became a State in 1850; Oregon became a State in 1859; both were many hundreds of miles from the nearest neighboring States and even the nearest organized Territory of Nebraska. Texas was 650 miles from California; and except for California on its southern border, the nearest State to Oregon in any other direction was Iowa, well over 1,000 miles distant.

California and Oregon were separated from their sister States by vast spaces that were crossed by courageous pioneers, but not either by telegraph or railroad. Except by stagecoach, the quickest way to reach them from the east coast was by sailing around Cape Horn, and the record for that trip was 97 days.

The first telegraph service did not cross the continent until 1861, nor the first train until 1869.

Now, a hundred years later, we are linked to Alaska by instantaneous communication from all parts of the United States. Radio, telephone, telegraph, cables, mail schedules, the all-weather road from Great Falls, Mont., to Fairbanks, and air and steamship travel render meaningless the geographic distance so far as statehood is concerned. Today it is 20 hours by air from the East Coast to Alaska, and only 5 hours from Seattle to Anchorage. In the 1840's, the fastest stage connection between Missouri and California took 24 days, and that was a rarity.

The fact that California and Oregon did not border on their sister States nor on the rest of the American community was no bar to their admission in 1850 and 1859. I think most Oregonians would share my own reaction to the noncontiguous argument, which is simply: "So what?" The thousand miles that separated Oregon from Iowa in 1858 were far more difficult to overcome than the 600 miles between the West Coast and Alaska are in 1958. Does anyone deny that it is easier to travel through Canada to Alaska now than it was to travel through Indian Territory to California or Oregon or Nevada when they first became States? Intervening land and water have simply not been shown to have any particular bearing on the statehood issue.

We in Oregon and the rest of the Pacific Northwest are tied to Alaska by the ties that really matter. A great many of the Oregon citizens who have written to me in support of Alaskan statehood have mentioned the friends and relatives they have there, and their capability of running their own affairs.

Our industries in Oregon are comparable to those of Alaska, and many do business in both places. Lumber is a major industry in Alaska, as it is in Oregon. Fishing is an important industry to both. Our institutions of commerce, credit, and banking in the Pacific Northwest embrace Alaska within the area they serve.

The implication of the noncontiguous argument that Alaska is non-American, or otherwise isolated from our culture and economy is simply ridiculous.

So historically, contiguity has not been a factor in consideration for statehood. It should not be now. What counts is whether the people there want statehood and whether the area is capable of sustaining it.

On these points, I am satisfied that Alaska should be admitted to the Union. The advocates of H. R. 7999 have for several days been detailing the expressions from the people of Alaska that they want statehood. And they have been detailing the economic capacity of the Territory and its population to maintain statehood.

I shall not repeat them, except to point out that the evidence has been growing ever since statehood first won approval from a congressional committee in the 80th Congress, when it was reported favorably by the House Committee on Public Lands.

In 1950, it was my honor to go to Alaska as a member of a subcommittee of the Committee on Armed Services for a series of investigations and hearings in connection with American military bases in Alaska. The subcommittee conducted hearings for some days in Alaska.

In addition to the hearings, I made a part of my mission an investigation of the statehood problem in Alaska. I had the very able cooperation and the assistance of a great Governor of Alaska, Governor Gruening at the time, now a Senator-elect from Alaska. As the result of my investigations of the statehood question—and I so reported when I returned to the Senate that year—I left Alaska convinced of two things: First, that the people of Alaska, by an overwhelming majority, want statehood; second, that the people and the economy of Alaska can sustain statehood, with the result that, admitted to the Union, Alaska will become one of the bright stars, figuratively speaking, in the American flag.

I think it would be most unfortunate—I speak now not as a former member of the Committee on Armed Services, but as a present member of the Committee on Foreign Relations—if the bill should not be passed and signed by the President, and Alaska welcomed into the Union. I think one of the best lessons we can teach the world is the admission of Alaska to statehood. I think its effect upon foreign relations would be tremendous and would demonstrate that in our country we support self-government and actually believe in freedom put into practice.

I am making a plea to give the people of the Territory of Alaska the full benefits of freedom. In my judgment, we cannot do that unless we grant to them what has become their earned statehood.

Since 1949, I have cosponsored legislation in each Congress to provide for Alaskan statehood.

I have voted for it each time I have had the opportunity.

In conclusion, I shall quote to my colleagues a pledge—and a prediction—which far antedates the campaign pledges to Alaska of recent decades by both the Republican and Democratic Parties.

In his inaugural address of March 4, 1845, President James Polk affirmed his policy to seek admission of Texas as a State and to retain American jurisdiction over the Territory of Oregon. In that great speech he said:

> Our title to the country of the Oregon is clear and unquestionable, and already are our people preparing to perfect that title by occupying it with their wives and children. But 80 years ago our population was confined on the west by the ridge of the Alleghenies. Within that period—within the lifetime, I might say, of some of my hearers—our people, increasing to many millions, have filled the eastern valley of the Mississippi, adventurously ascended the Missouri to its headsprings, and are already engaged in establishing the blessings of self-government in valleys of which the rivers flow to the Pacific. The world beholds the peaceful triumphs of the industry of our emigrants. To us belongs the duty of protecting them adequately wherever they may be upon our soil. The jurisdiction of our laws and the benefits of our republican institutions should be extended over them in the distant regions which they have selected for their homes. The increasing facilities of intercourse will easily bring the States, of which the formation in that part of our territory cannot be long delayed, within the sphere of our federative Union.

In pleading for Alaskan statehood today, I am simply seeking to implement the prophecy, the idealism, the recognition of responsibility to our settlers in far distant places and to bring them into the Union as soon as they have qualified for admission to the Union. President Polk recognized that ideal, and I think the time is long overdue for its implementation in connection with Alaska statehood.

Alaska is a distant region selected for their homes by 206,000 Americans.

It is time we extended the vision Polk displayed in his day to Alaska in our day.

Therefore, I close with the sincere hope and plea that the Senate will proceed to pass favorably upon the bill and send it on its way to the White House for signature by the President.

Mr. CHURCH. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. CHURCH. First, I wish to say that in the address the Senator from Oregon has just made in support of Alaskan statehood, he has displayed the farsightedness that is typical of him in connection with matters of great legislative consequence.

I should like to ask him whether it is true that when Oregon was admitted to the Union in 1859, the territory which

lay between Oregon and the States of the Union to the east was a vast area of mountain land and prairie land that made Oregon so remote from the body of the States to the east that the Republican delegates who were to attend the Republican National convention could not even reach the convention, and had to be represented there by proxy; and one of the proxies—if I correctly recall—was Horace Greeley.

So, if my historical references are accurate, I wish to ask the Senator from Oregon whether he agrees with me, that, judged by reasonable, practical standards, when Oregon was admitted to the Union, she was much more remote and much more noncontiguous, as regards the States to the east, than Alaska is today, in relation to the present 48 States.

Mr. MORSE. First, I wish to say that I appreciate very much the Senator's personal reference, because my regard for the Senator from Idaho is such that any compliment from him is deeply cherished by me.

His statement of facts in regard to what happened to the Oregon delegation to the Republican National Convention is correct.

Mr. President, I shall not begin to discuss Oregon history now; but if I did, I could tell some very interesting stories about what happened to some of the early Oregon Members of Congress. Some of them had to travel all the way around Cape Horn. In fact, I have in my office a cedar chest which belonged to Oregon's third Senator, which he used to ship his papers from Oregon to Washington, and then back to Oregon, around Cape Horn. He left, for the historic records of our State, some very interesting accounts of some of his trials and tribulations.

Neither shall I say anything at this time about the problems of Col. Edward D. Baker, one of Oregon's United States Senators during the Civil War period. During his term as Senator, he really was Lincoln's floor manager in the Senate. While serving as Senator, he continued to serve in the United States forces, and was killed at the battle of Ball's Bluff. He, too, has left some very interesting accounts in regard to the problems involved in traveling between Oregon and the seat of the Federal Government.

Let me say that the Senator from Idaho is quite correct; namely, Oregon then was much farther removed—on the basis of the so-called noncontiguity argument—than Alsaka is today, in the present time and age. After all, today Alaska is not far distant from any part of the United States; only a few hours are required to reach it from any part of the Nation.

I wish to thank the Senator from Idaho for his very worthwhile contribution to my remarks.

Mr. CHURCH. Let me state that I am in complete agreement with the remarks of the Senator from Oregon. In terms of the concepts of 20th-century living, Alaska is certainly no farther from this Chamber than the telephones in the cloakrooms; and by airplane one can reach Alaska from Washington more quickly and with less danger than one could reach Philadelphia from Washington when Thomas Jefferson took the oath of office as the third President of the United States.

Mr. MORSE. Mr. President, the Senator from Idaho is entirely correct.

Mr. President, I yield the floor.

Mr. CASE of South Dakota. Mr. President, before the Senator from Oregon yields the floor, I should like to have him yield to me, for I desire to ask several questions.

Mr. MORSE. Very well; I yield.

Mr. CASE of South Dakota. First, let me say that I think it is recognized by all that the distinguished Senator from Oregon is not only a former teacher of law, but also is a student of law and of the Constitution. I should like to ask him several questions in regard to the constitutional questions which have been raised here.

First of all, I note that at page 36 of the bill, section 29 includes the language which customarily is referred to as the separability clause. It provides that if any subsection, sentence, clause, phrase, or individual word is held invalid, the validity of the remainder of the act is not to be affected thereby.

Under that section, does the Senator from Oregon feel that the constitutionality of the act as a whole would be protected even if the Supreme Court were to find some subsection, sentence, clause, phrase, or individual word to be invalid?

Mr. MORSE. In my opinion the answer is "Yes," with this qualification: In the interpretation of separability clauses, there are decisions which hold that if the unconstitutional part is the very essence of the bill itself—that is to say, if what is left are only inconsequential matters, and if the very heart of the bill is held unconstitutional—then, in those rare cases, the entire law falls.

But in my judgment in this particular case the doctrine of separability in relation to that clause would protect the bill, because the particular part about which questions of constitutionality have been raised could, in my judgment, be dropped out by the Supreme Court—if we were to assume that the Court were to take that position; and in a moment I shall comment on that point—and the great body of the bill would still remain, and would be sustained by the Court.

Now I wish to say that in my judgment I believe the Court would sustain the entire bill.

Mr. CASE of South Dakota. Mr. President, I appreciate that answer.

The next question I wish to address to the Senator from Oregon is this: Section 10, to which attention has been directed by reason of the possible creation of national-defense withdrawals, recalls to my mind the fact that in the organic act and compact between South Dakota and the United States, the Congress provided for the cession of jurisdiction of military reservations and Indian land. That is a part of that organic act, and it is also a part of the South Dakota constitution.

Since that cession of jurisdiction of the military reservations and the Indian reservations has never been held unconstitutional and, in fact, since many actions have been predicated upon the fact that jurisdiction was ceded thereby, is there in section 10 any provision which the Senator from Oregon believes would be inconsistent with that precedent, so to speak, of the cession of jurisdiction, inasmuch as in section 10 the area which might be withdrawn is definitely defined?

Mr. MORSE. My answer is "No." I think the Senator from South Dakota has just made an argument by analogy that would stand the test in the Court.

I would also refer to some of the reservations which have been made in the past in regard to compacts affecting forest lands.

Mr. CASE of South Dakota. I thank the Senator from Oregon.

Mr. KEFAUVER obtained the floor.

Mr. COOPER. Mr. President, will the Senator from Tennessee yield to me? I wish to ask some questions of the Senator from Oregon before he leaves the Chamber.

Mr. KEFAUVER. Let me ask whether the questions will take a long time.

Mr. SMATHERS. Mr. President, I would ask the Senator from Tennessee to proceed, because other Senators are anxious to ask him to yield in connection with another matter; and I believe it is as urgent for us to conclude our remarks as it is for the Senator from Kentucky, for whom we have great affection.

Mr. COOPER. I appreciate that. However, I should like to ask the Senator from Oregon some questions before he leaves the Chamber.

Mr. KEFAUVER. I yield for that purpose.

Mr. COOPER. Although I wish to extend every courtesy to my friend, the Senator from Florida, nevertheless I believe it important to ask these questions in regard to the Alaskan statehood bill before the Senator from Oregon leaves the Chamber.

Mr. MORSE. Certainly we are making very important legislative history.

Mr. KEFAUVER. Mr. President, I must say that I called the Senator from Florida from another engagement. So I feel badly about detaining him for very long. However, I am sure he understands the situation. Therefore, I yield.

Mr. COOPER. Mr. President, let me say to the Senator from Tennessee that my questions will not take long. I should like to ask a question now because of the question raised by the Senator from South Dakota. I know the Senator from Oregon, being the lawyer he is, understands and distinguishes this point. The Senator from South Dakota spoke of a situation in which, I assume, at the time of the formation of the State, or in the enabling act itself, there were reserved specifically certain areas in which Federal jurisdiction would be supreme, or at least would have concurrent jurisdiction. I know that has been done, is done, and is perfectly proper.

This is the point I am making, and I have been interested in it during the debate: Section 10 does not provide for such a situation. In section 11 there is a specific provision that those areas which

are reserved and designated as reserved by the United States—and I read from section 11, on page 25:

In all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are owned by the United States and held for military, naval, Air Force, or Coast Guard purposes.

On the same page the bill specifically reserves the jurisdiction of the United States, and in some cases provides for concurrent jurisdiction.

That is an entirely separate section.

Mr. MORSE. That is true.

Mr. COOPER. It seems to me section 10 deals with lands which go directly to the State. Then there is an attempt at a later time to assert jurisdiction.

As I stated earlier in the day, I am not particularly interested in the constitutional argument merely as an argument. Without question, the Court might hold section 10 to be unconstitutional and strike it down, and it could do so without affecting the entire act, under the circumstances which the Senator from Oregon has pointed out.

My interest in the question is as follows: If the Department of Defense asserts that section 10 is essential because it would enable the Department of Defense and the United States Government to have a certain facility, a holding in those lands and a reaching into those lands for the purpose of defense, and if the case of the Department is predicated upon that factor, and if it states that the defense of the United States and Alaska is predicated upon holding section 10 in the bill, my question is, If that section should not stand, what would be the position of the Department of Defense as to the security of the country?

Mr. MORSE. I wish to make two points, very quickly. I shall be very brief. I think the distinction which the Senator from Kentucky has drawn between section 10 and section 11 is a very sound distinction; but it does not follow that because in section 11 these particular areas are specifically mentioned and complete jurisdiction of the reserve is given to the Federal Government, the arrangement in section 10 would not be upheld by the Court.

I have two reasons for that statement. First, I think it can be said it amounts, in fact, to entering into a compact with Alaska at this time; that the very bill itself creates the compact; and, in connection with the other type of compact to which the Senator from South Dakota [Mr. CASE] referred, the Court would find they were sufficiently parallel to lay down the same rule of law.

I think I can hear the Court say—although we lawyers know how dangerous it always is to predict in matters such as this—that "This is a compact with a condition subsequent attached thereto, and if that condition arises, then such and such legal results will flow, and if it does not, the compact will stand as written in the bill."

I do not think section 11 in any way weakens the constitutionality of section 10 simply because in section 11 the bill specifically reserves certain sites and provides that over those sites the Federal Government shall, for all time, have jurisdiction.

The court may prove me to be wrong, but I summarize my views by saying I think the court can very well hold that section 11 sets up a compact with a condition precedent, which brings the Department of Defense into the picture, and if the Department of Defense thinks the land is necessary, the terms of the compact are legal and are to be sustained.

FOUR DAYS TO JULY FIRST

Mr. KEFAUVER. Mr. President, what the steel industry has been doing in recent years is a little difficult to reconcile with the full spirit of free competitive enterprise. In its efforts to maximize returns and guarantee itself against losses, it has constantly enlarged its unit profits. This is indicated by the following figures of United States Steel Corp. on net profits after taxes per ton of steel products shipped: During the 1940's excluding the war years United States Steel's net profits per ton averaged $6.78. In 1952 they were $6.80. Thereafter they began a steady and uninterrupted rise, reaching $9.15 by 1954, $14.56 in 1956 and $17.91 in 1957.

A firm's total profits—and this is particularly true of steel companies—are determined not only by the margin between cost and prices, but also by the level of production. Since production fell off for the industry as a whole between 1956 and 1957—the operating rate falling from 90 to 84.5 percent of capacity—some decline in steel profits was almost inevitable. What is surprising is the extent to which they have held up, despite the weakening of the market. An extreme example is the case of Jones & Laughlin Steel Corp., which, between 1956 and 1957, suffered a decline in its percent of capacity operated from 97 to 88 percent; yet its net profits after taxes actually rose from $45.1 million to $45.5 million. Youngstown Sheet and Tube had a decrease in its operating rate from 94 to 82 percent; yet its net profits remained virtually unchanged at $43.2 million in 1956 and $42.5 million in 1957. United States Steel Corp., it happens, had exactly the same operating rate in 1956 as in 1957—85.2 percent; yet its profits rose from $348 million in 1956 to $419 million in 1957—an increase of 20 percent. Bethlehem Steel Corp. had about the same operating rate in both years, 91.6 in 1956 and 93.3 in 1957; yet its net profits rose from $161.4 million in 1956 to $191.0 million in 1957—an increase of 18.3 percent.

With profits showing a substantial increase while production remained relatively unchanged—as was the case of United States Steel and Bethlehem—or showing no decline in the face of a decrease in production—as was the case of Youngstown and Jones & Laughlin—the inescapable conclusion is that the increase in prices has been substantially more than the increase in costs.

Mr. President, the steel companies would have a greater opportunity to make even more substantial profits—and I, for one, want to see them prosper—if they would follow the system which is the key to free enterprise—that is, ever-increasing efficiency, ever-increasing production, and lower unit costs. It is axiomatic that companies which reduce their prices, but increase production, may have lower unit costs, but, through increased production, can make greater overall profits. The results are good for the consumers, good for the workers, and good for industry in general. In other words, this would be a prime example that what is good for United States Steel is also good for the country.

The need for intervention by President Eisenhower and a real effort by the Federal Government to avert a steel price rise should be manifest. We are interested, Mr. President, not simply in averting a steel price increase July 1, July 7, or September 7, but also in averting in this country at this time another dose of inflation which the increase would bring about and which would be ruinous. If the Government is to act it must act before July 1. There remain only 4 more days.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. KEFAUVER. I am happy to yield to my distinguished colleague from Florida.

Mr. SMATHERS. Mr. President, I commend the able Senator from Tennessee for his tireless, persistent and courageous fight to try to hold the line on steel prices. I think it is to be regretted that this particular effort on the part of the Senator and his committe has not received more attention. I can think of nothing more necessitous to the strength of the economy today than what the Senator is endeavoring to do, which is to hold the price of such a basic commodity as steel. Certainly every one of us recognizes that if the steel industry raises its prices such action will react like a stone dropped into a lake. The ripples will carry clear to the shoreline. Everything thereafter will have to have a price rise. We all recognize what ruinous inflation would be brought about for our Nation.

A few days ago we passed on the floor of the Senate a bill to take the excise tax off certain freight transportation. One of the purposes of doing so was to try to help the railroads and motor trucks, so that they in turn would order more steel from the various steel companies to whom the able Senator from Tennessee has referred. From these additional orders certainly the profits should be as large as, if not larger, than previous profits.

We can certainly say there is no justification for the steel companies at this time to raise prices, particularly in light of the fact that, with our transportation system improved and strengthened, the steel industry will be the greatest beneficiary of the legislation passed by the Congress in recent weeks. Certainly the steel industry will be a greater beneficiary than any other industry.

The steel producers are leaders in our free enterprise system, so they say. The steel executives talk about that a great

deal. The leaders of the steel industry say the industry must be preserved. I have heard the presidents of companies engaged in that industry speak before certain committees about the importance of not having nationalization of the transportation system, at the same time implying there should be no socialization of any industry.

The steel industry now has an opportunity to demonstrate real, constructive leadership by resisting this desire—the desire, it may be said, for a little greater profit—which if it is not resisted will result in great detriment to the entire American economy and will in time endanger the whole free-enterprise system. Therefore, if the steel industry wants to make a real contribution to the strength of our economy, and certainly the system of free enterprise, I hope the leaders of the industry will listen to the very sensible appeal being made to them by the able Senator from Tennessee who, as I said earlier, has consistently pointed out the evil which will result if in the next few days they yield to the natural desire, which we all have, to get a little bit more profit, and raise their prices. Let us hope the steel industry will heed the wise voice of the able senior Senator from Tennessee, because in so doing I think they will strengthen the steel industry over the long pull and at the same time strengthen the entire economy.

I concur with all the Senator has said and I associate myself with his remarks.

Mr. KEFAUVER. I thank the Senator from Florida very sincerely. He has made a statement which is important, which should and will be appreciated by the business people of our Nation as well as by the consumers. The Senator's statement contains good counsel to the steel companies themselves.

The Senator from Florida is known to be fair to business of all segments and to the consumers. His statement, based upon a recent study bearing upon this issue, is of great importance. The Senator has given an example of what I have been trying to stress in my statement. With the small amount of assistance which has been given to the railroads with respect to excise taxes and with the passage of the Smathers bill giving the railroads a minimum amount of assistance, the railroads ought to be able to buy substantial additional amounts of steel. However, if the price of steel goes up the railroads of course will not be able to buy so much. That will mean the steel companies will not have as much business and will not be able to operate their plants so close to capacity. Then there will continue to be a large number of people out of employment.

Mr. SYMINGTON. Mr. President, will the Senator yield to me with respect to that particular subject?

Mr. KEFAUVER. I am happy to yield to my colleague from Missouri.

Mr. SYMINGTON. Mr. President, I should like to associate myself with the remarks of the able Senator from Tennessee and also those of my distinguished colleague from Florida.

It was not too long ago when I read some figures which indicated that for every citizen in the United States 1,250 pounds of steel were poured annually, and that the second most used metal at the time was copper, though now copper has, I believe, been passed by aluminum, and only 28 pounds of copper were produced per annum per citizen. Those figures show how important is the steel industry to the entire economy. The steel industry is the base of any industrial complex in the world today.

Mr. President, recently I read a speech delivered by the chairman of the board of the United States Steel Corp., which is by far the largest steel company in the free world. In that speech the president of the United States Steel pointed out some of the problems of the steel industry and of the economy in general. He blamed a great deal of the troubles of the steel industry and of the economy generally on the price of labor.

I remembered, in reading the speech, however, that in the first 6 months of 1957 the steel industry made more money after taxes than ever before in its history, and it celebrated that fact by raising the price of steel for the second half of 1957 by some $6 a ton. Having remembered that, my admiration for the talk was somewhat tempered, especially with respect to the criticism of labor.

Do I correctly understand from my distinguished friend, who has done so much in this field, that it is now planned to further raise the price of steel, in spite of the present recession, much of which may well have been brought on as a result of the action of the steel industry and other large industries in 1957?

Mr. KEFAUVER. First, let me say that I am glad to have the views, and I know the public is glad to have the views, of the distinguished Senator from Missouri, who has had a great deal of business experience himself.

Some weeks ago it was rather definitely stated by the steel companies that they expected to raise prices by some amount on July 1, at which time the steel workers' contract called for an automatic increase in wages.

I am happy to report, however, that United States Steel has now taken the position it is going to look the matter over and has not made a final decision. Mr. Hood and Mr. Blough say they are not going to attempt to change prices until the situation is clarified, the timing of which they cannot foresee.

The important bearing an increase of steel prices would have upon the public, the important bearing it would have upon the economy, and the fact that it would set off another wave of inflation which would be harmful to the whole Nation, including the steel companies in the long run, has apparently caused Mr. Blough, chairman of the board, and Mr. Hood to stop, look, and listen.

I congratulate them for taking another look.

However, a few days ago it was announced by a small company, the Alan Wood Co., that it intends to raise its price. It is a small producer. It is certainly to be hoped that this is not a signal for everyone else to follow this small company. If United States Steel shows a proper regard for the economy by holding the line, and if the Bethlehem Steel Co. does likewise, we should be able to get by without an increase in the price of steel. The point of view expressed by the Senator from Missouri will be very helpful in this connection.

I wish to comment upon a question raised by the Senator from Florida [Mr. SMATHERS] in connection with the railroads. He has fought a great fight to help the railroad industry, many segments of which are in trouble. It is a vital industry.

One trouble seems to be that the rates which the railroads have had to charge have gone up and up, of necessity, until in some places they appear to be reaching the point of diminishing return. If the price of steel is increased, a greater financial burden will be placed on the railroads, because of the cost of steel in engines, and in all the equipment they must buy. Might not that situation negate to a considerable extent the relief which Congress has afforded through the bill sponsored by the Senator from Florida, as well as the repeal of the transportation tax?

Mr. SMATHERS. I answer the question of the Senator from Tennessee in the affirmative. If the steel companies raise the price of steel, and the railroads, in turn, have to pay more for everything they use, obviously the tax benefit will disappear. Actually, the railroads did not get the tax reduction, but the fact that the transportation tax was eliminated will help them get more business. If, however, in turn, they must sustain additional expense in the operation of their business and in the purchase of new equipment, the situation is like that of the dog chasing its tail. We will have actually done very little for the railroads.

The whole transportation industry needs a breathing spell with respect to increased prices. The railroads do not like to see their costs increased. They have been forced to raise their rates to such an extent that they do not appeal to the shippers. The shippers are hunting other means of transporting their goods.

The only way the railroads can get back into business is to have some relatively fixed costs, for a little while, at least. If the steel companies increase their prices on everything the transportation system needs, we might say that the Congress has wasted its time this year in trying to help the transportation system, because it can be destroyed almost overnight by the action of the steel companies in raising prices.

Mr. KEFAUVER. I am certain that the expressions of the Senator from Florida and the Senator from Missouri will have a great impact on those who have to do with the operation of our economic system. I thank the Senator from Florida and the Senator from Missouri very much.

In conclusion, let me say that what I have been urging is that the President of the United States call in the heads of the principal steel companies, particularly United States Steel and the head of the union, Mr. McDonald, president of the United Steelworkers, and ask them, in the interest of the country, to make some

concessions or postponements in order to be able to hold down the price of steel in the national interest—not merely for a week or a month, but for a long enough time to enable the Nation to get back on its feet.

I sent Mr. Blough and Mr. McDonald a telegram asking what their attitude was. The answers to my telegram appear on page 11223 of the RECORD of yesterday.

It will be seen from those answers that they do not close the door on a meeting. They do not close the door so far as concerns their willingness to make some concessions or adjustments on both sides, in order to hold the price line. Mr. Blough and Mr. Hood, of United States Steel, have postponed a decision until the situation clarifies.

Mr. McDonald, in his telegram, while saying that the last price increase was not necessary because of the wage increase, and that the proposed increase would not be necessary, says that he has been urging the President to create a top-level committee from industry and labor to consider the problems, including inflationary prices. So they both indicate a willingness to cooperate. I hope that in the interest of some permanent holding of the line the President will act while there is still time.

I shall have more to say in a statement tomorrow, in the event the Senate is not in session, through the mediums of communication, with reference to these telegrams, and the fact that, impliedly, at least, those who wrote them indicate a willingness to meet for the purpose I have been discussing.

This is important. We cannot stand another round of inflation. We have an opportunity to pull out of the recession if we can hold the line. Holding the price line in steel, as has been pointed out, is essential, for steel is the chief regulator of our entire economy.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. SYMINGTON. It is my conviction that making Alaska a State will strengthen our national defense.

Apart from other reasons which cause me to favor statehood for Alaska, it will increase our Nation's security.

Certainly there could be no difference of opinion among any of us as to the importance of bolstering our defenses, in the world we face today.

There are—as we all know—differences of opinion as to how our national defense should be strengthened—the size of our military budget, and how that budget shall be expended.

But admitting Alaska to statehood will involve no budgetary problem. In fact, granting Alaska statehood will have the unique advantage of strengthening our national defense without additional expenditure.

There is no disagreement among our military experts about the value of Alaskan statehood to our national defense. In fact, there is unanimity among them on this subject.

Statehood for Alaska is supported by President Eisenhower, Commander in Chief of our Armed Forces.

Statehood for Alaska is also supported by Gen. Nathan F. Twining, Chairman of the Joint Chiefs of Staff.

General Twining is uniquely qualified to speak on Alaska's value to national defense, having served as commander in chief of the Alaskan Command from 1947 to 1950.

It was during this period that the cold war was gathering headway, and the great danger to our Nation from a potential aggressor just across Bering Strait was beginning to be more fully appreciated.

Testifying before the Senate and House committees holding hearings on the bill now before us, General Twining said:

> As students of the history of bills favoring statehood for Alaska are aware, I testified in 1950 that I, personally, was in favor of statehood.
>
> At that time, I was commander in chief of the Alaskan Command, and I spoke on the general proposition of statehood, as distinct from the provisions of any Alaskan bill as such.
>
> My personal views that statehood should be granted when the time was ripe have never changed. I am happy, therefore, to be able to say, in my official capacity, in this month of March 1957 that, in my opinion, the time is ripe for Alaska to become a State.

As we go back to the previous hearings on Alaskan statehood, we find unvarying testimony of the military experts who appeared before our committees in favor of statehood. None took a contrary view.

In World War II Secretary Patterson was successively Assistant Secretary of War, Under Secretary of War, and Secretary of War. In these three executive positions, he served from July 31, 1940, until after the termination of World War II and well into the beginnings of the cold war.

Judge Patterson felt so strongly the value of Alaskan Statehood to the national defense, that, after returning to private life he communicated directly with the Chairman of the Senate Committee on Interior and Insular Affairs, the distinguished junior Senator from Wyoming [Mr. O'MAHONEY], who was conducting hearings on Alaskan Statehood.

This is what Judge Patterson wrote:

> I strongly support the passage of the Alaska statehood bill.

Judge Patterson continued in part:

> I am thinking back to those anxious days in 1942, 8 years ago, when the Japanese threat to Alaska was one of our gravest concerns. We had lost command of the Pacific for the time being. Our route to Alaska by sea—and we then had no other access—was uncertain.
>
> The Japanese had seized Attu and Kiska in the Aleutians, and no one knew what they would try next. * * *
>
> It was brought home to me at the time that our chief difficulty in defending Alaska was the problem of supplying military forces there. It would do no good to place troops there if they could not be maintained, kept equipped, and moved from place to place. A solution to supply problems in Alaska was the key to success in defense of the United States against attack from the northwest.
>
> Alaska was not lacking or deficient in most of the raw materials needed for supply of military forces. It had timber, minerals, petroleum. What was lacking, what was deficient, was the population to develop the available resources. The Territory was so thinly peopled that the resources in the soil could not be converted into useful products save on the most meager basis.
>
> Five years later, in 1947, the War Department made an intensive study of Alaska defense under cold war conditions. There was general agreement that the defense of Alaska was vital to the defense of the United States. * * *
>
> What was true in 1942 and 1947, is true in 1950.

Let me interject it is even more true in 1958.

A final quotation from Secretary Patterson:

> The granting of statehood to Alaska, I am certain, will stimulate the growth of population, will promote utilization of resources, and will strengthen the national defense.

Other outstanding military figures who endorsed Alaskan statehood were, General of the Army Douglas MacArthur, Fleet Admiral Chester Nimitz, and General H. H. (Hap) Arnold, the first two were the two great leaders on land and sea of our victory in the Pacific.

Again, statehood for Alaska is approved, endorsed, and urged by every military leader, including the present Commander in Chief of our Armed Forces.

We have military bases all over the world, built at great cost. They are calculated risks we have felt it necessary to take.

How certain are we that those bases on foreign soil are completely secure against changes of government?

How sure are we that they may not be built on the quicksands of internal revolt, incited uprising, sabotage, subversion, and intrigue? There is evidence thereof in the Middle East right now, and, I may add, in other parts of the world also.

But what we build in Alaska is on our own American soil.

What we build in Alaska is built in the midst of American citizenry.

What we build in Alaska is founded on a bedrock of loyalty and patriotism.

It is my opinion that the admission of Alaska to statehood is in the interest of the security of the United States.

Mr. LONG. Mr. President, those colleagues who preceded me in speaking for the pending bill have given many compelling reasons why Alaska should become a State. Those reasons have impressed me and I certainly share the views of those who gave them utterance.

Therefore, Mr. President, in the interest of conserving the time of this body, I shall confine my remarks to the paramount reason I shall vote for this bill: Briefly, that reason is my deep conviction that its passage is vital to the best interests of the United States. This includes, certainly, the States of my native Southland.

I am, of course, aware that this latter belief is not universally held by my southern colleagues. Those who oppose Alaska's admission do so, I am sure, because of honestly held convictions that are contrary to my own. These colleagues also seek the best interests of

the Nation, and, for that reason, I am hopeful that the facts brought out in this debate will enable many of them conscientiously to cast their votes to create the 49th State and thus help the United States become physically and spiritually a bigger, finer Nation.

That Alaska, the State, would make us a bigger, stronger Nation in a physical sense would appear hardly open to question. The indissoluble bonds of statehood would expand the size of the United States proper by 20 percent—for the land area of Alaska is greater than the combined areas of our three largest States of Texas, California, and Montana. It is more than 12 times the size of my home State of Louisiana.

Under statehood the Nation's sinews will be substantially strengthened by the development of this huge storehouse of natural resources—resources which, for the most part, have lain wastefully dormant for almost 100 years because of the limiting restrictions of territorialism and Federal ownership of 99 percent of this immense area.

Alaska contains, for example, more standing softwood timber than do the 48 States combined and, properly utilized on a continuing yield basis, it is estimated that she, alone, could supply the pulpwood needs of almost half of the Nation.

Alaska contains 31 of the 33 minerals on our critical materials list. In addition to those which are already known, vast deposits of petroleum, natural gas, and other precious minerals are believed to be awaiting only unhampered geological survey; and her swift, unharnessed rivers cry out for hydroelectric development.

These and many other resources will blossom into usefulness to the entire Nation—just as they have in every new American State—as soon as the shackles of territorialism have been stricken from the limbs of this fettered giant.

With the coming of statehood, Alaska will attract tens of thousands of young, eager, energetic Americans who will soon transform this vast underdeveloped land into a robust, productive, and useful member of our family of States. But, Mr. President, it requires no crystal gazer to envision those developments; the blueprint for them is recorded in our past history:

California, when it became a State in 1850, had a population of 92,597; a decade later it contained 379,994 persons. In the census taken immediately prior to its admission, Washington Territory contained 75,116 people; 11 years after admission, the State of Washington's population had grown to 518,103. My own State's population more than doubled in the first 10 years of statehood despite the handicaps of language barriers, inadequate transportation and the intervening War of 1812.

These universal growth patterns following admission are available to anyone who will examine the census records. There is a unanimity to the pattern which will enable anyone to safely predict that Alaska, under statehood, will grow rapidly and become a great State. For, as Secretary of the Interior Seaton phrased it so well: "Statehood has never been a failure."

The fact that the development of Alaska's virtually untapped resources will enrich and strengthen the entire Nation, it would seem to me that on those grounds alone our own self-interests should entitle this bill to our enthusiastic support.

Mr. President, as each of us knows, the present century has seen, and will continue to see, a worldwide struggle in which more than half of our globe's peoples have been shaking off the chains of colonialism, and despotism, in an effort to acquire dignity and the equality of opportunity that are the rightful entitlements of all men.

If our own free democratic society is to survive, it will do so because we have convinced these newly emancipated peoples that they can better achieve their desired ends by adopting the political philosophies of the world's free peoples than by following the methods of communism.

And how will they judge our methods? Will it be by what we say we stand for or by what we show in our actions to be our true philosophy of government and of life?

Every Member of the Senate would be willing to literally lay down his life to thwart any attempt to deny to his State representation in the Congress, and to the people of his State, their God-given entitlement to themselves select the men who will govern them and administer justice for them.

If we of the Congress would look upon these hypothetical invasions of our fundamental rights as tyranny, are such acts any less tyrannical because they are inflicted upon another group of Americans 3,000 miles removed from Washington?

The men who founded our Republic certainly considered these to be acts of tyranny; we would ourselves so brand them were they visited upon us; and you may be sure that Americans in Alaska and the thinking people of the world so consider them to be today.

Ever since I first became interested in the Territories quest for statehood, I have marveled at the remarkable patience and patriotism of the people of Alaska and Hawaii in the face of inequalities, injustices, and unkept pledges. But how long can we expect even exemplary patience to last?

Mr. President, as most of our presences here attest—for almost three-fourths of us are from States that were added to the original 13—our Founding Fathers not only cherished freedom themselves, they earnestly desired to share it. For they fully understood that God has reserved the supreme enjoyment of His most precious gifts for those who share them with others.

Thus it was, Mr. President, that our infant Nation in its first acquisition of other lands and peoples incorporated this philosophy into the Treaty of Cession with Napoleon. Permit me to refresh our memories on the Louisiana Purchase, article III of which reads as follows:

> The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible * * * to the enjoyment of all the rights, advantages, and immunities of citizens of the United States.

That this language constituted an unequivocal pledge of statehood for the inhabitants of the ceded territory was never seriously questioned.

How else, indeed, could such a specific pledge have been interpreted? For until statehood came, American territorials—then as now—were without these fundamental rights of American citizens: they were without voting representation in the Congress; they could not choose their own governors and judiciary, all of whom then—as now—were the arbitrary political appointees of a President the people had no voice in selecting. Then—as now—their equality of citizenship consisted of the right to pay the same taxes the Federal Government imposed upon citizens resident in its member States.

When the Louisiana Purchase Treaty came before the Senate for ratification, the bitterest attacks upon it were made by those who objected to the clear-cut promise of statehood made by article III. It was Senator Breckenridge of Kentucky who best expressed the sentiment of the favoring majority; in part, he said:

> Is the goddess of liberty restrained by water courses? Is she governed by geographical limits? Is her dominion on this continent confined to the east side of the Mississippi? So far from believing in the doctrine that a republic ought to be confined within narrow limits, I believe, on the contrary, that the more extensive its dominion, the more safe and more durable it will be.
>
> In proportion to the number of hands you entrust the precious blessings of a free government to, in the same proportion do you multiply the chances for their preservation. I entertain, therefore, no fears for the Union, on account of its extent.

After ratification of the Louisiana Purchase Treaty, only one part of this immense area possessed sufficient population to make it an early candidate for statehood: the area then known as Orleans Territory and now the State of Louisiana.

Significantly indicative of the interpretation our new fellow Americans in the Louisiana Territory placed upon Article III is this fact: Fourteen months following ratification of the treaty, a delegation of Louisianians from the Orleans Territory were in Washington petitioning the Congress to make good the pledge expressed in the treaty.

This delegation consisted of Messrs. Pierre Derbigny, a prominent New Orleans scientist, and Jean Noel Destrehan and Pierre Sauve, planters.

An article in the initial volume—No. 1, volume 1—of the Louisiana Historical Quarterly from which the foregoing information was gleaned, concludes with this significant statement:

> Derbigny, Destrehan, and Sauve had not made their journey in vain, for although it was to be several years before the Orleans Territory entered the Union as a State, the memorialists had obtained a promise of admission upon the fulfillment of certain definite conditions.

Admission became an accomplished fact in 1812—only 9 years following ratification of the Treaty of Cession.

Mr. President, the examples cited are, I believe, a reasonable representation of the veneration our early predecessors in the Congress had for our Nation's pledged word. Too, I believe it also presents a fair picture of their thinking on the expansion of our union; most of them, obviously, believed that we could best preserve our freedom by sharing it with those who had demonstrated a desire and a capacity for it.

Here, Mr. President, is the language of Article III of the Treaty of Cession with Russia by which we acquired Alaska in 1867:

> The inhabitants of the ceded territory * * * shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States.

As with the Louisiana Purchase Treaty, there is no equivocation of language here; it makes the same pledge in almost identical language—and that pledge is statehood. For only through statehood can we confer on a people "all the rights, advantages, and immunities of citizens of the United States."

It is, I believe, to our great discredit that we have permitted the passage of almost a hundred years—and of three generations of Alaskans—with that solemn promise still unfufilled.

Mr. President, I am persuaded that those earlier statesmen who occupied this Chamber, and, who so promptly redeemed the pledge of statehood given Louisiana, would not have accepted as valid the reasons that have been given for denying statehood to Alaska for 91 years.

Noncontiguity? If in horse-and-buggy 1867 Alaska's noncontiguity was not considered a barrier to eventual statehood by the men of this and the other body who endorsed the treaty with its specific pledge of statehood, does it not appear to the world as an incongruity for us to use noncontiguity as an excuse for further delay in this day of fast ships, planes, and a through highway to Alaska?

Population? It is estimated that the 1960 census will show Alaska to possess a population in excess of a quarter million. When my own State was admitted in 1812, it had a total population of 75,556 persons, more than half of whom were slaves and Indians. And as for the other half, most of them could not even speak the English language.

So, my colleagues, let us be done with delay and injustice; with being cast in a role as regards Alaska that can only reflect discredit upon us and upon our Nation.

Statehood bills have been before every postwar Congress; the amount of time they have consumed has been enormous. Yet, as surely as there will be an 86th Congress, each of us knows that unless we pass this bill it will reappear again next year, and each year thereafter, until the Congress redeems our Nation's pledge. Those of us who feel deeply about this injustice will see to that.

Perhaps in the opinion of some, the bill before us is not perfect. Few bills are. Doubtless it could in some respects be improved upon. But, Mr. President, to do so would, as everyone knows, again place the measure in jeopardy when it would go before the other Chamber. Therefore, Mr. President, with every ounce of earnestness at my command, permit me to urge not only prompt passage, but that the bill should not be amended in the Senate.

Mr. President, if by our actions we make possible the creation of the 49th State, we have more than the inner satisfaction which comes from knowing that we have helped right a wrong of long standing. We will have demonstrated to the world that ours is still a young and growing Nation whose continuing growth is fed neither by conquest, intimidation, nor subversion, but rather is the result of voluntary union by peoples who share a common heritage and a common political philosophy.

When Alaska thus becomes our 49th State—I am confident that each of us whose vote and actions helped bring it into being will be pleased and proud of his handiwork, so long as he shall live. For with all my heart I share the convictions of those who believe that Alaska's admission will make these, our United States, a finer, freer, happier, and safer place for ourselves and for our posterity.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. KEFAUVER. I have heard a great many speeches on Alaskan statehood, but the brief address of the Senator from Louisiana is one of the strongest and most appealing and impressive arguments I have ever listened to on this subject. He has stated his convictions from his heart in forceful language. I congratulate him on it.

Mr. LONG. I thank the Senator very much.

I have always regarded myself as a States' righter. I believe in the right of the people to make their own decisions and to govern themselves. Many of my colleagues claim equally to be believers in States' rights.

I myself do not see how anyone who claims the privilege of States' rights for himself and those whom he represents can consistently and repeatedly, over a long period of time, insist on denying to others, who are equally good American citizens, the rights which he so strongly insists that his own people should have.

Therefore, I believe that we who believe in States' rights, if we want to be consistent and true to our beliefs, should also favor statehood, because without statehood I am at a loss to see how States' rights could exist.

Mr. KEFAUVER. In my opinion, there is much logic in the statement of the Senator from Louisiana.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. DOUGLAS. I join with the Senator from Louisiana in expressing pleasure at the votes this afternoon on the question of the admission of Alaska to statehood. The size of the majority in each case indicates clearly, I think, that soon we shall be a Nation of 49 States. I commend the Senator from Louisiana for the very broad, statesmanlike attitude which he has taken.

Although I do not wish to introduce a discordant note into the happy harmony, I may say that, if I were to consider simply the narrow and short-run interests of my State, I probably would have voted against the admission of Alaska, because the admission of Alaska will still further increase the power of the small States in this body.

I think the power of the small States in the Senate is already excessive, and that we of the large States suffer very much from the fact that, although the 8 largest States have 40 percent of the population of the country, we have only one-sixth of the representation in the Senate, whereas the 8 smallest States with less than 4 percent of the population have 16 Senators. We pay the price for this in many respects.

Nevertheless, I think it is in the national interest that Alaska be admitted to the Union both on the ground of defense and citizenship. Since I believe that we are, first of all, representatives of the United States, and only secondarily representatives of the individual and specific States, I was happy to vote as I did this afternoon, and I shall continue to vote in this way in the rollcalls which are still to take place.

I wish, however, to offer a word of admonition to the advocates of Alaska statehood: Please do not push the big States too far. I think it is well to remember those lines from Measure for Measure:

> O, it is excellent to have a giant's strength; but it is tyrannous to use it like a giant.

So I hope that, when Alaska enters the Union, she will not use the great political power which we give her to make the citizens of the big States pay through the nose for uneconomical expenditures and appropriations.

I have my doubts, however, as to whether any group of Senators or Representatives can resist the local pressures which will inevitably be turned loose upon them. But despite the real fears which I have, I nevertheless think it is in the national interest that Alaska be admitted to the Union.

I can only hope that the representatives from Alaska and from the other small States, populationwise throughout the country, will similarly put the national interest first, and will not constantly ask us to be on the giving end, while they remain constantly on the receiving end.

Perhaps I should not have said this. Perhaps I have furnished arguments for the opposition. Nevertheless, I voted this afternoon from a real sense of conviction. I intend to keep to that course to the very end.

Mr. LONG. I express the conviction—and I believe it will be proved to be correct—that eventually Alaska will be one of the large States of the Na-

tion, not only with respect to size, but with regard to population.

Of this much I am certain: There can be very little growth of that vast Territory under the kind of government from which that area suffers and has suffered. Not only the area, but the individuals themselves have been very much neglected.

I believe it is quite possible that Alaska, like California, may become one of the great States of the Nation, rather than one of the small ones.

Mr. DOUGLAS. I hope that may be so.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. CARROLL. I could not help overhearing the remarks of the distinguished Senator from Illinois. It is entirely possible that if Alaska becomes a State and sends the proper Senators, they will accept leadership.

I think Illinois will not have only 2 Senators; in fact, it does not have only 2 now, because the junior Senator from Colorado votes most of the time with the senior Senator from Illinois. The Senators from Alaska, I feel certain, will do likewise. While it is true that under the Constitution Illinois has only two Senators, she in fact has many Senators under the able leadership of the distinguished senior Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from Colorado. In practically all matters our two hearts beat together, and we move in parallel courses.

Nevertheless, I think it is proper for those of us from States which have a preponderance of the population and the economic resources of the country, but which are nevertheless really in a submerged and almost conquered status, so far as this body is concerned, to utter our words of warning, even as we dutifully sacrifice our individual interests on the altar of the national interest, and to ask in return that others do likewise.

Mr. LONG. The great State of Illinois has representation far in excess of the average State in the Union. In fact, time and again I have gained the impression that a great portion—perhaps half—of the liberal leadership in the Senate is supplied by the senior Senator from Illinois; and in many instances, perhaps more than half of the conservative leadership is supplied by the junior Senator from Illionis [Mr. DIRKSEN]. Therefore, it seems to me that the great State of Illinois oftentimes leads the way on both lines of thought.

Mr. DIRKSEN. I accept the plaudit.

Mr. DOUGLAS. My colleague on the other side of the aisle is certainly a very able Senator. But when the roll is called, Illinois has only 2 votes, whereas Nevada, with a population, I believe, of 150,000 at present, also has 2 votes.

We know we cannot change this system of the equal representation of the States, because it is riveted into the Constitution. It is the one feature of the Constitution which cannot be changed. It is the price which had to be paid for union.

I am ready to dilute still further the little power we have, but I ask in return that the smaller States remember the sacrifices which we are making and that they do not push us too far.

Mr. CARROLL. Mr. President, will the Senator further yield?

Mr. LONG. I yield.

Mr. CARROLL. I think it is true that the big States have been very helpful in developing the West; but some of the States in the West—this is not true of Illinois—have been looked upon as colonies. Alfalfa Bill Murray, of Oklahoma, it was said, at one time looked upon the domestic scene as a giant cow, with its mouth feeding in the West, while the milk bag was in New York—not Illinois. I am certain that if that was true then, it is not quite so evident now.

If we appreciate the support which we have had for the development of the West, and we now give that support to Alaska, which is one of the last great frontier areas, then Alaska will make its contribution to Illinois and New York and to all the great financial centers of the Nation.

Mr. DOUGLAS. I do not wish to prolong the discussion; indeed, I had not expected that it would take the course which it has.

I have never personally been on the hind end of that cow which my good friend from Colorado mentioned. I had never noticed, however, when bills for irrigation, for waterpower development, for rivers and harbors, and other appropriations were considered, that the West was being milked by the big industrial States. On the contrary, it has been my distinct impression that the milking was the other way. While we are very happy to do the best we can to develop the West, we ask that not too much of our money be invested in projects which are not economic in nature.

Mr. CARROLL. Even a cow has to have its circulatory system bolstered.

Mr. DOUGLAS. I say to my good friend from the West that the States of the West have been given ample provender at public expense for a long period of time.

Furthermore, I wish to say to my good friends from the Tennessee Valley—and I see my dear friend, the senior Senator from Tennessee [Mr. KEFAUVER], in the Chamber—that I have voted, I believe, every time for the appropriations for the TVA, and have helped build up the TVA; and yet we see industries pass over Illinois and settle in the Tennessee Valley region because of the lower power costs for which we have voted.

I think I shall continue to support the TVA, because I believe it is good for the Nation—although not particularly good for my State of Illinois. But I merely say to our friends that if we support them, they should have some realization of our difficulties. There must be some reciprocity to this business.

Mr. LONG. Mr. President, I was pleased to see the Senate pass—and I certainly voted for it—the proposal to develop, at the expense of the Federal Government, the channels of the Great Lakes, so the great city of Chicago could become a port of call to oceangoing shipping. I want the Senator from Illinois to know that it was against my judgment that tolls were imposed on the St. Lawrence seaway. If he ever wants tolls to be removed from the St. Lawrence seaway, I expect to vote for that.

So we have several prospects of letting the Senator from Illinois know that we want the great State of Illinois to grow and prosper, just as we want Louisiana to grow and prosper.

Mr. DOUGLAS. Mr. President, our big problem, in the case of the great metropolitan centers, is the rotting away of the districts which radiate out from the centers of our cities and the consequent creation of slums. We are losing our tax base because of the migration of people and industries to the suburbs. We need urban renewal.

When the housing bill comes before the Senate, I hope our friends who represent other regions which we have helped will, in turn, realize our necessities and will help us to eliminate the slums, which are our esthetic, hygienic, and moral blight.

Mr. CARROLL. Mr. President, if the Senator will yield again to me, let me say that the Senator from Illinois has made a fine point in regard to the help the great cities need; and we should give it to them.

Mr. LONG. Mr. President, I yield the floor.

ORDER FOR RECESS TO MONDAY AT 11 A. M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the agreement entered into earlier today—namely, to have the Senate meet at 10 a. m. tomorrow—be vacated.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that when the Senate concludes its session today, it stand in recess until Monday, at 11 a. m.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I should like to make a brief announcement: It is the hope of the leadership that on Monday, immediately following the morning hour, the Senate will have before it the second of the points of order made by the distinguished senior Senator from Mississippi [Mr. EASTLAND], so it can debate that point of order, and can dispose of it shortly, I hope.

It is my understanding that the Senator from Mississippi has agreed not to offer the third point of order.

It is my further understanding that at the present time there is at the desk an amendment by the Senator from South Carolina [Mr. THURMOND].

To the best of my knowledge, no other amendment and no other points of order have been submitted to date.

We can expect the session on Monday to continue until a late hour; and we can expect the session on Tuesday to begin a little earlier.

It is the hope of the leadership that action on the Alaskan statehood bill can

China story. If crisis should come in India, along the lines of our troubles in Indonesia and the Middle East, I am sure the executive branch and the Congress will react and do what is then possible. But crises are expensive; and money is often of little help, once crises arise.

The challenge of India is the challenge of whether we as Americans have yet learned to act in foreign affairs on our opportunities, before crisis has closed in. We still have that chance in India.

Of course, we do not wish so to concentrate in one area that we forget about other nations and other problems. On the other hand, India is the largest area where the struggle between democracy and communism is now proceeding. Forty percent of the population of the underdeveloped areas of the free world lives in that nation. Their fate is poised in the balance. India could move forward or slip backward. India is a living concrete problem. Struggles are not won by invoking bureaucratic rules. They are won by those who face their problems and act with adequate resources at the right time. The right time in India is now, in the coming year.

I think I can assert with confidence that this body will respond to an affirmative program of action from the administration. The Indian people in turn have the assurance of the Senate that their economic stability and future progress is, and will continue, a matter of first concern.

STATEMENT BY SENATOR HUMPHREY

I desire to comment briefly on two points regarding the Mutual Security Act of 1958.

The first has to do with the method of calculating the percentage of the United States contribution to the United Nations Technical Assistance Program and related activities. The House provided a ceiling of 40 percent. The Senate followed the law enacted last year, which provided for a sliding-scale reduction to 38 percent in 1959 and 33.33 percent in 1960 and thereafter. The conference report, I am glad to say, follows the House version.

The conference report, however, leaves somewhat ambiguous the legislative history regarding the base on which the United States percentage is to be calculated. The House committee report on the mutual-security bill suggested that there should be included in the base contributions by recipient governments in the form of local cost assessments. These assessments are required to be paid into the central fund of the U. N. program and are subject to all the auditing and other requirements applying to expenditures from that fund.

The Senate committee report specifically rejected suggestions that these local cost assessments should be included in the base on which the United States contribution is calculated. The Senate committee declared that these assessments should not be used as a device to increase the United States contribution.

The law itself is silent on this matter, and I can only say that I personally hope the administration will follow the suggestion of the House Foreign Affairs Committee.

The second point upon which I desire to comment is the amendment which the Mutual Security Act of 1958 makes to Public Law 480. This amendment authorizes foreign currencies accruing under title I of Public Law 480 to be used "to collect, collate, translate, abstract, and disseminate scientific and techological information and to conduct and support scientific activities overseas including programs and projects of scientific cooperation between the United States and other countries, such as coordinated research against diseases common to all of mankind or unique to individual regions of the globe." In order to meet a point of order in the House, the conferees added language specifically requiring that foreign currencies be appropriated before they can be used for this purpose.

What I want to emphasize here is that this amendment to Public Law 480 is no idle gesture on the part of the Congress. I hope it will be taken by the administration, not merely as an authorization to engage in these scientific activities if they happen to feel like it, but as a congressional mandate that they are expected to do so. It is the clear intent of this section that the administration prepare plans for these activities and that it seek appropriations to carry out those plans.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AGREEMENTS BETWEEN THE UNITED STATES AND THE SOVIET UNION

Mr. KEFAUVER. Mr. President, there have been increasing signs both in the United States and in the Soviet Union of relaxing efforts toward a summit meeting. The brutal executions in Hungary which have pointed to a revival of Stalinism as an instrument of Soviet policy have been cited as a reason for having no meeting at the summit.

The Government-inspired demonstrations against our Embassy in Moscow and against other Western embassies have also been taken as reasons for giving up hope for an eventful meeting at the summit.

Now we have been notified that the Soviet Union has called off participation in a meeting of scientists, which was to explore the reliability of methods of detection of nuclear explosions. The Soviets called such a meeting useless.

The decision which has now been announced by the State Department to proceed with the meeting at Geneva on the scientific aspects of the detection of nuclear explosions is both wise and statesmanlike. Whether the Soviet Union joins in or not, we need to know what is possible to achieve in this field. I am confident that the day will come when the Soviet Union will deeply regret nonparticipation in this meeting.

It has been pointed out here also that a new lack of interest in a summit meeting on the part of the Soviet Union is demonstrated by the fact that the Soviet experts have put forward conditions which they know would not be acceptable to the United States and its allies.

On the other hand, almost precisely the same argument has been suggested in the Soviet Union itself about the United States.

It has been said also that Communist China believes in war as a policy, and since she must depend, in the event of war, on Soviet arms—particularly nuclear arms, since she has none of her own—she is discouraging a meeting at the summit in fear of such a meeting resulting in Soviet disarmament.

There have been statements made that the new Communist bloc attacks on Yugoslavia represent a withdrawal of the Soviet Union and its associated states into a tighter bloc behind a stronger Iron Curtain.

These speculations may prove true or not. But none of them, in my judgment, would warrant the United States in relaxing any efforts toward a fruitful meeting at the summit. As a matter of fact, even if some of these speculations prove to be true, efforts on our part to reach a summit meeting seem all the more advisable.

It has been said that no useful meeting between the heads of the United States and the Soviet Union would now be possible, for the reason that there would exist no grounds for mutual confidence.

I was not aware that this state called mutual confidence ever was expected at the summit meeting. It is perfectly clear that we are not going to have any agreements of the kind that we might make, for instance, with Great Britain, or even with Western Germany or Japan. In those cases there would be mutual confidence that agreements made would be respected.

The kind of agreements which can and should be made between the West and the East, as represented by the Soviet Union, will have to be agreements based, not on confidence, but on necessity. If confidence were all that was required, there would be no necessity of preparing, as we are preparing, for a system of detection for nuclear testing. It is because there is no mutual confidence that both sides are concerned with a system of testing. That does not mean, however, no agreement is possible.

There are throughout life necessary agreements between parties who hate, fear, and despise each other. But the necessities of life require such agreements to be made and kept. This applies just as well to agreements between nations.

Sworn enemies, as we all know, sometimes are capable of doing business with each other for the simple reason that the business is necessary to both parties. This is the case, I think, between the East and West.

The necessity for an agreement, or a series of agreements, is compelling. A state of mutual deterrence is a sort of agreement without an agreement. But the kind of weapons we have both developed and are developing are so supremely dangerous to the life, not only of all the large nations which might be involved in a meeting at the summit, but to all mankind, that we are required to exert our highest efforts to a lessening of the danger.

On the other hand, the cost of maintaining and developing weapons of the character now available is so tremendous that it is eating up man's substance and the substance of nations. We know, and we need not guess, that the economic pressures on the Soviet Union and the Soviet people are as great as or greater than they are on our own.

Secretary McElroy said at Quantico the other day that the defense budget for year after next would be about $2 billion higher than the $40 billion defense budget for the fiscal year which will begin July 1.

In the new fiscal year, we are now told, we shall have a Federal deficit on the order of $11½ billion. It seems obvious

that a deficit at least as great, and perhaps greater, is in store for the United States in the following fiscal year. We may get through next year without raising taxes once more, but we cannot go into a long period of large deficits without raising taxes. That ought to be clear to everybody.

The costs of our defense, as necessary as they have been, have now ruled out tax cuts of any considerable nature, and they are going to demand, before long, increases in taxation.

More than that, the enormous burden of defense costs is going to postpone, perhaps indefinitely, the capital improvements in our school system, our public health system, and many other fields where public investment needs to be made.

But what if it is true that the Soviet Union and its leaders, for reasons we can only guess at, have decided that there shall be no meeting at the summit? At least our continual pushing for such a meeting will take some of the burden off us that is on us now.

Our foreign policy was in a straitjacket for so long a time, and our reluctance to make any motions toward an agreement of any kind in any field has, at times, given the impression in the uncommitted world that we are either the warmongers the Soviet Union wishes to make us out, or we have no real interest in peace.

In the propaganda war between the United States and the Soviet system, we have often come out on the wrong side of the ledger. We can change that picture now if the Soviet Union now decides to withdraw from a meeting at the summit, if we resolutely push toward it.

In the past, on such matters as the exchange of persons and the resumption of trade the Soviet Union has sometimes appeared more anxious for agreement than ourselves.

On June 3, for example, the Soviet Union delivered to the United States a long and forceful letter on the resumption of trade between the two countries. I cannot tell whether Khrushchev was taunting us or not in this communication, but it contains a fact which appears to have entirely escaped the notice of the press and the American people.

At one point Khrushchev writes as follows:

I want to stress particularly, Mr. President, that in putting forward this proposal for greater Soviet-American trade, the Soviet government does not mean armaments or equipment for military production.

Khrushchev is saying here that the Soviet Union is not asking for strategic materials from the United States. Yet a few paragraphs later he presents a list of goods which could be sent to the United States in return for Soviet purchases here.

I quote again:

The Soviet Union is capable of effecting payment for its purchases by deliveries of Soviet goods which are of interest to the United States, including manganese and chromeores, ferro-alloys, platinum, palladium, asbestos, potassium salts, timber, cellulose and papers, certain chemical products, furs, and other goods. If the American companies should be interested, the Soviet Union could examine the question of developing the mining of iron ore for deliveries to the United States. At the same time, the Soviet Union could offer the United States a number of types of modern machines and equipment of interest to American companies.

Mr. President, it should be noticed that at least two-thirds of the items offered us by the Soviet Union are of the character which we regard as of strategic value and which we would not ship to the Soviet Union or any other nation of the Soviet bloc.

It has been said by some political commentators that the United States has been trying to slow down efforts for a Summit meeting for political reasons. It has been charged that the administration desired the meeting to be held, if it is held, near the time of the November election, so that a rosy glow would be cast over the voters. I cannot endorse this view. But it is clear that there has been a slowing down of the movement toward the Summit. I do want, however, to reiterate my satisfaction with the meeting at Geneva, whether or not the Soviet attends.

Yet the urgent needs of the world, the best interest of our country, our allies, and of all mankind insist that, no matter what may be done or felt on the other side, we ourselves must push forward to any kind of agreements which it is possible to make looking toward an easing of world tensions.

The smaller nations of the world are greatly desirous that there be a Summit meeting and that some end be sought to this mad armament race. Even if no agreements are possible at the Summit, let it be clear that the United States is willing to do everything in its power to try.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 640) making temporary appropriations for the fiscal year 1959, providing for increased pay costs for the fiscal year 1958, and for other purposes, and it was signed by the President pro tempore.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. CHURCH. Mr. President, I am very much gratified at the votes of the Senate this afternoon. I feel very hopeful that we may well be on our way to adding the 49th star to the American flag.

I am particularly pleased that the Senate did not approve the amendment offered in the nature of a substitute which would have given commonwealth status to Alaska, for in so doing we would have launched upon a course of imitation of the British Empire that is quite alien to the American tradition. The whole American tradition has been the development of a single nation—not an empire—and statehood has been the mortar of its construction.

Mr. President, I hold in my hand a resolution adopted by the Young Democratic Club of the District of Columbia endorsing the principle of Alaskan statehood. I am informed the resolution was adopted on June 24th, after lengthy discussions by the Young Democrats, by an overwhelming vote of that organization.

Mr. President, as you know, the citizens of the District of Columbia are in the anomalous situation of the citizens of Alaska, in that they lack both the franchise and representation in the Government which directs their affairs.

I therefore think it appropriate that the resolution of the Young Democratic Club of the District of Columbia, heartily endorsing the cause of Alaskan statehood, be printed at this point in the RECORD, and I ask unanimous consent therefor.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ON STATEHOOD FOR ALASKA

Whereas by the Treaty of Purchase of the Territory of Alaska, the United States Government pledged to the inhabitants of the Territory that they would be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty; and

Whereas the traditional tests for admission of a Territory to statehood have been achieved by the citizens of Alaska in that they vigilantly affirm and practice democracy; in that they eagerly desire to become a State and in that they present in ample measure the resources and capabilities necessary to assume the responsibilities of statehood; and

Whereas it has consistently been the policy of the Democratic Party to favor and promote statehood for Alaska: Be it therefore

Resolved, That the Young Democrats of the District of Columbia, who well know the frustration of being without suffrage and the inequities of taxation without representation, do strongly urge favorable consideration by the United States Senate of the bill passed by the House of Representatives calling for the enactment of statehood for the Territory of Alaska; be it further

Resolved, That the officers of this club convey the desire of the Young Democrats of the District of Columbia as expressed in this resolution to the attention of the United States Senate.

DEFENSE DEPARTMENT REORGANIZATION

Mr. DOUGLAS. Mr. President, hearings on one of the most important measures that has ever been before Congress are now being held before the Senate Committee on Armed Services. I refer to the proposal of the President to reorganize the Department of Defense.

In the attempt to meet the demands of the administration, I believe the House went too far, and made numerous concessions which are not in the public interest.

Last week the distinguished junior Senator from Montana [Mr. MANSFIELD] and I addressed a letter to Members of the Senate on this side of the aisle, which the junior Senator from Missouri [Mr. SYMINGTON] was kind enough to have printed in the hearings before the Armed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 1, 1958
For actions of June 30, 1958
85th-2d, No. 108

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HIGHLIGHTS: Senate committee reported omnibus farm bill. House passed bill to extend special milk program for 3 years. House concurred in Senate amendment to bill to extend special livestock loan authority. Several Representatives urged extension of Public Law 480. Sen. Jackson introduced and discussed measure to provide food and fiber stockpiling program. Rep. Coad introduced and discussed bill to extend Public Law 480.

HOUSE

1. MILK. Passed without amendment, 327 to 1, S. 3342, to extend the special milk program for children for 3 years, from July 1, 1958, through June 30, 1961. The bill authorizes use of up to $75 million of CCC funds for each of the 3 years to increase the consumption of fluid milk by children in nonprofit schools of high-school grade and under, and in nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children; and provides that funds expended for this purpose shall not be considered as amounts expended for the purpose of carrying out the price-support program. This bill will now be sent to the President. pp. 11483-492

2. LIVESTOCK LOANS. Concurred in the Senate amendment to H. R. 11424, to extend for 2 years, through July 14, 1961, the authority of the Secretary to make supplementary advances to borrowers for special livestock loans. This bill will now be sent to the President. pp. 11492

3. FOREIGN TRADE; SURPLUS COMMODITIES. Several Representatives urged early consideration of legislation for the extension of Public Law 480. Rep. Cooley and Poage indicated the measure would require further study, particularly with regard to the barter provision. Rep. McCormack expressed concern with the effects of surplus disposals on our relations with friendly countries. pp. 11485-86, 11487-490, 11542-43

4. SMALL BUSINESS. The Banking and Currency Committee reported with amendment S. 3651, to make equity capital and long-term credit more readily available for small business concerns (H. Rept. 2060). p. 11551

5. TRANSPORTATION. The Merchant Marine and Fisheries Committee reported without amendment H. R. 12751, to extend the provisions of the Shipping Act of 1916 relating to dual rate contract arrangements (H. Rept. 2055). p. 11551
Rep. Harris inserted the text, as passed by the House, of H. R. 12832, the omnibus transportation bill. He stated the text of the bill appearing in the June 27 Record was not complete. pp. 11500-502

6. FLOOD CONTROL. A subcommittee of the Public Works Committee ordered reported H. R. 9924, to grant the consent of Congress to a compact between Conn. and Mass. relating to flood control. p. D614

SENATE

7. FARM PROGRAM. The Agriculture and Forestry Committee reported (on June 28) an original bill, S. 4071, to provide price, production adjustment, and marketing programs for various commodities (S. Rept. 1766). p. 11398

8. STATEHOOD. Passed without amendment, 64 to 20, H. R. 7999, to admit Alaska into the Union as a State. This bill will now be sent to the President. pp. 11400, 11403-6, 11416-19, 11421-6, 11428-38, 11443-70

9. TRANSPORTATION. Senate conferees were appointed on S. 3778, the omnibus transportation bill. House conferees have been appointed. pp. 11426-8

10. MONOPOLIES. The Judiciary Committee ordered reported without amendment S. 721, to expedite the enforcement of Clayton Act cease and desist orders. p. D612

11. RESEARCH. Sens. Ellender and Proxmire were added as cosponsors to S. 3697, to create an Agricultural Research and Industrial Borad to coordinate research into new industrial uses for farm crops. p. 11399

12. SMALL BUSINESS. H. R. 7963, to extend the Small Business Act of 1953 and increase the SBA loan authority, was made the pending business. p. 11470

13. FOREIGN AID. Sen. Bridges urged that Poland not be given foreign aid. p. 11416

14. SURPLUS PROPERTY. Sen. Thye urged enactment of S. 1318, to provide for the free donation of Federal surplus property to State and local governments for recreational purposes, and inserted a letter from the Minn. Conservation Commissioner supporting the bill. p. 11471

15. WATER RESOURCES. Sen. Watkins inserted a speech by a water attorney, "Current Developments in Water Law." pp. 11471-7

(See the above resolution printed in full when submitted by Mr. CASE of South Dakota, which appears under a separate heading.)

CONTINUING PROSPERITY ACT OF 1958

Mr. KEFAUVER. Mr. President, I introduce, for appropriate reference, a bill to provide for the gathering, evaluation, and dissemination of information, and for the formulation of plans, which will aid in the maintenance of a high level of prosperity in the United States. This bill is identical to House bill 12515, which was introduced in the House by Representative ELMER J. HOLLAND, of the 30th Congressional District of Pennsylvania, on May 14, 1958.

The bill provides for the establishment of a commission to consist of nine members; and its membership would be drawn from industry, labor, and other fields of endeavor.

The overall or guiding function of the commission would be to make plans both for the present and for the future, to maintain continuing prosperity.

One obvious merit which the commission would have would be to provide the President with first-hand data based on the benefit of the experience of outstanding citizens in various fields.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4080) to provide for the gathering, evaluation, and dissemination of information, and for the formulation of plans, which will aid in the maintenance of a high level of prosperity in the United States, and for other purposes, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADEQUATE FOOD AND FIBER STOCKPILING PROGRAM

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a joint resolution authorizing the President of the United States to provide a study of the problems and cost of furnishing an adequate food and fiber stockpiling program to protect the people of the United States against shortages of food and fiber in the event of local, regional, or national emergency.

Legislation is long overdue establishing a sound program for stockpiling a reserve of food and fiber for emergency periods resulting from disasters of nature, poor growing seasons, or military attack.

This Nation has an excess supply of certain food commodities and fibers. It is time to heed the Biblical injunction of Joseph's time—7 years of plenty, 7 years of dearth—and stockpile when we have a surplus. Moreover, mass destruction of ordinary food and fiber supplies is a major peril and possible objective in modern warfare. A disasterproof stockpile of food and fiber would render our Nation less vulnerable to attack and thus constitute a deterrent to possible aggression.

One obstacle in getting legislation to implement a stockpiling program is the absence of thorough and up-to-date information on a number of vital questions involving the kinds of foods and fibers storable, the kinds really needed in emergency, methods of preserving food and fiber, the type and location of storage, the impact of such a program on surpluses, and cost estimates.

Therefore, Mr. President, I am introducing a joint resolution requesting the President of the United States to submit a comprehensive and detailed report on these and other questions to the Congress, on or before January 1, 1959, with such comments and recommendations as he deems appropriate. Once a report of this nature is before us, I believe we will be in a position to prepare appropriate legislation to implement a sound food and fiber stockpiling program.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 184) authorizing the President of the United States to provide a study of the problems and cost of furnishing an adequate food and fiber stockpiling program to protect the people of the United States against shortages of food and fiber in the event of local, regional, or national emergency, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AGRICULTURAL ACT OF 1958—AMENDMENT

Mr. YOUNG (for himself and Mr. MUNDT) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 4071) to provide more effective price, production adjustment, and marketing programs for various agricultural commodities, which was ordered to lie on the table and to be printed.

PROPOSED AGRICULTURAL RESEARCH AND INDUSTRIAL BOARD—ADDITIONAL COSPONSORS OF BILL

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the names of the Senator from Louisiana [Mr. ELLENDER] and the Senator from Wisconsin [Mr. PROXMIRE] may be added as cosponsors of the bill (S. 3697) to create an Agricultural Research and Industrial Board, to define its powers and duties; and for other purposes, introduced by me on April 25, 1958. The Senator from Louisiana and the Senator from Wisconsin were extremely helpful in the drafting of the final form of the proposed legislation, and I am proud to have them desire to cosponsor it with me.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, and so forth, were ordered to be printed in the Appendix, as follows:

By Mr. KNOWLAND:

Address delivered by him before the American Legion convention at Sacramento, Calif., on June 27, 1958.

Address delivered by him before the Serbian National Defense Council of America, at Chicago, Ill., on June 29, 1958.

By Mr. SALTONSTALL:

Commencement address delivered by Dr. Paul Siple at the University of Massachusetts.

By Mr. AIKEN:

Address entitled "Cotton on Road to Destruction," delivered by Gerald L. Dearing, of Memphis, Tenn., before the Western Cotton Shippers Association convention.

By Mr. BRIDGES:

Excerpts from an address delivered by Amos N. Blandin, Jr., Associate Justice, New Hampshire Supreme Court, before American Bar Association, Philadelphia, 1955.

Editorial entitled "The Task Ahead," published in the Exeter (N. H.) Newsletter of June 26, 1958.

Article entitled "McElroy Abolishes 133 Pentagon Committees," published in the Washington Evening Star of June 28, 1958.

Article entitled "No 'Lilly White,' Butler Declares of Menshikov," and published in the Washington Evening Star of recent date.

By Mr. MONRONEY:

Editorial entitled "The Crowded Sky," published in the Tulsa (Okla.) Tribune of June 24, 1958; "Air Safety Legislation Seems Near," published in the Tyler (Tex.) Courier-Times of June 20, 1958.

Editorial entitled "How Well Are We Organized?" published in the San Francisco Chronicle of June 15, 1958.

By Mr. PROXMIRE:

Editorial entitled "The Kind of Foreign News Reporting That Makes Sense," published in the Capital Times, of Madison, Wis.; and article entitled "Pledge to Lebanon Demands Explanation," written by Joseph Alsop.

By Mr. MARTIN of Pennsylvania:

Article entitled "Liberty Bell Model Being Sent To Join Brussels Fair Exhibit," regarding a scale model of the original Liberty Bell manufactured for exhibition at the Brussels World's Fair.

By Mr. NEUBERGER:

Article entitled "Research Group Urges Expanded Farm Program," published in the East Oregonian of June 19, 1958, dealing with a recent meeting of the executive committee of the Oregon Agriculture Research and Advisory Council.

Article entitled "Mrs. Foster Relates New York Trip As 1958 Oregon Mother of the Year."

By Mr. THURMOND:

Article entitled "Breakdown of Education Created by Integration," written by John Temple Graves, and published in the News and Courier of June 28, 1958.

By Mr. WILEY:

Article entitled "Camp American Legion Rehabilitation Program," written by Les Root, chief, Corrective Therapy, Veterans' Administration Hospital, Wood, Wis.

Article entitled "Academy Cites Seven for Science Work," published in the New York Times of April 28, 1958, and an article entitled "Red Tape Bars Progress of Science in Latin America, OAS Is Informed," written by Edward Gamarekian, and published in the Washington Post and Times Herald of June 30, 1958.

By Mr. CHURCH:

Article entitled "Foreign Affairs—De Gaulle: I. The Role of Giants," written by C. L. Sulzberger, and published in the New York Times of June 4, 1958; article entitled "Foreign Affairs—De Gaulle: II. The Army and the General," written by C. L. Sulzberger, and published in the New York Times of June 7, 1958; article entitled "The Inten-

tions of Premier De Gaulle," written by Curtis Cate, and published in the New Republic of June 16, 1958.

ASSISTANCE BY FEDERAL GOVERNMENT FOR EXPANSION OF SCHOOL FACILITIES

Mr. MURRAY. Mr. President, the Washington Post and Times Herald pointed out in an editorial yesterday that the Rockefeller Brothers Fund—

like almost every other agency which has studied the problem, concludes that the Federal Government must play a substantial part, at least on an emergency basis, in financing the expansion of school facilities.

It is difficult—

Says the Post—

to understand how the administration can turn its back upon the need for school construction, in the face of the facts presented by this (Rockefeller) report—facts long ago presented by the administration's own Office of Education.

Mr. President, the administration's failure to support proposed legislation providing for school construction and higher teacher salaries is, of course, distressing. But this failure does not absolve Congress of its responsibility. We must endeavor to enact this needed legislation this session, despite administration opposition. In this connection, let me say that the Education Subcommittee of the Committee on Labor and Public Welfare will hold further hearings tomorrow morning, at 10 a. m., on Senate bill 3311, which would provide Federal assistance for classroom construction and/or teacher salaries.

Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following these remarks, the excellent Washington Post editorial entitled "Pursuit of Excellence," which appeared in the June 29 issue.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PURSUIT OF EXCELLENCE

"Ultimately," the Rockefeller Bros. Fund report on United States educational needs reminds us, "the source of a nation's greatness is in the individuals who constitute the living substance of the nation." Education is simply the vital process of developing the capabilities of this living substance. Appropriately, therefore, the report is titled and focused upon "the pursuit of excellence." It makes a most significant contribution to public understanding of the function of education in a democratic society.

The report renders an important service also in underscoring once more what other investigators have already pointed out—that the public-school system in this richest of democracies has fallen, through neglect and niggardliness, into a desperate plight. There is a pressing need, the report makes clear, for a redefinition of educational goals, for a reemphasis on democratic ideals and ethical values, for a resourceful examination of new educational techniques, for strengthening of the curriculums, for the identification and encouragement of talent. All of these needs must be met—and met imaginatively—if the Nation's public schools and colleges are to prove equal to the challenge of these times.

But basic to them is a need for commitment of a far larger share of this rich country's economic substance than is committed at present to the education of its youth. "All of the problems of the schools," the report declares, "lead us back sooner or later to one basic problem—financing. It is a problem with which we cannot afford to cope halfheartedly." And the report points out what all but the willfully myopic have recognized for more than a decade:

"Our schools are overcrowded, understaffed, and ill equipped. In the fall of 1957, the shortage of public school classrooms stood at 142,000. There were 1,943,000 pupils in excess of normal classroom capacity. These pressures will becomes more severe in the years ahead. Elementary school enrollments will rise from some 22 million today to about 34 million by 1960–61. By 1969 high schools will be deluged with 50 to 70 percent more students than they can now accommodate; by 1975, our colleges and universities will face at least a doubling and in some cases a tripling of present enrollments."

The Rockefeller Brothers Fund, like almost every other agency which has studied the problem, concludes that the Federal Government must play a substantial part, at least on an emergency basis, in financing the expansion of school facilities. It approves Federal aid of the sort embraced in the administration's aid to education bill in the form of scholarships and improvement of testing services. But it adds what is, indeed, inescapable, that "to the extent that the Federal Government can assist in building construction, either through loans or outright grants, it will be engaging in one of the most helpful and least hazardous forms of support to education."

It is difficult to understand how the administration can turn its back upon the need for school construction, in the face of the facts presented by this report—facts long ago presented by the administration's own Office of Education. It is difficult to understand how the administration can ignore the compelling need to raise the salaries of teachers and enlarge the teaching profession. "An educational system grudgingly and tardily patched to meet the needs of the moment will be perpetually out of date," the report asserts. This is a lesson which should long ago have been learned. In the face of a challenge which may entail nothing less than national survival, boldness, and generosity and vision must be brought to the resolution of school problems.

MILWAUKEE SENTINEL DOES GREAT JOB FOR ALASKA STATEHOOD

Mr. PROXMIRE. Mr. President, I support statehood for Alaska with all my heart. Moreover, I am convinced that the people of Wisconsin are wholeheartedly and overwhelmingly in favor of bringing Alaska into the Union.

One of the reasons why Wisconsin people are aroused to the merits of statehood for Alaska is that the newspapers have done a good job of informing them of the justice of Alaska's case and the great advantages to America which lie in adding this 49th star to the flag. The Milwaukee Sentinel has done better than a good job—it has done a great job.

Again and again the Milwaukee Sentinel has told the Alaska story, and just as often it has put its editorial strength behind the argument for statehood. The Sentinel made it easy for its readers to make their wishes known to their representatives in Congress. The Sentinel ran a cartoon, with a box for the reader to sign, with his address, showing his support for statehood. After every editorial, the Sentinel had a coupon which could be filled in by the reader and mailed to either of his Senators. I have received hundreds of these coupons.

I think the friends and champions of statehood for Alaska ought to know how much help their cause has received from the Milwaukee Sentinel. When the Senate votes this week to bring Alaska into the Union, as I am sure it will, its vote will mark the culmination of a long fight waged by many people on behalf of Alaska. An honored place on that long roll of Alaska's friends belongs to the Milwaukee Sentinel.

STATEHOOD FOR ALASKA

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). If no other Senator has morning business to submit, morning business is concluded.

The Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTEGRATION IN SCHOOLS

Mr. ROBERTSON. Mr. President, a commission established by the 85th Congress now is engaged in planning for a suitable observance of the 100th anniversary of the War Between the States which was fought from 1861 to 1865. That observance will remind many people of other States of a fact which Virginians cannot forget—that our State was the major battleground of that fratricidal war.

And Virginians also are very conscious of the fact that our State has been chosen as a new battleground to test whether or not the Federal Government can force a sovereign State to operate racially mixed schools against the will of a majority of the people and in violation of the State's constitution.

Present indications are that this conflict will lead to the closing next fall of public schools in several cities and counties of Virginia, because school officials who attempt to operate on a segregated basis will be in contempt of a Federal court and those schools which admit both white and colored pupils will be closed by requirements of our State laws.

Certainly no one, white or colored, will benefit from closed schools, and if they cannot be operated in the future as they have been in the past, some acceptable substitute means must be found for educating our youth.

This approaching school crisis cannot be ignored by saying that it is a Virginia problem, but not one which concerns the United States Senate. Since the Senate

public discussion relative to conflict of interest, as it relates to the executive branch of the Government, we in the Senate and the House should make certain that any policies we apply to the executive branch of the Government are applied also—equally, impartially, and equitably—to ourselves.

I have asked the question on the floor of the Senate, Who polices the policemen? In my opinion this is a timely question, a fair question, and a pertinent question.

One of the most outstanding and distinguished columnists I know in the field of public affairs is Mr. Roscoe Drummond. In his syndicated column, as it appeared in the Oregon Daily Journal, of my home city of Portland, Oreg., for June 27, 1958, Mr. Drummond put to his readers some of the questions I have voiced on the floor of the Senate.

I ask unanimous consent that this pertinent, effective, and cogent column by Roscoe Drummond be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEUBERGER QUESTIONS PERTINENT

(By Roscoe Drummond)

WASHINGTON.—It will be hypocrisy of the worst kind if the politicians succeed in filling the air with such virtuous condemnation of Sherman Adams that they can hide behind their own pretensions and turn aside basic reforms which need to apply to themselves as much as, if not more, than to many others.

The present tactic, apparently, is to so becloud the issue with moral finger pointing at Adams that Members of Congress can conceal their own gift, campaign-contribution, conflict-of-interest habits, which dwarf those they so piously deplore, and end up by conveniently neglecting the remedies.

The politicians love to dispense scapegoats as long as they can escape themselves. The elected Republicans orate about General Vaughan and the elected Democrats orate about Sherman Adams, even though their own offenses are more pernicious.

One courageous voice is being raised in the Senate to expose this conspiracy of mutual tolerance among politicians.

The voice is that of Senator RICHARD L. NEUBERGER, Democrat, of Oregon, who asks these pertinent questions:

"When Sherman Adams committed his errors of judgment in doing favors for his friend, the public is being left to infer that he did this because of Mr. Goldfine's coats and hotel suites. Yet is Sherman Adams any more indebted to Mr. Goldfine for gifts than a man who sits in the Senate or in a governor's chair is indebted to those who collected $100,000 from big businessmen or from trade union political education funds for his campaign expenses?

"Is Sherman Adams, with his $2,400 rug and $700 vicuna cloth coat, more obligated to render unethical favors than is a member of Congress who is dependent every few years on 20 times that amount from bankers, natural gas, and private utility owners and distillery executives to finance his billboards and radio and TV shows?

"Is it morality for a Senator to collect $500 or $1,000 speaking fees from many labor unions or liberal groups and then to oppose a Federal right-to-work law, but immorality for Harry Vaughan at the White House to be given a deep freeze or Mr. Adams a coat?"

Senator NEUBERGER is not extenuating Adams' mistake. (Adams had the decency to admit his own imprudence.) NEUBERGER is pointing out that "Mr. Adams is the victim of a system" under which the spending of large sums of money on politics and on politicians is widely taken for granted, and he would like to see the politicians do a little something about the system.

There are three practical reforms which would reach in the right direction:

The regulatory agencies ought to be put out of the reach of pressure by both legislative and executive officials.

Presidential and congressional elections ought to be freed from massive contributions, which often involve underworld money, lobby money, and appointment-hungry money.

Finally, is there any reason why Congressmen should not apply the same laws against conflict of interest to themselves that they apply to others in Government and provide for disclosure of their own gifts and outside income?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 3778) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. ROBERTS, Mr. STAGGERS, Mr. ROGERS of Texas, Mr. FRIEDEL, Mr. FLYNT, Mr. MACDONALD, Mr. WOLVERTON, Mr. O'HARA of Minnesota, Mr. HALE, Mr. SPRINGER, Mr. DEROUNIAN, and Mr. YOUNGER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12716) to amend the Atomic Energy Act of 1954, as amended.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 325) to authorize the Joint Committee on Atomic Energy to print for its use 10,000 copies of the public hearings on "Physical research program as it relates to the field of atomic energy," in which it requested the concurrence of the Senate.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 325) to authorize the Joint Committee on Atomic Energy to print for its use 10,000 copies of the public hearings on "Physical research program as it relates to the field of atomic energy," was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Joint Committee on Atomic Energy be authorized to have printed for its use 10,000 copies of the public hearings on "Physical research program as it relates to the field of atomic energy," held by the Subcommittee on Research and Development during the 85th Congress, 2d session; and be it further

Resolved, That the joint committee be authorized to have printed 2,000 copies of the report on the above hearings; and be it further

Resolved, That the joint committee be authorized to have printed 2,000 copies of the index of the above hearings.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter from Mr. O. E. Darling, president of the Brown & Hawkins Commercial Co., of Seward, Alaska. He has been in business for 61 years, and has kept records relating to the economy of Alaska for 41 years. On that basis he is satisfied that the economy of Alaska cannot afford the luxury of statehood.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BROWN & HAWKINS COMMERCIAL CO.,
Seward, Alaska, June 27, 1958.

Senator A. WILLIS ROBERTSON,
Washington, D. C.

DEAR SENATOR: I would like to corroborate the letter you have received from Mr. Henry F. Tobin which categorically states that Alaska is not yet ready for statehood. I know Mr. Tobin to be a very competent observer of the economic scene here in Alaska.

I would like to further corroborate his letter with the evidence of an Alaskan businessman who is actually trying to develop some industry for Alaska.

The company I head has been an integral part of Alaska's historically erratic economy for almost 60 years. We have kept very complete business records of our experience with Alaska's economy that go back 41 years. These records give us an accurate picture of just what makes Alaska's economy perform. We know that Alaska is not yet ready for statehood.

At the present time I am most actively engaged in trying to create a market for two of Alaska's most prolific natural resources, steam coal and peat moss. I am being frustrated because of our excessively high labor costs, our punitive tax structure (which is one of the highest in the world) and logistics.

Statehood will in no way assist my efforts. It will only add to them because statehood will increase our labor costs, force us to increase our present punitive tax structure to a prohibitive one and only huge Federal subsidies will help us surmount our logistical problems.

I together with many, many thousands of other responsible Alaskan businessmen hope that your efforts will be successful in blocking statehood for Alaska at this time.

Sincerely,

O. E. DARLING,
President.

Mr. BIBLE. Mr. President, I wish to join with my illustrious colleagues on both sides of the aisle in calling upon the Senate to grant statehood to Alaska

and thus redeem a pledge made to that Territory 91 years ago.

In article 3 of the treaty of cession, by which we acquired Alaska in 1867, we pledged Alaskans ultimate statehood. In my opinion, Mr. President, the people of Alaska have waited long enough to see this pledge translated into affirmative action at this session.

Both of our great political parties are on record in favor of granting Alaska statehood. The great majority of American citizens—their feelings reflected in nationwide polls—have expressed themselves in support of statehood for Alaska by a margin as high as 12 to 1. The citizens of Alaska have made known their wishes, as only last year the Territorial legislature voted unanimously for statehood.

The wishes of the citizens of my State toward granting Alaska statehood were enunciated in a joint resolution adopted by the Nevada Legislature in 1949, and I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Assembly Joint Resolution 26

Joint resolution memorializing Congress to pass legislation permitting the Territory of Alaska to become a State

Whereas Alaska, by the census of 1940, had a population of 72,524 which figure by now may have been doubled; and

Whereas even by the census of 1940, Alaska has more population now than several of our States had at the time they were admitted into the Union, namely: Arkansas, Florida, Missouri, Nevada, Oregon, and Wyoming; and

Whereas Alaska has a Representative in Congress, but he has no vote, and his position is little better than that of a lobbyist; and

Whereas it is inconceivable that a region as large as Alaska and possessing its great multiplicity and richness of mining and general resources and its strategic military position should remain indefinitely under the American flag in a condition of political servitude; and

Whereas the Territory of Alaska has been a part of our great Nation for many years and has been a vital part of the economic structure of our great United States of America; and

Whereas during all times and during all crises in which we, as a Nation, have passed, the Territory of Alaska has played her part; and

Whereas the Territory of Alaska has heretofore operated as a Territory; and

Whereas she could better operate as a State of the Union; and

Whereas she has proven herself well capable of being a sister State: Now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada (jointly), That the Legislature of the State of Nevada memorialize the Congress of the United States to pass legislation permitting the Territory of Alaska to become a State of our great Union of States; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, to the Vice President of the United States, and to each Member of the Senate and the House of Representatives of the United States from Nevada, and that the Senators and Representatives representing the State of Nevada in Congress be urged actively to support such legislation.

PETER A. BURKE,
Speaker of the Assembly.
CLIFF JONES,
President of the Senate.

Approved March 15, 1949.

VAIL PITTMAN, *Governor.*

Mr. BIBLE. Mr. President, at the present time Alaska's population is estimated at 212,500. Twenty-two of our States had fewer people when they were granted admission to the Union. My own State of Nevada, for example, had less than 7,000 citizens at the census preceding the granting of statehood in 1864.

Mr. President, one of the most illustrious United States Senators in Nevada's history was the late Key Pittman. Senator Pittman served in this body for 28 years and rose to the exalted posts of President pro tempore and Chairman of the Committee on Foreign Relations. I mention Senator Pittman in these remarks on Alaskan statehood because as a young attorney, fired by the enthusiasm of the times, he joined other thousands of adventurous Americans in their rush to the Klondike. Key Pittman did not make a stake in Alaska as a miner, but he left his mark as the man responsible for the establishment of consent government in the city of Nome. In later years, as a Member of the Senate, he was recognized as both an expert on and a champion of the Territory of Alaska, and he introduced proposed legislation calling for a commission form of government for Alaska. I am sure that if he were here today he would be leading the good fight to see that Territory achieve its long overdue statehood.

My own State of Nevada was admitted to the Union on October 31, 1864, at a time when the Nation was torn asunder by a fratricidal conflict. In retrospect, it can be seen that Nevada's acceptance into the comity of States was not altogether a gesture of altruism on the part of Congress at that time. The Federal Government was in dire need of money, and Nevada's Comstock mines were then in full production, yielding millions of dollars in gold and silver. I mention this to draw a parallel between Nevada and Alaska, because the latter Territory, which is now seeking to become a State, has also contributed richly to the well-being of our Government.

Far from becoming a drain on the Union, Alaska will more than shoulder its financial responsibilities as a State. Under the statehood bill, Alaska will be granted more than 100 million acres of public land now held by the Federal Government, thus broadening Alaska's tax base and assuring adequate revenues. The new State will be entitled to 70 percent of the net proceeds from the seal furs from the Pribilof Islands, amounting to more than $1 million annually; to 5 percent of the proceeds from the sale of Federal lands, to be used for public school support; to 37½ percent of the net proceeds from Federal timber sales, also to be used for support of public schools during the first 10 years of statehood, and 25 percent thereafter; and to 90 percent of the net amounts for mineral leases and from the profits of Federal coal mines, of which 37½ percent will be earmarked for roads and educational purposes.

Alaska's contributions are nothing new. For example, on October 24, 1911, a citizen of Valdez, Alaska, George E. Baldwin, delivered an address before the American Mining Congress. I shall read an except from his remarks because of their relevancy to the question we are now discussing. Mr. Baldwin said:

It has been urged by certain people utterly unacquainted with the risks and hardships of pioneering, and who have never wandered far from their firesides, that Alaska was bought and paid for out of the taxes paid by the American people, and they are entitled to get something out of it. Our answer is that they have gotten something out of it and are getting something out of it. The nearly $200 million of Alaskan gold which has been poured into the channels of trade of the Nation, stimulating industry in all its branches, has more than paid any debt that Alaska owes the Nation. During the panic of 1907 our bankers were begging the money power of Europe for a loan of $20 million in gold. Alaska that year produced nearly that amount of the yellow metal, all of which went to the United States, not loaned, but to purchase commodities from almost every State in the Union.

Those words were spoken almost 50 years ago, Mr. President, and I believe I can say without fear of contradiction that Alaska's contributions to America in the intervening years have reached heights undreamed of by Territorial citizens of that time.

Again I say let us act now and give our solid stamp of approval to Alaskan statehood, not only as the fulfillment of a solemn obligation made 91 years ago, but as the endorsement of legislation that will further strengthen our great Nation.

In conclusion, Mr. President, I wish to inject a personal note. In November of this year I will observe my birthday, and as I behold a birthday cake with 49 gleaming candles I fervently hope that I will also be able to look upon an American flag with 49 stars.

Mr. JACKSON. Mr. President, I commend the able junior Senator from Nevada for a very fine statement on Alaskan statehood. I know that his great State of Nevada has much in common with the new State of Alaksa.

Mr. BIBLE. I appreciate the expression by the Senator from Washington.

Mr. THYE. Mr. President, I favor the bill to admit the Territory of Alaska as another State in the Union. Why do I feel that Alaska should be added as another State in the Union? I believe that the land area and the vast resources which it contains will be developed much more speedily if Alaska becomes a State and is a sovereign unit of the Union of States. I think the citizens of the State of Alaska will feel a sense of pride in developing their new State within the Federal Union. As citizens of a State

they will feel more confident and positive about their future.

Moreover, the psychological effect which the admission of Alaska will have throughout the world will be tremendous. How can we attempt to influence the people of some areas of the world by saying that we are a democracy, that we want all peoples to be free and to be self-governing under their own forms of government, if we do not grant to the people of the Territory of Alaska their full rights as citizens of their own State? How can we say that we are opposed to the colonizing of any area of the world if we continue to hold Alaska as a Territory?

The same is true of the Hawaiian Islands. We shall be defeating our objectives in Asia and in other parts of the world where people have been colonized if we continue to hold Hawaii and Alaska as Territories.

In these days, when all the efforts of mankind are directed toward assisting people who desire to remain free and toward attracting those who want to be free, the United States should set an example by granting the full freedom which is implicit in statehood for the people of Alaska.

Let us, by the admission of Alaska to statehood, counteract the Russian dictatorial philosophy and the enslavement of people throughout the world by demonstrating by the admission of Alaska the real meaning of freedom. So I believe that psychologically we have much to gain by giving Alaska her right as a sovereign State within the United States.

When we consider the land area of Alaska, we find that Alaska comprises 365 million acres, or more than twice the size of Texas and more than 3½ times the size of California. The land area of Alaska is vast. Then when we consider the possibilities of developing more greatly the fishery industry in Alaska, and when we think of her vast timber area which can be developed as a pulpwood industry and as a lumber industry, all the considerations are on the side of giving to the people who live in that vast area the right to control their own affairs, under the sovereignty of a State leadership.

So, Mr. President, I hope the Senate will quickly conclude the debate and will begin to vote on the legislative proposal to admit Alaska as another State within the United States of America.

Mr. McNAMARA. Mr. President, at this very late hour in the debate on Alaska statehood, I do not believe there are any further arguments, either for or against, that can be made.

To my mind, the arguments in favor of statehood have been considerably more impressive than those against.

But since I think this is one of those issues on which no one's mind is being changed—no matter how persuasive the rhetoric—I shall not detain the Senate with a new speech.

I shall only say this, Mr. President: I feel that it is a tremendous personal honor for me to be a Member of the Congress that is to make Alaska our 49th State, and to vote for its admission to the Union.

SENATE BILL 2646 AND RESOLUTION OF THE RHODE ISLAND BAR ASSOCIATION

Mr. BUTLER. Mr. President, on June 26 the Senator from Rhode Island [Mr. GREEN] inserted in the RECORD the text of a resolution of the executive committee of the Rhode Island Bar Association opposing the bill, Senate bill 2646. This resolution appears on page 11202 of the CONGRESSIONAL RECORD for June 26.

So as to keep the record straight, I want to point out that this resolution of the Rhode Island Bar Association contains several misstatements.

The Bar Association resolution declares that "the proposed bill withdraws appellate jurisdiction from the Supreme Court in disbarment cases." The fact is that section 1 of the bill affects, not disbarments, but admissions to the practice of law in State courts. The Rhode Island Bar Association statement does not, therefore, correctly recite the facts on this point.

The Rhode Island Bar Association statement says that Senate bill 2646 "frees congressional committees from all judicial review in respect to questions asked by such committees." This statement also is inaccurate. As I have repeatedly pointed out here on this floor, enactment of Senate bill 2646 would have no effect whatsoever upon the jurisdiction of the courts, either the lower courts or the Supreme Court, over a question of whether a congressional committee had exceeded its jurisdiction in asking a question or questions. Such an issue is a question of law, to be decided by the courts; and Senate bill 2646 would leave the decision of it to the courts.

The Rhode Island Bar Association resolution goes on to say that Senate bill 2646 "directly reverses two Supreme Court decisions (in the Nelson and Yates cases) having to do with constitutional rights of citizens." That statement is inaccurate and misleading in more than one respect.

First, Senate bill 2646 does not directly reverse either the Nelson case decision or the Yates case decision. Insofar as those decisions constituted a determination of the cause of action which was pending before the Court, enactment of Senate bill 2646 would have no effect whatsoever. Nelson would stay free; and so would the Smith Act defendants in the Yates cases.

All that Senate bill 2646 does with respect to the Smith Act is to amend the statute previously enacted by the Congress, so as to give it a different effect and meaning than the meaning and effect ascribed to it by the Supreme Court. But this is not to reverse the Court. The Court may have a right to declare the meaning of an Act of Congress after it has been enacted; but the Court has never claimed, and no one has ever claimed for it, the right to freeze a statute, so that Congress cannot later change or amend it. Congress can always amend a previously passed statute, regardless of whether its meaning has been declared by the Supreme Court. After the Supreme Court has declared the meaning of the statute, that becomes and remains the meaning of the statute, in the eye of the law, until the statute is thereafter amended, modified, or repealed; but the statute is in no way less subject to amendment or modification by reason of the Supreme Court interpretation of its meaning. The impact of the statute flows from the statute, and not from the Supreme Court's declaration of the statute's meaning and intent. The Supreme Court's decision in this regard is wholly declaratory, and, in legal contemplation, neither infuses new meaning into the statute nor subtracts meaning from it, but only declares and clarifies the meaning which it has and must be presumed to have had from the moment of its enactment. The Supreme Court's decision in this respect is not in any sense a declaration of what the statute should be, but is only a declaration of what it is, as the Supreme Court finds it. To change a statute is always the prerogative of the legislative body which enacted it, never of any court.

All that Senate bill 2646 proposes with respect to the Nelson case decision is that Congress declare its intention not to preempt from the States the field of anti-subversive legislation. The Supreme Court in the Nelson case found and declared that the Congress had intended so to preempt this field. But the Supreme Court did not find, and had no jurisdiction to find, that the field should be preempted; for this is a wholly legislative decision.

Another fault with the resolution of the Rhode Island Bar Association is the fact that, whereas the bar association referred to the decisions in the Nelson and Yates cases as "having to do with constitutional rights of citizens," the Nelson case decision has nothing whatsoever to do with the constitutional rights of citizens, and did not involve any constitutional question at all; and in the Yates cases, the Supreme Court itself declared that its decision was based upon only four points, namely, first, the meaning of the term "organize"; second, erroneous instructions by the trial court to the jury; third, insufficiency of evidence; and fourth, in the case of Schneiderman, collateral estoppel. None of these four points involves a constitutional-rights question.

After making all the misstatements to which I have called attention, the resolution of the Rhode Island Bar Association goes on to declare that Senate bill 2646 "is intended to penalize and intimidate" the Supreme Court. This reflects a viewpoint commonly expressed by those who do not realize that a court has no vested interest in its jurisdiction. The jurisdiction of a court is not the same as the jurisdiction of a State or a nation. No sovereignty is involved in court jurisdiction.

The Rhode Island Bar Association's resolution goes on to repeat the well-worn charge that Senate bill 2646 "violates the doctrine of the separation of powers under which our governmental system has prospered." But, as also has been pointed out here on many occasions, it cannot be possible to violate the "doc-

trine of the separation of powers" by using—as section 1 of this bill would—a specific provision of the Constitution, one of the check-and-balance provision of that document, for a purpose for which it was intended. And certainly, amendment of existing criminal statutes, as in sections 2 and 4 of this bill, and declaration of congressional intent with respect to the preemption of legislative authority in a specified field, as in section 3 of this bill, cannot by the wildest stretch of the imagination be considered as violating the doctrine of the separation of powers. Since there is nothing in the bill but sections 1, 2, 3, and 4, it is clear that this charge also is inaccurate.

Mr. President, I have no quarrel with the Rhode Island Bar Association because its board of governors saw fit to oppose enactment of Senate bill 2646. They have a perfect right to oppose this bill or any other proposed legislation. But, Mr. President, I submit that they do not have a right, in view of their duties to their own membership, as well as their responsibility as leaders of the bar, to be forthright and accurate in their dealings with the Congress—and this they have not been. In view of these obligations, Mr. President, I say they did not have any right to support their disapproval of the bill by misleading and inaccurate statements.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954, AS AMENDED—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12716) to amend the Atomic Energy Act of 1954, as amended. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PASTORE. Mr. President, I should like to make a short statement explaining the action of the committee of conference.

The House passed H. R. 12716 in the same form as recommended by the Joint Committee on Atomic Energy. The Senate adopted four amendments to the House bill. The first two of these amendments affected section 1 of the bill, or subsection 91 c. of the act, and amended it by striking out the proviso in clause (4) of section 91 c. and inserting a new proviso which would be applicable to both clause (1) and clause (4) of subsection 91 c. The committee of conference resolved the differences between the House and Senate versions as follows:

First, the Senate receded from its amendment No. 1, and thereby restored the proviso to clause (4), and the House receded from its disagreement to the amendment of the Senate No. 2 and agreed to it with an amendment. Subsection 91 c., clause (1) has been amended to read as follows:

(1) Nonnuclear parts of atomic weapons provided that such nation has made substantial progress in the development of atomic weapons, and other nonnuclear parts of atomic weapons systems involving restricted data provided that such transfer will not contribute significantly to that nation's atomic weapon design, development, or fabrication capability; for the purpose of improving that nation's state of training and operational readiness.

In other words, under the agreement of the conference, the substantial progress test will apply to transfer of nonnuclear parts of atomic weapons. On the other hand, the test for transfer of nonnuclear parts of atomic weapons system involving restricted data is a different one in that the requirement is that such transfer will not contribute significantly to the transferee nation's atomic weapon design, development, or fabrication capability. It is understood that there are certain parts in an atomic weapons system, such as adaption accessories, et cetera, which would not in themselves reveal design information of the weapon.

Therefore, under the agreement of the committee of conference, it is believed that no transfer of nonnuclear parts can take place which will help promote the entry of a fourth nation into the atomic weapons field.

The amendments numbered 3 and 4 of the Senate eliminated section 144b, clause (5) on page 7 of the bill, and in the conference committee the House receded from its disagreement to the amendments of the Senate.

It is understood that clause (5) is not necessary, because the types of information described to be transferred under this clause could be transferred under Section 144b clause (1) or clause (2), or other sections of the Atomic Energy Act of 1954, as amended.

Mr. President, the conference report has been signed by all Members of the committee of conference and has been approved by the House, and I recommend that it be approved by the Senate.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

RETIREMENT OF DANIEL R. FITZPATRICK, CARTOONIST

Mr. MONRONEY. Mr. President, the Chinese have an old proverb that one picture is worth a thousand words. Many times in our history eminent cartoonists who have been able to portray political issues in caricature have proved that one good cartoon is worth a million words.

It is therefore with regret that we receive news of the retirement of Daniel R. Fitzpatrick, the dean of American cartoonists, who is retiring from the St. Louis Post-Dispatch after some 45 years of interpreting, with the sharpness of his pen and the crusading spirit of his soul, the daily life and issues before our country.

The world will lose a great interpreter of issues which could be so succinctly spotlighted in the panel which Fitz occupied for so many years. It is encouraging to learn that Bill Mauldin, one of the great GI cartoonists who served in World War II, is being placed in the spot which Fitz has so long graced with his trenchant drawings.

Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD an editorial entitled "Fitzpatrick Steps Down," which was published in the Washington Post and Times Herald of Sunday, June 29.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FITZPATRICK STEPS DOWN

It is melancholy news that Daniel R. Fitzpatrick, the dean of American cartoonists, has decided to retire. He leaves a void which cannot easily be filled. For nearly 45 years Fitzpatrick's cartoons have graced the editorial page of the St. Louis Post-Dispatch, where he has been inseparably associated with the crusading tradition of the late Joseph Pulitzer, Sr. We are proud that Fitzpatrick's signature has often appeared on this page on days when our own Herblock has taken a respite from the drawing board.

In the best Pulitzer tradition, Fitzpatrick has been drastically independent and his crayon has been a scourge to those who would corrupt or smother free institutions. As a craftsman, he is known for his massive strokes depicting clashing behemoths—although, his pen sharpened, Fitzpatrick can also deflate with his puckish sense of satire. It is fitting that his successor will be Bill Mauldin, whose memorable wartime cartoons reflect the same passion for decency and scorn for cant. But Fitzpatrick's many admirers will hope (as he has promised) that he will return occasionally to the drawing board for further forays against jingoism and pretense in whatever form.

RETIREMENT OF GEORGE ST. JOHN PERROTT AND DR. VANE M. HOGE FROM THE UNITED STATES PUBLIC HEALTH SERVICE

Mr. HILL. Mr. President, today two fine public servants who have dedicated years of their lives to advancing the health of our people are retiring from Government service. It seems to me most fitting that we in the Senate of the United States pause in our deliberations today to pay tribute to George Perrott and to Dr. Vane Hoge, whose work has brought comfort and better health to the lives of millions of people.

Dr. Hoge, Assistant Surgeon General of the United States Public Health Service, is retiring after 30 years with our principal health agency. Before World War II Dr. Hoge organized the Hospital Facilities Section for the Public Health Service and recruited an outstanding staff of physicians, architects, engineers, and others essential to the planning and construction of hospitals. They were called in for consultation on projects ranging from infirmaries for war workers in Washington to hospitals on the Amazon River Basin and along the Alcan Highway to Alaska. Dr. Hoge's advice was sought by the War Department,

men were on a routine training flight when they became lost.

As everyone knows, such incidents are covered by the Huebner-Malinin agreement of April 5, 1947, which insure the Soviet and the United States military missions of the right to protect the interests of their nationals in the zones of Germany.

Also, as everyone knows, the Soviet government has refused to observe the agreement, and is now conspiring with the Red puppet regime of East Germany to try to force the United States to recognize that Communist government.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Held for Ransom," published in the Washington Sunday Star of June 29, 1958, and also a Department of Defense news release entitled "Summary of Steps To Procure Release of Helicopter Crew and Passengers in East Germany," dated June 26, 1958.

There being no objection, the article and news release were ordered to be printed in the RECORD, as follows:

[From the Washington Star of June 29, 1958]

HELD FOR RANSOM

The puppet East German Communist regime is resorting to a kind of blackmail in refusing to release the nine American Army men it now holds captive. Quite obviously it is doing this because the Kremlin has advised and instructed it to do so. Quite obviously, too, the objective of the game is to make our country pay ransom in the form of indirect or implied diplomatic recognition.

As far as their personal safety and comfort are concerned, the nine men—who inadvertently strayed off course in their helicopter and were obliged to make a forced landing in East Germany early this month—very probably are receiving what the Red regime's deputy foreign minister has described as "absolutely correct treatment." In that sense, as he has put it, they are enjoying an "enforced vacation" under conditions that should cause neither their families nor our Government any worry. That, however, is not the point at issue. The point is that these Americans (eight officers and a sergeant) are being detained in violation of solemn agreements that are supposed to be still operable between the United States and the Soviet Union.

These agreements, as negotiated and signed in 1946 and 1947, provide that incidents of this sort are to be straightened out by American and Russian military authorities in Germany. Until very recently, as the State Department has pointed out in an aide memoire delivered a few days ago to the Soviet Embassy, the Kremlin has honored the obligations involved. But now, all of a sudden, in the case of the off-course helicopter and its nine passengers, it has said that our Government must deal directly with the East German regime. In turn, that regime has announced that the men will quickly be released if the United States agrees to discuss the issue with it through a fully accredited representative, presumably a civilian official rather than a general or a colonel.

Of course, any such agreement on the part of our Government would suggest at least a limited degree of diplomatic recognition. Yet, if the men are to be released, it would seem that we must either pay the ransom demanded by the kidnappers or keep on trying to persuade the Kremlin to live up to its pledged word and tell its puppets to stop acting as if they constituted a sovereign government. Looked at in any light, this is certainly a dirty business that serves as yet another indication of the revival of Stalinism in Soviet policy—a sort of international gangsterism that makes a virtue of bad faith and stoops to anything, no matter how base, to attain its dark ends.

[From the United States Department of Defense of June 26, 1958]

SUMMARY OF STEPS TO PROCURE RELEASE OF HELICOPTER CREW AND PASSENGERS IN EAST GERMANY

In view of public interest, the following summary is provided of the steps thus far undertaken by the United States Government to effect the release of the 2-man crew and 7 passengers of the United States Army helicopter which accidentally crossed the zonal border between the Federal Republic of Germany and the Soviet Zone of Germany on June 7. As a result of operational difficulties the helicopter landed near Zwickau in the Soviet Zone. Despite repeated requests made by the United States authorities on the basis of existing agreements with the U. S. S. R., the men and the helicopter are still being held in the Soviet Zone. The Soviet authorities have to date refused to honor their responsibilities to return the men and the helicopter promptly to United States control and the East German authorities have obstructed attempts to make arrangements for the release.

The following steps have been taken:

The United States Military Liaison Mission (USMIM) at Potsdam was alerted by the Headquarters, United States Army, Europe (USAREUR) on June 7 to the helicopter's disappearance and instructed to approach the Group of Soviet Forces, Germany, for any possible information on the missing aircraft and its nine men.

The Soviets replied by telephone early the morning of June 8, advising the USMIM that the nine men were uninjured but the helicopter was damaged. The Soviets said that both the men and the aircraft were in the hands of East German authorities and that any requests for their return should be made to the East German Government.

The USMIM the same day strongly protested to the Soviets that this was a military matter between the two forces and, as in past cases, should be handled by the Group of Soviet Forces, Germany.

Gen. Henry I. Hodes, USAREUR Commander in Chief, sent a personal note June 8 to General Zakharov, Commander of Group of Soviet Forces, Germany, stating that he requested and expected that General Zakharov, his Soviet military counterpart, would insure the return of the helicopter and men as soon as possible. General Hodes added that the East German landing was assuredly unintentional.

Since General Zakharov had not replied to the June 8 note, Major General Suvorov, Chief of the Soviet Military Liaison Mission in Frankfurt, was called by General Hodes to USAREUR Headquarters the afternoon of June 10. Suvorov was told that the incident was purely a military matter and that return of the men and helicopter was expected as soon as possible. General Hodes called attention to the provisions of the Huebner-Malinin agreement of April 5, 1947, which insures the Soviet and United States Missions of the right to protect the interests of their nationals in the zones of Germany. General Hodes told him that if the situation were reversed, he would promptly return the helicopter and personnel. General Suvovrov said he would transmit this to his superiors.

Col. Robert P. McQuail, Chief of the USMIM, visited Colonel Sergeyev, Chief of the Soviet External Relations Branch, on June 12, to request delivery of a box of Red Cross supplies to the nine men. Sergeyev replied that he could not assure delivery owing to circumstances, and did not accept them.

General Zakharov's reply to General Hodes June 8 note was finally delivered the afternoon of June 12 by General Suvorov. General Zakharov stated that the action requested was not within the province of the Group of Soviet Forces, Germany, but was solely within the competence of East German authorities. He added that the helicopter and its passengers had been apprehended and detained by the East Germans; hence it was not a military problem but one which fell within the competence of the East German Government. General Hodes replied that this was a military matter which the Group of Soviet Forces, Germany, should handle regardless of who had custody of the United States soldiers and again reminded Suvorov of the Huebner-Malinin agreement. General Hodes also asked about the present whereabouts of the nine soldiers. General Suvorov replied he did not know. General Hodes further told him he was disappointed that the Soviets had ignored the United States Military Liaison Mission's repeated efforts to obtain their assistance in contacting the United States soldiers. General Hodes again asked how the USMIM could contact these men and return them to his command. Suvorov said he would ask his headquarters.

In accordance with arrangements made by Soviet authorities, Colonel McQuail, Chief of the USMIM, met with the East German Deputy Foreign Minister, Otton Winzer, at 1000 hours June 14. Colonel McQuail, as a representative of the USAREUR Commander in Chief, asked that the nine men and the helicopter be returned as speedily as possible. Colonel McQuail referred to the Huebner-Malinin agreement and pointed out that arrangements under the agreement for the return of personnel between the United States and Soviet Armies had worked effectively in the past. The sum of Mr. Winzer's reply was that he could negotiate only with a person possessing authority from the United States Department of State or the United States Government. At the meeting's conclusion, arrangements were made to deliver the packages mentioned above to the Foreign Ministry for transmittal through the Red Cross to the nine men.

Colonel McQuail met with Mr. Winzer for the second time on June 16. Colonel McQuail told Mr. Winzer he was authorized to make appropriate arrangements to effect the immediate release of the men and plane. Colonel McQuail was handed a draft intergovernmental agreement prepared by the East Germans for signature by the plenipotentiaries of the United States Government and the Government of the German Democratic Republic. Colonel McQuail replied that he would pass it on to his superiors. He also asked if he could visit the nine men. His request was refused. The next meeting was set for the following Wednesday.

Colonel McQuail met with Mr. Winzer for the third time on June 18. He advised Mr. Winzer that he had documentation from both the senior military and senior diplomatic representatives of the United States in Germany but that the draft agreement handed him 2 days earlier was wholly unacceptable. Colonel McQuail added that he was ready to meet all normal and reasonable requirements and that he had with him a receipt for the United States personnel. Mr. Winzer replied that he was not prepared to accept this procedure, and the meeting ended inconclusively. Mr. Winzer asked that a fourth meeting be held the next day.

A 30-minute meeting the following day (June 19) between the two principals ended on the same inconclusive note.

Also on June 19, General Hodes again sent a personal note to General Zakharov reiterating his demand of June 8 for the prompt return of the nine men and helicopter. The USAREUR commander reasserted General Zakharov's responsibilities under existing agreements to effect the return. He added

that adherence to the Huebner-Malinin agreement is necessary if the respective liaison missions are to continue to carry out their assigned tasks. General Hodes further requested that General Zakharov assist the USMLM in visiting the nine men to ascertain their health and welfare and furnish them necessary personal accessories.

On Friday, June 20, Deputy Under Secretary of State Robert Murphy called in the Soviet Chargé, Mr. Striganov, acquainted him with the situation as described above, and requested that arrangements be made for the immediate release of the men and the helicopter. Mr. Murphy also handed Mr. Striganov an aide memoire on this subject.

On June 21 a further attempt to secure the release of the nine American soldiers and helicopter was made by Colonel McQuail, who met in East Berlin with Major General Tsarenko, Deputy Chief of Staff of the Group of Soviet Forces, Germany. The meeting resulted in a repetition of the previous stand taken by the group of Soviet forces, Germany, and a flat refusal to aid in contacting the 8 officers and 1 enlisted man or to transmit relief supplies for them.

General Zakharov's reply to General Hodes' personal note of June 19 was delivered on the afternoon of June 23 to Headquarters, United States Army, Europe. General Zakharov stated that he was not able to add anything to what had already been expressed in his note of June 11.

As of this time, no reply has been made by the Soviet Embassy here to the Department of State.

Mr. BRIDGES. Mr. President, the editorial shows very clearly the blackmail game the Kremlin gangs are playing, using human beings as pawns.

Once again the world can see that the Communist Soviet Government will break solemn agreements whenever it suits the purposes of the men in the Kremlin.

Are there any people in the world who still believe that the Government of the Soviet Union can be trusted to observe international agreements?

Yet today American, British, French, and Canadian representatives are gathered in Geneva ready to meet with Soviet delegates to begin talks to lay the groundwork for a nuclear test suspension agreement.

The Russians refuse to order the release of 9 Army men held captive since June 7. They even refuse to transmit Red Cross packages to these men. They choose to ignore their written agreement.

What hope is there that the Russians would honor atomic agreements which could involve the lives of countless millions of helpless civilians? Everybody knows the answer to that question.

I take this opportunity to request the Senate leadership to take prompt action on my resolution, which will strengthen the administration's hand in this matter.

Mr. President, I do not think this matter can be pushed too hard. So far as I am concerned, when American servicemen are captured as these men have been, the United States of America has a very definite obligation to secure their release. I do not want to see our country weaken in its determination to procure the release of these men. A good example of what happens when we weaken, we have recently read of the seizure by the rebels in Cuba of a large number of our military men who were on vacation. They have not yet been released.

If we let any country, whether it be a Communist or a non-Communist country, get by with such action as this without our taking the necessary steps to have the men released and returned, we will encourage similar action against Americans everywhere. What has been done by the rebels in Cuba is a good example of what I am talking about.

Mr. BARRETT. Mr. President, I had intended to ask leave to have printed in the RECORD the editorial from the Evening Star of today which the senior Senator from New Hampshire [Mr. BRIDGES] has presented and discussed. I hope the Senate will pass promptly the concurrent resolution submitted by the distinguished Senator from New Hampshire, which would give moral support to the President in his efforts to effect the release of 9 United States Army men held captive in the Soviet zone of Germany since June 7 last when their unarmed helicopter was forced down during a thunderstorm while on a routine training flight. The Soviet Union is a party to an agreement with us, signed in 1947, which provides that incidents of this character are to be resolved by Russian and American military authorities in Germany. Until very recently the Kremlin has observed the agreement. Now the Soviets say we must deal with the East German Communist regime. That puppet government, by insisting that we discuss the issue through civilian rather than military officials, hopes to blackmail us into paying ransom for these men in the form of diplomatic recognition of their government. Without doubt the Kremlin is putting them up to it. We should demand in no uncertain terms that the Soviets comply with their agreement and see that these five American soldiers are promptly released.

OPPOSITION TO AID TO COMMUNIST POLAND

Mr. BRIDGES. Mr. President, I was shocked to read in the Washington Post on yesterday that Poland's Communist dictator, Gomulka, publicly defended the execution of Imre Nagy and the treachery of the Hungarian Government in its betrayal of written promises of safety for Nagy and others.

Gomulka dismissed the incident as "entirely Hungary's internal affair," and declared it was not his business "to decide on the extent of guilt and the justice of punishment meted out to Nagy." Gomulka's remarks were made in a speech delivered on June 28 in a Baltic seaport.

Only 11 days ago, the Senate went on record as expressing indignation at the perfidy of the Red Hungarian Government and the Soviet Union in the death of Nagy. The vote of the Senate was unanimous—91 to 0.

But the Gomulka government obviously feels no such indignation at the Soviet brutality. The Gomulka government obviously is toeing the Kremlin line. There is no doubt that Gomulka is in the Russian camp.

Further deferring to Moscow, Gomulka in the same speech thanked Russia for economic aid to Poland. He was quoted as saying, "under the present circumstances, a country which would try to build socialism alone and unaided would be unable to hold out for long."

It is this same government, Communist-led and Moscow-directed, which is asking the American people for economic assistance.

On June 6 during the Senate's consideration of the mutual security authorization bill, I offered an amendment to prohibit United States aid to both Poland and Yugoslavia. Only 21 Senators joined me in this attempt to stop aiding the Communist enemies of mankind. The amendment failed.

Because of my endorsement of the amendment, I was criticized in letters, editorially, and elsewise. I said then that I favored giving aid to the Polish people, but not to the Polish Government, inasmuch as aid to the Polish Government would only strengthen the Communist control which that government has over the people of Poland. That is exactly the present situation.

Now that we know where Gomulka stands on the Nagy question, I trust that other Senators will support any future attempts to keep American tax dollars from going to Communist Poland. Aid to Poland under its Communist leadership would merely strengthen the Soviet bloc and further tighten the hold of brutal rulers over the Polish people.

Mr. President, I believe it is time for us to take another look at Gomulka and the Communist government of Poland and what is happening there. We should not be deceived by propaganda. We should use clear vision in examining the situation which exists in Poland, and should not view it in a foggy atmosphere. There should be an end to our not knowing where we are going or what our position should be.

So I commend my colleagues who joined me in voting in favor of my amendment, and I hope that next time more Senators will join us.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. BUSH. Mr. President, I shall vote against the admission of Alaska as a new State of the Union because I have concluded that the Territory of Alaska is not ready for statehood.

I have reached this conclusion with great reluctance. In voting against the Alaskan statehood bill, I shall be opposing the recommendations of the President, for whom I have the highest respect and admiration; and I shall also be opposing a platform plank adopted in 1956 by the national convention of the Republican Party.

I had the privilege of serving as chairman of the resolutions committee of the 1956 Republican national convention, at San Francisco. The platform which was drafted by that committee, and was unanimously approved by that conven-

tion pledged "immediate statehood for Alaska, recognizing the fact that adequate provision for defense requirements must be made."

I do not regard party platform pledges lightly. Although both of our great political parties adopted platforms which were based on a wide range of political opinion on many issues, I believe that a person who seeks public office has an obligation, if elected, to carry out to the highest degree of his ability his party's pledges to the voters.

Mr. President, on the other hand, a Senator of the United States has far greater obligations. He has an obligation to his own conscience, and he has an obligation to the people of his State, and he has an obligation to the Nation, to cast his votes on great issues in the light of the conclusions he has reached after careful thought and study. Occasions may arise when a conclusion so reached is in conflict with a plank included in his party's platform. In that event, his duty requires him to vote in accordance with his own conclusions and his own conscience.

I recall very well the convention in San Francisco in 1956—almost 2 years ago. As I have stated, I was chairman of the platform committee. We considered in committee the question of statehood for Hawaii and statehood for Alaska. I am bound to say here that the consideration given to those very important questions was rather casual. Later, I shall discuss my own appraisal of the importance of those issues. But I think they are extremely important—far more important than is being recognized by the Senate in the course of this debate on the Alaskan statehood question.

It is true that a very large majority of the delegates who served on the resolutions committee seemed to be in favor of statehood for Alaska. My own opinion, based on what I observed, is that many of those who favored statehood really had not thought very much about it. To permit the people of that area to become one of the States of the United States seemed to be a very nice thing to do, an unselfish thing to do, and the proposal had an emotional appeal to some persons. But in the resolutions committee there was no real debate in regard to the merits of the issue, and of course on the floor of the convention the issue was not discussed at all. The report of the resolutions committee was submitted, and was accepted without debate.

I do not know just how our friends in the Democratic Party handled this issue; but I know that is the way it was handled at the Republican convention in 1956. The delegates who attended the convention were duly, legally constituted representatives of the Republican Party organizations in their own States, and I venture to say they were carefully selected. But they were not sent to the convention as legislators; they were not elected by the people of the United States. Instead, they went there as representatives of their political party, as persons who were thought by members of their party in their own States to be properly qualified to speak for them.

Mr. President, when we come to the final decision on the question of whether a new State is to be admitted into the Union at this stage of our history, we must realize that there is no evidence to show that the admission of Alaska to statehood will in any way improve the security of the United States from a military standpoint or any other standpoint.

Thus, I think we must consider the issue a little more seriously than simply on the basis of the fact that the admission of Alaska was a part of the platform of the Republican Party or a part of the platform of the Democratic Party, and has been in those platforms for a number of years.

Mr. President, inasmuch as I was chairman of the platform committee of the Republican national convention, and am sensitive of my responsibilities as such, I make these comments about the convention and the platform, because, frankly, I do not think the fact that the admission of Alaska to statehood was a part of that platform is a controlling reason why we, as United States Senators, should vote for the admission of Alaska to statehood at this time.

Mr. President, I have been amazed at the lack of public interest in the question of statehood for Alaska. I can hardly think of any other issue which might be regarded as an important one, on which there have been several days of debate on the floor of the Senate, about which I have received from my own State fewer communications in regard to the views of the people of Connecticut. In the case of statehood for Alaska, I have received only a few communications. Yet we are talking about adding a 49th State to the great Union of the United States of America.

My study of the evidence presented in the committee's report, of the hearings, and of the debate on the Senate floor, which I have followed quite closely, both by being present on the floor and by reading the RECORD, has forced me to conclude that immediate admission of Alaska into the Union would be harmful—not helpful, but harmful—to the people of the Territory itself, harmful to the United States, and, therefore, indirectly harmful to the people of my State of Connecticut.

I do not intend to detain the Senate with an exhaustive analysis of all the factors which have led me to that conclusion. The arguments made against immediate statehood, I think, are well summarized in the committee's own report, wherein the objections are stated as follows:

First, the population of the Territory is too small to justify representation in the Congress or to support State government.

Second, Alaska, being noncontiguous, will remain isolated from American life.

Third, economic conditions in Alaska are unstable, because at present the military spending is high, and the resources of the country are not sufficiently developed to allow private enterprise to take up the slack in employment and provide necessary revenues, should Federal spending be abruptly curtailed.

Fourth, statehood will require sharp tax increases, thereby discouraging economic development.

I am not persuaded by the committee's attempts to refute these arguments which have been listed in its own report as objections to statehood. The fact that Alaska's population is too small to justify statehood is, in my view, sufficient reason alone. The Territory now contains about 200,000 inhabitants, but we know about 50,000 of them are military personnel, and that a very great number of the others are also transients who do not participate in the political life of the community.

I understand that in the last territorywide referendum only 20,000 votes were cast in the whole Territory of Alaska, although, to be sure, it was a primary, in which both parties had their primary elections. I was given this estimate by the distinguished Governor of the Territory, who was in my office. He estimated that in the recent election only about 20,000 votes were cast. That fact impressed me, because it is proposed that we give to Alaska, with about 20,000 voters, the power, through an elected Representative, to sit, to speak, and to vote in the House of Representatives, and to have equal representation in the Senate with the present States. Let us assume that in a regular election there would be 30,000 voters. They would be empowered to elect two Senators, whose votes could well decide an issue of crucial importance to the future of the United States, or decide an issue in a way which would adversely affect the well-being of the people of my own State and of other States of the Union.

I should like to point out, Mr. President, that in the last election more than 20,000 votes were cast in my little town of Greenwich, Conn., a community of 45,000 people. Yet we are talking about giving to a new Territory, located thousands of miles away, with a population that can muster only 20,000 or 30,000 votes, 2 Senators of the United States and representation in the House of Representatives.

I should like to point out that no justification has been presented for giving priority to Alaska among the candidates for statehood. Let us look at the situation on our own doorstep. What about the District of Columbia? Here reside, in the heart of the United States, 855,000 Americans, who are not only denied representation in the Congress, but who are denied the right to their own local government.

I remind my Republican colleagues who feel compelled to vote for Alaskan statehood because of a campaign pledge in the 1956 platform that the platform also declared a pledge for "self-government, national suffrage, and representation in the Congress of the United States for the residents of the District of Columbia."

How can we justify our great haste in bestowing statehood on a Territory with 20,000 voters, and a laggardness in correcting the injustices now suffered by many times that number of potential voters in the District of Columbia, the Nation's Capital?

One can argue about the question of home rule in the Nation's Capital. I am not one who would go "all the way," so to speak, on the question of home rule. Because of the Federal Government's great interest in the District of Columbia, and because the Federal Government dominates the area with its activities, I think the Federal Government may properly continue to exercise a measure of control over the government of the District. On the other hand, I do not believe the people of the District of Columbia should be completely disenfranchised. I would like to see special provision made for the District of Columbia in addition to the special provisions which exist for it now. I would like to see special provisions made so that the people would have some representation in the Congress. I think the question ought to be carefully considered whether the people of the District of Columbia should not have 1, or whatever number of population is entitled to—perhaps 2 or 3 full-fledged Members of the House of Representatives, and also representation in the United States Senate. I see absolutely no justice in reaching out 3,000 or more miles across this continent, to the very end of it, in the northwest corner, granting statehood to a small population in the Territory of Alaska, and leaving without any civil rights, so to speak—any voting rights, any political rights—the 855,000 persons who live in the District of Columbia, the Nation's Capital.

If that is justice, Mr. President, I am afraid I am not a very good judge of what is justice. I myself think it is highly unjust and highly unfair to ignore the citizens of this community. I think practically no one will dispute that the citizens of the District of Columbia, at a very minimum, ought to be able to vote for the President of the United States. They ought to have the right to vote for the President and the Vice President. I do not see any reason in the world why they should not have that right and privilege and duty. I think if there is any part of the United States where the citizens are really interested in who is the President and who is the Vice President, it certainly is here in the Nation's Capital. Yet, we are talking about reaching away out to Alaska, ignoring the problem which faces us on our own doorstep. I object to the bill to provide statehood for Alaska for that reason, among others.

What about Hawaii? A few years ago we were considering statehood for Hawaii. That question suddenly has disappeared, and at this time we are considering statehood for Alaska alone. It seemed to me, from the debate of a few years ago, the facts certainly favored Hawaii from the standpoint of population, economics, and other factors. It seemed to me that Hawaii had a preferential claim over that of Alaska. Now Hawaii is being ignored and Alaska is to be preferred.

We should also consider Guam, as well as Puerto Rico. All these various places are candidates or potential candidates for statehood. Why should Alaska be entitled to consideration ahead of them? Puerto Rico is doing very well. I have referred to party platforms, and I remember that at the Republican national convention the question of statehood for Puerto Rico came up in the resolutions committee. There was a message from Puerto Rico which said, "We do not want statehood." But there were representatives present from Puerto Rico who stood up to say, "That does not represent the feelings of the people of Puerto Rico." They said, "Frankly, the feelings are divided. There are a great many thousand people in Puerto Rico who do want statehood." So there is the question of statehood for Puerto Rico. Why should we reach out to grant statehood to Alaska, when Puerto Rico might deserve similar consideration?

Speaking of the offshore islands, Mr. President, I may say that I have very grave reservations about the wisdom of admitting as States, areas so far from the continental United States. There are classic arguments against statehood for these remote regions with small populations, of course. There are differences in background, custom, and even in language which would make it extremely difficult for Senators representing such areas to understand the problems with which we have to deal on the mainland of the United States, and the problems of the States which are now in the Union.

I believe that the problems involved in proposals to admit remote areas as States in the Union of the United States are insufficiently understood by the American people generally. I know full well that Gallup poll has reported an overwhelming majority of the people interviewed in its public-opinion poll favor statehood for Alaska, but I am convinced that the answers to the pollsters' questions were based upon emotions and superficial impressions rather than upon a complete understanding of the issue.

I have never talked to a citizen in my own State who seemed to be in favor of Alaskan statehood who within a few moments of argument was not completely shaken in his opinions about that particular issue. The reason, of course, is that there has been very little understanding spread abroad in this country concerning all the implications of Alaskan statehood.

Mr. President, I feel that the admission of a new State also involves a question of what such a State can do for the United States. This is not simply a one-way street. The business of admitting a State to the Union is not a charitable enterprise for us to consider. It is a very important political question which involves many things, including economic matters of great weight and importance.

As I study the Alaskan statehood issue, I fail to see what it is that Alaska is going to contribute particularly to the United States, so that Alaska should be preferred in recognition above the other groups of populations I have mentioned, including the District of Columbia, and including Hawaii particularly.

I do not believe in my heart, Mr. President, that the people of remote areas such as Alaska, or even Hawaii, can be expected to come to grips with the weighty problems which we constantly confront in the modern United States—all the social and economic problems which have arisen concurrently with the industrial development of this country, including great centers of population bursting at the seams, and enormous deficits in so many respects, among them education and housing. Tremendous problems face this country, and I do not see how we can expect people in these remote areas to understand such problems and approach them with the sympathetic interest and understanding it is necessary that the Congress have in order to deal with them effectively. I think it would be expecting too much of those people to suggest that they could understand our problems as well as they are understood by those who live in the United States, which is all contiguous territory.

It has been argued, of course, that other Territories have been admitted when their populations were small, as is the case with Alaska's population. I do not think that argument stands up. It was inevitable from the very beginning that the United States was to be a collection of States within the boundaries which now constitute the United States. It was understood that as soon as the Territories could get on their feet, so to speak, they would become States. To say this principle must apply to Alaska, or Guam, or Hawaii, in my view, is not being realistic at all, and it is not a proper comparison.

Mr. President, much has been said in the debate about the security question. I noted that the other day the distinguished Senator from Virginia [Mr. ROBERTSON] stated there had been no factual evidence introduced into the record, either in the committee or on the floor, that the admission of Alaska would add strength to the Nation from a security standpoint. As a member of the Committee on Armed Services I support the Senator's statement. I have examined the record. I have found no competent authority—nor any authority—who has actually said that the admission of Alaska would better fortify the United States and increase its security vis-a-vis any possible enemy we may have. So I am compelled to reject as being entirely unrealistic the argument that the admission of Alaska would improve the security of the United States.

I noted with interest the position of some of the veteran members of the Committee on Armed Services; notably the chairman of the committee, the Senator from Georgia [Mr. RUSSELL]; notably the next ranking member of the committee, the distinguished senior Senator from Virginia [Mr. BYRD]; and notably the junior Senator from Mississippi [Mr. STENNIS] who, as we all know, is more or less the wheel horse of the Committee on Armed Services and is one of the most able members of the committee. All those Senators oppose the admission of Alaska as a State. I am sure they will agree with my statement that, from a security standpoint, there is not a modicum of comfort to be taken from the admission of Alaska as a State.

If there were a group of Senators who could see in the proposed admission of Alaska a boon to our national security and national defense, certainly such a group would include the three distinguished members of the Armed Services Committee of the Senate I have mentioned. So I believe that argument is of little avail.

The problems involved in admitting new States under modern conditions have been insufficiently debated and considered throughout the length and breadth of the land. I believe we have reached the time when the admission of a State should be regarded as of equal or greater importance as the ratification of a treaty, which, as Senators know, requires a two-thirds vote of the Senate rather than a simple majority.

I have prepared a joint resolution proposing an amendment to the Constitution of the United States, to provide that a new State may be admitted only with the consent of two-thirds of both Houses of Congress. It appears, of course, that a majority of the Senate is now prepared to vote for the Alaska statehood bill, and it seems to be too late in the present session for action upon my joint resolution. Nevertheless, I am introducing it today rather than delaying it until the next Congress, when I shall reintroduce it. I am introducing it today in the hope that it will stimulate the full discussion which is needed before we face new demands for statehood in the future.

I ask unanimous consent that the text of my joint resolution be printed in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S. J. Res. 135) proposing an amendment to the Constitution to provide that a new State may be admitted only with the consent of two-thirds of both Houses of Congress, introduced by Mr. BUSH, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. So much of the first clause of section 3 of article IV of the Constitution as precedes the first semicolon therein is amended to read as follows: 'New States may be admitted by the Congress into this Union with the consent of two-thirds of both Houses.'

"SEC. 2. Section 1 shall take effect on the first day of the first session of the first Congress which assembles following the ratification of this article.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress."

PROPOSED CODE OF ETHICS FOR FEDERAL OFFICERS AND EMPLOYEES AND COMMISSION ON ETHICS IN THE FEDERAL GOVERNMENT

Mr. JAVITS. Mr. President, I am today introducing proposed legislation specifying standards of ethics in the executive and legislative branches of the Federal Government. A similar bill and point resolution are being introduced in the House by my colleague from New York, Representative KEATING.

These proposals were developed upon the basis of my experience in establishing the administration of the New York State Code of Ethics, as attorney general of that State from 1955 through 1956. One of the two measures being introduced today would establish a code of ethics for Federal officers and employees, and would subject violators to removal from office or other disciplinary action.

The second measure would establish a bipartisan Commission on Ethics in the Federal Government, to be appointed by the President, the Speaker of the House of Representatives, and the President of the Senate. The Commission would study existing conflict-of-interest laws and regulations in order to determine how they can best be implemented through executive or legislative action. It would also be authorized to develop a permanent code of ethics.

A little later in the week Representative KEATING and I will introduce in our respective Houses proposals to implement the rules of our respective Houses in order that the proposed code of ethics may be binding as well upon Members of Congress. I feel very strongly, as does my colleague, the junior Senator from Oregon [Mr. NEUBERGER] that the same standards of ethics which we wish to apply to Government employees and officials must be applied to ourselves; and the machinery for carrying such standards into effect is readily available in the rules of each body and the disciplinary powers of each body.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JAVITS. I gladly yield.

Mr. BUSH. I am very much interested in what the Senator from New York is saying, and I commend him for what he is doing. I am very much interested in this question.

Only last Friday I introduced a joint resolution, somewhat different from the proposed legislation which the Senator from New York is introducing. In view of what the Senator has said, I should like to ask him a question.

The proposed legislation introduced by the Senator from New York calls for the establishment of a commission, some of the members of which would be appointed by the President, some by the Vice President—from the Senate, no doubt—and some by the Speaker of the House of Representatives. What balance would there be in the Senator's proposed Commission?

Mr. JAVITS. Let me say first that I compliment the Senator from Connecticut upon his initiative. I hope very much that when the time comes to take action upon these proposals, we may join in common sponsorship of whatever measures seem most appropriate.

The Commission which we suggest would be appointed, roughly, as follows: Eight from the executive branch, the Senate and House; and seven from private life. However, the appointing officials would be the President, the Vice President, and the Speaker of the House of Representatives. Five members would be appointed by the President, two from the executive branch and three from private life; five appointed by the President of the Senate, three from the Senate and two from private life; and five appointed by the Speaker of the House of Representatives, three from the House of Representatives and two from private life.

Mr. BUSH. So the congressional Members together would represent a majority of the Commission?

Mr. JAVITS. Not quite. The congressional Members would represent 6 out of the 15. No one group would really have a majority. There would be 6 members from the 2 Houses of Congress. The remaining members would represent the executive branch and those from private life.

Mr. BUSH. I am asking purely for information.

I thank the Senator for his statement that he thinks we might work together. That would please me very much. I know of his very deep interest in this question. My interest likewise is very deep. I have been working on my joint resolution since last March. I know that the Senator from New York has long been considering the same problem.

Does the Senator believe that this kind of commission—which I believe, as he does, should take into account congressional relationships with the various agencies—should have on it a large congressional representation? Does the Senator believe that is desirable? Conversely, would it not be likely that a more objective study of the problem would be obtained if the Commission were confined to persons not active in public life, but whose activities in life had brought them in contact with the Government services in one way or another—perhaps by reason of the fact that they might be retired Members of the Senate or House?

My thought is directed toward trying to elicit from the Senator whether or not he believes a more objective approach might be had in that atmosphere rather than through a commission such as he is describing.

Mr. JAVITS. I believe that an entirely objective approach might defeat itself. I believe that what is most desirable is an objective and informed approach. For that reason, the Commission, as we propose it, would consist of 6 Members from the Congress, 6 from private life, and 3 from the executive department. We feel, therefore, that that degree of balance would afford both practicality and objectivity. The congressional members would be serving in view of those from the executive department and those from private life. The other members of the Commission would have the benefit of congressional experience.

We cannot be abstract about codes of ethics. If they are to work, they must be related to the practicalities of our jobs and to the status of our relations with our constituents and with the executive departments, in the context of working, everyday life. Otherwise, the approach might become so attenuated as to be impracticable. For that reason, we suggest this balanced kind of commission. I would, however, respect any contrary point of view. If we are to have a commission which is so objective as to be removed from the Congress, there will be danger of producing another report which would only gather dust on the shelves.

The technique which is outlined in the bill is the very same one used for the so-called Hoover Commission on the Reorganization of the Executive Departments. That commission was exactly the same kind of composite body. It seemed to possess objectivity and technical skill, and to command rather prompt congressional attention.

Mr. BUSH. I thank the Senator very much. In raising my questions I did not raise them from a closed mind, because, frankly, I am in a little doubt as to whether the Commission should include congressional members. I am not convinced on that point. I am not convinced that it absolutely should not. I believe the Senator has made a very interesting case for his format of the Commission, so to speak. I shall be very much interested to hear the remainder of his remarks.

Mr. JAVITS. I thank the Senator. My proposal is not directed so much to the commission idea, on which I say frankly the Senator from Connecticut has taken the initiative. What distinguishes my presentation is the code of ethics. A code of ethics can be legislated into effect now, awaiting the finalized determination with respect to whatever commission we may establish. We have such a code of ethics in the State of New York, and I have had some experience with it. Therefore I am not repairing to an uncertain area when I make my presentation.

We have had experience with such a code of ethics in an enormous State, the State of New York, and that code of ethics does work. I believe that in that respect we can help our respective Houses to provide something of a practical nature, particularly from the standpoint of the technique of tying the code into the rules of the respective Houses.

There is always some question as to whether such a statute should be criminal or otherwise operative. Criminal statutes in this field have a tendency to be self-defeating. Usually the remedy is too tough. Disciplinary action in the respective Houses, which is most condign to our constituents, is the best way in which to enforce these codes.

Such a proposed code offers dual protection; first, to the general public by providing added assurance that, aside from existing criminal laws governing conflict of interest, codes clearly defining proper moral and ethical standards of conduct required of Federal officials and employees will be on the books. Secondly, it will provide for Federal officers and employees a set of guiding principles which should sharply reduce the possibility that they may commit thoughtless actions which subsequently become subject to widespread criticism.

Mr. President, that has particular pertinence in the Adams case. We ought to prescribe in the Federal Establishment what we consider to be in our collective judgment a norm of conduct. That would have been extremely helpful in the Adams situation, and will be extremely helpful to our Federal officials and employees in the future.

To guide our public officials and employees, we submit for consideration what is established in New York State. It is an advisory committee, which serves the public officials, as well as the attorney general, who together not only have the job of finding infractions and bringing about appropriate punishment which in this case is dismissal from office, or disciplinary action, if it concerns a House of Congress, but, even more important, the advisory committee renders advisory opinions—I had the honor of forming that committee myself in the State of New York when I served as attorney general—so that in the event there is some doubt as to what an official should do in a particular situation, he has a forum to which he may repair, and which will help him establish what is a norm of proper conduct for him to follow under the law.

Never has our country had greater need for experienced, broadly trained, imaginative Federal officials of the highest personal integrity to carry on the business of Government. The United States today bears staggering responsibilities as peace leader of the free world in the face of the Communist challenge in almost every conceivable field of activity. We believe that not only in helping to meet this challenge, but in the day to day performance of their duties, the work load of Federal officials will be lightened if the borderline possibilities of conflict of financial, business or other personal interests are eliminated. A regulated code of ethical standards is an absolutely essential step toward that goal.

While the Commission on Ethics set forth in the joint resolution carries on its year-long investigation and study, it is proposed that an interim Federal code be adopted patterned closely after the one enacted in New York State in 1954 during Governor Dewey's administration.

This is something with which we have had experience, and which we know works. It would represent a very splendid interim code of ethics. This is the key of our proposal, and I should like to read it:

No public officer or employee should have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature, whether financial or moral, which is in substantial conflict with the proper discharge of his duties in the public interest, nor should any public officer or employee give substantial and reasonable cause to the public to assume he is acting in breach of his public trust.

In other words, not only is improper activity to be avoided, but all appearance of improper activity which gives to the public a feeling of lack of confidence in the Federal Government is to be avoided. That is where the advisory service becomes so important, because, as we have seen in the Adams case, it is in these attenuated cases that it is extremely hard to form a moral judgment unless there are guidelines established and unless there is an implementing of such guidelines.

An ethical code of this type must not only be fairly and equitably administered but as experience has shown in New York State, it must be formulated on realistic and practical standards of conduct. In a democracy, which is and should be governed by a representative cross section of its citizenry, we expect from our public servants maintenance of moral and ethical standards and actions which are beyond reproach. However, many of the same talents and abilities which lead to an individual's success in a business or profession also frequently result in his selection for high public office. It is at this point in his career that the official may be confronted with a conflict of interest which is not of a nature that can be dealt with in the criminal law. Then, the possibility for his making a misstep is present and his need for guidance is at a maximum.

The proposed interim code of ethics to operate during the time the Commission is making its more extensive study would include specific standards for officers or employees of the executive branch and of Congress; they would implement the general rule set forth above and are also patterned after those on the law books in New York State. They include prohibitions against the following:

Outside employment which would impair objectivity in the exercise of official duties;

Business or professional activity requiring the disclosure of confidential Government information—disclosure of such confidential information to further personal interests;

Use of official position to secure unwarranted privileges or exemptions for himself or others;

Serving two masters: the Government and a private enterprise where such employment is in conflict;

Personal investments in enterprises which the officer might have to regulate or pass upon in his official capacity;

Selling goods or services to a person or corporation which is regulated by the State agency in which the public officer or employee is employed.

There is also a requirement in the code for the public filing of substantial financial interests in activities regulated by the Federal Government. And finally, two more provisions specify that not only must the official maintain his integrity in fact, but he cannot engage in any activity or in any way create a reasonable impression which could give rise to a suspicion that any person unduly enjoys his favor or that he is otherwise in violation of the high standards of his public trust.

In cases concerning complaints of misconduct involving officers or employees of the executive branch, the United States

Attorney General is charged with rendering advisory opinions and he may refer complaints or such requests to a Public Advisory Committee on Ethical Standards which he may establish under the terms of the bill. The Attorney General may report his own findings and those of the advisory committee to the officer or agency having the power of removal or discipline over the official or employee involved in the complaint. He may also bring action when warranted to recover any money or property illegally obtained.

Together with Representative KEATING I will introduce in the near future proposed legislation concerning the enforcement of this interim ethical code as it affects congressional officers or employees.

The Commission on Ethics in Government will be bipartisan in character and composed of 15 members, 7 from private life, and will be appointed as follows: 5 by the President, 2 from the Executive branch and 3 from private life; 5 by the President of the Senate, 3 from the Senate and 2 from private life; and 5 appointed by the Speaker of the House of Representatives, 3 from the House of Representatives and 2 from private life. Out of each group of 5 appointed, no more than 3 shall be of the same political party.

The Commission is empowered to hold hearings, appoint advisory committees and take such testimony—with power to subpena witnesses—as is required in undertaking a thorough study and investigation of Federal ethical standards. At the end of 1 year, it is charged with recommending a comprehensive code of ethics bearing upon such questions as: outside employment by Federal officials, disclosure of confidential information acquired in the course of official duties, use of their official position to secure unwarranted privileges or exemptions for themselves or others, actions which give reasonable cause for public suspicion of violation of public trust, and dealings in their official capacity with matters in which they have a substantial pecuniary interest.

At the conclusion of the study, the Commission will submit its recommendations to the President and the Congress.

I know it is late in the session and we have a great many things to do, but I am certain that this is a matter, based upon our experience in New York, which can be quickly acted on, and which would be so useful when the whole attention of the country, and, indeed, of the world, is fixed on the subject. I certainly hope that, notwithstanding the time of the session, attention will be given immediately to this particular type of legislation, whether it be our joint resolution or the bill introduced by the Senator from Connecticut [Mr. BUSH], or any other bill dealing with the subject. I hope that action could be taken on it during this session.

In our country we pride ourselves upon the fact that when we are confronted with a celebrated case, of the kind we now find in our Government at this time in the form of the Adams case, people of constructive mind always try in every possible way to bring about permanent reforms which will cause some benefits to flow from the situation which is now being explored in the House.

The PRESIDING OFFICER. The bill and joint resolution will be received and appropriately referred.

The bill and joint resolution, introduced by Mr. JAVITS, were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

S. 4078. A bill to establish a code of ethics for the executive and legislative branches of the Government; and

S. J. Res. 186. Joint resolution to establish a Commission on Ethics in the Federal Government to study and develop necessary conflicts-of-interest legislation, including a code of ethics applicable to Members of Congress and to officers and employees of the executive branch of the Government.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3342) to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in schools.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11424) to extend the authority of the Secretary of Agriculture to extend special livestock loans, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 385) to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties, and it was signed by the President pro tempore.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Chair, under the precedents, submits to the Senate the question: Is the point of order No. 2, submitted by the Senator from Mississippi [Mr. EASTLAND], that section 8 of the Alaskan constitution is in direct violation of the Constitution of the United States in providing the manner and terms for the election of United States Senators well taken?

Mr. EASTLAND. Mr. President, I make the point of order that section 8 of the Alaskan constitution is in direct violation of the Constitution of the United States in providing the manner and terms for the election of United States Senators.

The last clause of section 1 of S. 49 and H. R. 7999 confirms, ratifies, and accepts a constitution previously approved by the residents of the Territory of Alaska. One of the provisions of this constitution directly violates a provision of the United States Constitution.

This is section 8 of article XV which attempts to provide for the election of 1 United States Senator for a short term and the election of 1 United States Senator for a long term.

The exact language of this section 8 of the proposed constitution of the proposed State of Alaska is as follows:

SEC. 8. The officers to be elected at the first general election shall include 2 Senators and 1 Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated. One Senator shall be elected for the long term and one Senator for the short term, each term to expire on the 3d day of January in an odd-numbered year to be determined by authority of the United States. The term of the Representative shall expire on the 3d day of January in the odd-numbered year immediately following his assuming office. If the first Representative is elected in an even-numbered year to take office in that year, a Representative shall be elected at the same time to fill the full term commencing on the 3d day of January of the following year, and the same person may be elected for both terms.

The Constitution of the United States provides in the first article of the Constitution that the Senate of the United States shall be composed of Senators chosen for 6 years.

I shall read a part of article 1, section 3 of the Constitution:

The Senate of the United States shall be composed of 2 Senators from each State, chosen by the legislature thereof, for 6 years; and each Senator shall have 1 vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year.

That is the method the Constitution of the United States provides for the election of Senators. I submit that when we say that we ratify, approve, and confirm the constitution of the proposed State of Alaska, we are ratifying, approving, and confirming an unconstitutional act, because the Legislature of Alaska cannot provide either the manner or the means for the election of United States Senators.

Any attempt to elect a Senator for what is called a short term is clearly in direct violation of the Constitution of the United States. This is no idle matter.

Even if it is considered to be only an attempt by the Alaska constitutional convention to designate that 1 Senator from the proposed new State of Alaska shall belong to 1 class and the other Senator shall belong to another class of Senators, it is equally beyond the authority of any State to make such a designation.

Mr. President, no one of my colleagues needs to do any more to satisfy himself on this point than to pick up the admirable new volume, entitled "Senate Procedure: Precedents and Practices" by our distinguished Parliamentarian and Assistant Parliamentarian, Charles L. Watkins and Floyd M. Riddick, and turn to page 553 of that work, to the section

captioned "Senators," and examine the paragraph on Senators—Classification of, and read the simple, direct, and unequivocal statement as follows:

The legislature of a new State has no authority to designate the particular class to which Senators first elected shall be assigned.

This statement, as all may be sure, is amply supported by the precedents.

Indeed, there are, as all of us are aware, not 2, but 3 classes of Senators, and the terms of one-third of this body expire at 2 year intervals.

It cannot be said until the classification of new Senators is accomplished, whether, inded, a new Senator is to be assigned to class 1, class 2, or class 3.

In any event, any attempt to elect a Senator for a short term is in direct violation of the Constitution of the United States; and any attempt on the part of a proposed new State to determine in advance the classifications to be assigned to its two new Senators is in direct violation of the practice which has been followed without exception in regard to the classification of Senators from new States from the time of the organization of this Republic.

There have been at least two previous instances in which an attempt has been made to designate the classification of Senators. In both of those instances, however, no attempt was made to designate that classification by a proposed constitutional provision or even by legislation. As a matter of fact, it was done by resolutions accompanying the certificates of election. In both cases, the Senators themselves were actually elected for a 6-year term.

The first instance to which I refer occurred when the new State of Minnesota was admitted to the Union. In the Journal of the Senate for Wednesday, May 12, 1858—Journal, page 441—there appears the following:

Mr. Toombs presented a resolution of the Legislature of the State of Minnesota, in joint convention, in favor of the Honorable Henry M. Rice, representing that State in the Senate of the United States for the long term; which was referred to the Committee on the Judiciary.

At that time, Mr. Toombs remarked, as reported in the Congressional Globe:

Mr. TOOMBS. The Legislature of the State of Minnesota in the joint convention which elected Senators passed a resolution on the subject of their tenure. It is a question of some trouble and difficulty, and I move that it be referred to the Committee on the Judiciary.

Let me digress at this point to call the attention of the Senate to the fact that in the Minnesota case the matter of tenure of Senators was recognized as the business and jurisdiction of the Committee on the Judiciary. I think it still is and that any legislation, proposed Constitution, or resolution dealing with the tenure and classification of Senators, should be referred to the Committee on the Judiciary of the United States Senate.

Continuing with the procedure in regard to Minnesota, 2 days later, Mr. Bayard, from the Committee on the Judiciary, to whom was referred the resolution of the State of Minnesota, filed the committee's report to the Senate. The Committee on the Judiciary reported a resolution setting forth the procedure for classifying the two new Senators from Minnesota in precisely the same manner in which the Senators from new States had been classified by the Senate of the United States, without exception, from the 1st session of the 1st Congress.

The Committee on the Judiciary in that instance recommended as follows:

"Resolved, That the Senate proceed to ascertain the classes in which the Senators from the State of Minnesota shall be inserted, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires."

The resolution was considered by unanimous consent, and agreed to.

Mr. BAYARD. Now I ask that the order accompanying the resolution from the committee be read and considered.

The Secretary read it, as follows:

"Ordered, That the Secretary put into the ballot box 2 papers of equal size, 1 of which shall be numbered 1, and the other shall be a blank. Each of the Senators of the State of Minnesota shall draw out 1 paper, and the Senator who shall draw the paper numbered 1, shall be inserted in the class of Senators whose term of service will expire on the 3d of March 1859; that the Secretary shall then put into the ballot box 2 papers of equal size, 1 of which shall be numbered 2, and the other shall be numbered 3. The other Senator shall draw out one paper. If the paper drawn be numbered 2, the Senator shall be inserted in the class of Senators whose terms of service will expire on the 3d day of March 1861; and if the paper drawn be numbered 3, the Senator shall be inserted in the class of Senators whose terms of service will expire the 3d day of March 1863."

Mr. Bayard's comments upon the resolution on behalf of the Committee on the Judiciary laid the question to rest with clarity beyond question, in his following remarks:

Mr. BAYARD. I will merely state, on behalf of the committee, that the request made by the Legislature of Minnesota—it is but a request—is entirely inconsistent with the settled practice of the Government under the resolution of the Senate in 1789, when the Senate was first organized. The committee have seen no reason for changing that practice. The Senate had then to determine how they would classify Senators, and they have always adhered to the practice then adopted. The Constitution of the United States authorizes the election of Senators for 6 years, and provides for their classification. In the first instance, in organizing the Senate, they might do it in 1 of 2 modes—either by lot or by arbitrary determination. They decided that lot was the best mode to do it; and thus the term is determined on the first coming in of a Senator; and that has been the mode of proceeding since the first origin of the Government.

The following year the State of Oregon was admitted to the Union, and the two Senators from the new State of Oregon were classified in accordance with the provisions of the Constitution and the long established customs of the Senate. The matter raised by the resolution of the Legislature of the State of Minnesota had been effectively settled.

The other case to which I should like to advert is that of the State of North Dakota, when the credentials of the two Senators from that new State were presented. On December 4, 1889, the credentials of the two Senators from the new State of North Dakota were presented to the Senate. The Vice President directed the reading of a resolution, reported by the Committee on Privileges and Elections, which set forth the time-honored procedure of classification of Senators in this body. After that resolution was read, Senator Cullom, who had presented the credentials of the two new Senators, addressed the Senate as follows:

Mr. CULLOM. Mr. President, before action is taken upon the resolution just read, I desire to present some resolutions adopted by the two houses of the Legislature of North Dakota touching upon the question of the term of one of the Senators from that State. I ask to have them read by the Secretary so that they may be placed upon record.

The Chief Clerk then read as follows:

BISMARCK, N. DAK., *November 29, 1889.*

It is herewith certified that on Wednesday, the 20th day of November, A. D. 1889, and subsequent to the election of Hon. Gilbert A. Pierce as Senator in the Congress of the United States, the senate of the first session of the Legislative Assembly of the State of North Dakota adopted the following resolution:

"Whereas Hon. Gilbert A. Pierce, the unanimous choice of the Republican Senators of the State of North Dakota, has been chosen by vote of the senate, one of the United States Senators to represent said State in the Congress of the United States:

"Be it resolved etc., That he be, and is hereby designated to represent the State of North Dakota in the Congress of the United States for the long term."

Said resolution being recorded on page 2 of the Senate Journal of November 20, 1889.

ALFRED DICKEY,
Lieutenant Governor and
President of the Senate.

Senator Hoar then addressed the Senate as follows:

Mr. HOAR. Mr. President, the Constitution of the United States provides that after the assembling of the Senate, in consequence of the first election, "they (the Senators) shall be divided as equally as may be into three classes." The Constitution did not expressly provide by what authority that designation should be made, but it has been the uninterrupted usage since the Government was inaugurated for the Senate to exercise that authority. Indeed, no other authority could be for a moment supposed to have been intended to be charged with this duty.

The Legislature of the State of North Dakota, the two houses of that legislature, after the election, have expressed a desire that one of the two gentlemen elected to the Senate of the United States from that State should hold the seat for the long term. Of course, that matter did not enter into the election there, and if it had done so, it is obvious that the State legislature had no constitutional authority in relation to the subject. Indeed, it was not then known, and is not yet known, what length of term will be assigned to either of the Senators from that State. Either of them may, in accordance with the lot, be assigned to the 6 years', the 4 years', or the 2 years' term. All that the Senate now knows is that, if this resolution be adopted, no two Senators will be assigned, from any one of the States that have just been admitted, to a term of the same length. Perhaps the desire of the Legislature of the State of North Dakota may be accomplished as the result of the proceedings of the Senate, but that must be the result of the lot, and I cannot see that the Senate may justly or properly exercise any authority in regard to it by way of departure from its duty.

Mr. President, the statement by Senator Hoar is but recognition of what was then, and is now, an inescapable conclusion; namely, that the State legislature has no constitutional authority in relation to this subject; that it has been the uninterrupted usage, since the Government was inaugurated, for the Senate itself to exercise this authority; and that no other authority can properly be considered. Yet, Mr. President, 100 years after this matter has been discussed and has been settled, the proposed State of Alaska, through its proposed constitution, again wants to renew the discussions and the debates on this subject. It is absolutely clear, to my mind, that this provision of the proposed constitution for the State of Alaska lacks authority in law and violates the express provisions of the Constitution of the United States. I wish to make the point that either there has been a lack of understanding of the structure of the Senate in the drafting of this provision, or else, if it was known, it has been completely ignored.

Mr. President, I have taken the time to go into this subject quite carefully, in order that the Senate may know that errors of major importance have been made in connection with the proposed legislation now pending, relating to the admission of Alaska to statehood. In my opinion, in view of the errors which have been made in, and the inconsistencies in relation to, the classification and tenure of Senators, the probability is, there are others. Nowhere in the reports or the hearings on this matter do I find that questions I pose have ever been raised or resolved; and I do not believe the Senate should approve this State constitution or should pass the proposed legislation until a great deal more study has been given to many of the phases of both documents. Let me point out again that House Report No. 624, to accompany House bill 7999, states as follows on page 5 thereof:

> By enactment of H. R. 7999 this constitution will be accepted, ratified and confirmed by the Congress of the United States.

Mr. President, I do not believe Senators should vote for the acceptance, ratification, or confirmation of a State constitution which contains a provision which does violence to such a basic concept of this body as its method of classification for purposes of tenure. So that there can be no doubt as to what the proposed constitution for the new State of Alaska provides in this respect, I ask unanimous consent to have section 8 of article XV printed at this point in the RECORD:

There being no objection, the section was ordered to be printed in the RECORD, as follows:

SECTION 8 OF ARTICLE XV

> The officers to be elected at the first general election shall include 2 Senators and 1 Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated. One Senator shall be elected for the long term and one Senator for the short term, each term to expire on the 3d day of January in an odd-numbered year to be determined by authority of the United States. The term of the Representative shall expire on the 3d day of January in the odd-numbered year immediately following his assuming office. If the first Representative is elected in an even-numbered year to take office in that year, a Representative shall be elected at the same time to fill the full term commencing on the 3d day of January of the following year, and the same person may be elected for both terms.

Mr. EASTLAND. Mr. President, the proposal which this body, by its approval of House bill 7999, would be ratifying, accepting, and confirming is, on its face, completely inconsistent with the Constitution of the United States, which requires that Senators be chosen for a term of 6 years, and further requires that the Senate divide itself into 3 classes. What is proposed in the case of Alaska has never been done in the history of this country, and should not be done now.

Mr. President, I respectfully submit that on this point of order, no further consideration can be given to this proposed legislation until the proposed Alaskan constitution is brought into conformity with the Constitution of the United States of America in regard to the selection of Members of the United States Senate.

Mr. President, on this question, I ask for the yeas and nays.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the yeas and nays shall be ordered on this question.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Is there objection?

There being no objection, the yeas and nays were ordered.

Mr. JACKSON. Mr. President, the distinguished senior Senator from Mississippi, who is chairman of the Judiciary Committee, has made a very able legal presentation of his point of order. I regret that I cannot agree with his conclusion. I should like to make a brief statement on this point for the RECORD.

At the outset it is important to note that the article of the Alaska constitution involved is entitled "Schedule of Transitional Measures," and is by definition a temporary provision. The section in dispute is section 8, article 15, which states:

> One Senator shall be elected for the long term and one for the short term, each term to expire on the 3d day of January in an odd-numbered year to be determined by authority of the United States.

It is difficult to see how any reading of this section can produce an interpretation that conflicts with the Federal Constitution. The section merely states the fact that 1 of the 2 Senators to be elected by the people of Alaska will serve a longer term than the other. This is a pure description of the facts as they have been established by the United States. The same section clearly states that the authority of the United States will determine when each term is to expire.

If any Senator would ask further evidence of the proper construction of this section, let me refer to section 5 of Ordinance No. 2, drafted by the same constitutional convention and approved by the people of Alaska at the same election.

This ordinance specifically acknowledges the right and power of the Senate to determine the class, if you will, of Senators from new States at the time they are seated in the Senate.

Exact historical precedents are available to show the results even if the Alaska constitution were somehow construed to require that one of the candidates serve a longer term than the other. These precedents appear on pages 9 through 11 of the printed points of order raised by the distinguished senior Senator from Mississippi [Mr. EASTLAND].

The Legislatures of Minnesota and North Dakota each specifically designated one of its original Senators-elect to serve "for the long term." The Senate of the United States summarily rejected these resolutions and proceeded, in accordance with the rules of the Senate, to designate the class to which each of the Senators would be assigned.

Mr. President, these are exact parallels to the most unfavorable construction which the opponents of this bill place on section 8 of article 15 of the Alaska constitution.

At the time of the admission of Minnesota and North Dakota, the 17th amendment to the Constitution of the United States had not been adopted. Therefore Senators were elected by the State legislatures. The resolutions of the State legislatures had exactly the same effect as would a vote of the people of Alaska, under present law. It must be clear from these precedents that neither an act of those legislatures nor a vote of the people of Alaska could infringe on the rights of the United States Senate, or cause any difficulty whatsoever.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. EASTLAND. Does the Senator know of any other time in the history of this country when the Judiciary Committee of the Senate has not passed upon the proposed constitution of a new State?

Mr. JACKSON. Frankly, I have not read all the precedents. I cannot answer that question.

Mr. EASTLAND. Can the Senator cite just one precedent?

Mr. JACKSON. I say, I do not know of any precedent. I made that clear in my statement. I think the important thing in connection with the provisions of the Alaskan constitution is the saving clause, which stipulates it is all subject to the authority of the United States. It is a cold, hard fact that the people of Alaska will be voting for a long-term and a short-term Senator. The good people of Alaska made an effort to do their best to comply with the political facts of life. They left it, in the last analysis, to the United States.

Mr. EASTLAND. Of course, they did not. The Legislature of Alaska has nothing to do with elections to the United States Senate for a short term, a long term, or any term. When it wrote that provision in its constitution it was in conflict with the Constitution of the United States.

Mr. JACKSON. Yes, but they saved it by saying "to be determined by the authority of the United States." That is the point.

Mr. EASTLAND. That is not the point. The point is that a provision has been written into the Alaskan statehood bill whereby the State determines the election of a long-term and a short-term Senator of the United States. That cannot be done. That provision flies right in the face of the Federal Constitution.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. CASE of South Dakota. I think the Senator from Washington has put his finger on the key to the problem in this matter. Over the weekend I have prepared a resolution, which I propose to discuss after the distinguished Senator from South Carolina has spoken, which I think would directly attack the problem. But the key to the problem has been pointed out by the Senator from Washington. The determination of which Senator is to serve for a long term and which Senator is to serve for a short term is to be made by the United States. It is not necessary, under the language of the Alaskan constitution, that 1 Senator run for election for the short term and 1 run for election for the long term. The people are to elect the Senators, but the determination as to which Senator shall serve the long term and which Senator shall serve the short term is to be made by the United States, in accordance with Senate traditions, in my judgment.

I propose to submit a resolution which will clearly set forth that fact, and shall propose that the resolution be communicated to the Governor of Alaska in advance of the proclamation for the election.

Mr. STENNIS. Mr. President, will the Senator from Washington yield so I may ask the Senator from South Dakota a question?

Mr. JACKSON. I yield for that purpose.

Mr. STENNIS. Why does not the Senator from South Dakota offer that proposal as an amendment to the bill?

Mr. CASE of South Dakota. The reason is that it is my understanding it is important to have the bill passed and have it go to the White House at this time. Therefore, I shall offer the resolution as an interpretative protocol. On many occasions the Senate has ratified treaties and has adopted protocols setting forth an interpretation of a clause or a part of the treaty. I think it might be desirable to offer my proposal as a separate resolution. I shall submit it and discuss it before a vote is taken on the pending point of order.

Mr. JACKSON. I wish to thank my colleague from South Dakota. I think he is right. In my opinion the people of Alaska did everything in their power to comply with the Constitution of the United States by inserting in their constitution a saving clause which states "to be determined by the United States."

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the Senator from Ohio.

Mr. LAUSCHE. I assume the interpretation of that clause would be that the Senate shall determine the terms of the respective Senators, when they come to the Senate as the State-elected Senators.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. CASE of South Dakota. I would interpret the language to mean that the Senate of the United States would make a determination under the constitutional provision that each House of Congress shall be the judge of the elections, returns, and qualifications of its own Members. I shall explain, when I offer the resolution, the exact interpretation.

Mr. LAUSCHE. The Senator would not construe the language to mean that the passage of the bill presently under consideration would be an act by the Senate making a determination in advance of the appearance of the elected Senators, would he?

Mr. JACKSON. Not at all.

Mr. CASE of South Dakota. The language of the resolution would specifically take care of that point.

Mr. LAUSCHE. The language read by the Senator from Washington?

Mr. CASE of South Dakota. The resolution which I propose to suggest.

Mr. JACKSON. I think the provision in the Alaska constitution would not be operative until the Senators had been elected and until they appeared for admission to the United States Senate. The point is that we have reserved all rights under the Constitution, and the United States Senate will make the ultimate determination.

Mr. HRUSKA. Mr. President, many of us have received letters and mail on the issue before the Senate today. In my experience I have not had many letters such as the one which I shall ask unanimous censent to have printed in the RECORD. The letter was written by a man who made a tour through Alaska a year ago. He had spent some time in the north country before that. He also wrote an article on his trip, which was published in the Omaha World-Herald, detailing events of the tour.

The letter and article are by a long-time personal friend of mine and my family, Frank T. Tesar. He is a studious, thoughtful citizen. He is a very active and civic-minded man, with a special enthusiasm for the great outdoors. As a result of his trip to Alaska last year, he brought to his family an experience which will stay with them for their lifetime. It will make them better citizens.

It is my hope that his article about that trip will be helpful in inducing others to make similar trips to Alaska, and in guiding them.

I ask unanimous censent that Mr. Tesar's letter and article be printed in the RECORD at this point.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

OMAHA, NEBR., *June 9, 1958.*

DEAR SENATOR: I would be happy to see that you could support the House passed bill for Alaska statehood.

During my visit in Alaska last summer, the majority of the common working people talked about statehood to me. Many asked why we are forgetting them. They want the privileges that we Americans in this now old country have. An Alaska resident cannot even write a letter like this to anyone that represents him in Washington. He must just be silent. But he pays taxes. I would like to see all my friends and relatives and acquaintances that live in Alaska have the same right that I have. They want to vote for the President, too.

Alaska has a moral right to statehood. They have remained a Territory longer than any other now present State ever had. Alaska has much more population than Nevada has now. The white, nonmilitary, population of Alaska is now much more than that of many States when they were admitted. The residents of Alaska have taken part in our wars. They are subject to draft and taxation. So they too, should be able to vote for a President and Representative and Senators. They do not want to be second-class citizens.

Taxation without representation was wrong before the Revolutionary War. It must also be wrong now. Our Colonies then revolted and fought England to overcome that unfairness. Alaska does not intend to revolt. They only ask for the same rights that the Americans fought for in 1776.

Nevada and California were admitted as States while being separated from the rest of the States by territory that was much more hostile and harder to travel over or send communications than the territory that separates Alaska and the States now. Alaska is only a few hours by air to Washington. Phone and wire service is direct.

The residents of Alaska know that their taxes will be higher in order to carry their new State government. They are ready for the added responsibility. The per capita wealth of Alaska residents is now higher than that of some of our States right now. Some big businesses like the salmon industry object to statehood. They have their own selfish reasons.

Alaska has large lumber and pulp grounds, proven oil fields, and 31 of the 33 vital minerals on the United States strategic list. The whole Territory is underlaid with coal. All this is dormant now waiting for statehood to release its wealth. For example, coal is now imported by Japan, next door to Alaska, from far-away Pennsylvania's mines and shipped about one-fourth of the way around the world via Panama. Beef is shipped to Alaska and still Alaska has much unused pasture that should produce their own beef. Alaska needs and deserves statehood.

Respectfully yours,

FRANK T. TESAR.

WE TRAVELED THE ALASKA HIGHWAY

(Mr. and Mrs. Frank Tesar of 3908 W Street, Omaha, and their two daughters drove to Alaska last summer. They camped mostly in a cartop tent. A description of their journey follows.)

(By Frank T. Tesar)

My wife Helen, daughters Yvonne and Diane and I spent 6 weeks vacationing and camping in Alaska and Yukon Territory in Canada.

We had often talked about the trip to Alaska in a vague way. Usually we would say we could not afford it or that we would wait till we retired, etc. When we bought our new car on Thanksgiving Day of 1956 we decided we would make the trip in 1957 or never. I had to ask for 6 weeks leave from work, which was breaking precedent, but my supervisor was very understanding.

We set our date to leave June 8 and return July 20. I made a few extra purchases like a sixth wheel and tire, a tireholder for the rear bumper to hold both extra tires and wheels (this gave us much more baggage room in the trunk of the car).

We bought an auto top bed tent with ladder so we also were able to set up a bed on the car top in a few minutes and break it up still faster.

Diane, being just 5 feet tall, was to sleep on the rear seat, and Yvonne had a legless cot to put across the top of the front seat and rear window shelf. So our lodging was solved for 42 nights.

We had a lean-to auto tent that we used to dress in or cook and eat in if it rained.

We had a two-burner Coleman gas stove and a nested cooking and eating set that fit into a box just 11 inches cubed.

We had one fishing rod but no guns whatsoever. I had been in northern Alberta before, long enough to know that the only thing to fear in the north is mosquitoes.

But we forgot our mosquito spray gun so we had to buy some squirt-type mosquito bombs which we used often.

FROM MILE ZERO

I realized early that we were too heavily loaded so I bought overload springs at Great Falls, Mont. We crossed the United States-Canadian border on June 12. The border investigation is a simple formality, but since we were going to Alaska, we were asked to show our funds of which we had over $400 besides 5 gasoline credit cards (many credit cards are good in Canada and Alaska, too).

Birth certificates are helpful. Alberta requires proof of auto liability insurance in the form of a pink slip from your insurance company.

We stopped near Grande Prairie, Alberta, at the village of Sexsmith to visit cousins and friends in the country where I lived from 1928 to 1934. Helen washed our clothes.

I bought an extra tarp to protect our auto top bed tent which was not shedding rain at all.

On Sunday, June 16, we entered the Alaska Highway, mile zero. The road just before we entered it between Hythe, Alberta, and Dawson Creek, B. C., was the worst road we encountered, a distance of about 40 miles.

The Alaska road runs over 1,523 miles from Dawson Creek, B. C., and it is considered the most adventuresome auto trip in North America.

We saw license plates from many of our States and most provinces of Canada. We found the road generally good; all the road from Dawson Creek to past the Alaska boundary is a well-maintained gravel road equal to our State or county gravel roads.

During dry weather the road is dusty. After heavy rains, before the maintenance crew can catch up, the road is washboard-like and sometimes rough in a few spots.

The road is not like a California freeway or Pennsylvania Turnpike. Forty miles is a fast safe speed and it is wise to be ready to slow up for occasional bumps or small holes.

I was pleasantly surprised to find how far we could travel in a day. There was no darkness in Yukon and Alaska during the last 2 weeks in June.

Stretching like a long, narrow band through forest-covered hills and around great mountains and lakes, this road is surely the world's most romantic and scenic virgin wonder trail. Driving time from Omaha to the Alaska border was 8 days.

CAMPING EN ROUTE

The roadside is covered with wild flowers. Large water lilies of gold fill the shallow ponds and marshes.

One can see many towering white-capped peaks of perpetual snow in the distance.

We saw a lot of wild ducks on the small lakes as well as beaver dams and beaver houses.

To see a baldheaded eagle soar is a thrill.

We saw many cow moose with calves feeding and even saw a fox catching mice near a ditch bank.

The lakes are full of loons whose cries at night are very scary and suggestive of a child crying in agony.

About the only wild creatures we did not see were bears and wolves.

Bears are hunted so much that they learn to respect man and are not to be seen like the spoiled park bears in Yellowstone.

There is a big bounty on wolves so they too are very shy about exposing themselves. We finally saw a small timid bear near a camp as we were approaching a settlement in northern British Columbia not too far from Fort St. John on our way home. He ran like a rabbit.

The fishing in the interior of western Canada and Alaska away from the sea is difficult. It is a struggle to catch any fish.

We camped and cooked our meals all along the way. Helen and Yvonne became expert outdoor camp cooks, even baked biscuits. Sometimes Diane picked wild strawberries as a supplement for our dessert.

The Yukon and Alaska have fine camping areas in many places for the convenience of the tourist. Most campsites have tables, fireplaces, firewood, toilets, pure drinking water (usually from springs) and even shelters in which to cook in case of rain or chilly mornings.

Lodges (motels), eating places, gas service stations, and small general stores are to be found all along the road, usually spaced 50 or less miles apart.

Overnight lodging costs about the same or little more than comparable facilities in the United States, but accommodations are sometimes not as de luxe as ours.

However, sleeping accommodations cost very much more in booming Alaska towns like Anchorage or Fairbanks. Meals and groceries cost about 25 percent to 50 percent more. Gasoline prices vary from 39 cents at seaports in Alaska to over 55 cents at Fairbanks. Oil and tire prices are higher, too.

Gasoline prices in Canada ranged up to 65 cents for the larger imperial gallon in northern British Columbia.

It is a pleasure to drive without seeing any billboard advertisements or tins cans and trash in ditches.

The entire highway is marked off in mileposts starting with zero at Dawson Creek, British Columbia, to 1,202 at the Alaska border and beyond to Fairbanks at 1,523. You cannot get lost. There is only one Alaska road.

AROUND ALASKA

The Territory of Alaska has over 1,000 miles of good black-topped pavement, most of which is equal to the roads in the United States. In addition to that space are over 500 miles of good, safe, gravel roads that are usually well maintained in the summer. We enjoyed 18 days in that fine vacationland.

The cities of Anchorage, Fairbanks, Seward, Valdez, Homer, Kenai, and Circle City are all connected to the Alaska Highway.

At Valdez we found a fishing paradise. Pink salmon were going up small streams and were very numerous and easy to catch. Diane caught as many fish as we could eat, preserve, or give away—the smallest weighed 4 pounds.

At Circle City we saw the sun at midnight due north on June 21 and likewise at Eagle Summit on June 22 on Steese Highway. Circle City is 49 miles south of the Arctic Circle and is the most northerly town, connected by road, in North America.

Seward is an interesting seaport town and the ocean terminus of the Alaska Railroad. Homer is located on the southern tip of Kenai Peninsula and is near some wonderful vacant grasslands, native hay, waist high as far as one could see.

The grazing season is only 4 to 6 months long and hay is extremely hard to make because of the frequent rain and mist. However, some residents told me that they could raise catle profitably if Alaska gained statehood and the beef market was made possible.

Kenai is a village that was settled by Russians in 1791. Descendants of early Russians still live there. We visited the Russian Orthodox Church, more than 100 years old, in Eklutna.

I asked our guide to say the Lord's Prayer in Russian and I was amazed on how many of the words I could recognize because of their similarity to Czech words.

In Kenai we met a young couple who are successful homesteader potato farmers, raising 9 tons of potatoes to the acre.

Fairbanks and Anchorage are not much different from Lincoln and Wichita. Both are growing and have housing problems.

Big Delta residents boast the greatest extremes in Alaska temperatures. The city of Big Delta is supposed to have had 80 below in winter, and gets up to 100 in summer (on the same thermometer). That is the same difference between freezing and boiling water at sea level.

We returned home via the alternate route through Dawson, Yukon, not a regular traveled road. It has ferries instead of bridges. It made backtracking necessary on only the first 925 miles of the present road. The distance is only 136 miles farther via this alternate return route.

DRESS CLOTHES USELESS

For any one contemplating the trip, we recommend purchase of the Mile Post booklet published at P. O. Box 457, Cathedral City, Calif., for $1.25. It gives great detail on every interesting part of the Alaska route.

Do not think it necessary to figure out all equipment and baggage to the minute detail. Most of the larger cities in Alaska have supplies if you forget something. Used Army equipment can be bought reasonably at Army surplus stores in Fairbanks.

We found the most useless baggage was our dress clothes, which we did not use. Sport clothes are quite proper for Alaska travel.

Outside of gasoline, our living expenses on the trip were even a shade less than they were at home in Omaha. We had to put up at hotels only twice, once when it was pouring rain on our stop. We had few restaurant meals.

Mrs. Tesar is good at fixing leftovers. We caught fish. We picked wild berries. Alaskans gave us vegetables from their gardens.

Gasoline was half again as expensive as in the States, and staple groceries were a bit higher.

I hope that if this article inspires any one to travel the Alaska Highway he will not be disappointed. If you care only for plush and chrome luxury, if you cannot tolerate some dust and bumps, if you would not trade a French menu for ham and eggs, if you like neon lights better than fragrant forest air, then maybe the jaunt will not delight you as it did us.

Mr. THURMOND. Mr. President, I shall now address myself to the second point of order of the Senator from Mississippi [Mr. EASTLAND]. It appears that section 8 of the Alaskan Constitution is in direct violation of the Constitution of the United States in providing the manner and terms for the election of United States Senators.

Section 1 of H. R. 7999 ratifies and accepts a constitution for the State of Alaska which has been previously approved by the resident of the Territory of Alaska. Article XV, section 8, of this Alaskan Constitution provides for the election of 1 United States Senator for

a long term and the election of 1 United States Senator for a short term. The exact language of this section is as follows:

SEC. 8. The officers to be elected at the first general election shall include 2 Senators and 1 Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated. One Senator shall be elected for the long term and one Senator for the short term, each term to expire on the 3d day January in an odd-numbered year to be determined by authority of the United States. The term of the Representative shall expire on the 3d day of January in the odd-numbered year immediately following his assuming office. If the first Representative is elected in an even numbered year to take office in that year, a Representative shall be elected at the same time to fill the full term commencing on the 3d day of January of the following year, and the same person may be elected for both terms.

The Constitution of the United States provides in article I, as modified by article XVII, that the Senate of the United States shall be composed of 2 Senators from each State, elected by the people thereof for 6 years. It is very clear, therefore, that any attempt to elect a Senator for what is called a short term is in violation of the Constitution. The Constitution clearly states that Senators must be elected for a term of 6 years.

I know of two previous instances in which an attempt has been made to designate the classification of Senators by the legislatures of their States. The first such instance occurred 100 years ago, in 1858, when the State of Minnesota was admitted to the Union. The Legislature of the State of Minnesota passed a resolution designating that one of the elected Senators should represent the State for a longer term than the other. The Senate heard the resolution and referred the matter to the Committee on the Judiciary, which reported a resolution setting forth the procedure for classifying the two new Senators from Minnesota in precisely the same manner in which the Senators from other new States had beeen classified by the Senate, without a single exception, from the first session of the first Congress. In other words, the Senators were classified by lot.

This system by which the Senate has always classified Senators of new States was not challenged again until December 4, 1889, when the credentials of the two Senators from the new State of North Dakota were presented to the Senate. At the same time that the credentials of these Senators were presented, there was also presented a resolution of the two Houses of the North Dakota Legislature. The resolution designated 1 of the 2 Senators to serve a longer term than the other. Senator Hoar then addressed the Senate, and this is what he said:

Mr. HOAR. Mr. President, the Constitution of the United States provides that after the assembling of the Senate, in consequence of the first election, "they (the Senators) shall be divided as equally as may be into three classes." The Constitution did not expressly provide by what authority that designation should be made, but it has been the uninterrupted usage since the Government was inaugurated for the Senate to exercise that authority. Indeed, no other authority could be for a moment supposed to have been intended to be charged with this duty.

The Legislature of the State of North Dakota, the 2 houses of that legislature, after the election, have expressed a desire that 1 of the 2 gentlemen elected to the Senate of the United States from that State should hold the seat for the long term. Of course, that matter did not enter into the election there, and if it had done so, it is obvious that the State legislature had no constitutional authority in relation to the subject. Indeed, it was not then known, and is not yet known, what length of term will be assigned to either of the Senators from that State. Either of them may, in accordance with the lot, be assigned to the 6 years', the 4 years', or the 2 years' term. All that the Senate now knows is that, if this resolution be adopted, no 2 Senators will be assigned, from any one of the States that have just been admitted, to a term of the same length. Perhaps the desire of the Legislature of the State of North Dakota may be accomplished as the result of the proceedinges of the Senate, but that must be the result of the lot, and I cannot see that the Senate may justly or properly exercise any authority in regard to it by way of departure from its duty.

There is no question whatsoever about the procedure which the Senate has established for classifying Senators. It is an old and long-established procedure. It has not been seriously challenged for the last hundred years. Yet we find the framers of the constitution of the proposed State of Alaska flying in direct contravention of the established procedures and, indeed, in direct violation of the Constitution of the United States.

Let me make it clear that I do not believe for an instant that this was done maliciously or with any intent to overthrow established procedures. On the contrary, I am convinced that the people of Alaska wish to join the Union under the same terms and conditions that have applied to the admission of other States. However, as I have mentioned before, this is not a government of good intentions to the exclusion of the law. It is a government, I would hope, of good intentions under the law.

It appears to me that this violation of the Constitution, though unintentional, is a most serious matter.

I have not had the opportunity to study carefully all of the provisions in the Alaskan constitution. I am making an effort to study them now, while this bill is under consideration. It occurs to me that since this Alaskan constitution is so far out of line with the Constitution of the United States with regard to the selection of Senators it may well be that there have been other important errors in the drafting of the Alaskan constitution. I do not believe that sufficient care has been given to the study of the Alaskan constitution in considering the Alaskan statehood bill.

As all of us know well, there are not two classes of Senators but three classes. The terms of one-third of this body expire at 2-year intervals. The proposal of the Alaskan constitution is completely inconsistent with the Constitution of the United States, which requires that Senators be chosen for a term of 6 years and that the Senate divide itself into 3 classes.

I urge that the pending point of order be sustained, and that no further consideration be given the proposed legislation until the Alaskan Constitution shall be made to conform with the Constitution of the United States.

Mr. CASE of South Dakota obtained the floor.

Mr. CHURCH. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. CASE of South Dakota. I will yield provided I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morse
Allott	Green	Morton
Anderson	Hayden	Mundt
Barrett	Hickenlooper	Murray
Beall	Hill	Neuberger
Bennett	Holland	O'Mahoney
Bible	Hruska	Pastore
Bricker	Humphrey	Payne
Bridges	Ives	Potter
Bush	Jackson	Proxmire
Butler	Javits	Purtell
Byrd	Johnston, S. C.	Revercomb
Carlson	Jordan	Robertson
Carroll	Kefauver	Russell
Case, N. J.	Kennedy	Saltonstall
Case, S. Dak.	Kerr	Schoeppel
Chavez	Knowland	Smith, Maine
Church	Kuchel	Smith, N. J.
Cooper	Langer	Sparkman
Cotton	Lausche	Stennis
Dirksen	Long	Symington
Douglas	Magnuson	Talmadge
Dworshak	Mansfield	Thurmond
Eastland	Martin, Iowa	Thye
Ellender	Martin, Pa.	Watkins
Ervin	McClellan	Wiley
Frear	McNamara	Williams
Fulbright	Monroney	Young

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] and the Senator from Nevada [Mr. MALONE] are absent on official business.

The Senator from Nebraska [Mr. CURTIS] is absent on public business.

The Senator from Vermont [Mr. FLANDERS] is absent because of death in the family.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of illness.

The Senator from Indiana [Mr. JENNER] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

IMPROVEMENT OF NATIONAL TRANSPORTATION SYSTEM

The PRESIDING OFFICER (Mr. PROXMIRE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3778) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, and for other purposes, which was to strike out all after the enacting clause and insert:

That this act may be cited as the "Transportation Act of 1958."

AMENDMENT TO INTERSTATE COMMERCE ACT, RELATING TO LOAN GUARANTIES

SEC. 2. The Interstate Commerce Act, as amended, is amended by inserting immediately after part IV thereof the following new part:

"PART V

"PURPOSE

"SEC. 501. It is the purpose of this part to provide for assistance to common carriers by railroad subject to this act to aid them in acquiring, constructing, or maintaining facilities and equipment for such purposes, and in such a manner, as to encourage the employment of labor and to foster the preservation and development of a national transportation system adequate to meet the needs of the commerce of the United States, of the postal service, and of the national defense.

"DEFINITIONS

"SEC. 502. For the purposes of this part—

"(a) The term 'Commission' means the Interstate Commerce Commission.

"(b) The term 'additions and betterments or other capital expenditures' means expenditures for the acquisition or construction of property used in transportation service, chargeable to the road, property, or equipment investment accounts, in the Uniform System of Accounts prescribed by the Interstate Commerce Commission.

"(c) The term 'expenditures for maintenance of property' means expenditures for labor, materials, and other costs incurred in maintaining, repairing, or renewing equipment, road, or property used in transportation service chargeable to operating expenses in accordance with the Uniform System of Accounts prescribed by the Commission.

"LOAN GUARANTIES

"SEC. 503. In order to carry out the purpose declared in section 501, the Commission, upon terms and conditions prescribed by it and consistent with the provisions of this part, may guarantee in whole or in part any public or private financing institution, or trustee under a trust indenture or agreement for the benefit of the holders of any securities issued thereunder, by commitment to purchase, agreement to share losses, or otherwise, against loss of principal or interest on any loan, discount, or advance, or on any commitment in connection therewith, which may be made, or which may have been made, for the purpose of aiding any common carrier by railroad subject to this act in the financing or refinancing (1) of additions and betterments or other capital expenditures, made after January 1, 1957, or to reimburse the carrier for expenditures made from its own funds for such additions and betterments or other capital expenditures, or (2) of expenditures for the maintenance of property.

"LIMITATIONS

"SEC. 504. (a) No guaranty shall be made under section 503—

"(1) Unless the Commission is of the opinion that without such guaranty, in the amount thereof, the carrier would be unable to obtain necessary funds, on reasonable terms, for the purposes for which the loan is sought.

"(2) If the loan involved is at a rate of interest which, in the judgment of the Commission, is unreasonably high, or if the terms of such loan permit full repayment more than 15 years after the date thereof.

"(3) For any loan for expenditures for maintenance of property, if the principal of such loan, or the total of such principal and the unpaid principal of all other loans to the common carrier concerned for expenditures for maintenance of property guaranteed under this act, exceeds 50 percent of the aggregate amount charged in the accounts of said carrier for expenditures for maintenance of property during the calendar year next preceding the date of the application for such guaranty, and if the Commission fails to determine that on the date of the application the carrier has substantial deferred expenditures for maintenance of property, that such deferral has been required by the carrier's financial condition and that the carrier and lender have made arrangements which provide reasonable assurance that the proceeds of the loan will be used only to raise the annual level of maintenance expenditures by the carrier over the average annual level of such expenditures by the carrier during the period when such maintenance expenditures were being deferred.

"(b) It shall be unlawful for any common carrier by railroad subject to this act to declare any dividend on its preferred or common stock while there is any principal or interest remaining unpaid on any loan to such carrier made for the purpose of financing or refinancing expenditures for maintenance of property of such carrier, and guaranteed under this part.

"MODIFICATIONS

"SEC. 505. The Commission may consent to the modification of the provisions as to rate of interest, time or payment of interest or principal, security, if any, or other terms and conditions of any guaranty which it shall have entered into pursuant to this part or the renewal or extension of any such guaranty, whenever the Commission shall determine it to be equitable to do so.

"PAYMENT OF GUARANTIES; ACTION TO RECOVER PAYMENTS MADE

"SEC. 506. (a) Payments required to be made as a consequence of any guaranty by the Commission made under this part shall be made by the Secretary of the Treasury from funds hereby authorized to be appropriated in such amounts as may be necessary for the purpose of carrying out the provisions of this part.

"(b) In the event of any default on any such guaranteed loan, and payment in accordance with the guaranty by the United States, the Attorney General shall take such action as may be appropriate to recover the amount of such payments, with interest, from the defaulting carrier, carriers, or other persons liable therefor.

"GUARANTY FEES

"SEC. 507. The Commission shall prescribe and collect a guaranty fee in connection with each loan guaranteed under this part. Such fees shall not exceed such amounts as the Commission estimates to be necessary to cover the administrative costs of carrying out the provisions of this part. Sums realized from such fees shall be deposited in the Treasury as miscellaneous receipts.

"ASSISTANCE OF DEPARTMENTS OR OTHER AGENCIES

"SEC. 508. (a) To permit it to make use of such expert advice and services as it may require in carrying out the provisions of this part, the Commission may use available services and facilities of departments and other agencies and instrumentalities of the Government, with their consent and on a reimbursable basis.

"(b) Departments, agencies, and instrumentalities of the Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this part.

"ADMINISTRATIVE EXPENSES

"SEC. 509. Administrative expenses under this part shall be paid from appropriations made to the Commission for administrative expenses.

"TERMINATION OF AUTHORITY

"SEC. 510. The authority granted by this part shall terminate at the close of March 31, 1961, except that its provisions shall remain in effect thereafter for the purposes of guaranties made by the Commission prior to that time."

AMENDMENTS TO SECTION 1 OF INTERSTATE COMMERCE ACT

SEC. 3. Section 1 of the Interstate Commerce Act, as amended (1) by inserting in subparagraph (a) of paragraph (2) thereof, after the word "aforesaid" and before the semicolon following that word, a comma and the words "except as otherwise provided in this part" and (2) by striking out the period at the end of the provisio in subparagraph (a) of paragraph (17) thereof and inserting in lieu thereof the following: "and except as otherwise provided in this part."

NEW SECTION 13A OF INTERSTATE COMMERCE ACT

SEC. 4. The Interstate Commerce Act, as amended, is amended by inserting after section 13 thereof a new section 13a as follows:

"DISCONTINUANCE OR CHANGE OF CERTAIN OPERATIONS OR SERVICES

"SEC. 13a. (1) A carrier or carriers subject to this part, if their rights with respect to the discontinuance or change, such discontinuance or change would otherwise become effective, may require such train or ferry to be continued in operation or service, in whole or in part, pending hearing and decision in such investigation, but not for a longer period than 4 months beyond the date when such discontinuance or change would otherwise have become effective. If, after hearing in such investigation, whether concluded before or after such discontinuance or change has become effective, the Commission finds that the operation or service of such train or ferry is required by public convenience and necessity and will not unduly burden interstate or foreign commerce, the Commission may by order require the continuance or restoration of operation or service of such train or ferry, in whole or in part, for a period of not to exceed 1 year from the date of such order. The provisions of this section shall not supersede the laws of any State or the orders or regulations of any administrative or regulatory body of any State applicable to such discontinuance or change unless notice as in this section provided is filed with the Commission. On the expiration of an order by the Commission after such investigation requiring the continuance or restoration of operation or service, the jurisdiction of any State as to such discontinuance or change shall no longer be superceded unless the procedure provided by this section shall again be invoked by the carrier or carriers.

"(2) The provisions of this section shall not apply to the operations of or services performed by any carrier by railroad on a line of railroad located wholly within a single State.

"(3) The Commission, in cooperation with State utilities commissions shall make a study of the passenger train deficit problem and report thereon to the Congress not later than June 30, 1959, together with such recommendations as the Commission deems to be necessary or appropriate."

AMENDMENT TO SECTION 15A OF THE INTERSTATE COMMERCE ACT

SEC. 5. Section 15a of the Interstate Commerce Act, as amended, is amended by inserting after paragraph (2) thereof a new paragraph (3) as follows:

"(3) In a proceeding involving competition between carriers of different modes of transportation, subject to this act, the Commission, in determining whether a rate is lower than a reasonable minimum rate, shall consider the facts and circumstances attending the movement of the traffic by the carrier or carriers to which the rate is applicable. Rates of a carrier shall not be held up to a particular level to protect the traffic of any other mode of transportation, giving due

consideration to the objectives of the national transportation policy declared in this act."

AMENDMENT TO SECTION 203 (B) OF INTERSTATE COMMERCE ACT

SEC. 6. (a) Clause (6) of subsection (b) of section 203 of the Interstate Commerce Act, as amended, is amended by striking out the semicolon at the end thereof and inserting in lieu thereof a colon and the following: "*Provided*, That the words 'property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof)' as used herein shall include property shown as 'Exempt' in the 'Commodity List' incorporated in ruling No. 107, March 19, 1958, Bureau of Motor Carriers, Interstate Commerce Commission, but shall not include property shown therein as 'Not exempt': *Provided further, however*, That notwithstanding the preceding proviso the words 'property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof), shall not be deemed to include frozen fruits, frozen berries, frozen vegetables, coffee, tea, cocoa, bananas, or hemp, and wool imported from any foreign country, wool tops and noils, or wool waste, carded but not spun, woven, or knitted and shall be deemed to include fish or shell fish, and fresh or frozen products thereof containing seafood as the basic ingredient, whether breaded, cooked or otherwise prepared (but not including fish and shell fish which have been treated for preserving, such as canned, smoked, salted, pickled, spiced, corned or kippered products);".

(b) Unless otherwise specifically indicated therein, the holder of any certificate or permit heretofore issued by the Interstate Commerce Commission, or hereafter so issued pursuant to an application filed on or before the date on which this section takes effect, authorizing the holder thereof to engage as a common or contract carrier by motor vehicle in the transportation in interstate or foregin commerce of property made subject to the provisions of part II of the Interstate Commerce Act by paragraph (a) of this section, over any route or routes or within any territory, may without making application under that act engage, to the same extent and subject to the same terms, conditions and limitations, as a common or contract carrier by motor vehicle, as the case may be, in the transportation of such property, over such route or routes or within such territory, in interstate or foreign commerce.

(c) Subject to the provisions of section 210 of the Interstate Commerce Act, if any person (or its predecessor in interest) was in bona fide operation on June 1, 1958, over any route or routes or within any territory in the transportation of property for compensation by motor vehicle made subject to the provisions of part II of that act by paragraph (a) of this section, in interstate or foreign commerce, and has so operated since that time (or if engaged in furnishing seasonal service only, was in bona fide operation on June 1, 1958, during the season ordinarily covered by its operations and has so operated since that time), except in either instance as to interruptions of service over which such applicant or its predecessor in interest had no control, the Interstate Commerce Commission shall without further proceedings issue a certificate or permit, as the type of operation may warrant, authorizing such operations as a common or contract carrier by motor vehicle if application is made to the said Commission as provided in part II of the Interstate Commerce Act and within 120 days after the date on which this section takes effect. Pending the determination of any such application, the continuance of such operation without a certificate or permit shall be lawful. Any carrier which on the date this section takes effect is engaged in an operation of the character specified in the foregoing provisions of this paragraph, but was not engaged in such operation on June 1, 1958, may under such regulations as the Interstate Commerce Commission shall prescribe, if application for a certificate or permit is made to the said Commission within 120 days after the date on which this section takes effect, continue such operation without a certificate or permit pending the determination of such application in accordance with the provisions of part II of the Interstate Commerce Act.

AMENDMENT TO SECTION 203 (C) OF INTERSTATE COMMERCE ACT

SEC. 7. Subsection (c) of section 203 of the Interstate Commerce Act, as amended, is amended by striking out the period at the end thereof and inserting in lieu of such period a comma and the following: "nor shall any person in connection with any other business enterprise transport property by motor vehicle in interstate or foreign commerce unless such transportation is incidental to, and in furtherance of, a primary business enterprise (other than transportation) of such person."

Mr. MAGNUSON. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. SMATHERS, Mr. LAUSCHE, Mr. YARBOROUGH, Mr. BRICKER, Mr. SCHOEPPEL, and Mr. PURTELL conferees on the part of the Senate.

BOUNDARY COMPACT BETWEEN STATES OF OREGON AND WASHINGTON

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 7153) giving the consent of Congress to a compact between the State of Oregon and the State of Washington establishing a boundary between those States, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. O'MAHONEY. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agree to; and the Presiding Officer appointed Mr. O'MAHONEY, Mr. KEFAUVER, and Mr. WILEY conferees on the part of the Senate.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. CASE of South Dakota. Mr. President, the point of order pending before the Senate, raised by the distinguished Senator from Mississippi [Mr. EASTLAND], is based upon two parts of the bill before us dealing with statehood for Alaska. The first portion is that found in the first section of the proposed act, which provides that the constitution framed under the provisions of an act of the Territorial legislature "is hereby found to be Republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed."

That language appears in section 1, at page 2 of the bill.

On page 14 of the bill, section 7 provides that the Governor of Alaska "shall issue his proclamation for the elections as hereinafter provided, for officers of all elective offices and in the manner provided for by the constitution of the proposed State of Alaska, but the officers so elected shall in any event include 2 Senators and 1 Representative in Congress."

So the bill, first of all, ratifies and accepts the proposed constitution for the new State of Alaska. Then, in section 7, it requires the Governor to issue his proclamation for an election in the manner provided for by the constitution of the proposed State of Alaska.

The portion of the proposed constitution for the proposed State of Alaska which is involved is section 8. In section 8 it is set forth that—

> The officers to be elected at the first general election shall include two Senators and one Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated.

The next sentence is the particular sentence to which the Senator from Mississippi has addressed his point of order:

> One Senator shall be elected for the long term and one Senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States.

The Senator from Mississippi has based his point of order upon what he interprets to be the intent of that sentence by placing emphasis upon the first half of the sentence, namely:

> One Senator shall be elected for the long term and one Senator for the short term.

The Senator from Mississippi reads with emphasis the part of the sentence up to the comma, namely:

> One Senator shall be elected for the long term and one Senator for the short term.

But the sentence does not stop there. What I have read is not followed by a period. There is only a comma; then the sentence continues:

> Each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States.

As the distinguished Senator from Washington [Mr. JACKSON] has pointed out, in the last clause, following the comma, the Territorial Legislature of Alaska, in the constitution it proposed, provided the answer to the question which has been posed by the Senator from Mississippi. I read it again: "each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States."

Very clearly, then, the authority to determine the long term and the short term does not rest with the Governor of Alaska; it does not rest with the Territorial legislature; it does not rest, even, with the people of the State of Alaska; and under my reading of the sentence in question, it was never intended that it should, for the sentence clearly says that each term is "to expire on the third day of January in an odd-numbered year to be determined by authority of the United States."

Accordingly, it has occurred to me that the simple way to make this point clear and to put everyone on notice as to the interpretation which the United States Senate places upon this clause is by the submitting of a resolution which could be considered subsequent to the passage of the bill.

On many occasions when the Senate has ratified treaties, it has adopted protocols which, while not a part of the ratification proper, have expressed the interpretation of the Senate. So I suggest that at some date after the passage of the bill the Senate consider a resolution, which I shall offer at the conclusion of my remarks, but which I shall now read for the information of the Senate. It would be a simple Senate resolution, reading as follows:

Whereas the Constitution of the United States provides that each House of the Congress shall be the judge of the elections, returns, and qualifications of its own Members; and

Whereas traditionally upon the admission of a new State into the Union the Senate, by lot, has provided for the classification of the Senators from such State: Now, therefore, be it

Resolved, That the Secretary of the Senate, as soon as practicable after the adoption of this resolution and prior to the proclamation of the Governor of Alaska with respect to elections provided for under the provisions of section 7 of the act entitled "An act to provide for the admission of the State of Alaska into the Union," shall notify the Governor of Alaska that the Senate of the United States understands and interprets section 8 of article 15 of the proposed State constitution for the State of Alaska to mean that the Senate of the United States shall determine which one of the two Senators elected in the election provided for by section 8 has been elected for the long term and which one for the short term and to determine the odd-numbered year in which their terms respectively expire.

That is in conformity with the traditions and practice of the Senate heretofore.

The distinguished Senator from Maryland [Mr. BUTLER], in his remarks on last Thursday, took occasion to set forth in some detail the practice which had been followed by the United States Senate in determining the odd-numbered year in which the terms of the two Senators who came to the Senate from a new State were to expire. I note, for example, that Mississippi was admitted to the Union on December 10, 1817. The Journal of the Senate for the first session of the 15th Congress, for Friday, December 12, 1817, shows that on the motion of Mr. Barber it was resolved:

That the Senate proceed to ascertain the classes in which the Senators of the State of Mississippi shall be inserted in conformity with the resolution of the 14th of May 1789, and as the Constitution requires.

Ordered, That 2 lots, No. 3 and blank, be by the Secretary rolled up and put into the ballot box; and that it is understood that the Senator who shall draw the lot No. 3 should be inserted in the class of Senators whose terms of service, respectively, expire in 6 years, from and after the 3d day of March 1817, in order to equalize the classes; accordingly, Mr. Williams drew lot No. 3 and Mr. Leake drew the blank.

It was then agreed that 2 lots, No. 1 and No. 2, should be, by the Secretary, rolled up and put into the ballot box, and 1 of these be drawn by Mr. Leake, the Senator from the State of Mississippi not classed; and it was understood that if he should draw lot No. 1 he should be inserted in the class of Senators whose terms of service will, respectively, expire in 2 years from and after the 3d day of March 1817; but, if he should draw lot No. 2 it was understood that he should be inserted in the class of Senators whose terms of service, respectively, expire in 4 years from and after the 3d day of March 1817; when Mr. Leake drew No. 2 and is classed accordingly.

In other words, the procedure which was followed in determining the odd-numbered years for the ending of the terms of the first two Senators from the State of Mississippi could be followed in the case of Alaska, and would be followed, I assume, if the Senate, in its wisdom, at the time should use lot as the method of determination.

If I remember correctly, at present, of the 96 Senators, there are 32 in each of the three classes. Therefore, so far as the balance of the Senate is concerned, it would be relatively immaterial whether one of the new Senators from Alaska served for 2 years and one for 4 years, or one served for 4 years and one for 6 years. In any event, at the present time the classes are even; there are 32 Senators in each of the 3 classes. So the two new Senators for Alaska would have to be assigned to 2 of the 3 classes.

The resolution which I intend to submit, I shall send to the desk at the conclusion of my remarks. But at this time I wish to point out that the resolution would be merely interpretive; it would be an expression of the thought of the Senate, and it would be communicated to the Governor of Alaska in advance of the date on which the State election would be held. Consequently, the Governor would not pretend to violate the constitution of the new State by venturing to take into his own hands the determination of which of the two Senators would serve for a long term and which would serve for a short term. The language of the proposed constitution of Alaska places the determination in the "authority of the United States." So it would not be necessary—in fact, I think it would be violative of the spirit of the constitution of the new State of Alaska, if not violative of its express language—for the Governor to attempt to say, "This Senator shall run for the long term, and this one shall run for the short term." According to my interpretation, both of them would run for election to the United States Senate; and after they were elected, the Senate would determine which one was elected for the long term and which one was elected for the short term, and would also determine the odd-numbered year in which their respective terms would expire.

Mr. President, to make it crystal clear that the matter would be interpreted in that way, I submit the resolution, and ask that it be appropriately referred, so that at a later date it may be considered by the Senate.

The resolution (S. Res. 319) concerning the classification of the Senators from Alaska when admitted as a State, submitted by Mr. CASE of South Dakota, was referred to the Committee on Rules and Administration.

Mr. CASE of South Dakota. Mr. President, in submitting the resolution I wish to emphasize that I believe that, even in the absence of its adoption, the meaning of the proposed constitution of the State of Alaska is clear, if we do not try to put a period where there is only a comma. If, instead, we read the second half of the sentence, namely, "each term to expire on the 3d day of January in an odd-numbered year to be determined by authority of the United States," the meaning is clear. The Constitution of the United States provides that—

Each House shall be the judge of the elections, returns, and qualifications of its own Members.

That provision has been interpreted by practice, through all these years, to mean that the Senate itself shall provide for the classification of Senators. That has been done by lot, traditionally; and there is no reason why it should not be done by lot in the case of the new State of Alaska.

Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, will the Senator from South Dakota yield to me?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from South Dakota yield to the Senator from Mississippi?

Mr. CASE of South Dakota. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. Let me call the attention of the Senator from South Dakota to the 17th amendment to the Constitution, under which United States Senators are elected; it appears on page 502 of the Senate Manual. The first sentence of that amendment reads, in part, as follows:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years.

I wish to ask the Senator from South Dakota whether in the pending bill to admit Alaska to the Union or in the act for the admission of any other State there is any provision which could possibly be interpreted as changing the phrase "for 6 years." Is not that fixed and determined irrevocably, insofar as any legislative act is concerned, at 6 years?

Mr. CASE of South Dakota. I would have to say that that provision has to be read in conjunction with another provision of the Constitution, namely, that—

Each House shall be the judge of the elections, returns, and qualifications of its own Members.

Mr. STENNIS. Of course, that provision would have application.

My second question is as follows: Is not any provision of the proposed constitution for the State of Alaska that refers to the election of one Senator for a long term and the election of another Senator for a short term invalid on its face? Is it not invalid in view of the direct constitutional mandate that Senators shall be elected for 6 years?

Mr. CASE of South Dakota. So far as the people of Alaska are concerned and so far as the call for the election is concerned, according to my interpretation, there would be no reference to either a long term or a short term. But, in effect, 1 Senator would be elected for a short term and 1 Senator would be elected for a long term, but which one would be elected for which term would be determined by the authority of the United States.

Mr. STENNIS. That is the point I wish to make, namely, that the Congress cannot at this stage in its consideration of such a measure make any provision about a long term or a short term; and neither can the proposed constitution of the State of Alaska; and neither can the Governor.

So any provision in regard to a long term or a short term has no place in the pending measure or in the proposed constitution of Alaska. Is that correct?

Mr. CASE of South Dakota. I think the provision could just as well have been left out of the Alaska constitution. But the very sentence of that constitution which refers to a long term and to a short term also uses the words "to be determined by authority of the United States"; and that would follow, from the very nature of the case, in view of the fact that the constitution of Alaska also spells out that the particular odd-numbered year for the determination of each term is to be determined here. Obviously, if the 2 terms are not the same, 1 must be for a longer term and 1 must be for a shorter term.

Mr. STENNIS. I understand that the Senator from South Dakota is saying that the words "One Senator shall be elected for the long term and one Senator for the short term" have no application. But since we have found in the proposed law some language which should not be in it, is it not proper to remove it by means of a point of order or by means of an amendment? Is that not the normal way in which we approach a matter of this kind;

Mr. CASE of South Dakota. Of course the distinguished colleague [Mr. EASTLAND] of the distinguished Senator from Mississippi is certainly within his rights in raising a point of order or in submitting an amendment, if he wishes to do so; and I respect that right, and I have no thought of any sort of attempting to interfere with it.

But in view of the fact that we have had a rather broad debate of this constitutional question and of the practical question involved, I thought it would be in order to point out that there is a remedy which is within the power of the Senate itself.

Mr. STENNIS. Therefore, the Senator from South Dakota proposes to submit that provision as a separate and additional resolution, rather than as an amendment to the pending bill. Is that correct?

Mr. CASE of South Dakota. That is correct.

Mr. STENNIS. And the Senator from South Dakota has very frankly stated that his reason is that he wants the pending bill to be passed as it is now written, and to have any defects in it taken care of later.

Mr. CASE of South Dakota. Well, Mr. President, I recognize the situation. After all, legislation is the art of the practical; and the practical situation is that if we want the bill passed and enacted at this session of Congress, it appears that the best way to achieve that end is for the Senate to pass the bill in the form in which it was passed by the House of Representatives.

Mr. STENNIS. Mr. President, I shall not long detain the Senate. But this matter is so plain and clear under the language of the Constitution, and is made so complicated and involved by the useless language of the pending bill or, at least, of the proposed constitution of Alaska, that I wish to submit to the Senate that the only way really to meet this situation is to vote to sustain the point of order or to adopt an amendment which would reach the same result.

The able Senator from South Dakota [Mr. CASE], with his fine, penetrating mind, has agreed that the language in question has no place in the proposed Alaska constitution, and that the provisions of the pending bill which would ratify that constitution, and thus would ratify that which is contrary to constitutional law, should be stricken from the Alaska constitution; and he seeks to bring about the same end and result which would be achieved by the point of order, by submitting, for argument's sake, an additional resolution. This is the first time that I have ever seen the Senate back off from what seems to be agreed upon as its duty and responsibility, namely, to make proposed legislation conform to the clear mandate of the Constitution of the United States.

Mr. President, at the expense of repetition in connection with this point, I shall read from the 17th amendment to the United States Constitution:

The Senate of the United States shall be composed of two Senators from each State—

No one would claim that the Senate could provide, instead, for 3 Senators or 4 Senators or 1 Senator; the number must be 2.

I read further from the amendment—

elected by the people thereof—

No one would claim that the Senate could provide that the election should be otherwise.

I read further from the amendment—

for 6 years.

That is all the Constitution says on that subject—"for 6 years." There is no reference to a long term or to a short term.

Nevertheless, the Senate is asked to pass a bill which clearly would have the Senate ratify, confirm, and accept the proposed constitution of Alaska, which provides that 1 Senator shall be elected for a long term and 1 shall be elected for a short term. So, Mr. President, the proposed constitution of Alaska attempts to create the office of "Senator From Alaska for the Long Term," and also the office of "Senator From Alaska for the Short Term." Thus, the people of Alaska would be asked to vote for persons to fill each of those two offices.

Mr. President, later I shall come to the last part of this provision of the proposed constitution of Alaska. But the language I have read is the plain language of the first part, and it is directly contradictory of the mandate of the 17th amendment to the Constitution of the United States.

The claim is made that to all of this there is a saving clause, namely, "to be determined by authority of the United States."

The plain, positive language of the first sentence is that 1 Senator shall be elected for the long term. If that provision is carried out, 1 Senator will come to the Senate for the long term and 1 Senator will come for the short term. How is that going to leave the Senate? The Senate is not going to yield any of its prerogatives, and should not. The correct way to solve the problem is either to sustain the point of order or adopt an amendment which will make the correction. As plainly and as simply as language can make it, that is the situation. The only thing that complicates the question is the language proposed to be adopted, which is more or less abandoned in the debate, and it is proposed to adopt other language later, saying, in effect, "We passed this bill, but it is does not mean now what it says."

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CASE of South Dakota. Would my very good friend permit me to suggest that one Senator from Alaska will be elected for the short term and one Senator from Alaska will be elected for the long term, but neither one will know which one has been elected for the short term or for the long term until the determination of the odd numbered year is made by the authority of the United States? In that respect, the two new Senators from Alaska will be exactly in the position of the two first Senators from Mississippi, Mr. Leake and Mr. Williams, when they came to the Senate. Neither one knew whether he was elected for the long term or for the short term until the lot was drawn in the Senate.

Mr. STENNIS. I do not think there is anything in the record to show they were elected for the short or for the long term. They were required to draw lots. If someone is to be elected for the long term in Alaska and one for the short term, and they come to Washington, what is the Senate to do? Is it going to ignore the situation created by the language of the bill, and repudiate it, and spew it

out of its mouth and say, "No; we did not mean that. We are going to make you draw lots"? I say the only way to correct the defect is to correct it now by facing the issue and sustaining the point of order or amending the bill.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. BUTLER. Does the Senator feel that the people of the Territory may themselves be confused? They may want to vote for a man for a short term, but not want him to be given a long term.

Mr. STENNIS. I do not know how that would work out. There might be complications. But the law is plain. There is no difference or dispute about the clear-cut meaning of the mandate in the Constitution. I submit we have no authority whatsoever but to say, "There shall be two Senators elected from the proposed State of Alaska. Under the precedents of the Senate, we shall determine later the term." We reserve that power to ourselves. But we are asked to adopt language not in conformity with the Constitution of the United States and to that extent it is not truthful language, and should be stricken from the bill.

The PRESIDING OFFICER. The question is on sustaining the second point of order of the Senator from Mississippi [Mr. EASTLAND]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Missouri [Mr. HENNINGS], and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] and the Senator from Nevada [Mr. MALONE] are absent on official business.

The Senator from Nebraska [Mr. CURTIS] is absent on public business.

The Senator from Vermont [Mr. FLANDERS] is absent because of death in the family.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of illness.

The Senator from Indiana [Mr. JENNER] is necessarily absent.

The Senator from Nevada [Mr. MALONE] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from Vermont [Mr. FLANDERS] is paired with the Senator from West Virginia [Mr. HOBLITZELL]. If present and voting, the Senator from Vermont would vote "yea," and the Senator from West Virginia would vote "nay."

The result was announced—yeas 22, nays 62, as follows:

YEAS—22

Bridges	Hickenlooper	Robertson
Bush	Ives	Russell
Butler	Johnston, S. C.	Schoeppel
Byrd	Jordan	Stennis
Eastland	Martin, Iowa	Talmadge
Ellender	Martin, Pa.	Thurmond
Ervin	McClellan	
Fulbright	Mundt	

NAYS—62

Aiken	Green	Morton
Allott	Hayden	Murray
Anderson	Hill	Neuberger
Barrett	Holland	O'Mahoney
Beall	Hruska	Pastore
Bennett	Humphrey	Payne
Bible	Jackson	Potter
Bricker	Javits	Proxmire
Carlson	Kefauver	Purtell
Carroll	Kennedy	Revercomb
Case, N. J.	Kerr	Saltonstall
Case, S. Dak.	Knowland	Smith, Maine
Chavez	Kuchel	Smith, N. J.
Church	Langer	Sparkman
Cooper	Lausche	Symington
Cotton	Long	Thye
Dirksen	Magnuson	Watkins
Douglas	Mansfield	Wiley
Dworshak	McNamara	Williams
Frear	Monroney	Young
Goldwater	Morse	

NOT VOTING—12

Capehart	Gore	Johnson, Tex.
Clark	Hennings	Malone
Curtis	Hoblitzell	Smathers
Flanders	Jenner	Yarborough

So Mr. EASTLAND's point of order No. 2 was not sustained.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the point of order was not sustained.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Washington to reconsider.

The motion to lay on the table was agreed to.

Mr. RUSSELL. Mr. President, with due respect to the desire of the proponents of the bill to bring it to a final vote, I think I am dutybound—at least to myself—to make a statement of a few of the salient reasons why I am constrained to oppose the passage of the bill.

I preface my statement with a brief comment on the charge which has been made from time to time that the fact that most of the active opponents of the bill are from the Southern States implies that in some mysterious way our position is connected with the so-called civil-rights program. I have almost become accustomed to that charge.

Whenever a large segment of the press wishes to prejudice the country and the Senate against any position, it tries to argue, if it can find southern Senators in opposition, that there is some vague and nebulous connection between the opposition of some of us to the proposal and the misnamed civil-rights program. It matters not what the issue is—whether it be appropriations for a public-health program or some criminal statute—certain segments of the press will charge that opposition to it is connected with civil-rights legislation.

We have heard a great many fantastic charges to the effect that all kinds of trades and deals have been made in connection with various items of legislation relating to the so-called civil-rights issue. For my part, I can say with honesty and sincerity that personally I have never known of any trade ever having been made on that basis. My knowledge of such matters is first acquired by reading about them in some column or newspaper article.

Senators from the so-called Southern States are seldom unanimous on any issue. There was a time when we were unanimously opposed to so-called civil-rights legislation, but that condition does not obtain today. Seldom is a vote taken in which Senators from the Southern States vote together. It certainly is true with respect to the statehood issue. Some of the most ardent advocates of statehood for Alaska and for Hawaii—and I doubt not that the same statement will apply to Puerto Rico and other areas when they present their claims to statehood in the future—happen to be Senators from the Southern States who believe these areas are entitled to become States.

It so happens that a slightly higher percentage of Senators from the Southern States are traditional in their political outlook. It might be more appropriate to say that a slightly higher percentage of Southern Senators are more politically fundamental in their approach to issues that come before the Senate. As a general rule a majority of us do not favor change merely for the sake of change. We are generally opposed to the excessive spending of public funds. We try to be very cautious in considering legislation which might lead the country down the road to state socialism.

I know that in some quarters it would be highly preferable for a man to be charged with some devious political manipulation than to be subjected to the reprehensible charge that he is a conservative in politics. That has become a label bearing great odium—that a man is a political conservative.

However, I must say that, in the sense that I am opposed to change for the mere sake of change, and that I do not favor embarking upon legislative adventures without due calculation as to the effect they would have upon the future of the country, I gladly plead guilty to being a conservative. I will wear that label without any shame, despite the attitude of so many persons who are afraid to be caught in company with one who might admit that he is a political conservative.

I have a very high regard for those in Alaska who are seeking statehood, and for the almost equally numerous group in Alaska who are opposed to statehood at the present time. There is nothing personal in my view. It is not colored by my views with respect to any other legislation. I would be opposed to this bill, and to statehood for Alaska at this time, even if I had a guaranty in my pocket of 60 votes against any of the misnamed, mislabeled civil-rights legislation. I am opposed to statehood for Alaska for the very simple reason that,

in my own conscience, I do not believe that this Territory is prepared economically for statehood, or that it can support a State government.

We have heard the argument based upon the population aspect of this subject. It is said that Alaska has more people than a great many of other Territories had when they were admitted to the Union. True enough; but consider the population figure for Alaska compared with the population of the States of the United States at present, and it will be found that Alaska has an infinitely smaller percentage of the total population of the United States at the present time than any other Territory ever admitted to statehood.

This is the first time of which I have any knowledge that any Territory has appeared knocking at the door and demanding admission to statehood when it had a population of only a third of the number of people which would entitle it to one Member of the House of Representatives if the representation of the Territory were measured by the same rule which we apply to the States in fixing the number of Representatives to sit in the House.

Alaska would be allowed two Senators under the terms of the pending bill. In primary elections in my State we have what has ofttimes been denounced all over the country. It is known as the county unit system for nominations. I hope no Senator who supports the bill will ever speak unkindly of the Georgia county unit system from now on. He cannot do so if he is honest with himself.

Alaska, with a population of approximately 200,000, a great many of whom are not permanent residents of the Territory of Alaska, would have 2 Senators and 3 votes in the Electoral College. That shows that the argument which has been advanced based upon population is related to a day which is gone. The proportionate strength of Alaska in the Electoral College will be much greater than that of any other State heretofore admitted.

I greatly apprehend that Alaska, which the Senate seems determined to admit to statehood, will be the first State of the Union which ever required a direct subsidy from the Federal Government in order to exist and maintain a State government.

That of itself would not be too bad, from a monetary standpoint, so long as there are not any more people in Alaska than there are. We might be able to afford such a subsidy, in this day of spending. Apparently, we have abandoned any restraint whatever on national spending. Most Members of the Senate can view with calm and indifference the prospect of a $10 billion or a $12 billion deficit for next year.

The difficulty is that we cannot directly subsidize any one State without doing irreparable damage to the sovereignty of all the States. There is no possible way to avoid it. If we select one State and subsidize it, we demean them all.

I am one of those who believe that the greatness of our country, the essential liberties of its people to enjoy the American way of life, and the highest standard of living of any people known anywhere under the canopy of heaven, all stem from our form of government. I believe their future enjoyment depends upon the maintenance of a proper division of powers between the Federal Government and the States.

It is impossible to have such a division of powers if 1 of the 49 children is compelled to be dependent upon the helping hand of the Federal Government. The Federal Government will eventually absorb the powers of the States. Our system cannot exist under such conditions that it is compelled to subsidize one of the States in the ordinary operations of its State government.

If we granted statehood immediately, and if through an international political agreement, perhaps through a complete change in the method of waging war, it would be found advisable to withdraw our military forces from Alaska, there would result a prostrate State government and an economy which could not possibly survive. Alaska's present life depends in a large measure upon the maintenance of our military organization there which produces about two-thirds of the total income of the Territory.

It is unnecessary to point out that Alaska is the only participant in our unemployment compensation system which has been compelled to come to the Federal Government three times to get loans under the loan provisions of that system which were enacted for the benefit of States unable to maintain themselves. No State has done that so far. In spite of the highest wage scale in the United States, despite the fact that we pay the Federal employees in Alaska 25 percent more than employees in the United States get for doing the same work, and even though that additional amount is free from taxation, Alaska has been compelled three times to come to the Federal Government to get loans from the unemployment system. I am not certain, but the last time I heard about it, two of those loans had not been liquidated. That will give Senators some idea about the ability of the Territory to maintain a State government.

Mr. President, some very able speeches have been made on the subject. Some of my colleagues have done remarkable research and have presented facts and figures as to the economy of the Territory. The distinguished Senator from Connecticut [Mr. BUSH] has made a very impressive statement on the subject, and I hope that he does not feel, because he has temporarily alined himself with some southern Democrats, that he will be contaminated by such association. The Senator from Virginia and the Senator from Mississippi, and other Senators have made very comprehensive and impressive statements.

This is one of those instances where logic has no place, where facts are disregarded, where reason has been completely stifled, and where the ear is closed to any argument that might be brought forth, and to any objection that might be raised. It is almost impossible to convince Senators to look at this matter objectively.

I am sure that the two men who will be elected to the Senate from Alaska will be fine, loyal, and outstanding American citizens. When they come to the Senate to represent their State, however, they will support every appropriation for every purpose that will be advanced. There is no Member of the Senate who has served here for as little as 6 months who must not know that that will happen. The new Senators will have to do that because the very existence of their new State will depend upon their ability to get Federal appropriations for their State.

When the two additional Senators vote in support of practically every appropriation which is requested, Senators will soon discover by how much our deficit will be increased.

Of course in some quarters it is old fashioned to think that way and to believe in a balanced budget, and that it makes sense not to spend more money than the Government takes in. However, some of us have been brought up in that philosophy, and we cannot help it. Until I breathe my last breath I will be concerned over Government defiits and from the way we are going it may not be long before we will be dealing with a $20 or $30 billion annual deficit.

What will we do about the 25-percent differential in the pay which employees in Alaska receive? They receive 25 percent more than workers performing the same work in the United States receive from the Federal Government. That money is not subject to income tax, either. That is a gratuity employees in Alaska have been receiving. I am not an expert on the income, tax schedules, but for those in the higher pay brackets, with a 25-percent exemption from tax, I would estimate it would amount to about 50 percent above the salary received by a person who performs the same work in the United States.

Of course Senators know what will happen. We will either give a 25 percent exemption to all employees in the United States, or we will take the 25 percent exemption away from those in Alaska. We cannot justify the continuation of such an exemption when Alaska becomes a State. It would be rank discrimination to do so after Alaska is made a State. The result will not be any comfort to those who believe in a balanced budget. If we follow our usual course we will strike a compromise; we will increase all the salaries by about 12½ percent and make that amount exempt from taxation. That is the way we usually deal with a political issue in that field. And it will be hard on the other taxpayers.

Mr. President, I realize that many Members of the Senate are not interested in anything which might be said which would cast any doubt upon the validity of the proposal for statehood for Alaska. As I have said, I realize that figures and facts, have little meaning. However, I feel, as I have said, that I should at least discuss for the RECORD, what I envision would be the result of the passage of the pending bill. Some people seem to think that because we will make Alaska a State instead of a Commonwealth there will be a mad rush of thousands of people to the Territory, that it will be well populated, that industry will flourish and agricul-

ture will expand, that wages will increase, that there will be a great wave or prosperity; and that all that will happen merely because we in Congress have passed a bill giving statehood to the Territory of Alaska, merely because we have changed the status from Territory to State.

I wish I could share that belief. I wish I could see one substantial fact which would encourage me to accept that philosophy. On the contrary, I believe there will be a hegira of people out of Alaska. Taxes will have to be increased in order to support the State. The population, instead of increasing, will decrease. I have figures showing the population of Alaska during the several years since 1880. It has fluctuated up and down. The population was 233,000 in 1943. What happened? It decreased from 233,000 in 1943 to 99,000 in 1946, as soon as the war had ended. If something should happen which would make it advisable to cease military spending in Alaska, there would be left only a few hardy souls and Eskimos.

Fewer people live there today than did in 1943. However, because of the tensions of Korea and the necessity for military spending and spending on the part of civilian employees and the military personnel, and for the construction of bases, the population has risen, since 1946 to 206,000, which is approximately 25,000 less than it was in 1943.

There is no hindrance now to people going into Alaska without the prospect of the higher taxes which statehood will entail. The homestead provisions are today applicable to Alaska. Every opportunity is provided, as I see it, for industrial development. There is no reason why a man who wants to build a great factory in Alaska should not move in and do so under the Territorial government. Statehood will bring prospects of higher taxes, which is one of the most important items in the consideration of industrial development.

Alaska is a Territory which comes knocking at the door of Congress, asking for statehood, but not very loud, because, according to their own elections, there is no overwhelming desire for statehood, even with the rosy picture which has been painted by the advocates of statehood.

Alaska is particularly vulnerable to future development until something shall be done to make it self-sustaining, so far as food is concerned. Unless the Territory can produce enough food, or at least approximately enough food, to sustain the people who live there, the cost of living, which is so much higher than that of the rest of the Nation, will of itself stifle any great and marked progress and development.

I am one who, despite his conservatism, has supported every movement which has been advanced to try to encourage Alaska to have the one essential of an economy which can enable it to sustain itself: the production of food. I was a Member of the Senate in the days of the Matanuska development. Some of my colleagues may not be familiar with the Matanuska development. It evoked heated discussion for a long time. During the days when Mr. Harry Hopkins was the director of the WPA, an effort was made which entailed vast expense to develop the agriculture of Alaska. That was one of Mr. Hopkins' objectives which I supported to the hilt at every opportunity, because I wished to see that Alaska had a chance to develop and have an agricultural economy on which it could build all the economy to entitle it to statehood.

The Government spent millions of dollars on the project. We tried to get people who were trained in agriculture to move there. As I recall, special emphasis was placed on the effort to get people of Scandinavian origin from Minnesota and 2 or 3 other States to move to Alaska because of some heritage or background of agricultural production in a climate as rigorous as that of Alaska and in growing seasons as short.

I asked the Library of Congress to prepare for me some miscellaneous information about the Matanuska project. I want Senators to ask themselves: If an agricultural project like this could not succeed in the climate of 1933, 1934, and 1935, how on earth can it be expected that there will be developed overnight an agricultural economy in Alaska in 1958? At that time the people on the mainland were being driven off their farms. There was no employment; although people were willing to work. Industry had not yet reached the 5-day, 40-hour week. People were accustomed to working.

So the Government tried to get people having an agricultural background to go to Alaska. The Government bought land for them. The Government financed the clearing of the land. The Government bought cattle, hogs and sheep, to enable the settlers in the Matanuska Valley to support themselves.

The report by the Library of Congress says that 202 families went to the Matanuska Valley, but that within a year after their arrival 67 families from the original group had left the colony and returned to the States.

Then a great movement went forward to get replacements for those who had abandoned the project and had returned to the United States. But even the replacements did not stay. The study which I have says that by 1955 a total of 34 of the original replacement families were still on the tracts which they had acquired between the original drawing in 1935 and the end of the replacement program in 1940.

Mr. President, those people had received every advantage which persons moving into a new area of agriculture could enjoy. My, my. How the old pioneers who really established the agricultural background of our Nation would have been delighted to receive any of the many benefits which were available to the Matanuska group. They had the benefit of large sums of money which were advanced to the Alaska Road Commission to build roads and bridges through the project. They had the benefit of $716,000 which was allotted for laborers to erect the buildings which the settlers were to use.

The Government even adjusted their debts. The debts were scaled down to the point where none of these agriculturists owed more than $8,000.

Mr. President, the land is still available there. As I understand, the Alaskan Rehabilitation Corporation is still in existence and is today trying to sell those farms for a fraction of the share of the total investment of the Government in each farm in the Matanuska Valley.

Oh, I know that some of our friends say that if we pass the statehood bill, the Matanuska Valley will be filled with settlers. I leave it to the future to see who is right. I say that the mere fact that we pass a statehood bill will not transform Alaska and its economy. Statehood will really be a hindrance to the financing of the State government; not because the land will not yield, for it will yield.

Here are some of the average production figures: The land can produce 43 bushels of oats and 24 bushels of wheat to the acre. That is not lush production compared with the Red River Valley and some of the more fertile fields; but it is enough to sustain life, particularly when the land on which it is produced is pratcically free.

Barley can be produced. The land will yield 6 tons of potatoes to the acre; 10 tons of cabbage; and 5 tons of carrots.

Despite that, this well financed and fully supported endeavor in agricultural exploration in Alaska failed.

Not only did I support that somewhat abortive effort to give Alaska an agriculture economy; but I have, as chairman of the Subcommittee on Agriculture Appropriations, tried to give the Territory of Alaska every dime for which they have ever asked, and for which they could make a case, for agricultural experimental work, for research, for the Extension Service, and the land grant college; because I was convinced that no attempt to achieve statehood should be made until Alaska could at least produce the food which she required, and thus avoid the enormous cost of freight transportation and marketing from the United States. But neither the passage of the pending bill by the Senate nor its signing by the President will change the situation. The State of Alaska will never be able to support itself by any system of taxation with which I have any familiarity, certainly not a form of taxation which can be applied in a republican form of government, under which the people have some say about their government, until we do first things first: Develop an agricultural economy in Alaska which will enable Alaskans to avoid the tremendous prices they msut pay in order to sustain themselves.

I doubt that Congress will long maintain the 25 percent tax-free differential for the people employed by the Federal Government in Alaska. I know we should not do it. We have no moral right to do it. We have no right to tax the people of the whole United States to pay a much higher wage scale in one State than prevails in another State. We can justify it in the case of a Territory, but we cannot justify it when the Territory becomes a State and has

a common power and right in the Union of the States.

Mr. President, I wish to offer for the RECORD a tabulation of the population of the Territory of Alaska since its acquisition. Likewise, I wish to offer for printing in the RECORD a tabulation of the number of patents applied for and the number of homesteads allotted in Alaska from the year 1949 to and including the year 1957.

I point out that 18,425 patents were filed in 1953, and 19,627 in 1954. But by 1956, the number had declined to 11,946. Instead of expanding, the number is contracting.

Likewise, I offer for the RECORD a table, supplied to me by the Library of Congress, which gives a breakdown of the present population. It shows that there are 41,000 military personnel there, 32,700 dependents of the military, 6,200 civilian employees of the Department of Defense, and 4,800 dependents of civilian employees of the Department of Defense.

Mr. President, I send those tabulations to the desk, and also one on imports of food and clothing and the cost of living, and ask that they be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Years	Patents	Allowed homesteads
1949	15,328	42,269
1950	26,666	29,859
1951	23,679	18,144
1952	14,659	43,681
1953	18,425	44,332
1954	19,627	38,829
1955	17,893	33,299
1956	11,946	38,002
1957	12,939	44,158

V. Population of the Territory of Alaska since its acquisition

Year:	Total population
1880	33,426
1890	32,052
1900	63,592
1910	64,356
1920	55,036
1929	59,278
1939	72,524
1940	75,000
1941	88,000
1942	141,000
1943	233,000
1944	185,000
1945	139,000
1946	99,000
1947	108,000
1948	120,000
1949	130,000
1950	128,643
1951	161,000
1952	191,000
1953	205,000
1954	208,000
1955	209,000
1956	206,000
1957	206,000

Source: Statistical Abstract of the United States, 1957, pp. 7, 13, 920.

Breakdown of Alaskan population

(Latest available figures)

Military personnel (Sept. 30, 1957)	41,000
Dependents of military (Mar. 31, 1958)	32,700

Breakdown of Alaskan population—Con.

(Latest available figures)

Department of Defense Civilian employees (Mar. 31, 1958)	6,200
Dependents of civilian employees (Mar. 31, 1958)	4,800

Source: Department of Defense, Office of Personnel Policy.

Total Federal civilian employees	15,163

Source: Civil Service Commission.

Aboriginal population as per 1950 census

Total stock	33,863
Aleut	3,892
Eskimo	15,882
Indian	14,089
Other races (other than white)	1,972

Births, deaths, and marriages over the last 10 years

Year	Births		Deaths		Deaths under 1 year		Marriages	
	Number	Rate per 1,000 population	Number	Rate per 1,000 population	Number	Rate per 1,000 live births	Number	Rate per 1,000 population
1947	2,701	25.0	1,165	10.8	172	63.7	1,499	13.9
1948	3,079	25.7	1,197	10.0	145	47.1	1,567	13.1
1949	3,527	27.1	1,182	9.1	168	47.6	1,435	11.0
1950	3,725	29.0	1,253	9.7	193	51.8	1,722	13.4
1951	4,495	28.3	1,365	8.6	238	52.9	1,826	11.5
1952	5,755	30.1	1,264	6.6	229	39.8	2,006	10.5
1953	6,779	33.1	1,286	6.3	279	41.2	1,842	9.0
1954	7,038	33.8	1,194	5.7	247	35.1	1,884	9.1
1955	7,346	35.1	1,204	5.8	275	37.4	1,915	9.2
1956	7,619	37.0	1,228	6.0	314	41.2	1,827	8.9

Source: Statistical Abstract of the United States, 1950–57, and National Office of Vital Statistics.

VII. PROPORTION OF FOOD AND CLOTHING IMPORTED, AND A COMPARISON OF COST OF LIVING

A. Food and clothing imported

According to the Office of Territories, Department of the Interior, Alaska imports from 82 to 85 percent of its food. The same source asserts that no precise figures exist as to imports of clothing from the States. It would seem safe, the same source observes, to state that practically all clothing other than that of fur is imported.

B. Comparison of cost of living in 1956 in 5 Alaska cities compared to Seattle as 100

	Fairbanks	Anchorage	Juneau	Sitka	Ketchikan
Food group total	158.2	141.8	124.8	128.0	121.5
Housing	182.5	159.8	139.5	122.0	120.9
Apparel	121.3	124.7	116.3	120.7	114.5
Transportation	132.0	137.4	114.9	116.0	117.7
Medical care	110.8	107.2	106.7	83.3	94.2
Personal care	141.7	127.1	117.3	124.4	120.8
Reading and recreation	134.6	114.7	107.2	110.7	102.3
Other goods and services	120.0	113.9	114.9	121.7	116.1
Total (including sales tax)	153.5	140.8	123.5	121.7	122.2

Source: The Ward Index of Consumer Prices in Five Alaskan Cities, Dec. 12, 1956.

Mr. SALTONSTALL. Mr. President, at this point will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. Does the Senator from Georgia believe that the employees of the Department of Defense, both civilian and military, now in Alaska, will be permanently in Alaska; or does he believe they are temporarily there and that their length of service there is dependent on the necessities of the military operations in Alaska at a particular time?

Mr. RUSSELL. I had already pointed out—before the Senator from Massachusetts came to the floor—that in 1943 there were 233,000 people in Alaska. That was when construction work in connection with the defense of Alaska was at its peak. But in 1946, at the end of the war, the number had dropped to 99,000.

Mr. SALTONSTALL. I was in the Chamber when the Senator from Georgia made that statement.

Mr. RUSSELL. Of course, all of us know that if there is anything on earth that has left the realm of the evolutionary and has entered the realm of revolutionary, it is the weapons systems and the methods of waging war. Even if we ever reach the day for which all of us yearn—the day when we shall be able to do away with a vast military establishment—there could be changes of weapons which might affect the situation in Alaska.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield again to me?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. When the Senator from Georgia says there are slightly more than 200,000 at the present time and slightly more than 40,000 connected with the military——

Mr. RUSSELL. There are 41,000 military personnel and 32,700 dependents, or a total of 73,700.

Mr. SALTONSTALL. Is that out of the total?

Mr. RUSSELL. Indeed so.

Mr. SALTONSTALL. Will the Senator from Georgia state again the total?

Mr. RUSSELL. Two hundred and six thousand in 1957.

Mr. SALTONSTALL. And did I correctly understand the Senator from Georgia to say that out of the 206,000, the total for the military—which would be a fluctuating population—is what number?

Mr. RUSSELL. About 75,000.

Mr. SALTONSTALL. Does the Senator from Georgia know how many votes are cast in Alaska?

Mr. RUSSELL. No; I am sorry that I do not have those figures. The Senator from Connecticut [Mr. BUSH] referred to them today, in his speech.

Mr. BUSH. Mr. President, if the Senator from Georgia will yield to me, let me say that when I was speaking of the number of votes cast, the information I had today was given to me last week by the Governor of Alaska, who said, when he was in my office, that at the last primary election in which both of the parties held their primaries, the total vote cast was of the order of 20,000.

Mr. RUSSELL. I may say that I doubt that there is in the entire United States a single congressional district in which so small a vote is cast.

Mr. BUSH. Let me say that in my own hometown, which we consider a small town in my State, more votes than that were cast in the last election.

Mr. RUSSELL. Certainly; and the same is true in my own State.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield for another question?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. Does the Senator from Georgia have any information about the number of military personnel and their dependents who would be considered residents of Alaska for voting purposes?

Mr. RUSSELL. I must confess that I have not studied the proposed constitution of Alaska. I did not think Alaska was ready for statehood, and therefore I have not familiarized myself with the proposed constitution of Alaska. So I do not know whether it would permit the military to vote or not. Therefore, I must say in all candor that I cannot answer the Senator's question. But regardless of that, the military personnel and their dependents are in Alaska on a temporary basis.

Mr. SALTONSTALL. Yes; and that is my point.

Mr. RUSSELL. I wish there had been made a study which would show how many military men whose terms of service in Alaska have ended, have seen fit to remain there. I do not know what that number is, but I am sure it is very small.

Mr. SALTONSTALL. The Senator from Georgia stated that the salaries of Government officials in Alaska are 25 percent greater than the salaries of corresponding officials in the United States. Is the same true of the salaries paid to the military who serve in Alaska?

Mr. RUSSELL. I do not think the difference in the case of the military is that great. I am sorry I do not have the exact figure. But the overseas differential for the military pay is not so much as 25 percent.

Mr. SALTONSTALL. But the military who serve in Alaska do receive overseas pay; is that correct?

Mr. RUSSELL. I think that is right.

Mr. President, the Senate is being pushed down the road toward the enactment of this bill; but there is no reason whatever for doing so. I say that with due knowledge of the fact that it is contended that the political platforms of both parties have contained planks in favor of the admission of Alaska as a State of the Union.

Mr. President, there was a time in this country when political party platforms meant a great deal. But I wish to say in all candor and frankness that, in recent years, if the writers of the political party platforms could find a plank which would gain 100 votes, while losing not more than 50, they would include such a plank in their platform. [Laughter.] We have only to read the platforms to realize that.

The platforms have become so long drawn out, so specious in their promises, and so contradictory in their terms, that I doubt whether many of the eminent Members of the Senate have ever sat down and read through the political platforms. I know I never did. Today, a political party platform is a catchall, an attempt to get a few more votes than the number which, as a result of the platform chosen, will be lost.

Certainly, in taking a step of this magnitude and this seriousness, a Member should have some reason for his vote, other than the fact that the proposal was contained in the party platforms of political parties.

What a country we would have if the Congress were to pass every proposal embraced within the political party platforms—for instance, all the proposals in the Democratic platform, one year; and all the proposals in the Republican platform, the following year. Once all those measures were passed and enacted into law, there would not be much repealing of them, either. Then what a country we would have, what a budget we would have, what a tax burden we would have, and what a conglomeration of laws we would have.

So, Mr. President, in my opinion the greatest weakness today in the political party system in the United States is the tremendously long and involved platforms which promise all things to all men.

I have seen only one political platform that I could read in 5 minutes. I still think it is one of the best I ever read. It was the Democratic platform of 1932. It was about one and one-half pages long; and I do not think there has ever been a better statement of political principles upon which any political party ever went to the American people.

I shall not prolong this debate by going into what might have happened if that platform had been adhered to strictly. Nevertheless, it was a clear and concise statement of principles; and I believe that if one of the parties today would adopt that platform, and if it could convince the American people that it would stay by that platform, it would sweep the other one almost into oblivion. I think the people are becoming tired of the business of writing into a political party platform anything that might appeal to some persons as possibly bringing in a fairly large number of votes without necessarily antagonizing another large group of voters.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes. I am about to conclude my remarks.

Mr. FULBRIGHT. I think the Senator from Georgia has made a very constructive and a very fine speech about some aspects of the problem involved. I have listened to some of the advocates of the proposal. The only reason I have found as to why they are in favor of the bill is that Alaskan statehood was advocated in the party platforms. I am unable to understand what benefit to the United States is supposed to come from enactment of the proposed legislation. Has the Senator heard of any other suggestion advanced as a reason for granting statehood?

Mr. RUSSELL. No; I have not heard any, except some that are so fantastic they are in the category of the dreamer who dreamed he dreamed a dream, such as the contention that statehood would bring about extraordinary economic and financial development in Alaska.

The argument has been made that Alaska is entitled to statehood as a matter of right, and that it has been promised to the people of Alaska. That is a rather grave reflection on a great many leaders of both political parties who have been in the White House and in a number of Congresses that have come and gone since Alaska was first acquired. If that argument has any validity, we are indicting thousands of dedicated public servants and a large number of able Presidents for dereliction of duty.

Mr. FULBRIGHT. The other day one of the advocates of statehood said the people of Alaska themselves wanted it, as if that was a valid reason for enacting the bill. It seems to me it is wholly irrelevant what the people of Alaska may want.

Mr. RUSSELL. Of course, I do not think that is any valid reason at all, any more than I think it would be a valid reason if someone were to conduct a plebiscite in Guam and it was found a majority of the Guamese wanted statehood, to admit Guam as a State of the Union. I do not think that would be a valid reason why the United States should rush to admit Guam as a State.

I do not want to impose on any person in Alaska. I want every person there to enjoy every right to which he was entitled when he moved to Alaska. There are certain advantages in territorial form of government, as well as disadvantages. I know there are disadvantages. I know it is difficult to deal with Federal bureaucrats, and there are other disadvantages of that nature; but the people of Alaska have been offered a commonwealth status which would have eliminated that disadvantage. Time and again there has been a rejection of commonwealth status, a very sane proposal, which, in my judgment, if the people understood it, they would be glad to embrace.

Mr. FULBRIGHT. Is it not a fact that in Puerto Rico the sentiment for statehood during the last approximately 10 years has almost completely evaporated? There is no longer any serious agitation for statehood. The people of Puerto Rico now recognize the advantages of a commonwealth status.

Mr. RUSSELL. I have been advised that is the case. Well might it be. The people are able to retain their Federal taxes and also share in Federal spending. Commonwealth status has a great many advantages. If my State had not been 1 of the original 13, and if we were now a territorial status, we might be better off. We would save some $900 million we now pay in Federal taxes, and we would still get the great amount of Federal assistance which a commonwealth receives.

Mr. President, this bill cannot be sustained by fact or logic. A proper consideration of the welfare of the United States and of the national defense of the United States would demand that the bill be rejected at this time.

The defense of Alaska can be of vital importance to the people of the United States. I have been convinced that the "now you have it, now you don't" grant of land provision which is contained in the bill is not in conformity with the Constitution; but there are a number of other grave problems involved in the national defense. One is the question of martial law. When the Japanese attacked Pearl Harbor, the military proclaimed martial law immediately. Could they have done it if Hawaii had been a State? Could they do it in Alaska if Alaska were admitted as a State? If it were a State military movements in Alaska might be hampered in dealing with Russian saboteurs and in dealing with other military problems. Alaska is only about 40 miles from the Russian border itself.

I believe, as firmly as I have believed anything in my life, that the Senate would be well advised to reject this bill. It would cause no great harm and work no great hardship and perpetrate no great injury to have a delay until we could study further such issues as military problems in the light of today's world. Rejection of the bill would not work a great hardship on the people of Alaska. The Federal Government has already, through its spending, given to Alaska more than two-thirds of its financial income.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BUSH. This afternoon, in my own remarks on this issue, I mentioned the fact that the distinguished Senator from Georgia was a member of the Armed Services Committee. May I ask the Senator from Georgia how long he has been on the Armed Services Committee of the Senate?

Mr. RUSSELL. I have been on the Armed Services Committee since the committee was created. Prior to that time I served on the Naval Affairs Committee, which was one of the predecessor committees.

Mr. BUSH. I made the statement, and I should like to have the Senator from Georgia confirm it, that it strikes me as perfectly ridiculous to suppose any real security advantage to the United States could be derived from the admission of Alaska as a State. The senior Senator from Georgia, who is Chairman of the Armed Services Committee, the junior Senator from Mississippi [Mr. STENNIS], who is one of the most active members of that committee, and the senior Senator from Virginia [Mr. BYRD], who is the next ranking Democratic member of the committee after the Chairman, are convinced that the admission of Alaska would in no way improve the security of the United States. I should like to ask the Senator, before he concludes, to comment on that situation.

Mr. RUSSELL. Mr. President, I just said that, in my opinion, it might handicap us in defending the United States to admit Alaska as a State and vest in the State power the Federal Government now has in the Territory, when the Territory is so far removed from the mainland and is so close to the Russian border. States still have some rights, and if Alaska were admitted as a State, it could militate against the defense of the other 48 States.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LAUSCHE. My concern with the bill is section 10, which has already been discussed. The Senator from Georgia has not discussed it. I visualize the possible development of a situation which would weaken the defense of our country if certain contingencies happened.

As appears on page 104 of the hearings, General Twining insisted that there be included in the bill section 10. In effect, he said that we cannot be circumscribed in the exercise of military powers in this potential State as we are in existing States. Therefore, the Department of the Interior, supported by the Department of Defense, insisted that for special defense purposes the President of the United States should be vested with the power to withdraw from statehood areas of land not to exceede 276,000 square miles.

If it should happen that section 10 should be declared to be unconstitutional, and the other portions of the bill should be held to be valid, in such an event all of the land would be placed within the jurisdiction of the new State of Alaska, and none of the military powers requested by General Twining would be vested in the Department of Defense.

I have dictated a letter to General Twining this afternoon. Whether I shall get an answer before the vote is cast I do not know. I have asked General Twining, in the face of the fact that he related his support of the bill to the assumption that in the hands of the Commander in Chief there would be the power to withdraw one-half of the Territory, what his position would be if the Court should declare that section to be invalid. I visualize the possibility that we shall have the objective of the Department of Defense completely nullified in the event the Supreme Court should declare section 10 to be invalid.

Mr. RUSSELL. As the Court well may declare.

Mr. LAUSCHE. The Senator from Kentucky [Mr. COOPER] expressed the opinion that in his judgment section 10 is invalid. Based upon my study of the section. I would have to distort my honest judgment to say that section 10 is constitutional. The Supreme Court has clearly stated that we cannot create a State and attach to statehood conditions related to State sovereignty. We cannot declare by congressional act that there shall be 550,000 square miles in a State, and then by Presidential proclamation or Executive order take from a sovereign State one-half of its territory.

This is a rather bold statement to make. I understand that the statement of the Senator from Kentucky was bold. But if I must make a statement, to be honest with myself, I have to say that section 10 is in clear contravention of the Constitution and previous decisions rendered by the Supreme Court on that subject.

To strengthen my argument, I insist that was why the committee placed the last section in the bill, which provides that if one section is declared to be unconstitutional the remaining sections shall continue to be valid. If section 10 should be declared to be unconstitutional and the rest of the bill held to be valid, the substance of the grant would be changed. That which the Department of Defense wanted for the protection of the United States would be gone.

Those are my views on this matter based upon my study of the decisions and of the Constitution.

I should like to ask the Senator from Georgia his views of the defense posture of our country in the face of what General Twining said, that for defense purposes we should limit the area, and if we do not limit the area we should reserve to the President the right to withdraw an area if and when special defense purposes required such action.

Mr. RUSSELL. Mr. President, this is not a new question. The relationship of the status of Alaska to the defense of the United States has been before the committees of the Congress time and time again. The Department of Defense has generally taken the position that it was opposed to statehood for Alaska if that would have the effect of diminishing the authority which it could exercise over a great portion of the Territory under its present Territorial status.

It was true in the last Democratic administration and it is true today that the military men feel a situation could arise whereby they would be handicapped in defending the United States from an attack launched through Alaska if Alaska were a State rather than a Territory. That of course brought forth section 10, to which the Senator from Ohio has referred. In an effort to eliminate the grave doubts of those who are charged with the top responsibility for the national defense the section was placed in the bill, so as to give the President—or to attempt to give the President—under a certain set of facts, the power to withdraw certain land from Alaska. I have the gravest doubt about the constitutionality of such a provision. We do not have such a thing as half in and half out statehood. Either a State is a State of the Union enjoying every right of every other State, or it is a Territory and is

controlled by the acts of the Congress of the United States relating to Territorial government.

From my knowledge of the Constitution and the requirements of the defense of the United States which might attach to the situation in Alaska, I would be unwilling to commit the security of my country to such a provision of the bill. That is another reason why I shall vote against the bill. That is another reason why I shall support the motion soon to be made by the Senator from Mississippi [Mr. STENNIS] to refer the bill to the Committee on Armed Services.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. LAUSCHE. A number of our colleagues seem to be of the belief that the invalidation of section 10 would mean nothing. Certain members do not recognize that the substance of the grant would be changed. If section 10 did not have a relation to the substance, then its invalidation would be meaningless. But the moment section 10 is invalidated, we shall have granted by the passage of the bill something we did not intend to grant. That is a feature of alarm I have concerning the bill.

Mr. RUSSELL. That is what could be a great impediment to the successful defense of the United States.

Mr. President, I feel very deeply that the Congress of the United States will commit a very grievous error if we pass this bill in the light of the present circumstances.

Mr. STENNIS. Mr. President, I call up the motion I have submitted, and ask that it be stated by the clerk.

The PRESIDING OFFICER. The clerk will state the motion of the Senator from Mississippi.

The LEGISLATIVE CLERK. The Senator from Mississippi [Mr. STENNIS] proposes the following motion:

I move that the pending bill, H. R. 7999, be referred to the Committee on Armed Services, and that the committee be directed to report it back to the Senate within 30 days.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

Mr. STENNIS. Mr. President, this motion pertains to the identical question which was discussed by the Senator from Georgia [Mr. RUSSELL] at the concluding part of his remarks—partciularly with reference to his colloquy with the Senator from Connecticut and the Senator from Ohio.

I feel that this is such a vital matter, and of such deep concern to so many, beginning with the President of the United States—and I shall quote from his budget message—that I ask unanimous consent that I may yield for a quorum call without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask that the yeas and nays be ordered on the Stennis motion.

The yeas and nays were ordered.

Mr. STENNIS. I thank the acting majority leader.

Mr. President, I wish to make clear at the beginning that it may require some time to discuss this motion. The time required will depend upon the attendance of Senators. It will not require long to make the points.

Several Senators have been vitally concerned about this question. The further they go into it the more concerned they are. I think perhaps a number of Senators will have something to say on the subject.

This is a simple motion, not to recommit, but to refer the bill to the Armed Services Committee with instructions to report it back to the Senate within 30 days.

The sole purpose of referring the bill to the Armed Services Committee is to allow an opportunity to ascertain just what is involved in the very vital military question and national defense problem concerning the area which is now the Territory of Alaska.

I wish to open my remarks by calling a most distinguished and competent witness, none other than the President of the United States. This is not something he said years ago, but something he said in his budget message for the fiscal year 1958, on January 16, 1957, as found on page 21:

I also recommend the enactment of legislation admitting Hawaii into the Union as a State, and that, subject to the area limitations and other safeguards for the conduct of defense activities so vitally necessary to our national security, statehood also be conferred upon Alaska.

The recommendation for statehood is preceded by language as strong as I believe could have been employed—and the President is not given to using useless or idle words. He says "subject to the area limitations and other safeguards for the conduct of defense activities so vitally necessary to our national defense."

The entire recommendation of the President of the United States as to the Alaska statehood bill is bottomed on certain limitations. This proposal was considered by the committee which considered the statehood bill. It has not been considered by the Armed Services Committee or any other committee charged with special knowledge or special responsibility for making a recommendation on this particular vital point.

Perhaps I should further preface my remarks by saying that my remarks are based mainly on the premise that section 10 of the bill is invalid and unconstitutional, and will not be allowed to stand. I believe that most of us who have looked into that question are fully satisfied that it is inescapable, both in law and in logic, that such will necessarily be the fate of section 10.

The bill is drawn with the idea that either section 10 or some other section will meet such a fate, because there is an express provision that if any part of the bill shall be declared to be unconstitutional, the rest of it, if otherwise constitutional, shall be considered to be valid and effective. It may be that that clause would save the bill. There is authority for the position that when a clause of that kind is written into legislation it is considered to be so vital and such an essential part of the law that the act itself could not possibly stand without it, and therefore, if the clause were held to be invalid, the court would strike down the entire act. However, I assume that the act will stand even if the clause is declared to be invalid. Therefore, if the bill passes, the situation we will meet is that title 10 will be struck down by the court. It seems to me the court will have to do that because it has so plainly and explicitly laid down the rule to which I have previously referred. That point was covered in the debates last week. Perhaps some of the Senators who are present now could not be present during those debates, particularly when the Oklahoma case was discussed. Therefore I should like to read one paragraph from the decision of the Supreme Court in the Oklahoma case, written by Mr. Justice Lurton.

Oklahoma had been admitted to the Union with the condition or limitation that the capital of the State should be located at Guthrie, Oklahoma, until a certain date. The Legislature of the State ignored that limitation and relocated the capital. The action was contested and went to the Supreme Court of the United States. The Court struck down the limitation. This is the language in the case:

When a new State is admitted into the Union it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original States and that such powers may not be constitutionally diminished, impaired or shorn away by any conditions, compacts or stipulations embraced in the act under which the new State came into the Union, which would not be valid and effectual if the subject of congressional legislation after admission.

Does any Senator believe the Federal Government could take half the area of the State of Connecticut or of the State of New York or the State of Alabama or the State of California or the State of Arizona, and withdraw that area temporarily from the jurisdiction of the State, or withdraw any other essential power of any of those States? Of course not. Here is a ruling of the Supreme Court which holds clear as a bell that Congress either cedes territory to a State or reserves it. It cannot impose limitations or conditions on a new State coming into the Union, any more than it can on a State that is already in the Union.

That is the terrific impact of logic and law with reference to section 10. It cannot possibly stand. What are we

going to do about it? Frankly, it seems it is impossible to add to the bill any kind of amendment. I could not possibly prepare a substitute to offer for section 10. I doubt that any Senator could offer an amendment to the section.

The only way to get at the merits of the matter is to send the bill to a committee which is versed in the subject matter and can hear the testimony and even get a further statement from the President of the United States, if necessary, and from the military officials.

We have already a statement by one of the high military officials with reference to section 10. I refer Senators to the solemn hearings of the committee which handled the bill. At page 104 of the hearings General Twining said:

> It is the view of the Department of Defense that these lands in the north and west of Alaska form an outpost so vital to the defense of our country that the power to vest their exclusive control in the Federal Government should be left in the hands of the Commander in Chief.

How are we going to get around words like that? They tie in exactly with the words of the President of the United States, a great military expert in his own right. I quote further from General Twining:

> They are, for the most part, wilderness lands of great expanse, with sparse population and poor communications, all factors which, from the defense standpoint, make the right to discretionary Federal control advisable. This is an area of the United States which is closest to Russia—and to the very considerable military installations she has developed in Siberia.

There has not been much said about that during the debate. How far is it to Siberia? Approximately 20 miles across the water to the boundary line with Russia, upon which, the chairman of the Joint Chiefs of Staff has said in open hearing, "the very considerable military installations" of Russia have been developed.

In the same statement, General Twining said that its control was a vital necessity to the defense of our country.

How can we ignore testimony like that? How can we ignore requests like this from the President of the United States. There is no controversy about these facts. There is no question about what the opinion of these men is. It is said on the side that somebody perhaps did not mean this, that, or the other thing, or that they cannot see this, that, or the other thing. The fact remains that these statements are not contradicted.

What is the legislative process? The only argument that can be made against the motion is that we wish to pass the bill by July 3. Is that a legislator's argument in keeping with the gravity of the subject matter with which we are dealing? We are dealing with the national defense of our country and with pouring untold billions of dollars into our national defense program, hundreds of millions of dollars of that expenditure going into the very area we are now discussing, the Territory of Alaska. Still, it is said, we cannot take a few days to go into the matter to determine what the real situation is.

I do not know what the answer might be. I do not know what the committee would recommend. It seems that it would be better from the military standpoint to leave that area out altogether. Certainly something should be done other than what section 10 attempts to do and does in such a way that it cannot validly stand.

I emphasize again that the motion would result in the bill technically being placed back on the Senate Calendar certainly within 30 days at the utmost, and there would be no attempt by the author of the motion to hold it back except for the necessary time in getting to the heart and the vital parts of the matter.

I do not wish further to detain the Senate in the consideration of this vital point. There is no doubt in my mind that if the matter were presented to the membership in a clearly understandable manner, a majority would vote to look further into this question. I have presented my argument on the merits of the motion. I may do so again at any time when I can get the attention of more Members of the Senate than are present in the Chamber at this time.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	Morse
Allott	Goldwater	Morton
Anderson	Green	Mundt
Barrett	Hayden	Murray
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bridges	Hruska	Potter
Bush	Humphrey	Proxmire
Butler	Ives	Purtell
Byrd	Jackson	Revercomb
Capehart	Javits	Robertson
Carlson	Johnston, S. C.	Russell
Carroll	Jordan	Saltonstall
Case, N. J.	Kefauver	Schoeppel
Case, S. Dak.	Kennedy	Smith, Maine
Chavez	Kerr	Smith, N. J.
Church	Knowland	Sparkman
Clark	Kuchel	Stennis
Cooper	Langer	Symington
Cotton	Lausche	Talmadge
Curtis	Long	Thurmond
Dirksen	Magnuson	Thye
Douglas	Mansfield	Watkins
Dworshak	Martin, Iowa	Wiley
Eastland	Martin, Pa.	Williams
Ellender	McClellan	Young
Ervin	McNamara	
Frear	Monroney	

The PRESIDING OFFICER (Mr. CARROLL in the chair). A quorum is present.

MESSAGE FROM THE HOUSE— ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 3342) to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools, and it was signed by the President pro tempore.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER. The question is on the motion of the Senator from Mississippi [Mr. STENNIS] to refer the bill to the Committee on Armed Services, with instructions.

Mr. SALTONSTALL. Mr. President——

Mr. MANSFIELD. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. MANSFIELD. I should like to suggest that all Members remain on the floor as much as possible.

The pending question, as in the case of other questions, is very important. The sponsors of the pending motion are entitled to have it considered carefully; and it will be in the best interests of all concerned if throughout the debate there is a reasonable attendance of Senators.

Mr. STENNIS. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. STENNIS. Mr. President, anent the remarks made by the distinguished acting majority leader, I should like to state that the pending question is on agreeing to a motion to refer the bill to the Armed Services Committee, with instructions to report it within 30 days.

The purpose of the motion is to enable the Armed Services Committee to consider particularly the purposes covered by section 10 of the bill, which authorizes the President to establish a military reservation.

Let me say that I believe that the Senator from Massachusetts [Mr. SALTONSTALL], who now has the floor, and will speak on the pending motion, will be followed by a number of other Senators, including the Senator from New Hampshire [Mr. BRIDGES], the Senator from Georgia [Mr. RUSSELL], and the Senator from Kentucky [Mr. COOPER].

ONE DAY UNTIL JULY 1

Mr. KEFAUVER. Mr. President, one week ago last Thursday, the United States Steel Corp. issued a statement to the effect that it was "studying" the question of a price rise. Up to that time, the fact that steel prices would go up on July 1 had been accepted by the business community as simply a foregone conclusion. There has been no further indication of what conclusion the corporation has come to as a result of this reappraisal. There are, however, a few straws in the wind; and they are not reassuring. One small producer, Alan Wood Steel Co., has already announced a $6 a ton price increase. Noting a rise in steel securities on the stock market during last week, the New York Times on Friday commented:

> All the major steels showed strength. United States Steel said it had not decided on a July price increase. Even so, Wall Street was pretty sure one was in the works.

That was on June 27, 1958. The Wall Street Journal of today, June 30, states categorically that—

> Some time during the third quarter, steel prices are going up. It is inevitable, producers say, despite the current stalling.

Government of Japan to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment and devices referred to in subparagraph B 2 of this article.

6. To consult with the Government of Japan in the matter of health and safety.

C. The Government of Japan undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE X

The Government of Japan guarantees that:

(a) Safeguards provided in article IX shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of Japan or authorized persons under its jurisdiction pursuant to this agreement, by lease, sale, or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of Japan except as the United States Commission may agree to such transfer to another nation or an intenational organization, and then only if in the opinion of the United States Commission such transfer falls within the scope of an agreement for cooperation between the United States of America and the other nation or international organization.

ARTICLE XI

The Government of the United States of America and the Government of Japan affirm their common interest in making mutually satisfactory arrangements to avail themselves, as soon as practicable, of the facilities and services to be made available by the International Atomic Energy Agency and to this end:

(a) The parties will consult with each other, upon the request of either party, to determine in what respects, if any, they desire to modify the provisions of this agreement for cooperation. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the International Agency of those conditions, controls, and safeguards including those relating to health and safety standards required by the International Agency in connection with similar assistance rendered to a cooperating nation under the aegis of the International Agency.

(b) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided in subparagraph (a) of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of Japan shall return to the United States Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction.

ARTICLE XII

For purposes of this agreement:

(a) "United States Commission" means the United States Atomic Energy Commission.

(b) "Equipment and devices" and "equipment or device" means any instrument, apparatus, or facility and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

(c) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation but does not include the parties to this agreement.

(d) "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.

(e) "Restricted data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear materials; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of restricted data by the appropriate authority.

(f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and devisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(g) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the United States Commission determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(h) "Source material" means (1) uranium, thorium, or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as either party may determine from time to time.

(i) "Parties" means the Government of the United States of America and the Government of Japan, including the United States Commission on behalf of the Government of the United States of America. "Party" means one of the above-mentioned "parties."

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and Japanese languages, both texts being equally authentic, this 16th day of June 1958.

For the Government of the United States of America:

WALTER S. ROBERTSON,
Assistant Secretary of State for Far Eastern Affairs.

LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission.

For the Government of Japan:

KOICHIRO ASAKAI,
Ambassador of Japan.

Certified to be a true copy:

W. T. MALLISON, Jr.,
Chief Asian-African Branch, Division of International Affairs, USAEC.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a letter which I addressed to Gen. Nathan F. Twining, Chairman of the Joint Chiefs of Staff, asking him what his position would be on the Alaskan statehood bill in the event section 10 were not included in it.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 30, 1958.

Gen. NATHAN F. TWINING,
Chairman, Joint Chiefs of Staff, The Pentagon, Washington, D. C.

In re Alaska statehood.

DEAR GENERAL TWINING: Judging by the testimony given by yourself before the Committee on Interior and Insular Affairs of the United States Senate, especially as shown on page 104 of the hearings, I have concluded that your recommendation of granting statehood to Alaska was based on the condition that there be left in the hands of the Commander in Chief the power for special defense purposes to withdraw certain parts of the area included in the statehood.

On page 104, you testified among other things: "As I have stated, the Department of Defense believes that the proposed interior amendments would implement the area limitations and safeguards the President has in mind. I am not an expert of the highly technical details of withdrawal language, but I am satisfied that the proposed amendments meet the demands of national security. * * * It is the view of the Department of Defense that these lands in the north and west of Alaska form an outpost so vital to the defense of our country that the power to vest their exclusive control in Federal Government should be left in the hands of the Commander in Chief. * * * I believe from the military point of view, section 10 of this bill would accomplish the desired safeguards."

There has arisen among a number of the Senators the belief that section 10 is a violation of the Constitution of the United States and that, therefore, if its validity is challenged that there is great probability that section 10 will be declared unconstitutional. If that should happen, and thus section 10 invalidated removing from the hands of the Commander in Chief the power to vest exclusive control of the lands in the north and west of Alaska in the Federal Government in the interest of special defense purposes, would you still favor the bill?

In answering this question, I do not ask you to determine the constitutionality of the grant—although I would suggest that an opinion on its validity be obtained from the Attorney General of the United States.

I want to restate my question in another form. Is the existence of section 10 in the Alaska statehood bill of such gravity to the military defense of our country that its absence would cause you to oppose the bill?

Senator COOPER, who is in favor of statehood for Alaska, and others have expressed the view that section 10 is unconstitutional.

If it is, you will quickly perceive that then an absolute grant of statehood to all of the Alaskan territory is made by the bill without any power being vested in the Commander in Chief to withdraw any of the lands in the State for special defense purposes as set forth in section 10.

Sincerely yours,

FRANK J. LAUSCHE.

Mr. SALTONSTALL. Mr. President, the Senator from Mississippi has made a motion that the bill pending before the Senate be referred to the Armed Services Committee, and that the committee report the bill to the Senate, with its recommendations, within 30 days.

I rise to support that motion. I do so for the following very brief reasons. In 1950 I made a visit to Alaska and went through some of our military installations in that Territory. I visited Anchorage, Fairbanks, Nome, Juneau, and one or two other places not of such military importance. I also noted at that time the proximity of Alaska and some of our installations to the Eastern Hemisphere, and the importance of Alaska to our national security.

One fundamental reason why I voted against admitting Alaska and Hawaii as States when statehood for those Territories was proposed jointly was principally the restrictions which would be

placed on our military endeavors in Alaska.

I should like to call to the attention of the Senate page 104 of the testimony of General Twining before the Committee on Interior and Insular Affairs. The testimony reads as follows:

It is the view of the Department of Defense that these lands in the north and west of Alaska form an outpost so vital to the defense of our country that the power to vest their exclusive control in Federal Government should be left in the hands of the Commander in Chief. They are, for the most part, wilderness lands of great expanse, with sparse population and poor communications, all factors which, from the defense standpoint, make the right to discretionary Federal control advisable.

Note those words carefully, please:

Wilderness lands of great expanse, with sparse population and poor communications, all factors which, from the defense standpoint, make the right to discretionary Federal control advisable. This is the area of the United States which is closest to Russia—and to the very considerable military installations she has developed in Siberia.

I believe from the military point of view, section 10 of this bill would accomplish the desired defense safeguards.

He does not try to determine whether the language is the right language. He simply states that the language contained in section 10—the vital section of this bill from a defense standpoint—covers the needs from a military defense point of view.

I think we in the Senate must ask ourselves what would happen if section 10 of this bill were declared invalid. As I see it, the rest of the bill would be valid even if one or more sections of it were declared to be invalid. What would the President then be able to do? I think I interrogated the Senator from Mississippi or one of the other Senators who were speaking the other day on this point. Perhaps it was the senior Senator from Mississippi [Mr. EASTLAND] I asked what the President would be required to do if section 10 were stricken from the bill and if the President believed he should take back some of the lands which, under the terms of section 10, he can now take back, assuming section 10 is valid.

It seems to me obvious the only way the President could get the land would be by purchase or condemnation, unless someone were willing to give it back.

We have heard much about the platforms of the two parties. I should like to read from the platform of the Republican Party adopted in 1956 on this subject. I was a member of the drafting committee, so I heard considerable discussion about it.

Mr. JACKSON. Mr. President, will the Senator yield, before he leaves the other subject?

Mr. SALTONSTALL. Yes.

Mr. JACKSON. I know the Senator wants to keep the RECORD straight.

Mr. SALTONSTALL. I certainly do. If I said anything that is incorrect, I wish the Senator would point it out.

Mr. JACKSON. I am sure the Senator from Massachusetts realizes that at least 99 percent of the land in the area we are talking about is now federally owned.

Mr. SALTONSTALL. I understand. I heard the Senator say that the other day.

Mr. JACKSON. I understood the Senator to say that the Government would have to purchase this land.

Mr. SALTONSTALL. I did say that, because, as I see it, if the land became a part of the State of Alaska, some of it, even if it were not a part of the 28 percent which would be deeded to the State of Alaska, could be sold or homesteaded, or settlers could live on it.

If my memory is correct, from listening either to the Senator from Washington or the Senator from Idaho, the population in the area may run as high as several thousand.

Mr. JACKSON. There is another section in the bill which would prohibit entry into the area. That is the section to which I referred earlier.

Mr. SALTONSTALL. It would prohibit entry, unless the President consented to it.

Mr. JACKSON. Unless the President should acquiesce.

Mr. SALTONSTALL. Unless the President should acquiesce to the entry.

Mr. JACKSON. I do not think that section would fall. Assuming, for the sake of discussion, that section 10 should fall for constitutional or other reasons, the other section would still remain in the bill.

Mr. SALTONSTALL. That is unquestionably true, unless objections were urged to the other section we have not heard cited.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. SALTONSTALL. I yield.

Mr. CASE of South Dakota. When the Senator uses the word "entry" he means entry in the sense of a mineral or homestead entry, does he not?

Mr. SALTONSTALL. That is my understanding.

Mr. JACKSON. I should have used more exact terms. I am also referring to the fact that the new State would not be able to select lands in the area now under discussion.

Mr. SALTONSTALL. The Senator is correct. That is my understanding. The President under another section could, if he acquiesced, permit the land to be occupied by persons for one reason or another.

Mr. JACKSON. That is correct.

Mr. SALTONSTALL. Under one provision of law or another.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. SALTONSTALL. I yield to the Senator from North Carolina.

Mr. ERVIN. As I understand the position of the able and distinguished senior Senator from Massachusetts, it is that regardless of whether section 10 is declared unconstitutional the question presented with respect to national defense is of such grave moment that such question ought to be studied by the committee having jurisdiction to pass upon such matters.

Mr. SALTONSTALL. That is my position. I am coming to that point in a moment. That is the reason I am supporting the motion of the Senator from Mississippi to refer the bill to the Committee on Armed Services.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield for a question?

Mr. SALTONSTALL. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. If the Senate should sustain the pending motion and the bill should be referred to the Committee on Armed Services, how soon could the Senate get the bill back for consideration this year?

Mr. SALTONSTALL. Under the motion of the Senator from Mississippi it would have to be within 30 days.

Mr. STENNIS. Mr. President, may we have order so that we may hear the Senator?

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order.

The Senator from Massachusetts may proceed.

Mr. SALTONSTALL. Under the motion made by the Senator from Mississippi, the time would be 30 days. I have not personally talked with the Senator from Mississippi about that matter, but I think he would be glad to cut the time to 20 days if an issue arose as to whether we could again get the bill before us at this session of Congress. It could be 20 days or 30 days. The present motion provides for 30 days.

Mr. SMITH of New Jersey. Thirty days would put it at the end of July, when, theoretically, Congress should be adjourned.

Mr. SALTONSTALL. I hope Congress will adjourn by August 10. I have not heard any optimist say we can adjourn before that.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from Mississippi.

Mr. STENNIS. The 30 days was selected as the time because the Committee on Armed Services is now considering the reorganization bill. It is uncertain exactly how long it will take to consider that measure, since, of course, it is major legislation and will have to be reported. Twenty days would suit me just as well. I think we could possibly get a decision in 20 days and report the bill in that time. I would be glad to modify the motion to that extent, if I may.

Mr. SALTONSTALL. I thank the Senator from Mississippi.

The PRESIDING OFFICER. The Chair is informed, in view of the fact that the yeas and nays have been ordered on the motion, it would require unanimous consent to modify the motion.

Mr. STENNIS. Mr. President, will the Senator yield to me for the purpose of making such a request?

Mr. SALTONSTALL. I yield to the Senator so that he may make such a request.

Mr. STENNIS. Mr. President, since the yeas and nays have been ordered on the motion, I ask unanimous consent that I may modify the motion, to strike out "30 days" and to insert in lieu thereof "20 days."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I was called to the telephone earlier, so I did not hear the distinguished Senator's opening statement. What is to be gained by sending the bill to the Committee on Armed Services, other than a further study of the dangers of a possible attack and so on, and our being ready for it?

Mr. SALTONSTALL. Mr. President, in reply to the Senator from New Jersey, who asks what would be gained by sending the bill to the Senate Committee on Armed Services, let me say that the committee, of which the distinguished Senator from Washington [Mr. JACKSON], the floor manager of the bill, is a member, has the direct responsibility for maintaining through legislative action and concert the security of our country. Certainly, we have had many briefings on the importance of Alaska as a part of the security of our country. Certainly, it would be my intention—and I am sure it would be the intention of the chairman of the committee and the Senator who made the motion, the Senator from Mississippi [Mr. STENNIS]—to inquire perfectly impartially, to the best of my ability, to find out from competent military witnesses what effect statehood might have on the security of our country. That is the purpose of the motion, as I understand it.

Mr. SMITH of New Jersey. As to the relative advantage between leaving Alaska as a Territory for defense purposes, or admitting Alaska to statehood?

Mr. SALTONSTALL. That is correct.

Mr. SMITH of New Jersey. That is a question which concerns me very much.

I find on page 104 of the hearings the testimony of General Twining, who said, in part:

> As I have stated, the Department of Defense believes the proposed Interior amendments would implement the area limitations and safeguards the President has in mind.

The Interior amendments, as I understand them, contain the famous section 10, about which there is a question of constitutionality.

Mr. SALTONSTALL. The Senator is correct.

Mr. SMITH of New Jersey. Therefore, we could not rely on General Twining's judgment as to the proper course, if section 10 were later declared to be unconstitutional and thrown out.

Mr. SALTONSTALL. I will say to the Senator from New Jersey that General Twining said:

> I believe from the military point of view, section 10 of this bill would accomplish the desired defense safeguards.

My question is a rhetorical question. What will happen if section 10 is declared invalid? The purpose of the motion is to determine what would happen.

Mr. SMITH of New Jersey. Is the Senator addressing himself to that point?

Mr. SALTONSTALL. I am addressing myself to that point.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. AIKEN. Did not General Twining testify in favor of statehood for Alaska, and did not General Twining command forces in Alaska for several years? If General Twining does not know about the impact of statehood, with respect to Alaska, who does?

Mr. SALTONSTALL. General Twining says that the land reserved by section 10 is extremely important to the defense of our country. What I am concerned about is: if section 10 should be declared invalid and the rest of the bill should be declared valid and constitutional, what would be the rights and responsibilities of the President to secure this vast territory for the security of our country?

Mr. AIKEN. Would the Armed Services Committee not have to call on General Twining again?

Mr. SALTONSTALL. I certainly hope it would.

Mr. AIKEN. General Twining has already testified strongly in favor of statehood for Alaska. It appears that General Twining was in command of forces in Alaska for about 7 years. The Senator from Massachusetts does not think General Twining has changed his mind since he testified, does he?

Mr. STENNIS. Mr. President, will the Senator yield to me, so that I may answer the question?

Mr. SALTONSTALL. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I point out that the testimony of General Twining with reference to statehood originated in 1950, when the General first testified as to a statehood bill. In 1950 the Air Force was flying the B–36's. The B–47's were only coming in at that time. Missiles were not even a threat.

In 1957, though I do not have the exact date, in the testimony before the committee with reference to the bill, shown on page 104, I may say to the Senator from Massachusetts, the paragraph following the one the Senator quoted from General Twining's testimony reads as follows:

> It is the view of the Department of Defense that these lands in the north and west of Alaska form an outpost so vital to the defense of our country that the power to vest their exclusive control in Federal Government should be left in the hands of the Commander in Chief.

The point is that section 10 attempts to do that, but it is invalid.

Reading further:

> They are, for the most part, wilderness lands of great expanse, with sparse population and poor communications, all factors which, from the Defense standpoint, make the right to discretionary Federal control advisable. This is the area of the United States which is closest to Russia—and to the very considerable military installations she has developed in Siberia.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. AIKEN. Inasmuch as the Senator from Mississippi has had the privilege of reading from the testimony, will the Senator from Massachusetts permit me to read from page 113 of the hearings?

Mr. SALTONSTALL. Certainly.

Mr. AIKEN. The Senator from New Mexico [Mr. ANDERSON] made this statement:

> You moved a man off his farm down in my State the other day. I finally got it resolved. But he got pushed off his land. Even though New Mexico is a State, nobody questioned the right of the Government to do that. What could you do in the Brooks Range area if this was a withdrawn area that you could not do if it were just a plain State that needed it for military purposes?
>
> General TWINING. In answer to that question, it could be done under either condition.

Did not General Twining mean that the armed services could take what land was needed, whether Alaska was a Territory or a State?

Mr. SALTONSTALL. Certainly the Federal Governmental could take it if it paid for it. That is the whole question. This land is reserved as an area in possession of the United States Government. It would not have to pay for it.

Mr. AIKEN. Is not the land which is referred to as being necessary or possibly necessary for the armed services and for national security primarily to be retained by the Federal Government?

Mr. SALTONSTALL. It is to be retained. The President will have the right to take a part of it at any time he believes it necessary for national security.

Mr. AIKEN. He can do that in any State of the Union.

Mr. SALTONSTALL. Yes; but he must pay for it or condemn it.

Mr. AIKEN. If a State is carved out of Alaska, and 30 years from now the Federal Government decides to establish a post on a part of that land, why should it not pay for it? It seems to me that someone is undertaking a very unique method of killing statehood for Alaska; and I am sure that any vote for the motion of the Senator from Mississippi will be regarded as a vote against statehood.

Mr. SALTONSTALL. I disagree with the Senator from Vermont on that point. Knowing the personalities of the Armed Services Committee, I hope we can consider this question in a proper way, and bring back a report on security. Some of us may be against statehood for Alaska, just as the Senator from Vermont is for it.

Mr. AIKEN. I regard the Senator from Massachusetts as being quite astute, after listening to his argument.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. WATKINS. The area we are now discussing is Federal land at present, is it not?

Mr. SALTONSTALL. That is correct, as I understand, to the extent of 99½ percent.

Mr. WATKINS. Will its status be changed in any respect if the statehood bill passes?

Mr. SALTONSTALL. It will not be changed except that, as I understand, it will become a part of the State of Alaska, subject to being brought back into Federal ownership or possession for security reasons, if the President so determines.

The question is whether the particular section of the bill referred to is valid or invalid. If it is invalid, What are the possibilities of getting the land back by condemnation or purchase? On that question I disagree with the Senator from Vermont, who says that the Federal Government can purchase 102,000 acres.

Mr. WATKINS. I do not understand that it would ever become anything but Federal property, even though it were within the State of Alaska.

Mr. SALTONSTALL. I am not sufficiently familiar with the opportunities for entry into that land for private purposes.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. JACKSON. What President Eisenhower and the Department of Defense are trying to do is to settle some of the legal complications which might arise in the event the military authorities should have to move into the area and move people out. In the case of Federal land, in the absence of a statute of cession by the State, or a Federal statute, there is concurrent jurisdiction. That is to say, the laws of the State apply, and the Federal laws apply, insofar as they are not inconsistent one with the other.

On military reservations, the Federal Government always insists that it has exclusive jurisdiction. What is being done here is to say in advance, "We wish to make sure that the question of jurisdiction is settled." The Federal Government is asking to have exclusive jurisdiction reserved to administer this area, if necessary. That is all that is meant.

Mr. WATKINS. That does not mean that the legal ownership changes at all.

Mr. JACKSON. Not at all. We are talking principally about 2 communities, Nome and Kotzebue, in addition to 1 or 2 others. In all of Alaska, the Federal Government owns 99.9 percent of the land. One-tenth of 1 percent of the land in Alaska is either privately owned or owned by a city or some other political subdivision of the Territory. In this particular area I think the percentage is even greater than 99.9, because the particular area involved is in the north country, north of the Brooks Range. I believe that what the administration is requesting is simple. It wishes to make sure that the legal problems will be solved in advance. Without this provision, there would be concurrent jurisdiction. The laws of the State would apply, and the laws of the Federal Government would apply. The administration is asking, in view of the possible exigencies of future situations, that it have the right to invoke exclusive legal jurisdiction, just as is the case on a large military reservation.

Mr. SALTONSTALL. The fact that 99.9 percent of Alaska is owned by the Federal Government is another problem, but one which we are not now considering. That problem is of influence with me, but it may not be with the Senator from Washington.

Mr. JACKSON. It is a problem. There is some misunderstanding with respect to it. The purpose of this provision is clarification. If the Federal Government is to move people out of Nome, it will have to pay for the property. That could be done now, without the proposed legislation, if the miltary situation should require it. If it did not, of course, the court would not approve an order of taking.

Mr. SALTONSTALL. Today the Federal Government has complete sovereignty over all the area which is covered by section 10. If the area should become a State, and the Federal Government later should decide to take back a part of the land, while it may still own the land, as the Senator has said, there are certain problems involving concurrent jurisdiction with the State, and problems which would arise in the case of a State which would not arise in the case of a Territory.

Mr. JACKSON. The Federal Government is merely asking that Congress provide the necessary supporting legislation for the exercise of exclusive jurisdiction, if that is necessary. The Federal Government exercises exclusive jurisdiction over all military reservations today.

Mr. SALTONSTALL. That is correct.

Mr. JACKSON. The administration is saying, in effect, "Should it be necessary to place this area under military rule in the future, we do not want to be troubled with all the legal headaches we would encounter without the necessary authority in the first instance to exercise exclusive Federal jurisdiction."

Mr. SALTONSTALL. That cannot be done in any other part of the United States today.

Mr. JACKSON. In certain States today the Federal Government has exclusive jurisdiction, depending upon the situation.

It is the opinion of the junior Senator from Washington that, in the absence of a statute, the Federal Government has concurrent jurisdiction with the State on federally owned land. A statute is necessary in order to obtain exclusive jurisdiction.

Mr. WATKINS. Mr. President, will the Senator further yield?

Mr. SALTONSTALL. I yield.

Mr. WATKINS. I ask the Senator from Massachusetts if the explanation made by the junior Senator from Washington is not acceptable to him. It seems to me that it is sound. I was hoping that the Senator from Massachusetts could accept that explanation.

Mr. SALTONSTALL. I do not mean——

Mr. WATKINS. I do not like to see the bill go to the Committee on Armed Services, because in my opinion if we send it back, the bill will die at this session. I am an advocate of statehood for Alaska, and I should like to see Congress act on the bill at this session. I do not believe there is any necessity, after all that has been said, to send it to another committee. I believe every question has been answered. I am a member of the Committee on Interior and Insular Affairs which considered the subject time and time again, as well as the question of statehood for Hawaii. Under the circumstances it seems to me that we ought to be able to clear up these questions without further reference to committee.

Mr. SALTONSTALL. General Twining specifically said that from a military point of view he believed section 10 would provide the desired defense safeguards. If section 10 is declared invalid, what would happen to the military safeguards?

Mr. WATKINS. They would be in the same status as in the State of Utah.

Mr. SALTONSTALL. I do not believe so.

Mr. WATKINS. The Federal Government can get any property it wants, and the Federal Government can get pretty much what it pleases. Any property which is owned by a private individual the Federal Government can get by going through due process. The same is true with respect to State-owned land.

Mr. SALTONSTALL. But the Federal Government must deal with the State Government.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. STENNIS. I believe I have a situation which is on all fours with what has been stated by the Senator from Washington and the Senator from Utah. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. STENNIS. I wish to call attention to clause 17, section 8, article I, of the United States Constitution, enumerating the powers of Congress, wherein it is provided that Congress shall have the power "to exercise exclusive legislation in all cases whatsoever, over such district"—that applies to the District of Columbia, which is not pertinent here—"and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings."

It is under that clause that the Federal Government acquires jurisdiction and has legislative powers even over the military installations which are in a State. If we pass the bill in its present form, we will create a statehood status, and there is no analogy whatsoever except as it comes through these channels.

Mr. SALTONSTALL. Am I correct in saying that we have had several such cases before us in the Committee on Armed Services?

Mr. STENNIS. Yes; we have had several such cases before the committee.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LAUSCHE. From the testimony of General Twining we must infer that he deemed section 10 of such importance that probably he would not have subscribed to the bill unless section 10 were

included. If he deems it to be of such importance, obviously greater rights accrue to the Government under section 10 than would accrue in its absence.

Mr. SALTONSTALL. That is my interpretation. That is why I am making my argument that we should determine what should be done if section 10 should be declared invalid.

Mr. LAUSCHE. In view of the fact that the committee listened to General Twining before including section 10 in the bill, I ask did any member of the committee ask General Twining: "What would your position on this bill be, General Twining, in the event section 10 was not included or in the event section 10 was held to be unconstitutional?"

Mr. JACKSON. Mr. President, the answer is found on page 113 of the hearings.

Mr. LAUSCHE. Will the Senator read that testimony?

Mr. JACKSON. I read it a moment ago.

Mr. LAUSCHE. That does not embrace the position I have just described, not in the least degree.

Mr. JACKSON. He made it very clear.

Mr. SALTONSTALL. I believe I should now yield to the Senator from North Carolina, but, first, with his permission, I should like to yield to the Senator from Washington to answer the question of the Senator from Ohio.

Mr. LAUSCHE. I might say further that it would be helpful if General Twining were to say clearly to the Senate: "In my opinion section 10 does not alter the defense posture of the Nation," or if he would say, "If section 10 is removed or declared unconstitutional, then I cannot subscribe to it."

Mr. JACKSON. I do not like to be repetitious, but I have covered the point several times. The Senator from New Mexico [Mr. ANDERSON] raised the question about what would happen in the event section 10 were not in the bill. At page 113 General Twining said:

> In answer to that question, it could be done under either condition.
>
> Senator ANDERSON. Now, what is the legal difference?
>
> Mr. DECHERT.—

Mr. Dechert is counsel for the Department of Defense—

> I believe, sir, that the situation here is that this concept of exclusive jurisdiction gives the Federal Government the right to act alone, without concert of action by the State of Alaska or by some other State. This whole section 10 provision concerning the possible withdrawal for national defense purposes is in the nature of an insurance policy, as I understand it.

In other words, he is merely saying that this is an effort to try to clarify some of the problems which might arise in the absence of section 10 in the bill.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. ERVIN. I will ask the Senator from Massachusetts two questions. The first question is this: If the able and distinguished Senator from Washington is on solid ground in his argument, that the mere ownership of land by the Federal Government gives the Federal Government all the vast powers ascribed to it by the Senator from Washington, then section 10 is wholly unnecessary. Does the Senator agree with me in that statement, based on the argument of the Senator from Washington that mere ownership of land gives the Federal Government these vast powers?

Mr. SALTONSTALL. If I heard the Senator from North Carolina correctly, my answer is in the affirmative. He said that if the Federal Government has the ownership of the land——

Mr. ERVIN. If the ownership of the land gives the Federal Government the vast powers rising out of such ownership, then there is no necessity to have section 10 in the bill.

Mr. SALTONSTALL. That would be correct. But it seems to me that section 10 is not only an insurance policy, as the Senator from Washington has said, but also is necessary to make sure that the Federal Government can have the land when it wants it.

Mr. ERVIN. This is my second question: If the pending bill is passed in its present form and the courts should do what many of us believe they will do, namely, strike down section 10 as unconstitutional, the Federal Government would be put in the position of being a mere landowner in this area of Alaska, subject to the sovereignty of the State of Alaska. Is that correct?

Mr. SALTONSTALL. That is my understanding. The Government would then be a landowner. The question of State sovereignty would arise. The State legislature would have to cede land to the Federal Government.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. ALLOTT. I should like to call to the attention of my colleagues two places in the hearings. As a matter of fact, it might be a good idea to invite my colleagues to read the testimony of General Twining. If they did so, they would come to an entirely different concept than has developed on the floor. I shall quote from page 114, where Mr. Dechert, who is counsel to the Secretary of Defense, testified under very stringent questioning by the extremely able Senator from New Mexico [Mr. ANDERSON]. The Senator from New Mexico asked:

> Senator ANDERSON. All right. What can you do specifically now, militarily.
>
> Mr. DECHERT. You can do after withdrawal whatever the Congress says, without consulting the State legislature.
>
> Senator ANDERSON. Well, did you consult the legislature in connection with your activity as to range down in my State?
>
> Mr. DECHERT. Your State, I believe, has given the Federal Government the exclusive right to do this. I think New Mexico is one of the States where this right exists under State statutes.

The junior Senator from Idaho [Mr. CHURCH] asked the question:

> Senator CHURCH. What is troubling me here in the testimony is this: So far I have not heard any testimony to indicate what handicap there would be to the defense either of Alaska or of the country if we granted statehood without limitation to the entire Alaskan Territory. How would this handicap the effectiveness of our defense? Is it handicapped in any of the 48 States where such lines do not exist? As far as the military is concerned?
>
> General TWINING. I think I explained that initially. The fact that the President has this withdrawal action gives him freedom of action. It is much easier for him to withdraw the lands than it would be to go through the State to build a defense installation. We have built all of the defenses in the Territory now, and we have had no problem at all.

That is the answer to the question. We do not change the situation, except that it will not be necessary to have the State legislature act, when Alaska becomes a State, in order to accomplish this purpose.

I saw the Senator from California [Mr. KNOWLAND] sitting here a moment ago. The Federal Government owns 35 percent of his State. It owns 33 percent of my State of Colorado. The Senator from Utah [Mr. WATKINS] says it owns 72 percent of his State.

The Government can make withdrawals in Colorado, but must do so with the consent of the legislature. As the Senator from Washington will remember, I, myself, had a serious question about this matter, as did the entire membership of the Committee on Interior and Insular Affairs. The thing that developed from all General Twining's testimony, and from the testimony of Mr. Dechert, as well, was simply that in the event of an emergency, section 10 would enable the Federal Government to avoid having to work through the State legislature; the Federal Government could act under any such conditions as the Congress itself or the President, if he were acting in a military situation, had the power to authorize.

Mr. SALTONSTALL. I agree with what the Senator from Colorado has said, but he has quoted Mr. Dechert about the New Mexico matter. New Mexico is one of the States where such a situation might exist under a State statute. The whole point, as I understand, is that we are creating a sovereign State; yet we are saying something different from what was said to the other States. We are saying: "You are sovereign, but we may withdraw your sovereignty without recourse to the State statutes or without any compensation or without anything else."

Mr. ALLOTT. No, not at all. We are doing exactly the reverse. We are saying: "We are withdrawing this land for exclusive Federal use before the Territory is made a State." If the Federal Government should cede the land at another time, it would have the same status as the Federal land in my State or any other State.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. PASTORE. I am not so well informed about section 10 as are the members of the committee, nor am I familiar with it from a reading of the testimony. But from what I have gathered from listening to the debate, if the bill is referred to the Committee on Armed Services, I do not see how General Twining, in view of what he has said, could change his position that we would be as well off without section 10 as we would be with it.

Under section 10, we are reserving to the United States, through the President, certain exclusive jurisdiction which ordinarily would have to be shared with the State of Alaska and various States, as such jurisdiction is shared with Massachusetts, Rhode Island, and other States.

If the argument is that if General Twining saw fit to do so, he could share this jurisdiction with the State, and that would be a hindrance to Alaska having statehood, I am afraid we are allowing the military to make a political decision. That would be wrong, because, in my humble opinion, this is an exclusive reservation being made to the President of the United States.

If this section should fall, and the United States saw fit to call upon, let us say, the legislature of the State of Alaska to cooperate in the sense of a partnership with the Federal Government, I should think that Alaska, which is as jealous of its national security as we are of ours, would cooperate with the Federal Government, just as the Legislature of the Commonwealth of Massachusetts or the State of Rhode Island would cooperate with the Federal Government if it became necessary to guarantee the national security.

In my humble opinion, we are wasting a lot of words and a lot of apprehension in the Senate on a political question by trying to tie it to a determination of military security, something which I think will take care of itself.

As the law now stands, if section 10 remains as it is in the bill, the President of the United States will have the exclusive jurisdiction to patrol and control this particular area. That is all that is provided by section 10.

The question arises: What if section 10 should fall? Then we would have to content ourselves in the way we content ourselves concerning the 48 States in the matter of guaranteeing the national security in an emergency.

For the life of me, I cannot see how General Twining can be brought to say that the Nation will be better off from a military point of view without section 10 than it will be with section 10.

The bill will be better if section 10 stands, but even if it falls I see no inherent harm which will be done to the security of the Nation, because the President of the United States, in order to guarantee the security of the Nation, will call upon the State of Alaska, as he will call upon the State of Mississippi, the State of Rhode Island, or the State of Massachusetts, to cooperate in order to bring about control and jurisdiction, which will be for what? For the security of the Nation.

So I am afraid we are wasting a lot of words over an intricate question of legality, merely to delay what we should decide as a political question.

The question before us is political: Shall we grant statehood to Alaska? I think if we begin to dissect every word and every sentence, we will find many reasons to delay and to debate; but, fundamentally, I think the question is very simple. General Twining can never say and could never say that the country would be better off without section 10 in the bill. We know that. We know that if section 10 falls, the United States Government will have to call upon the legislature of Alaska to cooperate.

If we know anything at all about the people of Alaska; if we know anything at all from our experience with the present 48 States; we know that the legislature of Alaska will grant the same cooperation as will come to the United States from any 1 of the 47 States if the security of the Nation is in jeopardy.

Mr. SALTONSTALL. The Senator from Rhode Island always states his position very clearly. There is this great distinction between the State of Alaska and the State of Rhode Island or the Commonwealth of Massachusetts. Alaska is very close to the Soviet Union. As General Twining said, Alaska today has comparatively few highways. The number of highways is increasing, and the economic condition of Alaska is improving. We want the economy of Alaska to continue to develop. But Alaska does not have a fully developed economy today. The transportation between areas of Alaska is uncertain. All these factors create quite a distinction between Rhode Island and Alaska.

Mr. PASTORE. On that point, the people of Alaska, who are geographically so close to Russia, as the Senator says, will understand the matter better than will either the Senator from Massachusetts or the Senator from Rhode Island, because they are right there; they want security more than anyone else. I foresee the State Legislature of Alaska cooperating with the Federal Government to the fullest degree on that point, even more so than a State which might be far removed from the very critical, strategic location of Alaska.

So while it is true that the argument which the Senator from Massachusetts is making should be considered, nevertheless, for all practical, realistic purposes, we must recognize the fact that no one understands the situation better than do the people of Alaska. No one can understand it better than the Legislature of Alaska.

If there were the remote likelihood—and this is all predicated upon the proposition that section 10 is unconstitutional—that section 10 would fall, the fact remains that all we would have to do with Alaska is what we do with the other 48 States, namely, ask them for their cooperation. And it would be forthcoming, because the people there would understand the situation better than anyone else would.

Mr. SALTONSTALL. I certainly hope it would be forthcoming.

The Senator has said this is a political question. Of course, that is true in terms of having the Congress consider what the State Department would consider, namely, the security of the United States. In that connection, the military can only advise those of us who have to make the decision.

Mr. PASTORE. Then does the Senator from Massachusetts believe that if General Twining says the Nation would be better off with section 10 in the bill than with section 10 out, that should be the determining or controlling factor as regards the question of whether statehood should be granted to Alaska? Or does he believe we should take the chance of having cooperation by the legislature of Alaska?

Mr. SALTONSTALL. I am not trying to answer that question; neither would the Armed Services Committee try to answer it.

Mr. PASTORE. But that is the question the committee would have to answer.

Mr. SALTONSTALL. As I view the matter, if the bill is referred to the Armed Services Committee, it will consider only the question of the security of the Nation. The committee will make its report; and then all Members of the Senate will make their political decision, based on that report and also based on the very fine report which has been submitted by the Committee on Interior and Insular Affairs.

Mr. THYE. Mr. President, will the Senator from Massachusetts yield to me?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. SALTONSTALL. I yield.

Mr. THYE. I thank the Senator from Massachusetts for yielding to me.

Let me say that I have read section 10; and I have also read General Twining's statement, as set forth in the committee hearings.

In my opinion, the Senator from Rhode Island [Mr. PASTORE] is absolutely correct in his analysis of section 10; and he has stated the matter much clearer than I could possibly have stated it.

When we consider the fact that if section 10 falls, no other part of the bill will be destroyed, whereas if section 10 remains in the bill it will make secure some military installations which the United States Government now has in Alaska, certainly it is obvious that section 10 is of great importance to the national security. It will safeguard those installations for the immediate future, while the new State organizes and elects a legislature.

Therefore, I think there is wisdom in the inclusion of section 10, because its inclusion will not in any sense jeopardize the defense installations now in existence in Alaska.

When we read the testimony of General Twining, particularly in connection with the interrogation of General Twining and Mr. Dechert by the members of the committee, in my opinion there is no question that the security of the Nation will remain intact if section 10 remains in the bill, because in that event we shall not in any sense jeopardize the already existing Federal installations in Alaska.

So I wish to commend the distinguished Senator from Rhode Island for having so clearly defined the political considerations, as well as the statehood considerations.

Certainly nothing will be gained at this time by referring the bill to the Armed Services Committee, because the point at issue has been made as clear as it can possibly be made, namely, that today the United States Government has in Alaska defense installations which should not be

jeopardized for even 1 hour while the organization of the new State is being effected, both in its legislature and at the administration level.

That is all General Twining must have had in mind when he made his statement; and I think the political question is very clearly answered both in the report and in the hearings.

Mr. SALTONSTALL. In reply to the Senator from Minnesota, let me say that, as I understand section 10, it provides for a condition subsequent to the granting of statehood; and there is a question as to whether that section is valid. If it is invalid, then the question of military security is involved; and that is what we have been debating.

Mr. THYE. For instance, in Minnesota the Congress established certain Indian reservations within the State. But those reservations did not involve the security of the Nation. However, in Alaska we have military installations which have been a decade or more in development, and more especially since the end of World War II. Therefore, section 10 should be included in the bill, so as not to jeopardize the security of the nation.

Mr. BRIDGES. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. BRIDGES. I wish to commend the distinguished Senator from Massachusetts [Mr. SALTONSTALL], the distinguished and able Senator from Mississippi [Mr. STENNIS], and other Senators who have joined in the motion to refer the bill to the Armed Services Committee.

In the case of any matter which involves the security of the Nation, certainly no Member should hesitate to vote in favor of a motion which would involve a delay of 15, 20, or 30 days, or any other reasonable period of time.

If that issue is as clear as the Senator from Rhode Island and the Senator from Minnesota say it is, then they should not worry about having the motion agreed to, because they know what the decision of the Armed Services Committee will be. [Laughter.]

So I think the motion is a very worthwhile one, and I commend the Senator from Mississippi for making it.

Mr. SALTONSTALL. I thank the Senator from New Hampshire.

Let me add that the distinguished Senator from Washington [Mr. JACKSON] is a member of the Armed Services Committee.

Mr. THYE. Mr. President, if the Senator from Massachusetts will yield further to me, let me say to our very distinguished friend, the former President pro tempore of the Senate [Mr. BRIDGES]—and I recognize all the wisdom which comes from his years of service—that my experience teaches me that if this measure goes to the Armed Services Committee for 30 days, the chances of enactment of the Alaskan statehood bill will become zero. That is why I will not vote in favor of the motion, because I realize that the wisdom of the Senator from New Hampshire is such that he knows very well that if the motion is agreed to and if the bill is referred to the Armed Services Committee, the bill will have all the anchors of the granite of New Hampshire tied to it. [Laughter.]

Mr. SALTONSTALL. Mr. President, let me say to the Senator from Minnesota that I gather from his remarks that he will not vote in favor of the motion. [Laughter.]

Mr. JACKSON. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. JACKSON. I merely wish to ask my distinguished friend what will happen in the Armed Services Committee if the motion is agreed to. Will the committee strike out section 10?

Mr. SALTONSTALL. No; I do not understand that the committee would necessarily have that responsibility.

Mr. JACKSON. What would the committee do?

Mr. SALTONSTALL. The committee would have two questions before it, as I view the matter; first, if section 10 is included, what will be the effect on the national security; second, if section 10 is declared invalid—and that is the whole purpose in this case—what will be the state of our national security?

Undoubtedly, we would have to have some legal advice on these questions. We would have to have advice from Mr. Dechert, and possibly from other legal sources.

Mr. JACKSON. The first point the distinguished Senator from Massachusetts has raised has already been answered, because the Department of Defense representatives testified before the Interior and Insular Affairs Committee that they needed section 10.

I should like to make this one point: Our able colleagues have, on the floor, raised some serious constitutional questions. I would be the last to assert that every part of this provision of the bill is clearly constitutional. I think there may be some serious questions. But the point is that this is our best effort to make the job of the Department of Defense easier.

If section 10 falls, I do not know what we can do about the matter.

The basic constitutional question involved is a simple one; namely, can the Federal Government—in this case, the Congress—as a part of the grant of statehood, insist that the United States have exclusive jurisdiction over areas to be used for defense purposes? I do not think that question has arisen before. On this question, lawyers will argue on both sides.

I do not know how the Supreme Court will rule. I am sure there is a question as to which way the Court might rule on such an issue. I believe that is the basic constitutional question involved.

Mr. SALTONSTALL. I think the Senator from Washington has stated the question very fairly and accurately.

When the debate on the floor of the Senate began, I had not studied section 10 and I had not realized its implications. But after listening to the debate, it seems to me that section 10 raises a very serious security question, particularly when we read the testimony of General Twining and when we consider the implications which the removal of section 10 would have.

Mr. JACKSON. Can my distinguished friend predict how the Supreme Court will rule on this question?

Mr. SALTONSTALL. No.

Mr. BRIDGES. No one can predict how the Supreme Court will rule on anything. [Laughter.]

Mr. SALTONSTALL. I do not care to predict what the Supreme Court will do on this question.

Mr. JACKSON. Either we can give this authority to the Federal Government, or we cannot. That is as clear as anything can be. The Court will have to decide the question.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. STENNIS. Let me ask the Senator from Massachusetts if this is not the problem as he sees it: If section 10 is invalid, what other method does the President or the military or the Government suggest be provided and written into the bill to protect the national security? Is that not the only question before the Senate?

Mr. SALTONSTALL. That is the question.

Mr. STENNIS. It is not a question for lawyers to decide. It is not a legal question.

Mr. SALTONSTALL. No; it is a question of security.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. Yes. I am ready to yield the floor with one additional statement, but I shall make it after the Senator's question.

Mr. COOPER. I intend to vote for the motion of the Senator from Mississippi. As I said on the floor the other day, I do not consider this to be a dry, legal question. I think the purpose of the motion of the Senator from Mississippi is not to kill the bill or delay it, but to send it to the Armed Services Committee in order to get the advice of the Department of Defense and whoever else represents the President of the United States as to whether section 10 has any vital significance to the security of the United States.

On page 112 of the hearings before the Senate Committee on Interior and Insular Affairs appears a statement by Mr. Chilson, from the Department of the Interior, as to the purpose of section 10:

> These amendments are designed to give the President authority to act, without the existence of a national emergency, to establish special areas which the President determines necessary for the defense of the United States.

That is in accord with the testimony of General Twining, when he stated, as appears on page 104 of the same hearings:

> It is the view of the Department of Defense that these lands in the north and west of Alaska form an outpost so vital to the defense of our country that the power to vest their exclusive control in Federal Government should be left in the hands of the Commander in Chief.

The question has been raised, If the bill is referred to the Armed Services Committee, what can it learn? I agree wholly with the statement of the Senator from Washington [Mr. JACKSON] that the committee could not ascertain whether section 10 is constitutional. No one will know the answer to that question until the Supreme Court finally rules upon it. If there is any question about the importance of section 10 to the defense of the country, it is possible that the President and the Department of Defense may recommend an alternative provision to section 10 as it is now constituted, which will take care of the situation.

I should like to make a couple of suggestions. It might be recommended that instead of including this section, with respect to the grant to Alaska, the section be left out, for later disposition of the question. A provision might be recommended whereby the grant of the Territory would pass to Alaska, say, 10 years from now. If something like that were done, it would remove this whole question from the area of debate. On the other hand, if the Department of Defense should state that we could defend the Nation just as well with section 10 out or with section 10 in the bill, then all of our doubts and misgivings about the question would be gone.

I myself feel this way about it: I have said before I would like to see Alaska become a State, but my greatest interest is in adequate defense of the United States, and that includes Alaska as a Territory. I think this question is vital. I do not see why we cannot take 30 days at least to clear our minds on the question, to be sure of what we are doing.

Mr. JACKSON. Mr. President, will the Senator yield so I may reply to the statement of the Senator from Kentucky?

Mr. SALTONSTALL. I yield to the Senator from Washington.

Mr. JACKSON. I should like to say to the Senator from Kentucky that section 10 as it now appears in the bill was placed in the bill at the request of the President of the United States. He made reference to it in his budget message, I believe.

I want all Senators to know that the committee proceeded, and was proceeding, on the assumption that section 10 would not be in the bill. The President said section 10 was vital and necessary. His military representative, the Chairman of the Joint Chiefs of Staff, appeared before the committee representing the Department of Defense.

We attempted to make other suggestions with reference to section 10, to modify it or to change it. The administration said it wanted the section. Is the same question to be raised again before the Armed Services Committee?

Mr. COOPER. Did the committee decide that the maintenance of section 10 in the bill was vital to the defense of the United States?

Mr. JACKSON. It was a matter of personal opinion on the part of the members of the committee. I, frankly, had serious doubt as to whether we could accomplish our objective by including section 10. In the last analysis, I came to the conclusion that the courts would have to decide the question. I knew if the section were to fall in a court of law, and the court held it unconstitutional, there was nothing Congress could do short of amending the Constitution of the United States.

Mr. COOPER. Mine is a practical question. Did the committee decide that control of, or power to control, the area of land in question by the Federal Government or by the President was necessary to the security of the United States?

Mr. JACKSON. No, there was no such decision. I believe the Joint Chiefs of Staff had that opinion. I believe there may be differences of opinion among the chief military minds on the question. I wish to point out that all 48 States are close to Russia. Alaska is close geographically, but all 48 States are close when we consider missiles and long-range bombers and the ability of scientists to reduce time and space.

Mr. COOPER. That is a general answer to my question. There is here involved the question of providing a particular kind of control over the area of land in Alaska under discussion. The very fact that it has been provided for is the reason why the doubts and questions have been raised.

Mr. JACKSON. Let me answer the other part of the question first. Many of us felt, and I considered that our view was shared by the administration, that the President could do everything provided for in the section without section 10. The only point was that having section 10 in the bill might solve the problem of possible concurrent authority over the area by the new State and the Federal Government. That situation raises a constitutional question: Can Congress, as a condition of statehood, reserve exclusive jurisdiction over these lands? In all candor, I do not believe it has ever been attempted before. That does not mean it cannot be done. I do not know. I shall have to await a decision of the Supreme Court, should the question ever be raised. I think that is exactly where we stand.

Mr. SALTONSTALL. I think that is a very fair statement, and a statement with which I could be in hearty accord. What I want to do is make sure that the security of the Nation is safeguarded.

I should like to make a very brief statement, Mr. President, and then I intend to yield the floor, unless some Senator wants to ask a question. I desire to read to my colleagues on this side of the aisle, because the platform of our party has been quoted so much, the platform on statehood for Alaska, which says:

> We pledge immediate statehood for Alaska, recognizing the fact that adequate provision for defense requirements must be made.

My desire to have the bill referred to the Committee on Armed Services is to make sure that those requirements are met.

Mr. President, I hope the motion will prevail.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi [Mr. STENNIS] to refer to the Armed Services Committee the pending measure with instructions to report back to the Senate within 20 days. On this question the yeas and nays have been ordered——

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Mississippi [Mr. STENNIS] to refer the pending bill to the Armed Services Committee with instructions to report it back within 20 days. On this question the yeas and nays have been ordered.

Mr. RUSSELL. Mr. President, I shall not delay the Senate. I merely wish to state that this is a matter of great moment and importance. I am always very reluctant to seek to have any bill sent to the Committee on Armed Services. Under ordinary circumstances we have as much legislation to handle as we can say grace over. However, this question is of paramount importance to the defense of the country. As I stated earlier in the afternoon in discussing the bill, I think the Senator from Mississippi is entirely justified in making the motion, and I shall be pleased to support it.

Mr. BUSH. Mr. President, I spoke on the bill earlier in the day, but I have listened with intense interest to the past few hours of debate, since the motion was made by the distinguished Senator from Mississippi to refer the bill to the Committee on Armed Services. I compliment him on that motion, and I compliment my good friend the Senator from Massachusetts for his presentation in favor of the motion.

The motion involves the security of the United States, which I feel, from reading the hearings, has not received adequate attention in connection with the entire question of admission of Alaska to statehood. Very grave doubts are expressed by some of the finest lawyers in the Senate, including the distinguished Senator from Ohio [Mr. LAUSCHE], the distinguished Senator from Mississippi [Mr. STENNIS], and the distinguished Senator from Georgia [Mr. RUSSELL] on the other side of the aisle, and on our side the able Senator from Kentucky [Mr. COOPER], and the distinguished Senator from Massichusetts [Mr. SALTONSTALL], who recently held the floor.

I think it is only fair to the people we represent that this question be reviewed by the Armed Services Committee. I do not believe there will be any tendency there to bottle up the bill. The glare of publicity is on this situation, as it should be, and the Armed Services Committee should act as promptly as possible to review the situation, as called for by the motion of the Senator from Mississippi, which I hope will prevail.

Mr. STENNIS. Mr. President, I do not propose to use more than a few minutes in very briefly reviewing the

points originally made, with some slight reference to the points made by those in opposition to the motion.

This is merely a motion to refer the bill to the Armed Services Committee, to pass on the particular question involved in section 10, and report back to the Senate in not more than 20 days.

The sole purpose of the motion is to allow the committee to call such witnesses as it sees fit to call, and to go into the very vital question first raised by the President of the United States himself.

I am satisfied that section 10 is invalid and cannot possibly stand. Someone may ask, "What would the committee do?" or, "What substitute section would it offer that would protect the security of the United States?"

I should like an opportunity to study that question. I would propose leaving out this vast territory, because I am aware of facts which make it certain in my mind that this area can not be compared to any area in any State such as Rhode Island, or any other State.

The area involved is one of the most vital spots on the entire globe, offensively or defensively.

This concern is not mine alone. It originated with the President of the United States himself. I quote from his budget message of January 16, 1957:

> I also recommend the enactment of legislation admitting Hawaii into the Union as a State, and that, subject to area limitations and other safeguards for the conduct of defense activities so vitally necessary to our national security, statehood also be conferred upon Alaska.

Could there be more positive, clear-cut words than those? Certainly the President thinks something should be done. General Twining thinks something should be done in connection with this vital question. The committee thinks something should be done on this vital question, and has undertaken to do something about it, but in a section which, most unfortunately, it is pretty well agreed, cannot stand the constitutional test.

I shall not go into the precedents, but they are unanimous. There is no dissent, and no argument has been made against the clear-cut precedent of the Oklahoma case.

Section 10 is bound to fall. Where would that leave national security, without a substitute for section 10? The President of the United States says that the national security is vital, and that the Federal Government must have exclusive jurisdiction. General Twining says it is vital to have exclusive control of this very area. At the expense of repetition, I read again a part of a paragraph from his testimony:

> It is the view of the Department of Defense that these lands in the north and west of Alaska form an outpost so vital to the defense of our country that the power to vest their exclusive control in the Federal Government should be left in the hands of the Commander in Chief.

If there is not some kind of protection, all kinds of problems will arise, including the suspension of the writ of habeas corpus, moving people out, and a number of others, all of vital constitutional import.

The President of the United States is almost begging that we should not grant statehood without these vital and necessary controls. The chief of the military and his advisers are of the same opinion. It has been said that there is nothing involved but forest lands or lands like those in an Indian reservation or something like a military reservation in a State such as Rhode Island.

The President of the United States used the words I have quoted after the most careful thought and consideration on his own part, and legal and military advice. They cannot be brushed aside. The committee says something needs to be done. The motion represents merely an attempt to go into the very vitals of the question, and come back to the Senate with a specific report and perhaps some kind of recommendation.

I submit that to brush off this motion by saying that it is merely an effort to kill the bill, or some such argument as that, is to deny the import, the gravity, the seriousness, and the essential vitality of this question, as described by the President of the United States.

I hope the Senate will agree to the motion.

Mr. CHURCH. Mr. President, as a member of the committee on Interior and Insular Affairs, I urge Members of the Senate to vote against the motion to refer the bill to the Armed Services Committee.

In view of the fact that we are now in the second week of debate on the statehood question, I think there can be no question that if the bill is referred to the Armed Services Committee and remains there for 20 days, when it is returned to the floor of the Senate it will be extremely doubtful if it will be possible to enact statehood legislation, and the cause will be lost.

I ask the Senate to consider that what is at issue is one section of the bill which relates to the boundary lands in the northernmost and westernmost parts of Alaska. These are the icelands, the tundra lands. They are lands almost entirely owned by the Federal Government, and so sparsely populated that one can point to only 1 or 2 communities located in the area.

Much has been said about the constitutionality of section 10. I believe a cogent and strong argument can be made that section 10 is constitutional and will never fall. As the Senator from Washington has said, this is an unprecedented situation, and we are merely writing into the enabling act a condition whereby the President of the United States is given the right to withdraw from the Federal area land for military purposes, if he chooses to do so. That proposal, along with all the other proposals contained in the enabling act will be placed before the people of Alaska, and they will vote it up or down in a special election, which is provided for in the bill.

I submit it cannot be said definitely that the section is unconstitutional. Many cogent arguments can be made that it is constitutional. However, let us assume, as is contended by those who support the motion, that the Supreme Court will someday determine that section 10 is invalid in some particular regard. What will have been lost? The distinguished Senator from Mississippi asks if section 10 falls, where will our defense be? I will tell the Senate where our defense will be. It will be just where it is with respect to all the other 48 States of the Union.

I join in the powerful and potent statement made by the Senator from Rhode Island [Mr. PASTORE] a few minutes ago, that if we cannot trust the people of Alaska with concurrent jurisdiction, as we trust the people in all the other 48 States, then let us vote statehood down, because then the people of Alaska are not entitled to it, and it is obviously against the national interest to extend it to them. I do not believe that is the case. Therefore, I urge the Senate to vote down the motion and get on with the important business at hand, that of making the Territory of Alaska the 49th State in our Federal Union.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi [Mr. STENNIS] to refer the bill to the Committee on Armed Services. On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Texas [Mr. JOHNSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that if present and voting, the Senator from Texas [Mr. YARBOROUGH] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Vermont [Mr. FLANDERS] is absent because of death in the family.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of illness.

The Senator from New York [Mr. IVES] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Maryland [Mr. BEALL] is detained on official business.

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay."

The Senator from New York [Mr. IVES] is paired with the Senator from Maryland [Mr. BEALL]. If present and voting, the Senator from New York would vote "yea" and the Senator from Maryland would vote "nay."

The Senator from Nevada [Mr. MALONE] is paired with the Senator from West Virginia [Mr. HOBLITZELL]. If present and voting, the Senator from Nevada would vote "yea" and the Senator from West Virginia would vote "nay."

The result was announced—yeas 31, nays 55, as follows:

YEAS—31

Bennett	Butler	Dworshak
Bricker	Byrd	Eastland
Bridges	Cooper	Ellender
Bush	Curtis	Ervin

Frear	McClellan	Saltonstall
Fulbright	Monroney	Schoeppel
Goldwater	Mundt	Stennis
Johnston, S. C.	Revercomb	Talmadge
Jordan	Robertson	Thurmond
Lausche	Russell	Young
Martin, Pa.		

NAYS—55

Aiken	Hickenlooper	Morton
Allott	Hill	Murray
Anderson	Holland	Neuberger
Barrett	Hruska	O'Mahoney
Bible	Humphrey	Pastore
Capehart	Jackson	Payne
Carlson	Javits	Potter
Carroll	Kefauver	Proxmire
Case, N. J.	Kennedy	Purtell
Case, S. Dak.	Kerr	Smith, Maine
Chavez	Knowland	Smith, N. J.
Church	Kuchel	Sparkman
Clark	Langer	Symington
Cotton	Long	Thye
Dirksen	Magnuson	Watkins
Douglas	Mansfield	Wiley
Green	Martin, Iowa	Williams
Hayden	McNamara	
Hennings	Morse	

NOT VOTING—10

Beall	Ives	Smathers
Flanders	Jenner	Yarborough
Gore	Johnson, Tex.	
Hoblitzell	Malone	

So Mr. STENNIS' motion to refer the bill to the Committee on Armed Services was rejected.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the motion to commit was rejected.

Mr. KNOWLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, I call up my amendment which would exclude from statehood the area withdrawn by section 10 of the bill and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 2, line 13, it is proposed to strike out the period and insert in lieu thereof a comma and the following:

Except for such portions of such Territory as are situated to the north or west of the following line: Beginning at the point where the Porcupine River crosses the international boundary between Alaska and Canada; thence along a line parallel to, and 5 miles from, the right bank of the main channel of the Porcupine River to its confluence with the Yukon River; thence along a line parallel to, and 5 miles from, the right bank of the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160 degrees west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along a line parallel to, and 5 miles from the right bank of the Kuskokwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162 degrees 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 57 degrees 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156 degrees west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50 degrees north.

On page 5, beginning with the colon in line 20, strike out all to the period in line 23.

On page 9, beginning with line 5, strike out all through the period in line 18.

On page 19, beginning with line 6, strike out all through line 6 on page 24 and renumber the following sections accordingly.

Mr. BRIDGES. Mr. President, will the Senator yield so that I may ask a question of the acting majority leader?

Mr. THURMOND. I yield.

Mr. BRIDGES. Will the acting majority leader state to the Senate his intentions concerning the length of the session this evening?

Mr. MANSFIELD. It is my understanding that the Senator from South Carolina will offer two amendments, and that possibly the Senator from Mississippi [Mr. EASTLAND] will offer a motion to refer the bill to the Committee on the Judiciary. I understand that on these matters there will not be too much debate; however, I would not bet on that.

I should like to have the Senate remain in session, if it meets with the approval of the membership, until 9 or 10 o'clock, in an attempt to finish the bill tonight. If that cannot be done, then it is proposed to have the Senate convene at 11 o'clock tomorrow morning.

Mr. BRIDGES. I thank the Senator from Montana.

Mr. THURMOND. Mr. President, I think statehood for Alaska at this time is unwise. However, if we are to pass a bill, then I should like to see passed a bill which is constitutional. That is the reason I am offering the amendment to eliminate section 10 from the bill. The amendment would eliminate a portion of the land which the President has a right to withdraw for national defense purposes.

One hundred and seventy-one years ago, a group of men dedicated to a single purpose gathered in the City of Brotherly Love and drafted a document which has proved to be the most practicable embodiment of democratic principles the world has ever known. I speak, of course, of those representatives of the Thirteen Original Colonies who were sent as delegates to a constitutional convention. The instrument which they prepared was the revered, but of late neglected, Constitution of these United States.

The draftsmen of the Constitution, in all probability, did not realize at that time what a great stabilizing influence their efforts would lend to the future republic which they sought to create. These were in large part the same men who had fought a difficult war. It was a war of rebellion—a war fought on their native soil. It was a destructive war, one which occasioned great waste of property and disastrous loss of life, both through battle casualties and from deprivation. The uppermost thought in the minds of these delegates was, therefore, to provide for the common defense.

In retrospect, we can understand that the 13 Colonies did not have too much in common at the opposite extremes of the geographical limits of the United States when composed of the 13 States. There were at that time even more differences in the mores of the people, ways of life and political opinions than there are in our own time.

Historians tell us that even within an individual colony, there was great conflict of opinion as to the advisability of the political course which the Colonies should follow upon the successful termination of the war of independence with England. The one thing the individual Colonies and the people within the Colonies had in common was a desire for mutual protection. This desire to establish a common defense was so prevalent and so uppermost in the minds of the colonists at that time that I believe we might call the Constitution a mutual-security agreement.

Mr. President, there can be no doubt that the Constitution of the United States was prompted primarily for purposes of defense. The impelling desire to establish a common defense overrode all other questions, even though many of the colonists had strong reservations concerning the delegation of even the limited powers granted to the Federal Government to implement this defense.

It is my firm opinion that except for the continually pressing need to provide for the common defense, the United States could not have remained united to this date. This is still the most compelling reason for the continuation of the Federal Government. For no other reason could the States tolerate the continuous encroachment on their sovereign powers by the usurpation-bent Federal Government. The bill for Alaskan statehood must be viewed in the light of national-defense considerations, above all. There can be no doubt that questions of national defense are raised by the pending bill. Section 10 of the bill establishes this without equivocation.

The testimony by Department of Defense officials indicates that the national defense question involved in the cession of jurisdiction to the proposed State of Alaska is sufficiently serious to warrant a recommendation by this Department of the executive branch of the Government of a procedure about which grave constitutional questions, to say the least, are raised. The congressional committees involved were so concerned about the questions of national defense in the northern and western portions of the Alaskan Territory that they drafted and recommended the inclusion of section 10 of the bill. I may say, parenthetically, that when the national defense is concerned to this extent, the Armed Services Committees of Congress should, in my opinion, have been consulted.

As I have indicated earlier, I am wholeheartedly in agreement with providing first for the national defense, for that was the paramount reason for the formation of the United States in the first place. It seems to me, however, that if there is a conflict between the desire to provide for the national defense, on the one hand, and the desire to grant statehood to an incorporated Territory, on the other hand, if the conflict cannot be reconciled, the consider-

ation of providing for the national defense should by all means prevail. I should like to add that when I speak of reconciling this conflict, I speak of reconciling it by constitutional means, and no other. The means employed in the bill, as set out in section 10 thereof, are, in my opinion, unconstitutional, in that they violate the equal-footing requirement.

The amendment I offer would resolve the conflict between the desire to grant statehood, on the one hand, and the desire to provide for the national defense by constitutional means, on the other. It would eliminate the controversial section 10 of the bill. The amendment would establish the boundaries of the proposed State of Alaska in such a way as to exclude the so-called withdrawal areas from the bounds of the new State. Jurisdiction of the so-called withdrawal areas would then unequivocably be retained in the United States. The proponents of the bill should find little difficulty in accepting this approach.

In fact, President Eisenhower himself has suggested an identical approach, as a solution of the problem now confronting us. Let me read an extract from the President's news conference of September 11, 1956, as taken from page 18 of the New York Times of September 12, 1956. Frank Hewlett, of the Honolulu Star-Bulletin, asked this question:

Mr. President, the Republican platform calls for statehood for Hawaii and Alaska in the strongest terms ever used. Would you care to elaborate on the Alaskan plank which pledges immediate statehood for Alaska, and then add the words, "recognizing the fact that adequate provision for defense requirements must be made"?

The President answered:

I think I have talked about this subject before this body time and time again. As far as Hawaii is concerned, there is no question. I not only approved of it in the 1952 platform, but time and time again I brought it before the Congress in the terms of recommendations. Alaska is a very great area; and there are very few people in it, and they are confined almost exclusively to the southeastern corner. Could there be worked out a way where the defense requirements could be retained—I mean, the areas nccessary to defense requirements could be retained—under Federal control in the great outlying regions, and a State made out of that portion in which the population is concentrated, it would seem to me to be a good solution to the problem. But the great and vast area is completely dependent upon the United States for protection, and it is necessary to us in our defense arrangements.

The distinguished junior Senator from Idaho [Mr. CHURCH] has, during the course of the debate, described the withdrawal area as "barren tundra land." I thoroughly agree with that description. Generally, the areas which, under my amendment, would be excluded from the State, include southwestern Alaska, the southern half of the Alaska Peninsula, the Aleutian Islands, and the so-called northern country.

I agree with the junior Senator from Idaho that it is improbable that the State of Alaska will select from the lands which the United States has so graciously and magnanimously tendered to it any appreciable amount of these largely useless parcels of real estate. This would be even more true if the mineral rights were not included with the proposed giveaway of these lands.

We should also note that the majority of the lands which under my amendment, would be excluded from the boundaries of the proposed State, are sparsely settled, and understandably so. Much of this territory is north of the timber line, and vegetation is practically non-existent there. Although there is a wide range of temperature during the various seasons of the year, the thaw in summer never extends quite as deep into the tundra as did the previous winter's freeze.

Mr. President, the liabilities of this area to the proposed State far outweigh the advantages. I can see no reason why this area, desolate for the most part, should be included within the boundaries of the proposed State. I reiterate that my amendment would resolve in a clearly constitutional manner the difficult question presented by national-defense considerations. I urge the Senate to adopt this modification in the statehood bill.

I realize that some think that the adoption of this or any amendment might mean that final action on Alaskan statehood could not be completed during this session. In my opinion, the amendment might delay final action on the bill, because if the bill is amended now, it will have to go to conference. In all good conscience, however, I sincerely urge the proponents of the bill not to be carried away by their exuberance at the thought of reaching a long-sought goal. Once the proposed step is taken, it will be irrevocable. It is one which has been considered by the Congress for a number of years. A prudent approach, even though it requires more patience, is more advisable than hasty and regrettable action.

Mr. President, this amendment is very important.

I believe that if the amendment is adopted, it will, first, make the bill constitutional; and, second, reserve to the Federal Government the areas which the Federal Government has said it needs for national-defense purposes.

Mr. President, on the question of agreeing to my amendment, I ask unanimous consent for the yeas and nays.

The PRESIDING OFFICER. (Mr. JORDAN in the chair.) Is there objection? Without objection, the yeas and nays are ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Texas [Mr. JOHNSON], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH], are absent on official business.

I further announce that if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "nay."

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Texas [Mr. YARBOROUGH]. If present and voting, the Senator from Arkansas would vote "yea" and the Senator from Texas would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Vermont [Mr. FLANDERS] is absent because of death in the family.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of illness.

The Senator from New York [Mr. IVES] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Maryland [Mr. BEALL] and the Senator from Kansas [Mr. SCHOEPPEL] are detained on official business.

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay."

The Senator from New York [Mr. IVES] is paired with the Senator from Maryland [Mr. BEALL]. If present and voting, the Senator from New York would vote "yea" and the Senator from Maryland would vote "nay."

The Senator from Nevada [Mr. MALONE] is paired with the Senator from West Virginia [Mr. HOBLITZELL]. If present and voting, the Senator from Nevada would vote "yea" and the Senator from West Virginia would vote "nay."

The result was announced—yeas 16, nays 67, as follows:

YEAS—16

Bridges	Johnston, S. C.	Stennis
Butler	Jordan	Talmadge
Byrd	Martin, Pa.	Thurmond
Eastland	McClellan	Young
Ellender	Robertson	
Ervin	Russell	

NAYS—67

Aiken	Goldwater	Monroney
Allott	Green	Morse
Anderson	Hayden	Morton
Barrett	Hennings	Mundt
Bennett	Hickenlooper	Murray
Bible	Hill	Neuberger
Bricker	Holland	Pastore
Bush	Hruska	Payne
Capehart	Humphrey	Potter
Carlson	Jackson	Proxmire
Carroll	Javits	Purtell
Case, N. J.	Kefauver	Revercomb
Case, S. Dak.	Kennedy	Saltonstall
Chavez	Kerr	Smith, Maine
Church	Knowland	Smith, N. J.
Clark	Kuchel	Sparkman
Cooper	Langer	Symington
Cotton	Lausche	Thye
Curtis	Long	Watkins
Dirksen	Magnuson	Wiley
Douglas	Mansfield	Williams
Dworshak	Martin, Iowa	
Frear	McNamara	

NOT VOTING—13

Beall	Ives	Schoeppel
Flanders	Jenner	Smathers
Fulbright	Johnson, Tex.	Yarborough
Gore	Malone	
Hoblitzell	O'Mahoney	

So Mr. THURMOND's amendment was rejected.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Washington to reconsider.

The motion to lay on the table was agreed to.

Mr. THURMOND. Mr. President, I call up my amendment 6-25-58-D, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 19, line 8, after "proclamation" it is proposed to insert "approved by a concurrent resolution of the Congress."

On page 20, line 10, strike out "issuance of" and insert in lieu thereof "effective date of the concurrent resolution approving."

On page 22, line 8, strike out "by Executive order of proclamation" and insert in lieu thereof "in accordance with this section."

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. THURMOND. Mr. President, the portion of the bill which I seek to amend is section 10, which begins as follows:

> The President of the United States is hereby authorized to establish by Executive order or proclamation one or more special national-defense withdrawals within the exterior boundaries of Alaska, which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President.

Mr. President, I object strongly to lodging in one individual the power thus to shrink a sovereign State by withdrawing from its jurisdiction vast portions of its territory. For the Senate to pass a bill which would subject a State, ultimately any State—South Carolina, New York, California, or Nebraska—to the whim of one man in so important a respect would be, to say the least, most unwise.

I also have grave doubts that section 10 is constitutional. There is a constitutional requirement that new States be taken into the Union on equal footing with old States. I refer the Senate to the case of *Coyle* v. *Oklahoma* (221 U. S. 559) and other cases which I cited to this body on Friday.

Now I ask, Mr. President, could Alaska possibly be considered to be on equal footing with the other States if the Federal Government were given this extraordinary power of withdrawing up to half the State from State jurisdiction? And, Mr. President, I do not speak of any mere condemnation or eminent domain power, but of this new concept of national-defense withdrawal, whereby the Government would acquire not just a property right in the land under consideration but dominion also, with exclusive power in the legislative, judicial, and executive fields.

Obviously this glaring inequality between the status of Alaska and the status of the other States would violate the constitutional requirement of equal footing. Some may ask, "if I am so sure that the section is unconstitutional, why do I bother to submit an amendment? Why not simply wait for the Supreme Court to strike this section down?"

The reason is this: I am not at all sure that the Supreme Court would strike it down. Let us assume—and I realize this is perhaps a rash assumption to make these days, but still let us assume—that the Court will make at least a pretense of following the Constitution. Proceeding upon this assumption, I do not feel that the Court could completely ignore this glaring violation of the equal-footing doctrine. However, that does not mean that the Court would necessarily strike out section 10 granting the Federal Government this power of withdrawal.

I have a strong suspicion, Mr. President, that the Court may go about the problem in this way: Instead of restoring equal footing between the States by invalidating the withdrawal provision in the case of Alaska, the Court might simbly extend the principle of the withdrawal power to cover the present 48 States as well as Alaska. That would restore the situation of equal footing.

Is this a fanciful worry, Mr. President? Is it inconceivable that even the present Supreme Court would do such a thing? I do not think it is inconceivable, for this reason: This is a question involving State jurisdiction and State powers versus Federal jurisdiction and Federal powers. And where such an issue is at stake, the tendency of the Supreme Court is to try in every way possible to find a solution which will favor Federal encroachment on the States, rather than to reach a conclusion which would result in protecting the States from encroachment. This conclusion is not simply the bitter and cynical remark of one who has been alarmed by the Court's decisions of the past 3 or 4 years. This is a tendency which has been noted for a very long time. This tendency on the part of the Court to favor the Federal Government at the expense of the States began very early in our history. Thomas Jefferson saw the beginning of this process of usurpation by the Federal judiciary; he feared its ultimate result, and he expressed his fears as follows:

> There is no danger I apprehend so much as the consolidation of our Government by the noiseless, and therefore unalarming, instrumentality of the Supreme Court.

With prophetic vision, the great Virginian warned further that the germ of dissolution of our Federal system lies in the Federal judiciary, "working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped from the States, and the government of all be consolidated into one."

Jefferson's description of the process and methods of judicial usurpation is truly remarkable. It could well have been written today. These are his words:

> The judiciary of the United States is the subtle corps of sappers and miners constantly working underground to undermine the foundations of our Confederated Republic. They are construing our Constitution from a coordination of a general and special government to a general and supreme one alone. This will lay all things at their feet. * * * They skulk from responsibility to public opinion. * * * An opinion is huddled up in conclave, perhaps by a majority of one, delivered as if unanimous, and with the silent acquiescence of lazy or timid associates, by a crafty chief judge who sophisticates the law to his mind, by the turn of his own reasoning.

Or, Mr. President, to sum the situation up in a few words, we might remember the conclusion reached by the late Professor Walter F. Dodd, one of America's most distinguished authorities on constitutional law. Writing in the Yale Law Journal—the citation, for all who may be interested, is 29 Yale Law Journal 137—1919—in an article entitled "Implied Powers and Implied Limitations in Constitutional Law," Professor Dodd declared:

> The Court is an organ of the National Government, associated with that Government, and has in the long run shown a disposition to support national powers.

Professor Dodd was not mistaken in his conclusion. Nor did it take any great constitutional expert or genius to comprehend the truth of that which Professor Dodd was stating. One of the very basic axioms of Anglo-Saxon law is the rule that "No man shall be judge in his own cause." The justice of this rule can hardly be denied, for a man judging in his own cause is rather likely, to say the least, to favor himself. Does it not follow then, that if, in a dispute involving the rights of a State versus the rights of the United States, a branch of the United States Government is permitted to be the judge, the rights of the United States are in the long run going to be upheld, rather than the rights of the States?

The answer to this question is too obvious, Mr. President, especially in view of the record of anti-State, pro-Federal Government decisions by the Supreme Court to date. Equal footing would be interpreted by the Court to mean that the old 48 States must relinquish their sovereign rights to place them on an equal footing with the less-sovereign, new 49th State.

As a matter of fact, the Court was once before faced with a problem which is somewhat similar to this one. The question involved the rights of the Federal Government versus the rights of the States, and, although the Court had to perform some remarkable contortions to reach its conclusion, it reached a decision favorable to the Federal Government. I refer to the question of the extent of the Federal Government's right of eminent domain.

I am going to take a few moments to explain to the Members of this body just how it was that the Federal Government came to claim the unlimited power of eminent domain.

Mr. President, I should say, not how the Federal Government came to claim or acquire the right of eminent domain, but rather how the Federal Government overcame a constitutional limitation on its right of eminent domain.

If anyone today should challenge the Federal Government's right of eminent domain, he would probably be referred to the case of *Kohl* v. *The United States* (91 U. S. 367), a case decided in 1876. For example, in the famous steel seizure decision, *Youngstown Sheet & Tube Co.* v. *Sawyer* (343 U. S. 579), a case which dealt really with the secondary issue of seizure by the President without congressional authorization, both Mr. Justice Douglas in his concurring opinion, and

Mr. Chief Justice Vinson in his dissent, asserted, in passing, the existence in the Federal Government of the power of eminent domain. Both Douglas and Vinson cited as their authority, the Kohl case. Although there are sections in the Constitution which expressly or impliedly confer a power of eminent domain on the Federal Government, the Kohl case bases the Federal Government's right of eminent domain primarily on the theory that eminent domain is an incident of sovereignty.

Now, generally, the Court has rejected the idea that the United States possesses powers by virtue of its sovereignty rather than by specific constitutional grant. For example, in the case of *Kansas* v. *Colorado* (206 U. S. 46, (1907)), when counsel for the United States, as intervenor, urged upon the Court a doctrine of "sovereign and inherent" power, the Court replied as follows:

> But the proposition that there are legislative powers affecting the Nation as a whole which belong to, although not expressed in the grant of powers, is in direct conflict with the doctrine that this is a government of enumerated powers. That this is such a government clearly appears from the Constitution, independently of the amendments. * * * This natural construction of the original body of the Constitution is made absolutely certain by the 10th amendment. This amendment, which was seemingly adopted with prescience of just such contention as the present, disclosed the widespread fear that the national Government might, under the pressure of a supposed general welfare, tend to exercise powers which have not been granted.

However, we need not argue at this point the question of whether the Federal Government can have sovereign and inherent powers; for, whether as an attribute of sovereignty or by constitutional grant, it seems clear that the Federal Government does possess the bare right to condemn for public use lands situated within a State.

But the real question is this: Is the Federal Government's right absolute, or is it restricted? Corpus Juris Secundum espouses the attribute-of-sovereignty theory and denies the necessity of constitutional grant. However, it goes on to say as follows—and I quote from volume 29, Corpus Juris Secundum, section 3:

> The right of eminent domain is not conferred, but may be recognized, limited, or regulated by constitutions.

According to the Constitution, the Federal Government's right of eminent domain is limited, and very severely limited, by two provisions. One of these is in the body of the Constitution, and the other is in an amendment. The amendment to which I refer is, of course, the fifth. The limitation expressed therein is well recognized and has for the most part been faithfully observed. It reads:

> "nor shall private property be taken for public use, without just compensation."

Let me interject here, Mr. President, the observation that the fifth amendment of course does not in any way supersede, but only supplements, the other limitation, which I am about to mention, on the Federal Government's right to acquire lands within a State.

But the other provision in question, Mr. President, the one in the body of the Constitution itself, most definitely has not been faithfully abided by. As a matter of fact, it has been nullified, its meaning subverted by a trick of word-juggling, or Constitution-twistup, as brazen as any ever attempted by our Supreme Court.

Mr. President, what is this limitation within the main body of the Constitution, on the Federal Government's right of eminent domain? I shall read this limitation, which, while stated indirectly, is stated perfectly clear. The provision, found in article I, section 8, reads as follows:

> The Congress shall have power * * * to exercise exclusive legislation in all cases whatsoever, over such district (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings.

What that section says is—leaving aside the portion which refers to the acquisition of the District of Columbia—that the Congress is given the power of exclusive jurisdiction over such lands within the States as may be aquired, for the stated purposes, by the Federal Government—such acquisition being dependent upon the consent of the legislatures of the affected States.

In the face of this clear constitutional clause, it seems almost unbelievable that any jurist could ever have asserted that there are other ways in which the Federal Government could acquire lands within a State. Can it be seriously contended that the words "by the consent of the legislature"—placed directly after the word "purchased" and modifying it—would have been inserted if the Framers had intended that the Federal Government should also possess the power to acquire such lands without the consent of the State legislature? The men who framed the Constitution were not in the habit of wasting words, nor did they insert words for no purpose. They meant that what lands the Government may need for the stated purposes could be purchased with the consent, and only with the consent, of the legislature of the affected State.

Mr. President, this is beyond dispute. This intention of the Framers can be shown by the Madison papers. The consent provision was missing from the original draft, and it was inserted specifically to give the States the right to veto Federal land acquisition. I shall now read from Madison's Reports of Debates in the Federal Convention to prove my point:

> So much of the fourth clause as related to the seat of Government was agreed to, nem. con.
>
> On the residue, to wit, "To exercise like authority over all places purchased for forts, etc."
>
> Mr. Gerry contended that this power might be made use of to enslave any particular State by buying up its territory, and that the strongholds proposed would be a means of awing the State into an undue obedience to the General Government.
>
> Mr. King felt, himself, the provision unnecessary, the power being already involved; but would move to insert, after the word "purchased," the words, "by the consent of the legislature of the State." This would certainly make the power safe.
>
> Mr. Gouveneur Morris seconded the motion, which was agreed to, nem. con.; as was then the residue of the clause, as amended.

Mr. President, those quotes are taken verbatim from Madison's Reports of Debates in the Federal Convention. They show clearly that the Federal Government's power to purchase land within a State was strictly dependent on consent by the State. But listen, Mr. President, to how the Supreme Court now interprets this clear mandate of the Framers. I shall quote briefly from the case of *James* v. *Dravo Contracting Co.* (302 U. S. 134 (1937)):

> It is not questioned that the State may refuse its consent and retain jurisdiction consistent with the governmental purposes for which the property was acquired. The right of eminent domain inheres in the Federal Government by virtue of its sovereignty and thus it may, regardless of the wishes either of the owners or of the States, acquire the lands which it needs within their borders. * * * In that even, as in cases of acquisition by purchase without consent of the State, jurisdiction is dependent upon cession by the State, and the State may qualify its cession by reservations not inconsistent with the governmental uses.

We can see what has happened, Mr. President. The phrase "by the consent of the Legislature" has been bodily lifted from its position after the word "purchased"—which word it was clearly intended to modify, as demonstrated in the Madison papers—and has been made instead to modify the phrase "exercise like authority." In other words, Mr. President, according to the Court, the provision now reads: "The Congress shall have power to exercise exclusive legislation, provided the State legislature consents thereto, over such lands as may be purchased for the erection of forts, magazines, and so forth."

This is quite a change in meaning. Naturally, the idea of State consent as a prerequisite to the Federal Government's acquisition of necessary lands was intolerable to the advocates of consolidation and national supremacy. Yet they could not ignore completely the existence of the passage beginning with the words "by the consent." Their only alternative was simply to juggle the clause to suit themselves—which they did. The new line was laid down by Mr. Justice Strong in the *Kohl* case. Here is what he said:

> The consent of a State can never be a condition precedent to its (the power's) enjoyment. Such consent is needed only, if at all, for the transfer of jurisdiction and of the right of exclusive legislation after the land shall have been acquired.

Mr. Justice Field laid bare the process by which, without any amendment, this constitutional limitation on Federal power was subverted and brazenly given a different meaning, one that was harmless to the concept of national supremacy. In the case of *Fort Leavenworth Railroad Co.* v. *Lowe* (114 U. S. 525), Field described the change that came about in the matter of eminent domain. He did

not seem to express approval of the change and, in fact, some of the language in his dissent in the Kohl case indicates that he had some doubts about Justice Strong's sweeping assertion. In this Fort Leavenworth case, decided in 1885, Field wrote as follows:

> This power of exclusive legislation is to be exercised, as thus seen, over places purchased, by consent of the legislatures of the States in which they are situated, for the specific purposes enumerated.
>
> It would seem to have been the opinion of the framers of the Constitution that, without the consent of the States, the new government would not be able to acquire lands within them; and, therefore, it was provided that when it might require such lands for the erection of forts and other buildings * * * and the consent of the States in which they were situated was obtained for their acquisition, such consent should carry with it political dominion and legislative authority over them. Purchase with such consent was the only mode then thought of for the acquisition by the General Government of title to lands in the States.

Mr. President, here is Mr. Justice Field's description of the metamorphosis of this constitutional limitation:

> Since the adoption of the Constitution this view has not generally prevailed. Such consent has not always been obtained, nor supposed necessary, for the purchase by the General Government of lands within the States. If any doubt has ever existed as to its power thus to acquire lands within the States, it has not had sufficient strength to create any effective dissent from the general opinion. The consent of the States to the purchase of lands within them is, however, essential, under the Constitution, to the transfer to the General Government, with the title, of political jurisdiction and domain. Where lands are acquired without such consent, the possession of the United States, unless political jurisdiction be ceded to them in some other way, is simply that of an ordinary proprietor. The property in that case, unless used as a means to carry out the purposes of the Government, is subject to the legislative authority and control of the States equally with the property of private individuals.

Thus, Mr. President, did the consolidationists overcome the view held by the framers that the Federal Government could acquire lands within a State only by consent of the State. They simply interpreted the consent provision as modifying "exercise like authority" instead of the word "purchased," which it did in truth modify. One can easily see the motive of the consolidationists: They had, at any cost, to get rid of the rule of State consent as a prerequisite to Federal acquisition of land, for they knew that this doctrine of State consent was a powerful weapon by which the States could resist that centralizing trend promoted by the Federalists.

This was perhaps the most flagrant, the most outrageous, of all the many examples of the Court's Constitution-twisting. I submit that a Supreme Court which is capable of this feat which I have described is certainly capable of extending the principle of national defense withdrawal from Alaska to all the States, especially since it could do so on the specious excuse of upholding the equal footing requirement of the Constitution. In fact, Mr. President, such a Supreme Court is capable of absolutely anything.

This is why I do not feel that we here in the Senate should shirk our duty and simply permit the Supreme Court to pass on the validity of this withdrawal clause later. Since the Supreme Court is likely to extend the withdrawal power to cover all the States, in the event this bill is passed, it is up to us in the Senate to erect as many safeguards as possible around this withdrawal power.

I hope Senators will note that my amendment does not propose to delete completely the section authorizing defense withdrawals. I am not unaware of the importance of Alaska to our national defense. In fact, I so fully realize just how vital Alaska is that this is another reason why I oppose statehood: I feel that Alaska—and I mean all of Alaska, not just this section within the withdrawal zone boundaries—is so crucial to our defense against Soviet Russia that it should be regarded as a military frontier area in which national security considerations must govern in every case.

I am only proposing, Mr. President, that this authority in the executive to decimate a sovereign State be, in each case, contingent upon the approval of this body and the House of Representatives. As I have already said, I do not consider it wise to leave a matter which could be so overwhelmingly disastrous to a State or its people to the discretion of a single individual. I feel that the Congress, and this body especially, should have the final say in any such move. I feel so strongly about this that it is my belief that we, the Members of this body, will be derelict in our duty if we surrender our States to the whim of the Executive by failing to amend this section.

After all, Mr. President, this body is peculiarily the representative of the States collectively; and the individual Members of this body are the representatives of their respective States. Are we not, therefore, dutybound to take whatever precautionary step is necessary to withhold from 1 man the power to destroy, in effect, any 1 or more of these States which we represent?

Or is it the feeling of some of the Members that the States no longer really matter? This may be the feeling of a few, I suppose, who regard the States as little more than convenient election districts within the framework of an all-powerful monolithic national structure.

But, Mr. President, although some may wish it so, and some even make it so in practice, the Constitution does not provide for United States Senators to be primarily representatives of interstate social and economic groups. The Constitution never envisioned, and never provided for, a United States Senator from the CIO, or from the NAM, or from the ADA, nor even from the liberal establishment as a whole.

The Constitution, Mr. President, provided that Senators should represent States. The Constitution still requires a United States Senator to be, first and foremost, a representative of his State—his State as an entity, not merely as the geographical locality inhabited by a varied number of individuals and by portions of nationwide social and economic interest groups.

It is important that we remember this fact, that Senators represent States, because it is something often lost sight of. Many people have the mistaken notion that, in some manner, the 17th amendment changed the relationship of the United States Senator to his State. This the amendment did not do, and in fact, could not do, even had it purported to do so.

The 17th amendment only changed the method by which a State selects its representatives in the United States Senate.

Prior to the adoption of this amendment, Senators were elected by the legislatures of the States. Since the adoption of the 17th amendment, they have been elected by direct popular vote. This is a fact of which everyone in this Chamber is quite well aware.

What change could be wrought in the relationship between a Senator and his State by the fact that his election is now by the people of the State instead of by the legislature? Obviously, there has been no change; yet it is not surprising, perhaps, that some people have gained this false impression. From the earliest days of this Republic, the enemies of States rights and local self-government have sought, often successfully, to implant in the popular mind the notion that there is some great opposing distinction between the concept "the State" and the concept "the people." The corollary to this strange notion is that the terms "the people" and "the United States" are identical or interchangeable. It is this same notion that the States and the people are in opposition to each other which is perhaps responsible for the idea that the 17th amendment changed the basic concept of what a United States Senator represents.

A State can act through other agencies than its legislature. The State legislature is not the State. In fact, the State government as a whole—legislature, executive, and judiciary combined—does not constitute the State. The State is greater than its government. And thus the State is not limited to acting through its government, or through any particular branch thereof. The State can act through its people, either in convention assembled or by direct popular election.

In fact, "the people," far from being in contra-distinction to the State, is the State, acting in its highest sovereign capacity. Thus the contention that, since the 17th amendment, a United States Senator has represented the individuals within a State rather than the State as an entity, is false. The switch from election by the State's legislature to election by the State's people was a change in method only—it did not affect the fundamental fact that a United States Senator, is, first and foremost, the representative of his State.

Obviously, Mr. President, the 17th amendment could not affect this relationship between State and Senator. No amendment could affect it. For this relationship between Senator and State is clearly set forth in the Constitution, in a clause which is unamendable, and which reads as follows:

Provided, * * * that no State, without its consent shall be deprived of its equal suffrage in the Senate.

Mr. President, the word which appears in that unamendable clause is "State." Not "people of the State," not "people of the United States," not "the United States," but "State." "No State, without its consent, shall be deprived of its equal suffrage in the Senate." Thus it can clearly be seen that, according to the Constitution, United States Senators are, first and foremost, the representatives of their respective States.

As such, Mr. President, it is our bounden duty to protect the integrity of our States. This duty is a solemn one, of the nature of trustee's duty to his cestui que trust. This body should therefore be the last, Mr. President, to hand over to the executive the power to annihilate a State, which is just what section 10 of this Alaska statehood bill would do.

My amendment proposes that, before the President can take this step of, in effect, depriving a State of great portions of its territory, this body, the Senate of the United States, and the House of Representatives, shall first give their consent. I believe this is asking only a little to protect so much.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered en bloc by the Senator from South Carolina [Mr. THURMOND].

The amendments were rejected.

Thet RESIDING OFFICER. The bill is open to further amendment.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER (Mr. CHURCH in the chair). The Senator from Mississippi.

Mr. EASTLAND. Mr. President, I had intended to submit a motion to refer the bill to the Committee on the Judiciary. I think such a motion would be useless in view of the votes previously taken in the Senate. I am not going to make the motion, but I ask unanimous consent that my speech be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR EASTLAND ON MOTION TO REFER H. R. 79999 AND S. 49 TO SENATE JUDICIARY COMMITTEE

I now move that H. R. 7999 and S. 49 be referred to the Senate Judiciary Committee for consideration for the reasons herein to be assigned:

S. 49, which is now on the Calendar of the Senate, is similar in many respects to H. R. 7999, now under consideration. S. 49 was considered solely and alone by the Senate Committee on the Interior of the United States Senate. The proposed Senate bill was the subject of only 2 days' hearing before this committee. H. R. 7999 is being taken directly from the Calendar of the Senate without any referral to any committee for consideration.

The House bill contains 37 pages. The Senate bill contains 44 pages. Bills containing 37 and 44 pages, respectively, are not easily read nor understood by a Member of the Senate who has not been directly involved in its hearings and consideration before the committee which reported it, but each of us has a responsibility to those he represents to study the measure to the best of his ability and to seek to determine the wisdom of its enactment.

The Judiciary Committee of the United States Senate is, as all Senators appreciate, composed entirely of lawyers. It has often been referred to by Members of the Senate as the legal arm of the Senate. As a committee, it has often been called upon to pass upon the substance of legal issues appearing in legislation to which other committees may have had some claim of jurisdiction. Before I have finished, Mr. President, I will show just how intimately these bills relate to the activities of the Judiciary Committee of the United States Senate.

Under paragraph 7 of the jurisdiction of the Senate Committee on Interior and Insular Affairs, as it appears in the Legislative Reorganization Act of 1946, that committee is given jurisdiction of "measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting the revenue and appropriations." This seems to me to be the sole provision which serves to give the Committee on Interior and Insular Affairs a claim to jurisdiction over measures relating to the admission into the Union of any Territories, or, in particular, Hawaii and Alaska.

Measures relating to statehood, however, are comprehensive in their scope, and as I examine this bill I have discovered that in at least eight instances it presents questions which are clearly within the jurisdiction of the Committee on the Judiciary. It may serve to clarify this point if I cite the paragraphs in the Legislative Reorganization Act of 1946, which I deem applicable:

(1) Judicial proceedings, civil and criminal, generally.

* * * * *

(3) Federal courts and judges.

(4) Local courts in the Territories and Possessions.

* * * * *

(10) State and Territorial boundary lines.

(11) Meetings of Congress, attendance of Members, and their acceptance of incompatible offices.

(12) Civil liberties.

* * * * *

(15) Immigration and naturalization.

(16) Apportionment of Representatives.

These eight jurisdictional paragraphs which I have set forth comprise about one-half of the jurisdictional items which have been committed to the jurisdiction of the Committee on the Judiciary.

My study indicates that each one of them in some measure is affected by this legislation which proposes to authorize the admittance of a Territory into the Union as a State. Each of these involve subjects which are orinarily committed to the Committee on the Judiciary. That committee is most familiar with the problems which arise in connection with each of them. No other committee, from a legal or practical standpoint, is so well qualified to examine legislation within those fields. I do believe, therefore, that when bills involve so many matters within the jurisdiction of a committee as these statehood bills do that of the Committee on the Judiciary, that the committee should be permitted opportunity to examine their provisions and report to the Senate concerning their effect on, or compliance with, the laws within those respective fields.

In the consideration of this legislation, it is important to remember that we are not only passing an enabling act but we are also confirming, ratifying and accepting a constitution supposedly adopted by the residents of the Territory of Alaska. The last clause of section 1 of each of these bills so provides. The constitution which the bills thus purport to ratify have provisions which need to be reexamined, and I believe that the proper committee to perform that reexamination is the Judiciary Committee of the United States Senate.

I, therefore, move that H. R. 7999 and S. 49 be referred to the Senate Judiciary Committee based on the reasons assigned in my previously made points of order and these additional grounds.

1. MATTERS RELATING TO STATE AND TERRITORIAL BOUNDARY LINES ARE PROPERLY WITHIN THE JURISDICTION OF THE SENATE JUDICIARY COMMITTEE

Section 2 of S. 49 and section 2 of H. R. 7999 also provide that the State of Alaska shall consist of all the territory together with the territorial waters appurtenant thereto.

You may recall that one of the items of the jurisdiction of the Committee on the Judiciary to which I referred a moment ago is that related to State and Territorial boundary lines. As far as I have been able to determine, there has been no definitive description of the boundaries of the proposed State, either in its Constitution or in the enabling act itself. There is no metes and bounds description, or any other adequate description, to show the boundaries of the new State of Alaska. This is a very serious omission. I have not been able to determine whether it has any parallel in our Nation's history. I do know that in many instances the specific boundaries were set forth in the enabling acts themselves. I think it is infinitely more important that it be incorporated in the enabling act where, as here, the Territory proposed to be admitted is not adjacent to or contiguous to any other State or any other Territory of the United States. Indeed, it seems to me imperative that such a description be given where, as here, the area adjoins the land of another nation and its waters abound that of still another nation.

The distance that the boundaries of this proposed State of Alaska extend seaward, with their nearness to Russian territory, is a serious matter and one that should be given the most careful scrutiny. Since there is no description of the actual boundaries, I, for one, am unable to determine just how far the territorial waters of the proposed State of Alaska may extend.

Section 8 (b) of S. 49 reads as follows:

"(b) At an election designated by proclamation of the Governor of Alaska, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) The boundaries of the State of Alaska shall be prescribed in the act of Congress approved (date of approval of this act), and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States."

This provision of the act is deceptive for the boundaries of the proposed State of Alaska are not prescribed by this act. The only thing that can be said is that there is a general reference in section 2 that the State of Alaska shall consist of all the territory now included in the Territory of Alaska. There is no citation to any section of the law where the Territory of Alaska is set forth.

Section 21 of title 48 of the United States Code, it is true, says that the Territory ceded to the United States by Russia by the Treaty of March 30, 1867, shall constitute the Territory of Alaska. Ultimately, when reference is made to the Treaty of Russia there is finally a description given of the boundaries of the area ceded. Thus, so far as section 8 is concerned, the boundaries are not prescribed in the act; they are not even incorporated directly by reference. About the best you can say is that they are incorporated indirectly by reference. I think it would have been better to have stated the boundary of the new State of Alaska in the bill, but my purpose in raising

this question at this time is to show the need for referral of this bill to the Judiciary Committee in order that it may perform the functions which the Congress of the United States previously committed to it.

2. MATTERS RELATING TO APPORTIONMENT OF REPRESENTATIVES ARE PROPERLY WITHIN THE JURISDICTION OF THE SENATE JUDICIARY COMMITTEE

Section 9 of this bill also contains material which directly crosses the lines of jurisdiction of the Judiciary Committee of the Senate. You may recall from my earlier reading of it that item 16 of section 102 (k) of the Legislative Reorganization Act of 1946 grants to the Judiciary Committee jurisdiction over measures or bills relating to apportionment of Representatives. Under the provisions of section 9, the State of Alaska, is granted, upon its admission, one Representative until the taking effect of the next reapportionment, and then this section further provides that "such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law." This, in effect, amounts to an apportionment, since it enlarges temporarily the number of persons entitled to serve in the House of Representatives. This, of course, has the incidental effect of adding an electoral vote to the 1960 election which will not be present in succeeding electoral votes unless the provision made in the enabling act is made permanent by later statute. I believe that it would be beneficial to the Senate of the United States to have the findings and opinions and recommendations of the Senate Judiciary Committee on the efficacy of this approach to the matter of adding an additional Representative to the House of Representatives. It may be that the method provided is the best one which can be adopted under the circumstances. However, it may also be possible to take care of the additional Representative by making an appropriate decrease in the representation afforded some other State of the Union.

3. MATTERS RELATING TO FEDERAL COURTS AND JUDGES ARE PROPERLY WITHIN THE JURISDICTION OF THE SENATE JUDICIARY COMMITTEE

Now let me turn to section 12 of S. 49 and its counterpart, section 12 of H. R. 7999. The effect of these two sections will be to establish in the proposed State of Alaska a United States district court. The bills provide that the State of Alaska shall constitue one judicial district, with court to be held at Anchorage, Fairbanks, Juneau, and Nome. The bills further provide that the judicial district of Alaska shall be afforded one United States district judge. As you will recall, I cited the judicial items assigned to the Judiciary Committee of the Senate earlier in these comments, and I again cite items 3 and 4 of that jurisdiction, item 3 being Federal courts and judges, and item 4 being local courts in the Territories and possessions.

Ever since the Legislative Reorganization Act was passed, every new judgeship created, every district created or abolished, every division authorized or abolished, and proposals for the establishment of new circuits, have consistently come to the Committee on the Judiciary for its study and recommendations. There has been, so far as I know, no exception to this procedure.

Let me point out that there now exists the district court for the Territory of Alaska, the subject matter of which is clearly within the jurisdiction of the Committee on the Judiciary under item 4 of its jurisdiction. All of the nominations of the judges who have been appointed have come to the Judiciary Committee for its recommendation in the matter of confirmation. This has also been true of the United States attorneys and the United States marshals for the Territory of Alaska. Here we have a section of a statehood bill which deals with legislation that is without any question within the province of the Committee on the Judiciary. As you all know, the present United States District Court for the Territory of Alaska is a term court, with four judges sitting in the various divisions of that court. Again, I emphasize the fact that this is a territorial court and a term court, meaning that the judges are appointed, nominated, and confirmed for a specific term of time. The legislation as contained in section 12 of both H. R. 7999 and S. 49 will, in effect, provide for the abolishment of the territorial court and establish in lieu thereof a constitutional court wherein the judge shall have tenure on good behavior under the Constitution of the United States. Further, under the terms of these sections, the judicial district of Alaska is limited to one judge although the territory to be served remains the same and the extent of the caseload remains to be determined.

I have no quarrel with the manner in which the proposed judicial system is set up, and it may be quite possible that it is in good form and technically correct. However, I must insist that the whole subject matter contained in these sections is the business of the Judiciary Committee of the Senate, and I do not believe that legislation of this type should be approved by the Senate until such time as the Committee on the Judiciary has been able to consider the matters therein contained and has submitted its report to the Senate. The question of abolishing a territorial term court and substituting therefor a constitutional court, with a judge to be appointed for good behavior, is a major step and a matter to which the Senate is entitled to have the views of the Committee on the Judiciary.

4. MATTER PERTAINING TO THE PROCEDURE OF COURTS IS PROPERLY WITHIN THE JURISDICTION OF THE SENATE JUDICIARY COMMITTEE

Sections 13, 14, 15, 16, 17, and 18 of S. 49, as well as sections 13, 14, 15, 16, 17, and 18 of H. R. 7999, all deal with matters pertinent to the procedure of the courts. These sections apply to the transfer of cases pending and undetermined, and appeals therefrom as to where they shall be taken and under what circumstances, and all of the matters incident thereto, which should necessarily be ironed out before the proposed State court and the proposed United States district court are set up, if they are to function properly. I note that section 18 of both bills contains the following language:

"The tenure of the judges, the United States attorneys, marshals, and other officers of the United States District Court for the Territory of Alaska shall terminate at such time as that court shall cease to function as provided in this section."

Under the provisions of this section, the United States District Court for the Territory of Alaska shall cease to function 3 years after the effective date of this act unless the President, by Executive order, shall sooner proclaim that the United States District Court for the District of Alaska, established in accordance with the provisions of this act, is prepared to assume the functions imposed upon it; and during such period of 3 years, or until such executive order is issued, the United States District Court for the Territory of Alaska shall continue to function as heretofore.

Let us assume that the full 3 years after the enactment of this act are required in order to prepare for the United States District Court for the District of Alaska to assume the functions imposed upon it. Durthat period of time we have the anomalous situation of the Territory of Alaska having been made a State, with a Territorial court still in existence. Further, under section 18 of S. 49, it is stated that the provisions of this act relating to the termination of the jurisdiction of the District Court for the Territory of Alaska, the continuation of suits, the succession of courts, and the satisfaction of rights of litigants in suits before such courts, shall not be effective until 3 years after the effective date of the act, unless the President, by Executive order, shall sooner proclaim that the United States District Court for the District of Alaska, established by such act, is prepared to assume the functions imposed upon it. The bill further provides that the United States District Court for the Territory of Alaska may continue its functions concerning matters to come under the jurisdiction of the courts of the State of Alaska until such time during the period provided for its existence that the Governor of Alaska shall certify to the President that the courts of the State of Alaska are prepared to assume the functions imposed upon them. As I stated before, from the standpoint of the Federal Government, here is a case where we have established a State by this act and possibly for 3 years thereafter the judicial system is administered by a Territorial court, or until the United States district court may assume its functions, and, in addition to that, we have established a State, admitted it to the Union, and the functions of the State courts are administered and exercised by a United States Territorial court. In reality, it would appear that there is a State created, with judicial power, but having no judicial system. Its judicial power—and, therefore, a part of its sovereignty—is committed to Federal courts for a period after its creation. What is the precedent for this? What are its ramifications so far as our Federal-State system is concerned? I feel a committee charged with responsibility in matters of this nature should not only be allowed, but required, to give its advice and recommendations to the Senate for enlightenment in this field.

Another matter to be considered in regard to the courts is related to the eventual abolition of the United States District Court for the Territory of Alaska. As I have stated before, these are term courts. Let us suppose, therefore, that the 3 year limitation expires, and when it expires one or more of the judges now serving the presently existing District Court for the Territory of Alaska still has a balance of his term to serve but is prevented from doing so by reason of the 3-year limitation placed upon the courts by this Act. Are those judges still United States judges for the balance of their terms? What disposition is made of them? Have their offices been abolished? May they be reassigned to other jurisdictions, or are they to be consigned to private life? Are they entitled to be paid for the balance of their terms, or may their terms be ended without pay? All of these are questions which do not appear to have been answered in the reports on the Alaskan statehood bill. These matters must be gone into throoughly by a committee and a report made to the Senate, and it is my view that the Committee on the Judiciary is the proper committee to resolve the questions and problems that arise in connection with the court system for the proposed State of Alaska. The questions I have mentioned concerning the United States district judges also apply in some measure to the United States marshals and United States attorneys now serving.

In short, in regard to the judicial system in the proposed State of Alaska, the jurisdiction of the Judiciary Committee is clear. To create a new United States district court, to abolish the Territorial courts, these are matters which are the business of the Judiciary Committee. Not to refer them to that committee is, in my view, unthinkable.

The District Court for the Territory of Alaska, as I stated before, consists of four judges. The committee has received recommendations for an additional judge in that district, which would increase the number

of judges of that court to five. A provision to do this is contained in S. 420 of this Congress, which is now pending in the standing Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary. In hearings held on S. 420 of the 85th Congress—on the so-called omnibus judgeship bill—evidence was presented in regard to the justification for an additional judge for the District of Alaska. That evidence disclosed the following:

Since 1949 the Judicial Conference of the United States has consistently recommended another judgeship for the third district of Alaska, and the committee recommended this legislation both in S. 15 and S. 2910 of the 83d Congress as well as in S. 1256 of the 84th Congress.

That another judgeship for the third district of Alaska is greatly needed will be seen by even a casual look at the statistics for the civil cases in that district. The jurisdiction of the court includes local as well as Federal cases so that comparison with the national averages is not pertinent, but a steady growth in the number of cases filed and in the pending caseload shows very plainly the urgent need for another judgeship in this district. The seat of the court for the third division is in Anchorage.

The business of the fourth division has also grown very greatly and to equalize the caseload the Judicial Conference recommended that the judge assigned to the second division be assigned to the second and fourth divisions with the right to reside in either division.

The first United States District Court for the Territory of Alaska established by an act approved June 6, 1900 (31 Stat. 322), had 3 judgeships and 3 divisions with prescribed terms of court at Juneau and Skagway for the first division, at St. Michaels for the second division, and at Eagle City for the third division. The act of March 3, 1909 (35 Stat. 839), divided Alaska into four judicial divisions and provided a resident judge for each who had overall jurisdiction throughout the Territory. The number of judicial positions has remained the same since that time.

In 1947 the Territorial Legislature of Alaska recommended an additional judgeship to serve the third division and early in 1949 the Judicial Conference of the Ninth Circuit adopted the same recommendation. In the autumn of 1949 the Judicial Conference of the United States went on record in support of this measure and at each subsequent meeting has reaffirmed this recommendation.

In 1956 the judicial conference made the following additional recommendations to be effected by an amendment to section 4 of the Organic Act of the Territory (31 Stat. 322, title 48, U. S. C., sec. 101):

1. That the judge assigned to the second division to be assigned to the second and fourth divisions with the right to reside in either division.

2. That the district judge who is senior in length of judicial service in the Territory be the chief judge of the district court with power to designate and assign temporarily any district judge to hold sessions in a division other than that to which he has been assigned by the President.

3. That the chief judge of the ninth circuit be given power to assign a circuit or district judge of the ninth circuit, and the Chief Justice of the United States to assign any other circuit or district judge, with the consent of the judge assigned, and of the chief judge of his circuit, to serve temporarily as a judge of the Territory of Alaska whenever it is made to appear that such an assignment is necessary for the proper dispatch of business.

These measures would provide needed flexibility in the administration of the courts in the Territory of Alaska by establishing procedures whereby judge power may be made available, where it is most essential. The uneven distribution of the civil caseload among the four divisions, particularly in the last few years, is shown in the statistics furnished to the Committee on the Judiciary by the Administrative Office of the United States Courts, which show the large caseload in the third division, where over 57 percent of civil cases in the Territory in 1956 were filed, and the large increase in the business of the fourth division. Since the first recommendation of the Judicial Conference over 8 years ago, for an additional judge in the third division, the number of new cases there has mounted steadily from 546 in 1949 to 1,268 in 1956, and the civil cases pending have increased from 466 to 1,497.

In the fourth division the civil cases filed have increased more than 50 percent since 1953 to a figure of 613 in 1956. For 13 consecutive years the number of civil cases terminated has failed to keep pace with the number filed and on June 30, 1956, there were 661 civil cases awaiting disposition. The conference recommendation that the judge now assigned to the second division, where the caseload is extremely light, be assigned to both the second and the fourth divisions, with permission for the judge so assigned to reside in either division, would make an all-around better use of judge power.

Because the district court in Alaska has local as well as Federal jurisdiction, the caseload is not comparable with that in the other Federal courts. However, the pressure on the dockets in the third and fourth divisions at Anchorage and Fairbanks, is self-evident from the mounting caseload.

It would appear from the data submitted relative to the situation of the third division for the district of Alaska that such a caseload is intolerable.

The foregoing clearly demonstrates the study which the Judiciary Committee has made in regard to one small part of the proposed judicial system to be set up in Alaska. From an examination of the many considerations involved, it seems to me unwise to establish this hybrid judicial system in Alaska at the present time without the benefit of the advice and recommendations of the Committee on the Judiciary. Only by reference of these bills to the committee will the Senate be able to secure the considered judgment of those members who, by legislative experience, are most knowledgeable concerning the judiciary and the judicial system.

Mr. President, I respectfully submit that the provisions of sections 13, 14, 15, 16, 17 and 18 of H. R. 7999 should be submitted to the Senate Judiciary Committee for its careful consideration.

5. H. R. 7999 AMENDS THE IMMIGRATION AND NATIONALITY ACT INVOLVING MATTERS PROPERLY WITHIN THE JURISDICTION OF THE SENATE JUDCIARY COMMITTEE

Now, let us consider the provisions of this bill relating to immigration and nationality. First of all, let me say again that laws relating to immigration and naturalization are the exclusive jurisdiction of the Committee on the Judiciary. Let me say again that the Judiciary Committee has never had this bill before it.

Under the provisions of this bill, section 212 (d) (7) of the Immigration and Nationality Act would be amended by deleting Alaska from that provision of the act. Now section 212 (d) (7) of the Immigration and Nationality Act provides that, with but three exceptions, all the excluding provisions of the Immigration Act shall apply to any alien who leaves Hawaii, Alaska, Guam, Puerto Rico, or the Virgin Islands of the United States and who seeks to enter the continental United States or any other place under the jurisdiction of the United States.

The deletion of Alaska from this provision of the Immigration and Nationality Act could cause serious consequences in the enforcement of our immigration laws. I have no wish to impute any disloyalty to, or to say that the people of Alaska are not as responsible and loyal as the citizens of our present 48 States. It is merely that Alaska, because of its location, is not in the same position toward the continental United States as are the present 48 States.

Under present procedures, aliens coming from Alaska to continental United States are subject to inspection by immigration officers and can be excluded if they fall within an excludable class. Under the amendment proposed in this bill, there would be no inspection whatsoever of aliens traveling from Alaska to continental United States. Removal of such inspection could lead to serious consequences. An alien in an illegal status in Alaska could depart from Alaska and enter the continental United States without detection. Under our present laws, to travel from Alaska to continental United States, these people have to be manifested and be on a passenger list and are subject to inspection upon arrival at any port in continental United States.

Under this bill, travelers from Alaska to continental United States would not be subject to inspection any more than the person who travels from New Jersey to Washington, D. C., or to any other place in the United States. For example, an alien could cross the Bering Strait, smuggle himself into Alaska and unless detected in Alaska, could travel to the continental United States, and since he is not subject to inspection upon arrival, no one would be the wiser once he reaches the United States.

As I stated previously, this is not to suggest that the people of Alaska are in any way less trustworthy than the people in the continental United States. But because of their geographic location, Alaska not being contiguous to the United States, the possibility is ever present that undesirable aliens could get to the United States without detection.

This particular provision of the bill was pending in the Judiciary Committee in the 83d Congress, in the 84th Congress, and in the 85th Congress. Because of the serious consequences resulting from the enactment of such a provision, the Judiciary Committee has not as yet seen fit to approve such legislation.

It should be remembered that over 4 years were spent in making a complete survey and study of our immigration and nationality laws. In the course of such study, it was shown that our laws contained no requirement for inspection of aliens entering the Continental United States from Alaska and this deficiency was cured by placing such a requirement in the law of 1952. When one considers the vast expanse of territory which is Alaska, with its miles and miles of borders, it is not hard to visualize the many problems which would arise. Our enforcement agencies have always had difficulties in protecting both our Canadian and Mexican borders and Alaska, which is twice the size of Texas, could have unlimited possibilities in increasing our present security problems.

It may be asked how the admission of Alaska into the Union would create any greater problem than exists at the present time. The answer is that under the present law, aliens coming from Alaska are inspected by Immigration officers and if this legislation were enacted, such inspection would no longer be required.

Of course I am aware that in the present Congress, and in the 84th Congress, there is legislation which would make the same amendment to section 212 (d) (7) of the Immigration and Nationality Act, and that this legislation was sponsored by the present

administration and submitted by the Attorney General. That is consistent with the present position of the administration which favors statehood for Alaska, and everything that goes along with statehood.

But, at this point I would like to quote from a letter dated June 18, 1953, from the Deputy Attorney General to the Chairman of the Senate Committee on the Judiciary in connection with a bill then pending before the committee to amend this particular section of the law:

"This is in response to your request for the views of the Department of Justice on the bill (S. 952) 'To amend section 212 (d) (7) of the Immigration and Nationality Act.'

"Under the provisions of section 212 (d) (7) of the Immigration and Nationality Act the admissibility of any alien who leaves Alaska and who seeks to enter the continental United States or any other place under the jurisdiction of United States is determined in essentially the same manner as his admissibility would be determined if he were coming from a foreign country. The only grounds of exclusion under the Act which are waived in favor of such an alien are those which require him to present certain documents.

"The bill would amend section 212 (d) (7) of the recent Immigration and Nationality Act by striking out 'Alaska,' with the result that the inspection now required under that provision of the Act would not apply to aliens leaving Alaska to come to the United States. It is to be noted that no requirement for the inspection of aliens entering continental United States from Alaska was provided by law prior to the Immigration and Nationality Act.

"Whether the bill should be enacted is a question of legislative policy concerning which this Department makes no recommendation.

"The Bureau of the Budget has advised that there is no objection to the submission of this report."

You will note from this letter that a certain emphasis is placed on the fact that under previous law, no requirement for the inspection of aliens entering the continental United States from Alaska was provided. Is it not significant that the department preferred not to make any recommendation on such an amendment to the Act, but merely stated that it was a question of legislative policy? You may draw your own conclusions as to what the failure to make a recommendation regarding the bill means. As for myself, having seen hundreds of reports from various departments on individual bills, I prefer to draw the conclusion that such an amendment to our immigration laws was then not looked upon favorably by the department charged with the enforcement of our immigration laws.

In conclusion I would like to make these further observations:

Let us keep in mind the fact that the Senate is now operating under the Legislative Reorganization Act of 1946. Let us keep in mind the fact that since the Legislative Reorganization Act came into effect there have been no Territories or other areas which have become States. The legislation before us, which seeks to bring Alaska into the constitutional fellowship of States, will be, if enacted, the first of its kind since the reorganization of the Senate by the Legislative Reorganization Act of 1946.

This will, then, be a case of considerable importance as a precedent. The procedures and the methods followed in this instance will form the precedents for future applications for statehood.

The history of the Alaska bills now before this body show that consideration of them has been confined to one committee of the Senate—the Committee on Interior and Insular Affairs—even though many of the provisions of the proposed legislation deal with subjects that clearly are in the jurisdiction of other standing committees of the Senate.

The question arises: Is the Senate, in considering applications for statehood, going to cut across, bypass, or ignore the jurisdiction of the various standing committees of the Senate in favor of one committee which has general jurisdiction of the Territories? This is a very serious question, and requires very serious consideration. Either the committees of the Congress are to be allowed—or I might say required—to accept and execute their responsibilities for matters in the jurisdictions assigned to them, or, as in this case, are to be divested of those responsibilities.

Prior to the Legislative Reorganization Act of 1946, most admissions to statehood were processed through the Committee on Territories. Two, however, prior to the Legislative Reoganization Act, were referred to the Committee on the Judiciary. These were bills which related solely to admission to statehood. One of these bills, H. R. 557 of the 29th Congress, related to the admission of Iowa into the Union. This bill passed the House and was referred to the Judiciary Committee on December 23, 1846. The bill passed the Senate on December 24, 1846. The legislation was to be presented to the President on December 28, 1846, but apparently was never signed by him.

The calendar of the Committee on the Judiciary of the 29th Congress shows that on February 17, 1847, a bill, H. R. 648, entitled "Admission of Wisconsin as a State," was referred to the Committee on the Judiciary, but no further action was taken.

In other instances the Judiciary Committee had the opportunity to pass upon certain steps relating to statehood, as in the case of California. A bill, S. 169 of the 31st Congress, which became 9 Stat. 452, was reported from the Committee on Territories. Nowhere in the admission statute was there any reference to the Federal system of courts, how they should be constituted, how they should be organized, or what their procedure was to be. That came at a later date. On September 11, 1850, S. 330 of the 31st Congress, which became Stat. 521, was introduced. This was legislation "to provide for extending the laws and judicial system of the United States to the State of California," and this bill was referred to the Committee on the Judiciary. On September 19, 1850, Mr. Dayton from the Committee on the Judiciary reported the bill to the Senate, without amendment. On September 28, 1850, it was approved by the President. Here we see an example of judicial matters in regard to statehood referred to the Committee on the Judiciary as the proper committee to pass upon the subject.

In the case of the State of Oregon, a bill providing for the admission of Oregon was reported from the Committee on Territories. That bill was S. 239 of the 35th Congress. Again, the statute admitting Oregon to the Union did not deal with the establishment of the Federal courts, nor contain provisions in regard to them. Subsequently, S. 593 of the 35th Congress, entitled "A bill to extend the laws of the judicial system of the United States to the State or Oregon," was referred to the Committee on the Judiciary on February 18, 1859. It was reported to the Senate on February 26, 1859, and was approved by the President of the United States on March 3, 1859 (11 Stat. 437).

We have two instances here in which the Judiciary Committee accepted and discharged its responsibility in regard to the establishment of Federal courts within new States, in the cases of the new States of California and Oregon. I suggest that by now it should be clear that there are matters contained in the legislation to which I have addressed myself which require, and properly so, the study of the Committee on the Judiciary.

In several instances the jurisdiction of the Committee on the Judiciary was recognized before the Legislative Reorganization Act. All that is asked here is that the Committee on the Judiciary be allowed to exercise the jurisdiction which has clearly been given to it by the Legislative Reorganization Act. I emphasize the point that what we do here becomes a pattern for future admissions to statehood and I believe that to deny a committee of the Senate the opportunity to consider those matters within its jurisdiction is a serious mistake.

Since the original 13 were established, there have been admitted to the Union a total of 35 States, commencing with the State of Vermont, which was admitted on March 4, 1791, and ending with the State of Arizona, which was admitted on February 14, 1912. Commencing with the State of Vermont down through the State of Colorado, which was admitted on August 1, 1876, my study indicates that each State had an enabling act and each State had a separate judicial act in which the laws of the United States and the district courts were extended to the new State. Commencing with the State of South Dakota, which became a State on November 2, 1889, there were 4 States, South Dakota, North Dakota, Montana, and Washington, which were all included within 1 act and this enabling act also set up the Federal judicial system for these proposed new States. The same procedure was used in the cases of Idaho, Wyoming, Utah, and Oklahoma, though these States were dealt with in separate enabling acts. In the case of New Mexico and Arizona, both of these States were included within one enabling act. The enabling act also established the Federal judicial system. It would appear, therefore, that the last 10 States admitted to the Union, of the 35 admitted, contained in their enabling acts provision for the creation of the Federal judicial systems applicable to their geographic area.

I point this out to show the transition during that time. Since the admission of Arizona on February 14, 1912, we have had interposed, insofar as the Senate is concerned, the Legislative Reorganization Act which has definitely established, without equivocation, the assigned jurisdiction of the matters before the Congress to its standing committees. Under the Legislative Reorganization Act, the preferable procedure is that of separate enabling acts and separate judicial acts, as was the system prior to the admission of South Dakota. If it should be desired that the judicial matters be made a part of the enabling bill, as in the case of Alaska, then, under the Legislative Reorganization Act, a reference of that bill should be made to the Judiciary Committee for a study of the matters under its jurisdiction. I should like to point out at this time that, unlike the Alaska bill, there were no provisions in any of the other bills, as far as I have been able to determine, that created a 3-year period, or any other like period, in which the Federal courts shall exercise both Federal and State jurisdiction. In the cases I have studied, there appears to be only a lack of Federal jurisdiction until such time as the State was admitted to the Union. In practically all cases, however, the separate judicial act was passed and enacted prior to the actual date of admission to the Union, so that there was no hiatus time whatsoever involved.

From a practical standpoint, as has been pointed out, Alaska contains a tremendous area—twice that of the State of Texas. Even though the population of Alaska is comparatively low, there is a question whether one judge can take care of the load of Federal cases which may be filed in that district in the four places named for the court to sit. It is true that when the proposed State judicial system is perfected many cases which now reside in the District Court for the Ter-

ritory of Alaska may be transferred to the State system, so that the burden upon the Federal court may not be so great. However, I call attention to the fact that there have been no statistics supplied in the reports on this legislation which indicate how much the Federal caseload may be reduced by the creation of the proposed State judicial system. This is very important for the determination of whether one or more United States district judges are necessary to cover the vast territory which is now proposed to be made a State of the Union. It must be further borne in mind that the district of Alaska will be geographically far removed from its sister districts, so that the expense of sending judges in from the United States to sit on the district court of Alaska, in the event the caseload is heavy or the judge is disqualified in a particular case or unable because of illness or for other reasons to perform the duties of his office, would be considerable.

These are questions which should be gone into thoroughly before the judicial district is approved as a matter of course. We all know that a new State must of necessity have its Federal judge or judges, but this is an item of major importance in itself.

For the various reasons assigned throughout the course of my remarks, I respectfully move that H. R. 7999 and S. 49 be referred to the Senate Judiciary Committee for its studied consideration of the matters and substance contained within these bills that are properly within the jurisdiction of the said committee.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was read the third time.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. THURMOND. Mr. President, on several earlier occasions I have attempted to give in detail my views on the pending bill which would provide statehood for the Territory of Alaska. Each time I have gotten only so far in my speech because of motions to recess the Senate until the following day. I have much material which I would like to discuss with the Members of the Senate on this particular legislation, but I shall try within the next 1 or 1½ hours to complete my basic speech from the point where I left off last night.

In the first part of my speech, I warned the Senate against the element of finality which is involved in this legislation. I pointed out that statehood, once granted, is irrevocable, and that the time to consider all aspects of the question is now and not after the new State is admitted into the Union, should it be so decided by the Congress.

Next, I stated and then answered the principal arguments—of which there appear to be seven—which have been advanced by the proponents of statehood. I shall not take the time of the Senate now to go into these points again other than to invite attention to my remarks in the CONGRESSIONAL RECORD of last Thursday, June 26, 1958.

I then began giving to the Senate the principal reasons why I feel the admission of Alaska would be unwise. In my first argument, I pointed out that by conferring statehood on a Territory so thinly populated and so economically unstable as Alaska, we, in effect, would be cheapening the priceless heritage of sovereign statehood. I told the Senate that there is no doubt that extraordinary doses of Federal aid would be necessary to keep Alaska solvent and that this will be used as an excuse for increased Federal aid to all the States with accompanying usurpation of State powers by the Federal Government. I urged those of my fellow Senators who are aware of the dangers of centralization and who are interested in stopping the flow of power to Washington not to support a step which would very shortly lead to greatly stepped-up Federal encroachment on what remaining powers the States have. My first reason, then, for opposing the admission of Alaska to statehood is that it would further weaken to a very great extent the already weakened position of the States in our Federal system.

As the Senate recessed at 10 o'clock last Wednesday night, I was just beginning to discuss my second main reason for opposing Alaskan statehood. I pointed out that in admitting a noncontiguous Territory to statehood we would be setting a very dangerous precedent.

Mr. President, if Alaska is admitted to statehood in this Union, Hawaii will be admitted—regardless of the entrenched, and often demonstrated, power which is wielded there by international communism. In fact, it has been well publicized in the press that once the Republican Party permits Alaska to become a State, then the Democratic Party would permit Hawaii to become a State. Once these two Territories are admitted to the Union, Mr. President, the precedent will have been set for the admission of offshore Territories which are totally different in their social, cultural, political, and ethnic makeup from any part of the present area of the United States. Would we then be in a position to deny admission to Puerto Rico, Guam, American Samoa, the Marshall Islands, or Okinawa?

In making this point last Wednesday night, I stressed the 'ultimate possibilities" that could follow after the admission of our new Pacific and Caribbean states. These possibilities include Cambodia, Laos, South Vietnam, and other Asian countries which might apply for admission on the basis that if we did not do so, that particular country might fall to communistic political and economic penetration. Then, too, Mr. President, some might argue for admission of these foreign countries on the basis that we might offend certain Asian political leaders or the Asian and African masses generally.

In closing my remarks last Wednesday night, I was in the middle of my noncontiguity argument and had just read to the Senate a quotation from the late Dr. Nicholas Murray Butler, long the president of Columbia University and Republican candidate for the Vice Presidency of the United States in 1912. This distinguished American devoted long and careful study to this matter of distant, noncontiguous States, and he stated:

To add outlying territory hundreds or thousands of miles away with what certainly must be different interests from ours and very different background might easily mark, as I have said, the beginning of the end.

A country that is not American in its outlook, philosophy, character, and make-up—and here I refer not to Alaska but to these ultimate possibilities which Alaskan statehood would make probabilities—and in the case of Hawaii, a foregone conclusion—cannot be made American by proclamation or by act of Congress. An act of Congress may admit such a country to statehood in the American Union, but it cannot make it American, and, therefore, its admission would constitute a dilution of the basic character of the United States.

The development of the American character—the character and identity of the American people, of the American Nation, of American institutions and civilization—is the work of centuries. It did not come about overnight. Why, two centuries and a half had already gone into that development, from the time that this country had its beginnings in Virginia, before Alaska was even acquired from Imperial Russia.

I know that there are some who will attempt to brush all this aside. They will make the point that, despite this early development, this country, during the past half century, has received millions of immigrants from Eastern and Southern Europe and elsewhere. They will point out that these immigrants were of very different ethnic and national backgrounds from those of the earlier settlers, that they were accustomed to very different institutions and sprang from very different cultures; and, yet, that these immigrants have nevertheless become just as good Americans as the descendants of the earliest Virginians.

The point, however, is this: These were people who were emigrating from their native lands to America; that is a very different proposition from a proposal which would have American statehood emigrating from this country to embrace the shores whence these people came. The immigrants who came here in late decades settled amongst established Americans, amidst established American institutions, surrounded by established American characteristics and ways of living, which they were bound to pick up and adopt as their

own—thus indeed becoming Americans in fact as well as in technical citizenship. But the bestowal of American statehood on a foreign land will not make its inhabitants Americans in anything but name. One can take a native of Sicily, for example, and bring him to America and settle him among us; and after several years he will pick up our language and customs, he will acquire a grasp of American institutions and culture, and he will adopt the ways of those about him. In short, while still retaining a sentimental attachment to his native land and some of his native characteristics, he will become an American.

It most certainly does not follow, however, that the granting of American statehood to Sicily would, or could, be a happy event either for the United States or for Sicily. The same is true in the case of, let us say, Greece. The mere fact that we have many citizens of Greek extraction or Greek birth who make fine Americans is absolutely no basis whatsoever for assuming that Crete, or the Peloponnesus, or Macedonia, or Thrace, or all of Greece, could be successfully incorporated into the American Union as a State—even if Greece and the Greeks desired the same.

The argument that America has successfully absorbed people of several very diverse foreign stocks has no bearing, then, on the question of whether American statehood could be successfully extended to offshore areas and overseas lands inhabited by widely differing peoples. To bring the peoples to America and settle them among ourselves and make of them Americans is one thing—and even then it is not always easy and often takes a long time, perhaps a generation or longer depending on the degree of dissimilarity to the basic American stock—to attempt to bring America to the peoples by means of the official act of statehood is quite another thing. Statehood may make them Americans in name, Americans by citizenship, Americans in a purely technical sense; it cannot make them Americans in fact. And, to the extent of the voting representation in this Senate and the House to which they would be entitled under statehood, we would be delivering America into their hands—into the hands of non-Americans. We have too much of this today.

But, Mr. President, perhaps Senators are asking themselves why I am going into all of this discussion about foreign stocks and overseas peoples when the subject before us is Alaska and when I, myself, have already declared earlier in this address that the majority of the population of Alaska is composed of American stock, a great proportion having actually been born in the States.

I will tell why, Mr. President. The reason is that I am opposed to Alaskan statehood not so much as something in and of itself but rather as a precedent—an ominous and dangerous precedent.

Should we oppose something otherwise good and beneficial merely because of considerations of precedent? Some may well ask this question. Let me reply: First of all, I do not consider Alaskan statehood otherwise good or beneficial, but on the contrary harmful and unwise, for many reasons, as I have already pointed out; but even if I did consider it a good and beneficial step—unless the good to be derived were of such a tremendous magnitude as completely to outweigh all other considerations, yes, I most definitely would oppose this measure because of the overriding consideration of precedent. Especially when I know full well that the precedent which would be established could well lead to the destruction of the United States of America and the collapse of the Free World.

Some say that our rule against admission to the Union of noncontiguous areas was long ago broken anyway, and that we are a little late in being so concerned about precedent. They refer to the case of California, admitted to the Union in 1850. It is true that at the time of its admission California was not contiguous to other already admitted States. The same may have been true in one or two other insances in our history. But always the territory in between, if not already possessed of State status, was commonly owned American territory, an integral part of our solid block of land.

Thus, we can see that our rule against admitting noncontiguous areas has been kept intact throughout our history as a country. The question before us today is whether to break that rule, thus establishing a precedent for the admission of offshore territories to statehood in the American Union.

Let no one be deceived into thinking that we can safety break the line by admitting Alaska and then reestablish another line which will hold. I hope that no Senators feel that it is safe to admit Alaska, in the mistaken belief that even after doing so we can still draw forth a sacred and holy rule which is not to be broken: a rule against admitting any Territory not a part of the North American continent. Such a rule will not hold for even a single session of Congress, because Senators know and I know that, once Alaska becomes a State, the doors will be wide open for Hawaiian statehood. And with the admission of Hawaii, out goes any rule about North-American-continent-only. Then will come the deluge: Guam and Samoa, Puerto Rico, Okinawa, the Marshalls. The next logical step in the process would be what I have already alluded to: the incorporation in the Ameican Union of politically threatened or economically demoralized nations in southeast Asia, the Caribbean, and Africa. This is a progressively cumulative process, each step being relatively easier than the preceding one, as the legislative vote of the overseas bloc grows steadily larger with each new admission. Indeed it is conceivable, when we consider the "ultimate possibilities" which may result from passage of this bill, that we who call ourselves Americans today may some day find ourselves a minority in our own Union, outvoted in our own legislature—just as the native people of Jordan have made themselves a minority in their own country by incorporating into Jordan a large section of the original Palestine and thus acquiring a Palestinian Arab population outnumbering their own.

I repeat: this is not a case of conjuring up a ridiculous extreme. This is a distinct possibility which must be considered by this body before we take the irrevocable step—irrevocable, Mr. President, irrevocable—of admitting Alaska to statehood in the American Union.

Mr. President, in addition to the two major objections which I have just outlined, there are a number of other reasons why I oppose statehood for Alaska.

For one thing, I have grave doubts that Alaska is economically capable of assuming the responsibilities that go with statehood. I have already briefly touched on this, but now I should like to go into this aspect in a little more detail. The Honorable CRAIG HOSMER, of California, clearly outlined to the House when this bill was under consideration there some of the economic aspects of this problem.

Mr. President, another reason why I object to statehood for Alaska is this: The Alaskan statehood bill raises grave legal questions which have not been answered. For example, the section authorizing the President to withdraw northern Alaska from State control and to transfer the governmental functions to the Federal government would weaken the sovereignty of Alaska and make it inferior to the other States. This could set a precedent for further invasion of the sovereignty of the other States of the Union.

The so-called national defense withdrawal proposal deserves considerably more attention than it is getting. Much propaganda has been disseminated in an effort to show that even the original native population of Alaska has adopted the American way of life and thus qualifies for statehood. The proposed withdrawal indicates, on the contrary, that the United States government is adopting the philosophy of the native Indians as exemplified by the most gigantic "Indian gift" conceivable.

First, proponents of Alaskan statehood and this bill would allow the entirety of the Territory of Alaska to be incorporated within the bounds of the proposed State. The State would have, initially, complete jurisdiction of the entire area now included within the territorial limits of Alaska. The United States, however, once conceived as a government of limited power, derived by grant from the States, themselves, proposes to reserve the right to withdraw from the State and administer as a territorial possession almost one-half—270,000 square miles of the total 586,000 square miles—of the State and to return it to semiterritorial status and administration.

There occur to me two reasons why this strange and unprecedented procedure may have been proposed. I am inclined to believe that both reasons were influential, but that the second is paramount. Let me say at this point that I thoroughly agree that the area embodied in this "Indian gift" should be retained by the United States for defense purposes. The United States would make a

terrible mistake to impair its jurisdiction of this area to any extent whatsoever.

The first logical explanation for the "Indian gift" embodied in this bill is that a great proportion of the propaganda promulgated for the purpose of obtaining statehood was based on the dubious economical asset within the so-called withdrawal area. Included in the withdrawal area is all of northern Alaska; the Seward peninsula—including the city of Nome with all of its overly-touted gold mines; one-half of the Alaskan peninsula; the entirety of the Aleutian Islands; St. Lawrence Island; and those other islands of the Bering Sea which provide the home for seal and walrus. Without the inclusion of this area within the State, Alaska's bid for statehood would be even weaker, if a weaker case could be conceived.

The second motive to which I attribute this "Indian gift" is more subtle, and in my opinion, paramount. Our Government is one which relies for its operation, to a great extent, on precedent. Even on the floor of the Senate, the proponents of legislation invariably take the trouble to point out to their colleagues that there has been a precedent for such legislation, even though the precedent might be very illusory.

Now let us look at the precedent which our ambitious Federal Government is seeking to establish. The United States, by this proposed treaty with Alaska, seeks to confirm its right, as exercised by the President in his discretion, to withdraw from the jurisdiction of the States unlimited areas, which our all-powerful Federal bureaucracy can administer according to its whim in the status of a territory. If such a right is established in one instance, would we be so naive as to believe that the Federal Government would not cite this as a precedent for its authority to withdraw all of the coastal areas of the United States from the jurisdiction of the individual States in the interest of national defense? Do not be deceived. I do not hesitate, like Mark Antony, to attribute ambition to the ambitious. This Federal bureaucracy is ambitious, and worse, it is power hungry. It is a constant usurper of authority. It is a would-be tyrant. It is only through the maintenance of the integrity of the individual States that we can preserve the inherent right to local self-government that is our precious heritage. The proposed withdrawal agreement is a step toward the destruction of State entities and, thereby, a step toward the destruction of the right of local self-government.

The use of such a precedent is in defiance of the Constitution and contrary to the basic concepts on which this country was founded. This withdrawal proposal, although only one of many legally questionable aspects of this bill, is a more-than-sufficient cause, in itself, for the Senate of the United States to reject statehood for Alaska in the form proposed.

Mr. President, the provision of the bill granting public land to the State of Alaska is the greatest giveaway ever incorporated into a statehood bill. This gift is not in the interest of the people who inhabit the Territory of Alaska, nor is it in the interest of the United States.

It is not difficult to understand how this "great giveaway" came to be written into the Alaskan statehood bill. The drafters of the bill found themselves impaled on the horns of an insoluble dilemma.

The dilemma was this: The land area of the Territory of Alaska is owned 99 percent by the Federal Government. To declare such an area to be a State is a palpable absurdity. Obviously, a State which is almost wholly owned by the Federal Government cannot exercise any significant degree of sovereignty. It has no opportunity for any real independence of action. Such a State is merely a puppet State.

At the same time, the other horn of the dilemma evidently appeared to be equally sharp. Certainly it could not be ignored, for the point of the second horn was personified by the persistent, well-organized and clamorous Alaskan statehood lobby, which was doing its best to effectively convey the impression that Statehood would remedy a whole conglomeration of Alaskan ailments.

I sympathize with the gentleman who had to wrestle with this problem. They wished to satisfy those Alaskans who were demanding statehood, but they could not, in clear conscience, see any basis for Statehood in an area owned 99 percent by the Federal Government.

I sympathize with the gentleman. But I reject their solution as unworkable and unwise.

I quote now from the House report:

> To alter the present distorted landownership pattern in Alaska under which the Federal Government owns 99 percent of the total area, the Committee on Interior and Insular Affairs proposes land grants to the new State aggregating 182,800,000 acres. Four hundred thousand acres are to be selected by State authorities within fifty years after Alaska is admitted to the Union from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection. Another 400,000 acres of vacant, unappropriated, and unreserved land adjacent to established communities or suitable for prospective community or recreational areas are to be selected by State authorities within 50 years after the new State is admitted. The 182 million acres of vacant, unappropriated, and unreserved public lands are to be selected within 25 years after the enactment of this legislation from the area not included in land subject to military withdrawals as described in section 11 of H. R. 7999 without the express approval of the President or his designated representative. In each instance valid existing claims, entries, and locations in the acreages to be selected will be fully protected.
>
> As stated earlier, a grant of this size to a new State, whether considered in terms of total acreage or of percentage of area of the State, is unprecedented.

Mr. President, I invite the attention of the Senate to the word "unprecedented" in the report of the committee, which recommended that the House of Representatives pass this bill. The word is well chosen.

The Members of this body are accustomed to dealing with large numbers, in considering the legislation that comes before the Senate. No doubt the Members of this body can readily visualize how large an area is encompassed in 182,800 acres. Perhaps there are some interested citizens, however, who would like to have this astronomical number of acres expressed in simpler terms.

It is 285,625 square miles. It is an area somewhat larger than the State of Texas. It is larger than the States of California and Nebraska combined. It is more than nine times as large as the State of South Carolina.

As delivered to the Senate, the bill scales down this grant to 102,550,000 acres. It is still a figure large enough to take anyone's breath away. It is almost half as much as the total acreage granted to all 48 States. It is by far the largest amount ever bequeathed by the Government to any State. It is almost twice as much as the total granted to the last 10 States admitted to the Union.

The bill specifically provides that the State may select lands which are now under lease for oil and gas or coal development, or which may even be under production for those products. The bill specifically provides that the grants of public lands to the State of Alaska shall include mineral rights, and that these mineral rights shall be controlled by the State.

Congress ought not to give away this vast area of land which belongs, not to the people of Alaska alone, but to all citizens of the United States. The bill provides that the State of Alaska shall have a free hand in selecting the land it will be given.

What is the monetary value of this land? Nobody knows. Most of it has never been surveyed.

Mr. President, I submit that the United States should make it a strict rule never to give away anything to anybody without at least taking a close look at the gift to see what it is. Nobody has ever taken a thorough look at the land and mineral resources of Alaska.

Mr. President, I hope that I have been able to show why I consider the passage of the measure before us, the granting of statehood to Alaska, to be unwise—to be, in my opinion, the very height of folly. I should now like to take a few moments to show that this action is also unnecessary—unnecessary even to Alaska, unnecessary for the bringing about of that condition of self-rule which, it is said, is Alaska's main reason for seeking statehood.

The choice is not statehood or nothing. There is another alternative, a plan which would be far safer for the United States and also far better for the people of Alaska. The same applies also in the case of Hawaii. This alternative is commonwealth status, along the lines proposed several years ago by, among others, the distinguished junior Senator from Oklahoma. I shall outline briefly the advantages of this commonwealth plan, by referring to the presentation of the Senator from Oklahoma [Mr. MONRONEY].

Commonwealth status would give to the people of Alaska—and Hawaii—complete local self-government. It would

give them complete freedom to select their own legislators, their own judges, and their own executive, and to conduct freely their own local affairs.

The citizens of Alaska would enjoy, within their own commonwealth, practically all the privileges enjoyed by the citizens of our 48 States. In addition, a commonwealth would have one tremendous advantage over a State. It would have the power to raise and retain all tax revenue originating in its area. Commonwealth citizens would not be subject to our Federal income tax, at least as regards income derived from within the Comonwealth. I shall discuss this aspect in more detail in a few minutes.

Now, as the distinguished Senator so ably pointed out, Mr. President, citizens of a commonwealth are in no sense beneath those of the mother country.

I am sure no Canadian feels inferior to a Briton—

The Senator from Oklahoma [Mr. MONRONEY] declared—

and there is no reason why he should. I have heard of no movement in Canada to make that member of the British Commonwealth of Nations a more direct participant in the government of the British Isles. The same statements apply to other members of the British Commonweaith.

Mr. President, I know of no people who have had more experience with overseas associates than the British. After a century or more of trial and error, they have developed the commonwealth plan as the most workable relationship in the modern world between a home Government and distant associated governments.

The commonwealth plan fully recognizes the rights of the people to be free and to have home governments of their own choice, and, at the same time, recognizes their mutual responsibility for security against an outside enemy.

Now I realize, Mr. President, that the commonwealth status extended by the United States to distant territories need not—in fact, could not—be identical in all respects with the British system. Unlike members of the British Commonwealth, our commonwealths would not have separate foreign relations. They would not have their own ambassadors to foreign countries. In common with the existing States of our Union, the American commonwealths would have no foreign relations except through the Government in Washington. Nor would there be any separate currencies under the American plan. As far as congressional representation is concerned, our commonwealth members would be represented by delegates, as now.

Under commonwealth status, Alaska would enjoy complete self-government over its entire area, except of course in areas controlled by the Federal Government for defense and other national purposes—as with every State in the Union.

No State would have greater power over its own affairs. In fact, as I have already pointed out, due to the progress of Federal usurpation of the constitutional powers and rights of the States, a movement which shows no sign of diminishing its pace, no State is likely to have nearly as much power over its own affairs as a commonwealth.

Like the States, the commonwealths would be free to write and adopt their own constitutions—subject, as are the States, to requirements of the Federal Constitution. They would have the right to create their own governmental systems, their offices, their courts, their own regulatory boards and commissions. They would control their own elections and, depending on their own preferences, could fill offices by either election or appointment.

The commonwealth approach would do away with the objectionable features which, it is claimed, mark Alaska's dependency as a Territory. The same would be true, of course, in the case of Hawaii. Their Governors, often nonresidents under the present setup, would no longer be appointed by Washington; instead they would be elected by the people of each area. Local judges also would be locally selected. Instead of having their daily life closely regulated and supervised by the Department of the Interior and its Territorial bureaucracy, the people would control their own lands to the same extent as the people of any State.

The inhabitants of a commonwealth would enjoy full autonomy in all matters of self-government; yet they would also have the full protection of our Constitution, including the Bill of Rights. They would share in the benefits and detriments of Federal legislation, as the States do.

But for the lack of full representation in the national Congress, it would be difficult to find material differences between commonwealth and State status, except that a greater degree of self-government would probably reside in the commonwealths eventually, owing to unfortunate trends toward Federal encroachment on the States. And for their lack of full national representation in Congress, one very important compensation has been proposed for the commonwealths—exemption from Federal income tax.

As set forth by the distinguished junior Senator from Oklahoma, Mr. President, here is the way this tax-exemption feature would operate:

All revenues originating within the commonwealth areas would be at the disposal of locally chosen officials for expenditure within those areas. Because the commonwealth plan does not provide for voting membership in the national Congress, it seems to me (I am quoting from the remarks of the Senator from Oklahoma [Mr. MONRONEY] that this exemption is necessary to maintain the fine American tradition of no taxation without full representation. But this provision would not mean that citizens of continental United States could avoid their Federal income taxes merely by establishing residence in a commonwealth area. Only that income derived from production, employment, or investment in the areas would be exempt. Income earned in the United States, even though received by a resident of Hawaii or Alaska, would still be taxed at our regular rates.

Mr. President, this tax exemption would be of incalculable importance for the development of these areas. It would strike at the very root of Alaska's economic problem, which is due to no inconsiderable extent to tax factors. This opportunity to invest and to develop new industries and new enterprises while paying only local taxes will help to attract badly needed private capital to the area.

Our Government has experienced great difficulties in attempting to attract immigration to our territories, especially Alaska. The projects have been characterized by costly administration and cumbersome regulations and red tape. The rigid rules which must surround the expenditure of Government funds or of Government-guaranteed loans do not facilitate development in pioneer countries. Free enterprise, with its risk and high return after taxes, would do a far better job. Alaska, with all its timber, minerals, land and fisheries, is starved for investment capital because the returns after taxes are insufficient to reward the venture.

Naturally, over and against the rich benefits which they would enjoy, any new Commonwealth areas would have a full obligation, as has Puerto Rico, for the defense of the United States. As in any State, their land and their harbors would be subject to condemnation for military purposes, and their young men would be subject to the draft.

Mr. President, there is no need for this body to take the view that it is statehood or nothing. The alternative plan of Commonwealth status would be far better for Alaska. More important, it would be far better, and far safer, from the standpoint of the United States, as a whole, to give Alaska Commonwealth status than to take the reckless, unwise and unnecessary step of admitting Alaska to statehood in the Union.

Mr. President, in conclusion I should like briefly to summarize six of the principal reasons why I am so firmly opposed to the admission of Alaska to statehood. These reasons are:

First. Alaska is a Territory with a poorly developed and very unsound economy, a territory in which the principal activities are those conducted by the Federal Government. I have grave doubt that Alaska is economically capable of assuming the responsibilities that go with statehood.

Second. The Alaskan statehood bill raises grave legal questions which have not been answered. For example, the section authorizing the President to withdraw northern and western Alaska from State control and to transfer the governmental functions to the Federal Government would weaken the sovereignty of Alaska and make it inferior to the other States. I cannot see how this could be construed as being constitutional. If it were so construed it could set a precedent for the invasion of the sovereignty of other States by the Federal Government.

Third. The provision of the bill granting public land to the State of Alaska is the greatest giveaway ever incorporated in a statehood bill. The gift is not in the interest of the people who live in the Territory of Alaska, nor in the interest of the people of the United States.

Fourth. The new State of Alaska would require extraordinary Federal aid. Those persons who favor the extension of Federal power at the expense of the States would seize upon this as an excuse to extend further Federal aid to all the States, and State sovereignty would be further diminished.

Fifth. The admission of Alaska, a noncontiguous area, would set a precedent for the admission of other noncontiguous areas, whose customs, traditions and basic philosophies have non-American roots.

Sixth. There is no necessity to grant statehood to Alaska, for it is possible—through the commonwealth plan—to provide Alaska with a form of government which will give its citizens as great a degree of home rule as they desire.

Mr. President, I hope we will all bear in mind the fact that statehood, once granted, is irrevocable. I urge my fellow Senators to join with me in opposing this dangerous bill.

Mr. WATKINS. Mr. President, the people of the State of Utah knocked at the doors of Congress for nearly 40 years before they were to be admitted to the Union as a State. I do not know how long the people of Alaska have been doing the same thing, but it has been ever since I have been in the Senate, at least. There were reasons why I was not in the beginning of my term enthusiastic about statehood for this Territory, but conditions have radically changed since that time.

I voted for statehood for Alaska and Hawaii several years ago when the two Territories were joined in one bill, but the bill failed in the House.

I have supported statehood for these Territories several times in the Interior and Insular Affairs Committee of the Senate.

I have had conversations with young men from my own State who served in Alaska with the Armed Forces. They have come home with great enthusiasm for that Territory. Many of them have returned there to make their homes, and I am convinced that many thousands of young Americans will go to this area to make their homes and to help develop the new State.

I need not go into the reasons why I shall vote for this measure tonight, but I now extend my congratulations to the people of Alaska who have waited these long years for admission as a State. I believe they will make good, and that the new State will become one of the outstanding States of the Union.

In Alaska there is still left a vast, untamed area in which pioneering can take place. The people of Alaska have a great challenge facing them. I am confident they will meet that challenge in the same spirit American pioneers have demonstrated in the past. The people of this country also have a challenge to extend a helping hand to the new State.

I hope the time will speedily come when the Territory of Hawaii will also be brought into the Union as a State. Both Democrats and Republicans can make this possible by the same bipartisan cooperation which will finally make Alaska the 49th State. And it can be done if there is a will to do it, in the present session of Congress.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. JAVITS. I thought the 10 words which I might say might properly be juxtaposed with those of the Senator from Utah, whose State waited a long time for admission into the Union.

I represent the largest State in the Union, in terms of population and economic power. If any State would be affected by two additional Senators, my State certainly would be.

On behalf of the people of my State—and I think I know how they feel—I consider it a historic honor to vote for statehood for Alaska tonight, and to welcome the enlargement of all our frontiers—frontiers in our minds and spirits as well as those relating to our continental boundaries in this historic area.

Mr. WATKINS. I thank the Senator from New York. I greatly appreciate the sentiments which he has expressed, as one coming from one of the largest States in the Union.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. GOLDWATER. As a member of the subcommittee which handled the bill, I have purposely refrained from speaking, because I knew that the Senate, in its wisdom, would smile kindly upon Alaska's appeal for statehood.

This is a very pleasing moment for me. One of the first memories I have in my life is that of my mother sewing two additional stars in the flag of the United States when the Territory of Arizona became a State. I may be mistaken, but I believe that my senior colleague [Mr. HAYDEN] and I are the only two Members of this body who were born in Territories which later became States. I know something of the struggle, something of the almost tragic appeal of the people of my Territory, who struggled for many years to become a State of the Union.

I have not spoken on this subject, because I intended all along to vote for the bill, but I take this opportunity to express the deep feeling I have for Americans all over the world who have an allegiance to the flag, as expressed in their desire to become a real part of the Union.

I thank the Senator from Utah.

Mr. WATKINS. Mr. President, I too, was born in a Territory which later became a State. I was a lad 9 years of age at the time. I can still remember the enthusiastic celebrations held in every nook and corner of that area when Utah, after 40 years delay, was finally admitted to the Union. The scenes of my childhood will no doubt be repeated tonight by the people of Alaska. I think I know how deeply they feel. May the blessing of God be with them in their great adventure.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. AIKEN. I represent in part a State which was the first State admitted to the Union after the Original Thirteen. That was 167 years ago. Last year the legislature of the State of Vermont memorialized the Congress to grant statehood to Alaska and Hawaii. I am sure the people of our State will be very happy to know that half of their request is being granted.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. COTTON. Last October it was my privilege to visit Alaska, and to talk with many of its people. I visited its towns and cities. Let me say to my friend from Utah that I feel that it is an honor and privilege, as a Member of the Senate, to vote to admit Alaska to the sisterhood of States.

The reason is that I learned to know its people. We may talk about its resources; we may talk about its physical attributes, but I am betting on the people of Alaska. They are among the best of Americans. They are most ambitious and far-seeing. There are no Harry Bridgeses in Alaska. There are no Communist cells in Alaska. The people of Alaska are the blood and bone and sinew of our pioneers, and I am happy this night to have the privilege, as a United States Senator, to do my part in bringing into the Union a State which I believe, in future years, will be an honor and a credit to this great Union of States.

Mr. WATKINS. I thank the Senator from New Hampshire. I am in full accord with the statement he has just made.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, the Territory of Alaska is destined to become one of the great States of our American Union.

The population of Alaska is greater than was the population of 18 of our Territories at the time they were admitted into the Union, and it is almost three times as large as was the population of my own State of California at the time it was admitted into the Union without passing through an apprenticeship of Territorial government.

When California became a State in 1850, our population was approximately 65,000, and it took 100 days to get from Independence, Mo., to Sacramento, Calif., and Independence in those days was quite a trip in itself from the eastern seaboard.

As late as 1860, when the terminus of the telegraph lines was at St. Joseph, Mo., it took 7 days and 17 hours for the news of Lincoln's election to be brought by pony express from St. Joseph to San Francisco. The argument of distance and time is no longer valid against the admission of our organized Territories.

It is my belief that Alaska will develop far more rapidly as a State in the Union with its own elected State officials and Senators and Representatives in Congress than under a Territorial status.

I am hopeful that the Senate will provide an overwhelming stamp of approval on the measure before us which calls for the admission of Alaska into the American Union as the 49th State.

BOTH PARTY PLATFORMS

Previous reference has been made to both our great political parties and their platforms. I ask that the portions of the Democratic and Republican platforms of 1952 relating to this subject be placed in the RECORD.

There being on objection, the excerpts were ordered to be printed in the RECORD, as follows:

DEMOCRATIC PLATFORM 1952

Alaska and Hawaii: By virtue of their strategic geographical locations, Alaska and Hawaii are vital bastions in the Pacific. These two Territories have contributed greatly to the welfare and economic development of our country and have become integrated into our economic and social life. We therefore urge immediate statehood for these two Territories.

* * * * *

REPUBLICAN PLATFORM, 1952

We favor immediate statehood for Hawaii. We favor statehood for Alaska under an equitable enabling act.

Mr. KNOWLAND. Mr. President, I should like to read from the national platforms of the two great political parties for 1956. The Republican platform reads as follows:

We pledge immediate statehood for Alaska, recognizing the fact that adequate provision for defense requirements must be made.

I compliment the committee for the bipartisan approach to this problem. I believe that the Committee on Interior and Insular Affairs made an attempt to safeguard our national defense in the bill which has been reported.

The Democratic platform said, speaking of Alaska and Hawaii:

These Territories have contributed greatly to our national economic and cultural life and are vital to our defense. They are part of America and should be recognized as such. We of the Democratic Party, therefore, pledge immediate statehood for these two Territories. We commend these Territories for the action their people have taken in the adoption of constitutions which will become effective forthwith when they are admitted into the Union.

We are doing half the job tonight. It is an important job. It is one which I think has the enthusiastic approval of the overwhelming majority of this body. But if we are really to carry out the platforms of both great political parties, I hope the majority leadership will bring very promptly before the Senate a bill providing statehood for Hawaii. Such a bill has been on the Senate calendar as long as the bill for statehood for Alaska.

I think it would be a rank discrimination against the people of Hawaii if the Senate were not given the same opportunity to express itself on statehood for Hawaii that it has tonight in expressing itself regarding statehood for Alaska. If the pledges of the two parties mean what they say, I can assure the Senate that on this side of the aisle, if the Democratic leadership will only bring the Hawaii bill before the Senate, we can supply, I believe, an overwhelming majority for statehood for Hawaii as well.

Mr. MANSFIELD. Mr. President, I wish to take this occasion to thank the distinguished minority leader and the Members of the Senate on both sides of the aisle for the fine cooperation and understanding they have shown. I wish especially to pay a tribute to the opponents of the legislation for the high level and thorough understanding which they gave to their views. It has been a pleasurable experience for me, because I have seen the Senate of the United States at its best. I wish to say to all Senators that I am deeply thankful to them for the courtesies and consideration they have shown to me personally during the course of the debate.

A word of gratitude is due also to the floor managers of the bill, the distinguished junior Senator from Washington [Mr. JACKSON] and the distinguished junior Senator from California [Mr. KUCHEL], for performing an outstanding job. I wish also to extend and thank our youngest Member, the distinguished and capable junior Senator from Idaho [Mr. CHURCH], for the understanding and the grasp he has shown. I again wish to thank all Senators because you have acted, each in his own way, in the best interests of our country in considering the pending bill.

I should also like to say a few words of commendation about Representative LEO O'BRIEN, of New York in the House of Representatives. As floor manager he piloted the bill through the House of Representatives and worked long and consistently in favor of the bill which we now have before us. He and his associates did an outstanding job in piloting the measure through the House. To Delegate BOB BARTLETT, I want to say that I know how hard he has worked through the years for this moment. Alaska should be especially proud of these two great Americans. To Senators Egan and Gruening and Representative Rivers we and the people of Alaska owe our thanks for an effective job in behalf of statehood.

Just as the House has done an outstanding job in passing this legislation so will the Senate collectively do a responsible job in assuming its share of responsibility in passing the legislation now before us.

I should like to say to the able and distinguished minority leader that if the House passes a Hawaii statehood bill I will do my best to see that it is brought up in the policy committee. I assure him that, so far as I am concerned, I am in favor of statehood for Hawaii, and it should be given the same consideration that has been given to the Territory of Alaska. I am pleased that we have now reached the final decision so far as the future of the incorporated Territory of Alaska is concerned. I am certain and I am hopeful that we will pass the bill with an overwhelming majority and bring about this much needed objective.

I could not conclude my remarks without calling to the attention of the Senate the outstanding leadership of my colleague, the chairman of the Committee on Interior and Insular Affairs, Senator JAMES E. MURRAY. Senator MURRAY fought long, hard, and consistently for statehood for Alaska and I know this is a happy moment for him.

To the people of Alaska, I extend congratulations and best wishes. We are proud to have you join us as the 49th State.

Mr. ANDERSON. It is appropriate to call to the attention of the Senate, and to the people of the country, that the junior Senator from Montana merits the praise and appreciation of all for his great services as acting majority leader, in bringing this truly historic legislation to a successful decision and passage.

Under our two-party system, it is not often that the majority leader and the minority leader, in either the House or the Senate, can cooperate in the passage of such measures. Not many of them are at all likely to come before either body.

I hope that every resident of Alaska will appreciate what the distinguished junior Senator from Montana and the senior Senator from California have accomplished in being able to bring the statehood for Alaska issue to final success.

It was my honor and pleasure in the 81st Congress, during the month of April 1950 to preside over the first Alaska statehood hearings ever held by the Senate of the United States. When Delegate BARTLETT'S H. R. 331 came before the Committee on Interior and Insular Affairs, the able Senator from Wyoming [Mr. O'MAHONEY], then chairman of the committee, could not conduct these hearings, and he asked me to act as chairman for them.

We heard approximately 50 witnesses from Alaska, and numerous others from elsewhere. We spent 6 full days, mornings and afternoons, on the hearings, and they proved an incontrovertible demonstration of the burning desire of the people of Alaska to have statehood. Subsequently, in the 83d Congress, a group of committee members accompanied the late Senator from Nebraska, Mr. Butler, then chairman, on an official visit to Alaska and held enthusiastically attended hearings there. We again had an opportunity to examine witnesses, in all of the major communities of the Territory, and we again found that there was a deep desire for statehood. All of us were convinced, from our personal investigation, that Alaska had the ability to maintain a stable State government and services when statehood was granted.

Efforts have been made in each Congress since the 81st to bring about enactment of Alaska statehood bill, on its merits, in the Senate.

As a veteran in the fight for Alaska statehood, I am happy to join in commendation of the junior Senator from Washington [Mr. JACKSON] and the junior Senator from California [Mr. KUCHEL] for their untiring zeal, and their ability, in bringing to a successful conclusion our long fight for a bill for statehood for Alaska.

I believe their contributions are an outstanding example of how a task can be passed on to younger shoulders and have a fine job done. I wish to commend also the junior Senator from Idaho [Mr. CHURCH] for his untiring zeal and enthusiasm in this momentous issue. Eight years ago the result was doubtful indeed. Many sincere persons

have been gravely concerned over the years that Alaska could not achieve statehood, and that it would be unable to support it if it were achieved.

Now, happily, with the discovery of oil in Alaska, it is quite probable that the new State will receive substantial revenues from its oil lands. Therefore, we can expect that Alaska will be a worthy State, adequately financed, and will take her place in our great Union of States on a basis of full equality in every respect—one of which all of us will be justly proud.

I am happy indeed to have the opportunity to pay tribute to the many able, conscientious Senators who have worked so hard for this great landmark legislation in our Nation's history.

Mr. MAGNUSON. Mr. President, I shall not delay the Senate more than a minute. In the past 22 years in the House and in the Senate I have probably spoken about a half million words about statehood for Alaska. Likewise I have spoken many words on the subject outside the halls of Congress. I am so happy about the fine job that has been done, I shall ask unanimous consent to have a statement I have prepared on the subject printed in the RECORD at this point. Then I will sit down. All I say is: "Let us vote for the 49th star in the flag."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

Alaska has sat impatiently in the anteroom of history for 42 years.

The Territory feels entitled to sit and deliberate with us—be one of us. Alaska wants to work out her own future just as each of the other 48 partners in our Nation has been allowed to do.

Alaska's hopes, aspirations, and quiet self-confidence are understandable.

She knows that her resources, her people, and their combined potential spell a brilliant future.

Alaska is just as aware of her strategic location as we are, or for that matter, as the Soviet Union is.

Recent installation of the defense early warning system signified this. And, of course, earlier proof came during World War II when our Alaskan bases—and Alaskan Highway—came into being. Those bases have grown since then.

But Alaska, and Alaskans, have difficulty understanding how they can be in the forefront of missile and jet-age defense and so woefully far behind in self-government.

Alaska has had its Territorial legislatures; it has faced the problems of raising revenue to run its government, such as it is.

Legislative committees have had a relatively free hand in studying Territorial problems, but have never had a free hand in solving many of the problems. After going so far, solutions have been sidetracked to Washington, D. C., and the Territory all too often has been forced to wait for final answers from either administrative agencies or Congress.

Actually, Federal agencies have been neither as expeditious in rendering decisions nor as interested in solving long-range problems with long-range solutions as an Alaskan State government would have been.

Still, Alaskans have paid their Federal income taxes.

Many Alaskans must feel today as New England and Virginia colonists felt when the cry "Taxation without representation is tyranny" was being heard in Revolutionary times.

If the cry were raised today in Alaska, it would not be without justification.

The 66,000 residents of Missouri or the 107,000 citizens of Kansas may have felt the same way until their moment for statehood came.

Perhaps the same could be said for the 62,000 residents of Arkansas, the 40,000 who lived in Nevada, the 84,000 in Idaho, and the 144,000 in Alabama at the time of statehood.

Alaska today has a population of 180,000 plus—far more than any of these States mentioned at the time of statehood.

Actually, I discover that four of the Original Thirteen States had fewer than 180,000 citizens when they formed the Union.

Then the first 9 States admitted to the Union, including Mississippi, were under 180,000.

In all, 27 of the 48 States have been admitted to the Union with a population under that of Alaska.

It is surprising, going through legislative history, how many times the argument of economics has cropped up in connection with statehood being granted a Territory.

It came up when Washington became a State. Congress was worried that the Territory would not be able to support itself as a State.

Actually this argument of economics is not confined to Territories or States. As we know, it appears in family discussions. The parents are always worried that the youngsters will not be able to support themselves.

As a Union of States, we express and advance this argument with each State added.

Of course there should be concern as to Alaska's ability to support itself and advance its own program. But this is more a concern of Alaskans than it is of Congress. Alaskans know this. They have been taxing themselves to develop their area toward statehood for many years.

Like the pioneers who brought each of the 48 States into the Union, Alaskans feel confident that they can lick this problem as they have met and solved others. I say, we should give them that opportunity.

Show me a State which does not have problems of raising money to finance schools, and support other needed governmental functions and State projects.

None are to be found.

Alaska is no different.

These are problems of growth and Alaska is growing, just as the United States is growing.

Alaskans are fully capable of solving these problems as are other Americans through their State and National Governments.

We have two choices:

These United States, like fearful parents, can waver further in indecision, and allow our lack of confidence to undermine Alaskans and say: "You will be ready for statehood someday—but not now."

Or, we can be proud of Alaskans' determination to strike out for their true independence through their own real self-government and say: "We approve and commend your vision, understand and believe your hopes, know that your mission and goal can and will be reached; so good luck and godspeed."

I heartily recommend the second course of action.

Alaska should be a State—

Because that is the best way to strengthen and to realize the potentialities of a growing region that constitutes the closest approximation of a frontier with the Soviet Union anywhere under American laws.

Because it is alien to the spirit of our institutions to keep a large group of Americans—well over 200,000 now, and their number rapidly increasing—in the second-class citizenship of territorial status.

Because the world at large looks to the United States to set an example of extending full participation in government to all those peoples under its flag who want and who fulfill the requirements for statehood.

Alaska's distance from the present group of 48 States and the fact that it is not contiguous with them has very little pertinence in these days of rapid communications. It is much easier for an Alaskan to reach Washington by air than for an Ohioan a century ago. And there is no comparison between Alaska's proximity to the heart of the Nation and that of California, when it was admitted in 1850, at a time when no railroad, no telegraph, not even a regular stagecoach service, spanned the continent.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief summation of the reasons which constrain me to vote against statehood for Alaska.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

Ever since the Constitution was adopted in 1789 and the flag of the United States was flown, men and women have sought for themselves the rights and privileges which under a democracy belong to them. They have sought political equality and political franchise. So recently the citizens of Alaska have voted 2½ to 1 to be admitted as a sovereign State of the United States. The desire of its citizens is a most important factor, but statehood must be measured in the light of other factors as well. Therefore, we owe a duty to the citizens of Alaska to study those other factors thoughtfully and conscientiously. At the same time we owe a great duty to the citizens of the United States as a whole to study the effect of the admission of Alaska as a State in order that the Union as a whole may be made most secure and its people best served.

Thus we must examine very carefully the economic progress and the economic future of the Territory—its ability for self-government of its people—its state of development of resources, communications and transportation, and its geographical location. On balance, I am constrained at the present time, June of 1958, to vote against the admission of Alaska as a State.

I have noted the great progress that Alaska has made in recent years in economic growth and in the development of its resources. I have noted the increase in the number of people who want to make Alaska their home. I have noted thoughtfully Alaska's great economic potential. In due time we can truly hope that it will take its place among the major political entities of our country.

However, at the moment we must note that only approximately 2 percent of the Territory of Alaska is privately owned. The balance is owned by our Government. Thus it will be exceedingly difficult for the people of the various communities and of the new State to maintain their governments, local and State, on a stable basis that permits growth.

When we consider the issue of statehood, we must consider whether the Territory involved satisfies all of the fundamentals of a sound economy. As many of my colleagues have pointed out, there are deficiencies in population, subsistence, and transport.

There have been many conflicting figures with respect to Alaska's population. The distinguished Senator from Virginia, who has made a very careful study of the composition of Alaska's population, cites at 113,000 the actual population figure in Alaska, and it is significant to note that the total vote in the 1956 delegate election was 28,266. Well over one-fourth of the population cred-

ited to Alaska consists of Federal Government officials.

We note also that the Territorial limits of Alaska have never been thoroughly surveyed. Its population in relation to its territory is a very small one. Its communities, while growing rapidly, have not yet become in most instances self-supporting. Transportation is mostly by air and sea although the great Alaskan Highway is being extended and there is a railroad servicing many communities which is operated by the United States Government.

We must consider whether conferring statehood would in view of the condition of Alaska's economy actually aid its development or whether the added responsibilities of self-government having so few people would impede its development.

It would be more realistic for the time being to continue the present system of government in Alaska. Let us hope the day will soon be upon us when the world will be more stable and our country's position more secure. Then a greater proportion of the inhabitants of Alaska will need not be occupied with their present military responsibilities. At that time its citizens will be able to devote their full energies and talents to the development of Alaska's resources and economy and thus provide us with convincing evidence of its abilities to support itself.

In my analysis of the Alaskan statehood measure, I have asked the question: In what way will statehood contribute to Alaska's economic development? The answer in each instance has been that statehood will permit the application of different laws and different regulations to situations which are now impeded by existing Federal laws. I refer to homesteading and local resources control boards. But every one of these changes which statehood would confer, thus facilitating Alaska's economic development, could be effected by congressional action. There seems to be to be no validity to the argument that we should do indirectly what we have failed to attend to directly.

I think it would be worth while if Congress should request the Department of the Interior to establish a commission of responsible citizens from Alaska and from the United States to consider a carefully planned program for the development by private and public funds of Alaskan resources and how best to carry it out by the efforts of an increased citizenry in Alaska.

For the reasons I have briefly stated, but which I have considered with the utmost care and deliberation, I shall cast my vote against statehood for Alaska at this time when it comes to a vote at this session of the Congress. My reasons for doing so in no way reflect upon the needs and desires of the Alaskan people for political equality, nor upon the need of our Nation as a whole to fully develop the resources of Alaska. I do, however, feel that our mutual aims can be achieved more effectively and more expeditiously by continuing the present system of the government in Alaska. I believe this after a thorough consideration of the factors which promote the strength and unity of our Nation as a whole and the factors which will continue economic growth and population expansion in Alaska.

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by me on the bill granting statehood to Alaska.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEHOOD FOR ALASKA

(Statement by Senator KUCHEL)

Alaska is about to become the 49th State of the United States of America. The press of our country accurately has reflected the feelings of our people that a long overdue legal and moral commitment is about to be, and should be, fulfilled.

Friends of Alaskan statehood have furnished me with an interesting and significant sampling of editorial comments across the Nation favorable to Alaska's cause. One editorial from each State has been selected, and a sentence or two from each is reproduced in the following rollcall of States:

Alabama, the Birmingham Post-Herald: "The Alaskans have waited 42 years. They have amply demonstrated their right to the same sort of self-government enjoyed by other Americans. We hope and believe that a farsighted majority in the Senate will unite to grant it to them."

Arizona, the Tucson Star: "Congress should give statehood to both Alaska and Hawaii."

Arkansas, the Little Rock Arkansas Gazette: "It is now certain that Alaska will shortly become the Nation's 49th State."

California, the San Francisco Examiner: "Alaskans blame Federal bureaucracy for many of their troubles, expect these to be cured under statehood. Above all, the thing that rankles is that, since they pay United States income taxes, they have taxation without representation, the very grievance that led to United States independence."

Colorado, the Denver Post: "* * * Admission of Alaska to the Union this year will evidence a sincerity in our anticolonialism attitudes, giving Americans in Alaska the self-government we have advocated for the peoples of other territorial possessions of imperialist powers. Our slowness in doing so has put us under suspicion of hypocrisy."

Connecticut, the New London Day: "Most people agree that Alaska is ready for statehood and its people entitled to become first-class citizens of the United States."

Delaware, the Wilmington News: "In terms of the national interest, or of the interest of Alaska itself, there is very little that can be said against statehood."

Florida, the Miami Daily News: "Both Republican and Democratic Parties have repeatedly endorsed statehood for both Alaska and Hawaii in their platforms. Members of Congress who have been elected on those platforms are morally committed to carry them out."

Georgia, the Albany Herald: "* * * Alaska's rate of population growth is almost four times that of the United States; the rich resources of the Territory deserve development which could only be accomplished in a State, not a territory; the Territory is strategically located so that it could become a more effective part of our defense system, and the loyalty of the Territorial people is unquestioned."

Idaho, the Boise Idaho Statesman: "Secretary Seaton concedes by inference that Federal management in Alaska isn't all that it might be when he says that statehood would allow Alaskans to develop the region's natural resources 'and thereby enlarge their contributions to the economic good of all America.'"

Illinois, the Aurora Beacon-News: "The United States stands before the world as the foremost champion of the full political rights and freedoms for individuals. Then why has statehood been so long denied?"

Indiana, the Rensselaer Republican: "The United States Government is treating Alaska like a colony, and the economic effects of United States policies are probably worse than those which led the American colonists to stage the Boston Tea Party and eventually to begin the American Revolution."

Iowa, the Des Moines Tribune: "We think the great majority of the citizens of the present 48 States would applaud if the Senators were to drop everything else and rush the Alaska statehood bill through to final passage."

Kansas, the Emporia Gazette: "The Alaska boom is something from which the entire Nation will benefit, long-term and short-term. It will engage not alone the people who live in Alaska but those who trade with it and produce for it."

Kentucky, the Madisonville Messenger: "At a time when a lot of people are greatly disturbed about what other nations of the world think about us—our everlasting desire to be liked—the United States could at least set an example of extending full rights to self-government to Alaskans who want and are ready to meet the requirements for statehood."

Louisiana, the Baton Rouge State Times: "There could be no disadvantage suffered by the present 48 States in the admission of Alaska. It would be a good thing to make American citizens out of Alaskans, with full rights in the Union."

Maine, the Bangor News: "Plain strong-arm politics has prevented to date admission of Alaska at the Nation's 49th State. The platforms of both major parties have for years pledged statehood."

Maryland, the Baltimore News-Post: "* * * the delaying tactics being pursued against the Alaskan statehood bill are not merely an injustice to the people of Alaska but a grave disservice to the United States as a whole."

Massachusetts, the Springfield Union: "The Senate would be serving the ends of justice, long overdue, if it followed the lead of the House and embraced Alaska as a State."

Michigan, the Muskegon Chronicle: "* * * Congress can give an important message to the rest of the world—that the United States does not consider itself territorially locked up for all time to come."

Minnesota, the Fairmont Sentinel: "If we are to continue regarding Alaska and Hawaii as too far away, too hazardous to be included in our fold, what about our interest (including investments, money and aid) heaped on Nations much farther away?"

Mississippi, the Canton Madison County Herald: "Eventually the people of Alaska will be given statehood, and their cause is just. As time goes by, more and more are converted to the cause of statehood for Alaska."

Missouri, the St. Louis Post-Dispatch: "It is high time that Congress applied the adage that 'actions speak louder than words' to the rapidly growing Territory to the northwest."

Montana, the Missoula Missoulian: "* * * statehood would give Alaskans both the responsibilities and the rights and privileges of full citizenship."

Nebraska, the McCook Gazette: "'Alaska today is better prepared for statehood than almost any Middle West State was'."

Nevada, the Las Vegas Courier: "Nevada's Legislature, during its recent session, memorialized the Congress to create a State out of the vast Territory of Alaska. This is as it should be, for Alaska richly deserves statehood."

New Hampshire, the Claremont Eagle: "If the question of statehood rested merely on merit, Congress would have acted long since."

New Jersey, the Paterson Call: "The citizens of the United States are overwhelmingly in favor of bringing Alaska into our family of States."

New Mexico, the Albuquerque Tribune: "Since the 13 colonies became the United States of America, there have been 35 additions to the Union. And each time a new State has been admitted, the national economy has surged ahead."

New York, the New York Herald Tribune: "We have just got through making magnanimous offers to the Soviets to open up our Arctic territory in Alaska to international inspection. If we are that big-hearted, the

least we could do is open up Alaska to the Alaskans."

North Carolina, the Charlotte News: "Statehood for Alaska has been repeatedly promised by both political parties."

North Dakota, the Devils Lake Journal: "Action on statehood is long overdue and the Government, in all fairness, should open the door for Alaska."

Ohio, the Fremont News-Messenger: "No matter what other considerations there may be, the question is whether it is fair to hold down Alaskan Americans to the status of second class citizens."

Oklahoma, the Enid News: "* * * the American people are in favor of the statehood bill. Every poll taken on the question shows an overwhelming majority in favor of it."

Oregon, the Portland Oregonian: "Congress need not worry about Alaskan population. It would come with the stimulation provided by statehood."

Pennsylvania, the Mechanicsburg Local News: "* * * this country was founded on the principle of taxation with representation, and that is what this question is all about."

Rhode Island, the Woonsocket Call: "It is to be hoped that Congress will get on with the admission of Alaska."

South Carolina, the Rock Hill Herald: "Admittedly the problems of granting statehood to Alaska are great. So were the problems of the development of the West in stagecoach days—but the results were worth the effort."

South Dakota, the Mitchell Republic: "* * * both major political parties, again and again in recent years, have unanimously adopted election platform planks which unequivocally pledged statehood."

Tennessee, the Nashville Banner: "That Alaska is ready for statehood there can be no doubt."

Texas, the Beaumont Journal: "* * * admitting Alaska as the 49th State would have more than national interest. It would train the eyes of the entire world on the growing United States and its increasing power to protect and preserve the democratic way of life that had its birth in a courageous handful of States."

Utah, the Salt Lake City Deseret News and Telegram: "There is simply no justification for continuing longer the United States own peculiar brand of colonialism; if it is continued, the Senate will have some tall explaining to do."

Vermont, the Burlington Free Press: "* * * equal senatorial representation by States was intended to meet regional objections to domination by large States. This argument still applies and the larger States have a remedy in their greater representation in the House."

Virginia, the Blackstone Courier-Record: "* * * Alaska's claim is worth the serious consideration of every citizen."

Washington, the Tacoma News Tribune: "Old Glory would have less than 48 stars today had Congress in years gone by applied some of the rules that now are suggested by Congressmen trying to beat statehood."

West Virginia, the Grantsville Chronicle: "The merits of the case seem to be indisputable."

Wisconsin, the Sheboygan Press: "Statehood would be a rich reward for a noble group that has steadfastly toiled to develop Alaska into a region worthy indeed of becoming our 49th State."

Wyoming, the Sheridan Press: "Although Alaska's population is comparatively small, and the area is huge, presenting some problems, statehood status was long overdue."

Mr. JACKSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a telegram which Committee Counsel Stewart French, of the Committee on Interior and Insular Affairs, sent to the Secretary of the Interior, and the reply of the Secretary of the Interior.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

SENATE INTERIOR COMMITTEE,
June 23, 1958.

Hon. FREDERICK A. SEATON,
Secretary of the Interior,
Department of the Interior,
Washington, D. C.:

Senator JACKSON, chairman of Territories Subcommittee, has instructed me to ask you for written opinion from Interior Department on effect of July 3 date. Senator also points out that time of essence and requests full and speedy compliance as possible with subcommittee request.

STEWART FRENCH,
Committee Counsel.

THE SECRETARY OF THE INTERIOR,
Washington, June 25, 1958.

Hon. HENRY M. JACKSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JACKSON: Thank you for your telegram concerning section 7 of H. R. 7999—the Alaska statehood bill. I am advised there is no reason to amend the July 3 date which appears in section 7. This is particularly true in view of the fact that the Senate is now debating H. R. 7999 and the Acting Majority Leader has announced that he hopes the bill can be considered fully and passed during this week.

Further, I am informed that the July 3 date was placed in H. R. 7999 at the request of some Alaskans who wanted the first official notification of passage of the bill received in Alaska on July 4. This would be a symbol to the world of our continued adherence to the beliefs of our founding fathers—to the principles of representation and the full enjoyment of all the rights, privileges, and immunities of our Republican form of government.

In any event, I am also advised that compliance with section 7 by the President on or before July 3 is not essential; the primary objective of that section is that official notification be sent to the Governor of Alaska upon enactment of the bill. The intent of the section would not be defeated if such notification is given after July 3.

It would be unfortunate, indeed, if Alaska's hopes and dreams for political equality could be frustrated because of what some might interpret to be an overabundance of patriotic zeal. Therefore, it is my hope that the Senate can adopt H. R. 7999 without amendment.

Sincerely,

FRED A. SEATON,
Secretary of the Interior.

Mr. JACKSON. Mr. President, the Senate is about to cast a historic vote which will grant statehood to Alaska. Only historians will be able truly to evaluate this act. I do not believe there is a Member of the Senate who can assess the great good that has been done today or all the benefits that will accrue to the people of Alaska and to all Americans by our action. People throughout the world will herald statehood for Alaska as dramatic proof of the dynamic characteristics of democracy in America.

I should like personally to express my deep appreciation to the acting majority leader, the Senator from Montana [Mr. MANSFIELD] and to the minority leader, the Senator from California [Mr. KNOWLAND], as well as to the ranking minority member of the subcommittee who handled this matter on the Republican side of the aisle, the distinguished Senator from California [Mr. KUCHEL]; likewise, to the chairman of the full committee, the distinguished Senator from Montana [Mr. MURRAY]; to the members of the subcommittee, and to the members of the full committee, who have been so helpful.

I wish to mention particularly the distinguished junior Senator from Idaho [Mr. CHURCH], who has been so helpful throughout the debate, and other members of the subcommittee, as well.

I think when we consider the historic situation today, it is well to call attention to the fact that one of the ardent supporters of statehood has been the distinguished senior Senator from Arizona. He remembers the long, hard fight for statehood for his great State. It has been 46 years since the last State was admitted—Arizona. I think we can be proud tonight to have in the Chamber the man who has served that State continuously in the House of Representatives and in the Senate since the last act of statehood was passed by Congress. I refer, of course, to the distinguished senior Senator from Arizona, the President pro tempore, CARL HAYDEN. We are all proud of the able assistance which he has given to us.

It would be impossible to enumerate all the persons who have ably assisted in the passage of this legislation. But I think it would be a mistake, indeed, if I did not call attention to some of the persons who, year in and year out, have fought hard for statehood for Alaska.

I refer, first of all, to Delegate Bartlett; to former Gov. Ernest Gruening; to Senator Egan who is Senator-elect under the Tennessee plan, together with Senator-elect Gruening; and to Representative-elect Rivers.

I express my deep appreciation also to the Secretary of the Interior, Hon. Fred Seaton, and to his staff, who so ably assisted us in all matters connected with statehood; and to the Governor of Alaska, Hon. Michael A. Stepovich, who has given his full support to statehood.

In any fair appraisal of the Alaska statehood bill, one fact stands out very clear. Our work to date has not been the product of a single party. It has been the product of a bipartisan majority. This demonstrates again that Americans can close ranks on the truly great issues.

This is not a Republican victory; it is not a Democratic victory; it is not simply a victory for Alaskans. Mr. President, it is a victory for all Americans and for the Democratic process.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The question is on the passage of the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Texas [Mr. JOHNSON], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I further announce that, if present and voting, the Senator from Texas [Mr. JOHNSON], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Vermont [Mr. FLANDERS] is absent because of death in the family.

The Senator from West Virginia [Mr. HOBLITZELL] is absent because of illness.

The Senator from New York [Mr. IVES] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Maryland [Mr. BEALL] and the Senator from Nebraska [Mr. CURTIS] are detained on official business.

If present and voting the Senator from Vermont [Mr. FLANDERS] and the Senator from Nebraska [Mr. CURTIS] would each vote "yea."

The Senator from New York [Mr. IVES] is paired with the Senator from Maryland [Mr. BEALL]. If present and voting, the Senator from New York would vote "nay," and the Senator from Maryland would vote "yea."

The Senator from West Virginia [Mr. HOBLITZELL] is paired with the Senator from Nevada [Mr. MALONE]. If present and voting, the Senator from West Virginia would vote "yea," and the Senator from Nevada would vote "nay."

The result was announced—yeas 64, nays 20, as follows:

YEAS—64

Aiken	Hayden	Morse
Allott	Hennings	Morton
Anderson	Hickenlooper	Mundt
Barrett	Hill	Murray
Bennett	Holland	Neuberger
Bible	Hruska	Pastore
Bricker	Humphrey	Payne
Capehart	Jackson	Potter
Carlson	Javits	Proxmire
Carroll	Jordan	Purtell
Case, N. J.	Kefauver	Revercomb
Case, S. Dak.	Kennedy	Smith, Maine
Chavez	Kerr	Smith, N. J.
Church	Knowland	Sparkman
Clark	Kuchel	Symington
Cotton	Langer	Thye
Dirksen	Lausche	Watkins
Douglas	Long	Wiley
Dworshak	Magnuson	Williams
Frear	Mansfield	Young
Goldwater	Martin, Iowa	
Green	McNamara	

NAYS—20

Bridges	Ervin	Russell
Bush	Fulbright	Saltonstall
Butler	Johnston, S. C.	Schoeppel
Byrd	Martin, Pa.	Stennis
Cooper	McClellan	Talmadge
Eastland	Monroney	Thurmond
Ellender	Robertson	

NOT VOTING—12

Beall	Hoblitzell	Malone
Curtis	Ives	O'Mahoney
Flanders	Jenner	Smathers
Gore	Johnson, Tex.	Yarborough

So the bill (H. R. 7999) was passed.

[Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The occupants of the galleries will preserve order.

Mr. JACKSON. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, Senate bill 49 is indefinitely postponed.

DEVELOPMENT OF MINERAL RESOURCES OF THE UNITED STATES

The PRESIDING OFFICER. The Chair lays before the Senate unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (S. 3817) to provide a program for the development of the mineral resources of the United States, its Territories, and possessions by encouraging exploration for minerals, and for other purposes.

AMENDMENT OF SMALL BUSINESS ACT OF 1953

Mr. MANSFIELD. Mr. President, for the information of the Senate, the next order of business will be Calendar No. 1748, House bill 7963. I ask unanimous consent that the unfinished business be laid aside, and that Calendar No. 1748 be made the pending business.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7963) to amend the Small Business Act of 1953, as amended.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended, which had been reported from the Committee on Banking and Currency with amendments.

Mr. MANSFIELD. Mr. President, let me state that it is possible that in connection with the consideration of House bill 7963, there will be a yea-and-nay vote.

Mr. President——

The PRESIDING OFFICER. The Senator from Montana.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader, I wish to inform the Senate that after the disposition of the bill amending the Small Business Act of 1953, the Senate will then consider the District of Columbia appropriation bill, Calendar 1799, House 12948, and a number of noncontroversial measures on the unanimous-consent calendar.

I ask unanimous consent that a list of these measures be printed at this point in the RECORD, so all Members of the Senate may, when they read the RECORD tomorrow morning, know what the program for the remainder of the week will be.

The PRESIDING OFFICER. Is there objection?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LEGISLATION TO BE SCHEDULED

The following bills appear to be noncontroversial or subject to only limited debate:

JUDICIARY COMMITTEE

1. Calendar No. 1772, H. R. 982, amending section 77 (c) (6) of the Bankruptcy Act.

2. Calendar No. 1773, S. 3728, incorporating the Big Brothers of America.

3. Calendar No. 1779, H. R. 10154, empowering the Judicial Conference to study and recommend changes in and additions to rules and practice procedure in the Federal courts.

FOREIGN RELATIONS COMMITTEE

1. Calendar No. 1785, Senate Resolution 293, requesting the Secretary of State to express the interest of the Senate in the completion of the loop road linking the Glacier National Park in the United States and the Waterton Lakes National Park in Canada.

2. Calendar No. 1786, S. 3608, reviving and reenacting authorization for the construction by the State of Maine of a highway bridge between Lubec, Maine, and Campobello Island, Canada.

3. Calendar No. 1787, S. 3437, authorizing the State of Minnesota to construct and operate a free highway bridge between International Falls, Minn., and Fort Frances, Canada.

PUBLIC WORKS COMMITTEE

1. Calendar No. 1789, S. 3177, authorizing the modification of the Crisfield Harbor, Md., project.

2. Calendar No. 1781, S. 2117, directing the Secretary of the Army to transfer certain buildings to the Crow, Creek, Sioux Indian Tribe.

3. Calendar No. 1792, H. R. 11936, extending the time for collection of tolls on a bridge across the Missouri River at Brownville, Nebr.

4. Calendar No. 1792, H. R. 11861, authorizing the city of Chester, Ill., to construct new approaches to a bridge across the Mississippi River at Chester.

INTERIOR COMMITTEE

1. Calendar No. 1781, S. 3203, revesting title to minerals in the Indian tribes within the Wind River Indian Reservation, Wyo.

INTERSTATE AND FOREIGN COMMERCE COMMITTEE

1. Calendar No. 1794, S. 3919, amending section 1105 (b) of title 9 of the Merchant Marine Act of 1936, to implement the pledge-of-faith clause.

2. Calendar No. 1797, S. 3499, amending the vessel admeasurement laws relating to water ballast spaces.

3. Calendar No. 1798, H. R. 12311, amending the act of September 7, 1950, relating to the construction of a District of Columbia public airport.

In addition, Calendar No. 1799, H. R. 12948, the District of Columbia appropriations bill, was reported on June 27, 1958.

The Defense, Public Works, and Legislative appropriation bills have not yet been reported from committee; the Independent Offices and Labor-HEW appropriation bills are still in conference.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business tonight, it adjourn until tomorrow, at 12 o'clock noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Public Law 85-508
85th Congress, H. R. 7999
July 7, 1958

AN ACT

72 Stat. 339.

To provide for the admission of the State of Alaska into the Union.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 8 (c) of this Act, the State of Alaska is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Alaska entitled, "An Act to provide for the holding of a constitutional convention to prepare a constitution for the State of Alaska; to submit the constitution to the people for adoption or rejection; to prepare for the admission of Alaska as a State; to make an appropriation; and setting an effective date", approved March 19, 1955 (Chapter 46, Session Laws of Alaska, 1955), and adopted by a vote of the people of Alaska in the election held on April 24, 1956, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed. Alaska, statehood.

SEC. 2. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska. Territory.

SEC. 3. The constitution of the State of Alaska shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. Constitution.

SEC. 4. As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Act, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that all such lands or other property, belonging to the United States or which may belong to said natives, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation: *Provided*, That nothing contained in this Act shall recognize, deny, enlarge, impair, or otherwise affect any claim against the United States, and any such claim shall be governed by the laws of the United States applicable thereto; and nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the Congress that any law applicable thereto authorizes, establishes, recognizes, or confirms the validity or invalidity of any such claim, and the determination of the applicability or effect of any law to any such claim shall be unaffected by anything in this Act: *And provided further*, That no taxes shall be imposed by said State upon any lands or other property now owned or hereafter acquired by the United States or which, as hereinabove set forth, may belong to said natives, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation. Compact with U.S.

GPO : 1958 O - 27985 (313)

Title to property.

SEC. 5. The State of Alaska and its political subdivisions, respectively, shall have and retain title to all property, real and personal, title to which is in the Territory of Alaska or any of the subdivisions. Except as provided in section 6 hereof, the United States shall retain title to all property, real and personal, to which it has title, including public lands.

Selection from public lands.

SEC. 6. (a) For the purposes of furthering the development of and expansion of communities, the State of Alaska is hereby granted and shall be entitled to select, within twenty-five years after the date of the admission of the State of Alaska into the Union, from lands within national forests in Alaska which are vacant and unappropriated at the time of their selection not to exceed four hundred thousand acres of land, and from the other public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection not to exceed another four hundred thousand acres of land, all of which shall be adjacent to established communities or suitable for prospective community centers and recreational areas. Such lands shall be selected by the State of Alaska with the approval of the Secretary of Agriculture as to national forest lands and with the approval of the Secretary of the Interior as to other public lands: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the land so occupied.

(b) The State of Alaska, in addition to any other grants made in this section, is hereby granted and shall be entitled to select, within twenty-five years after the admission of Alaska into the Union, not to exceed one hundred and two million five hundred and fifty thousand acres from the public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the laws of the United States, whether for homestead, mineral, right-of-way, or other purpose whatsoever, or shall affect the rights of any such owner, claimant, locator, or entryman to the full use and enjoyment of the lands so occupied: *And provided further*, That no selection hereunder shall be made in the area north and west of the line described in section 10 without approval of the President or his designated representative.

(c) Block 32, and the structures and improvements thereon, in the city of Juneau are granted to the State of Alaska for any or all of the following purposes or a combination thereof: A residence for the Governor, a State museum, or park and recreational use.

(d) Block 19, and the structures and improvements thereon, and the interests of the United States in blocks C and 7, and the structures and improvements thereon, in the city of Juneau, are hereby granted to the State of Alaska.

Fish and wildlife resources.

(e) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat. 301; 48 U. S. C., secs. 192–211), as amended, and under the provisions of the Alaska commercial fisheries laws of June 26, 1906 (34 Stat. 478; 48 U. S. C., secs. 230–239 and 241–242), and June 6, 1924 (43 Stat. 465; 48 U. S. C., secs. 221–228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: *Provided*, That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the

first day of the first calendar year following the expiration of ninety legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest: *Provided*, That such transfer shall not include lands withdrawn or otherwise set apart as refuges or reservations for the protection of wildlife nor facilities utilized in connection therewith, or in connection with general research activities relating to fisheries or wildlife. Sums of money that are available for apportionment or which the Secretary of the Interior shall have apportioned, as of the date the State of Alaska shall be deemed to be admitted into the Union, for wildlife restoration in the Territory of Alaska, pursuant to section 8 (a) of the Act of September 2, 1937, as amended (16 U. S. C., sec. 669g–1), and for fish restoration and management in the Territory of Alaska, pursuant to section 12 of the Act of August 9, 1950 (16 U. S. C., sec. 777k), shall continue to be available for the period, and under the terms and conditions in effect at the time, the apportionments are made. Commencing with the year during which Alaska is admitted into the Union, the Secretary of the Treasury, at the close of each fiscal year, shall pay to the State of Alaska 70 per centum of the net proceeds, as determined by the Secretary of the Interior, derived during such fiscal year from all sales of sealskins or sea-otter skins made in accordance with the provisions of the Act of February 26, 1944 (58 Stat. 100; 16 U. S. C., secs. 631a–631q), as supplemented and amended. In arriving at the net proceeds, there shall be deducted from the receipts from all sales all costs to the United States in carrying out the provisions of the Act of February 26, 1944, as supplemented and amended, including, but not limited to, the costs of handling and dressing the skins, the costs of making the sales, and all expenses incurred in the administration of the Pribilof Islands. Nothing in this Act shall be construed as affecting the rights of the United States under the provisions of the Act of February 26, 1944, as supplemented and amended, and the Act of June 28, 1937 (50 Stat. 325), as amended (16 U. S. C., sec. 772 et seq.). 55 Stat. 632. 64 Stat. 434.

(f) Five per centum of the proceeds of sale of public lands lying within said State which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to such sales, shall be paid to said State to be used for the support of the public schools within said State. Public school support.

(g) Except as provided in subsection (a), all lands granted in quantity to and authorized to be selected by the State of Alaska by this Act shall be selected in such manner as the laws of the State may provide, and in conformity with such regulations as the Secretary of the Interior may prescribe. All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved, and each tract selected shall contain at least five thousand seven hundred and sixty acres unless isolated from other tracts open to selection. The authority to make selections shall never be alienated or bargained away, in whole or in part, by the State. Upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective, if subsequent to the admission of Alaska into the Union, during which period the State of Alaska shall have a preferred right of selection, subject to the requirements of this Act, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation. Such preferred right of selection shall have precedence over the preferred right of application created by section 4 of the Act of September

27, 1944 (58 Stat. 748; 43 U. S. C., sec. 282), as now or hereafter amended, but not over other preference rights now conferred by law. Where any lands desired by the State are unsurveyed at the time of their selection, the Secretary of the Interior shall survey the exterior boundaries of the area requested without any interior subdivision thereof and shall issue a patent for such selected area in terms of the exterior boundary survey; where any lands desired by the State are surveyed at the time of their selection, the boundaries of the area requested shall conform to the public land subdivisions established by the approval of the survey. All lands duly selected by the State of Alaska pursuant to this Act shall be patented to the State by the Secretary of the Interior. Following the selection of lands by the State and the tentative approval of such selection by the Secretary of the Interior or his designee, but prior to the issuance of final patent, the State is hereby authorized to execute conditional leases and to make conditional sales of such selected lands. As used in this subsection, the words "equitable claims subject to allowance and confirmation" include, without limitation, claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands.

Mineral leases, permits, etc.

48 USC 432, passim.

(h) Any lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U. S. C., sec. 432 and following), as amended, shall have the effect of withdrawing the lands subject thereto from selection by the State of Alaska under this Act, unless such lease, permit, license, or contract is in effect on the date of approval of this Act, and unless an application to select such lands is filed with the Secretary of the Interior within a period of five years after the date of the admission of Alaska into the Union. Such selections shall be made only from lands that are otherwise open to selection under this Act, and shall include the entire area that is subject to each lease, permit, license, or contract involved in the selections. Any patent for lands so selected shall vest in the State of Alaska all right, title, and interest of the United States in and to any such lease, permit, license, or contract that remains outstanding on the effective date of the patent, including the right to all rentals, royalties, and other payments accruing after that date under such lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of such lease, permit, license, or contract: *Provided*, That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

Mineral land grants.

(i) All grants made or confirmed under this Act shall include mineral deposits. The grants of mineral lands to the State of Alaska under subsections (a) and (b) of this section are made upon the express condition that all sales, grants, deeds, or patents for any of the mineral lands so granted shall be subject to and contain a reservation to the State of all of the minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. Mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct: *Provided*, That any lands or minerals hereafter disposed of contrary to the provisions of this section shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States District Court for the District of Alaska.

Schools and colleges.

(j) The schools and colleges provided for in this Act shall forever remain under the exclusive control of the State, or its governmental

subdivisions, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

(k) Grants previously made to the Territory of Alaska are hereby confirmed and transferred to the State of Alaska upon its admission. Effective upon the admission of the State of Alaska into the Union, section 1 of the Act of March 4, 1915 (38 Stat. 1214; 48 U. S. C., sec. 353), as amended, and the last sentence of section 35 of the Act of February 25, 1920 (41 Stat. 450; 30 U. S. C., sec. 191), as amended, are repealed and all lands therein reserved under the provisions of section 1 as of the date of this Act shall, upon the admission of said State into the Union, be granted to said State for the purposes for which they were reserved; but such repeal shall not affect any outstanding lease, permit, license, or contract issued under said section 1, as amended, or any rights or powers with respect to such lease, permit, license, or contract, and shall not affect the disposition of the proceeds or income derived prior to such repeal from any lands reserved under said section 1, as amended, or derived thereafter from any disposition of the reserved lands or an interest therein made prior to such repeal.

Confirmation of grants.

Repeals.

(l) The grants provided for in this Act shall be in lieu of the grant of land for purposes of internal improvements made to new States by section 8 of the Act of September 4, 1841 (5 Stat. 455), and sections 2378 and 2379 of the Revised Statutes (43 U. S. C., sec. 857), and in lieu of the swampland grant made by the Act of September 28, 1850 (9 Stat. 520), and section 2479 of the Revised Statutes (43 U. S. C., sec. 982), and in lieu of the grant of thirty thousand acres for each Senator and Representative in Congress made by the Act of July 2, 1862, as amended (12 Stat. 503; 7 U. S. C., secs. 301–308), which grants are hereby declared not to extend to the State of Alaska.

Internal improvements.

(m) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) shall be applicable to the State of Alaska and the said State shall have the same rights as do existing States thereunder.

Submerged lands.
43 USC 1301 note.

Sec. 7. Upon enactment of this Act, it shall be the duty of the President of the United States, not later than July 3, 1958, to certify such fact to the Governor of Alaska. Thereupon the Governor, on or after July 3, 1958, and not later than August 1, 1958, shall issue his proclamation for the elections, as hereinafter provided, for officers of all elective offices and in the manner provided for by the constitution of the proposed State of Alaska, but the officers so elected shall in any event include two Senators and one Representative in Congress.

Certification by President.

Sec. 8. (a) The proclamation of the Governor of Alaska required by section 7 shall provide for holding of a primary election and a general election on dates to be fixed by the Governor of Alaska: *Provided*, That the general election shall not be held later than December 1, 1958, and at such elections the officers required to be elected as provided in section 7 shall be, and officers for other elective offices provided for in the constitution of the proposed State of Alaska may be, chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Alaska for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Alaska may prescribe. The Governor of Alaska shall certify the results of said elections to the President of the United States.

Election of officers; date, etc.

(b) At an election designated by proclamation of the Governor of Alaska, which may be the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special

election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, by separate ballot on each, the following propositions:

"(1) Shall Alaska immediately be admitted into the Union as a State?

"(2) The boundaries of the State of Alaska shall be as prescribed in the Act of Congress approved _____ and all claims (date of approval of this Act)
of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(3) All provisions of the Act of Congress approved _____ (date of approval
_____ reserving rights or powers to the United States, as well as of this Act)
those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, are consented to fully by said State and its people."

In the event each of the foregoing propositions is adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Alaska, ratified by the people at the election held on April 24, 1956, shall be deemed amended accordingly. In the event any one of the foregoing propositions is not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall thereupon cease to be effective.

Certification of voting results by Governor.

The Governor of Alaska is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Alaska, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

Proclamation by President.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Alaska, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 7 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Alaska shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union, all of the officers of said Territory, including the Delegate in Congress from said Territory, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Alaska into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

Laws in effect.

(d) Upon admission of the State of Alaska into the Union as herein provided, all of the Territorial laws then in force in the Territory of Alaska shall be and continue in full force and effect throughout said State except as modified or changed by this Act, or by the constitution

of the State, or as thereafter modified or changed by the legislature of the State. All of the laws of the United States shall have the same force and effect within said State as elsewhere within the United States. As used in this paragraph, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Alaska) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Alaska at the time of the admission of the State of Alaska into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provisions of this Act. Definitions.

SEC. 9. The State of Alaska upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13) nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U. S. C., sec. 2a), for the Eighty-third Congress and each Congress thereafter. House of Representatives membership.

SEC. 10. (a) The President of the United States is hereby authorized to establish, by Executive order or proclamation, one or more special national defense withdrawals within the exterior boundaries of Alaska, which withdrawal or withdrawals may thereafter be terminated in whole or in part by the President. National defense withdrawals.

(b) Special national defense withdrawals established under subsection (a) of this section shall be confined to those portions of Alaska that are situated to the north or west of the following line: Beginning at the point where the Porcupine River crosses the international boundary between Alaska and Canada; thence along a line parallel to, and five miles from, the right bank of the main channel of the Porcupine River to its confluence with the Yukon River; thence along a line parallel to, and five miles from, the right bank of the main channel of the Yukon River to its most southerly point of intersection with the meridian of longitude 160 degrees west of Greenwich; thence south to the intersection of said meridian with the Kuskokwim River; thence along a line parallel to, and five miles from the right bank of the Kuskokwim River to the mouth of said river; thence along the shoreline of Kuskokwim Bay to its intersection with the meridian of longitude 162 degrees 30 minutes west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 57 degrees 30 minutes north; thence east to the intersection of said parallel with the meridian of longitude 156 degrees west of Greenwich; thence south to the intersection of said meridian with the parallel of latitude 50 degrees north.

(c) Effective upon the issuance of such Executive order or proclamation, exclusive jurisdiction over all special national defense withdrawals established under this section is hereby reserved to the United States, which shall have sole legislative, judicial, and executive power within such withdrawals, except as provided hereinafter. The exclusive jurisdiction so established shall extend to all lands within the exterior boundaries of each such withdrawal, and shall remain in effect with respect to any particular tract or parcel of land only so long as such tract or parcel remains within the exterior boundaries of such a Jurisdiction.

72 Stat. 346.

withdrawal. The laws of the State of Alaska shall not apply to areas within any special national defense withdrawal established under this section while such areas remain subject to the exclusive jurisdiction hereby authorized: *Provided*, *however*, That such exclusive jurisdiction shall not prevent the execution of any process, civil or criminal, of the State of Alaska, upon any person found within said withdrawals: *And provided further*, That such exclusive jurisdiction shall not prohibit the State of Alaska from enacting and enforcing all laws necessary to establish voting districts, and the qualification and procedures for voting in all elections.

(d) During the continuance in effect of any special national defense withdrawal established under this section, or until the Congress otherwise provides, such exclusive jurisdiction shall be exercised within each such withdrawal in accordance with the following provisions of law:

(1) All laws enacted by the Congress that are of general application to areas under the exclusive jurisdiction of the United States, including, but without limiting the generality of the foregoing, those provisions of title 18, United States Code, that are applicable within the special maritime and territorial jurisdiction of the United States as defined in section 7 of said title, shall apply to all areas within such withdrawals.

62 Stat. 683.

(2) In addition, any areas within the withdrawals that are reserved by Act of Congress or by Executive action for a particular military or civilian use of the United States shall be subject to all laws enacted by the Congress that have application to lands withdrawn for that particular use, and any other areas within the withdrawals shall be subject to all laws enacted by the Congress that are of general application to lands withdrawn for defense purposes of the United States.

(3) To the extent consistent with the laws described in paragraphs (1) and (2) of this subsection and with regulations made or other actions taken under their authority, all laws in force within such withdrawals immediately prior to the creation thereof by Executive order or proclamation shall apply within the withdrawals and, for this purpose, are adopted as laws of the United States: *Provided*, *however*, That the laws of the State or Territory relating to the organization or powers of municipalities or local political subdivisions, and the laws or ordinances of such municipalities or political subdivisions shall not be adopted as laws of the United States.

(4) All functions vested in the United States commissioners by the laws described in this subsection shall continue to be performed within the withdrawals by such commissioners.

(5) All functions vested in any municipal corporation, school district, or other local political subdivision by the laws described in this subsection shall continue to be performed within the withdrawals by such corporation, district, or other subdivision, and the laws of the State or the laws or ordinances of such municipalities or local political subdivision shall remain in full force and effect notwithstanding any withdrawal made under this section.

(6) All other functions vested in the government of Alaska or in any officer or agency thereof, except judicial functions over which the United States District Court for the District of Alaska is given jurisdiction by this Act or other provisions of law, shall be performed within the withdrawals by such civilian individuals or civilian agencies and in such manner as the President shall from time to time, by Executive order, direct or authorize.

(7) The United States District Court for the District of Alaska shall have original jurisdiction, without regard to the sum or value of any matter in controversy, over all civil actions arising within such withdrawals under the laws made applicable thereto by this subsection, as well as over all offenses committed within the withdrawals.

(e) Nothing contained in subsection (d) of this section shall be construed as limiting the exclusive jurisdiction established in the United States by subsection (c) of this section or the authority of the Congress to implement such exclusive jurisdiction by appropriate legislation, or as denying to persons now or hereafter residing within any portion of the areas described in subsection (b) of this section the right to vote at all elections held within the political subdivisions as prescribed by the State of Alaska where they respectively reside, or as limiting the jurisdiction conferred on the United States District Court for the District of Alaska by any other provision of law, or as continuing in effect laws relating to the Legislature of the Territory of Alaska. Nothing contained in this section shall be construed as limiting any authority otherwise vested in the Congress or the President.

Mount McKinley National Park.

SEC. 11. (a) Nothing in this Act shall affect the establishment, or the right, ownership, and authority of the United States in Mount McKinley National Park, as now or hereafter constituted; but exclusive jurisdiction, in all cases, shall be exercised by the United States for the national park, as now or hereafter constituted; saving, however, to the State of Alaska the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing now or hereafter in such area the right to vote at all elections held within the respective political subdivisions of their residence in which the park is situated.

Military, naval, etc. lands.

USC prec. Title 1.

(b) Notwithstanding the admission of the State of Alaska into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are owned by the United States and held for military, naval, Air Force, or Coast Guard purposes, including naval petroleum reserve numbered 4, whether such lands were acquired by cession and transfer to the United States by Russia and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Alaska for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*,

Civil and criminal jurisdiction.

(i) That the State of Alaska shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Alaska, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall rest and remain in the United States only so long as the particular tract or parcel of land involved is owned by the United States and used for military, naval, Air Force, or Coast Guard purposes. The provisions of this subsection shall not apply to lands within such special national defense with-

drawal or withdrawals as may be established pursuant to section 10 of this Act until such lands cease to be subject to the exclusive jurisdiction reserved to the United States by that section.

Judicial and criminal provisions.

SEC. 12. Effective upon the admission of Alaska into the Union—

(a) The analysis of chapter 5 of title 28, United States Code, immediately preceding section 81 of such title, is amended by inserting immediately after and underneath item 81 of such analysis, a new item to be designated as item 81A and to read as follows:

"81A. Alaska";

(b) Title 28, United States Code, is amended by inserting immediately after section 81 thereof a new section, to be designated as section 81A, and to read as follows:

"§ 81A. Alaska

"Alaska constitutes one judicial district.

"Court shall be held at Anchorage, Fairbanks, Juneau, and Nome.";

(c) Section 133 of title 28, United States Code, is amended by inserting in the table of districts and judges in such section immediately above the item: "Arizona * * * 2", a new item as follows: "Alaska * * * 1";

(d) The first paragraph of section 373 of title 28, United States Code, as heretofore amended, is further amended by striking out the words: "the District Court for the Territory of Alaska,": *Provided*, That the amendment made by this subsection shall not affect the rights of any judge who may have retired before it takes effect;

(e) The words "the District Court for the Territory of Alaska," are stricken out wherever they appear in sections 333, 460, 610, 753, 1252, 1291, 1292, and 1346 of title 28, United States Code;

(f) The first paragraph of section 1252 of title 28, United States Code, is further amended by striking out the word "Alaska," from the clause relating to courts of record;

(g) Subsection (2) of section 1294 of title 28, United States Code, is repealed and the later subsections of such section are renumbered accordingly;

(h) Subsection (a) of section 2410 of title 28, United States Code, is amended by striking out the words: "including the District Court for the Territory of Alaska,";

(i) Section 3241 of title 18, United States Code, is amended by striking out the words: "District Court for the Territory of Alaska, the";

(j) Subsection (e) of section 3401 of title 18, United States Code, is amended by striking out the words: "for Alaska or";

(k) Section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska,";

(l) Section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "the Territory of Alaska,";

(m) Section 2072 of title 28, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words: "and of the District Court for the Territory of Alaska";

(n) Subsection (q) of section 376 of title 28, United States Code, is amended by striking out the words: "the District Court for the Territory of Alaska,": *Provided*, That the amendment made by this subsection shall not affect the rights under such section 376 of any present or former judge of the District Court for the Territory of Alaska or his survivors;

(o) The last paragraph of section 1963 of title 28, United States Code, is repealed;

(p) Section 2201 of title 28, United States Code, is amended by striking out the words: "and the District Court for the Territory of Alaska"; and

(q) Section 4 of the Act of July 28, 1950 (64 Stat. 380; 5 U. S. C., sec. 341b) is amended by striking out the word: "Alaska,".

Continuation of suits.

SEC. 13. No writ, action, indictment, cause, or proceeding pending in the District Court for the Territory of Alaska on the date when said Territory shall become a State, and no case pending in an appellate court upon appeal from the District Court for the Territory of Alaska at the time said Territory shall become a State, shall abate by the admission of the State of Alaska into the Union, but the same shall be transferred and proceeded with as hereinafter provided.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no suit, action, or prosecution shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Alaska in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said courts had been established prior to the accrual of said causes of action or the commission of such offenses; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Alaska.

Appeals.

SEC. 14. All appeals taken from the District Court for the Territory of Alaska to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit, previous to the admission of Alaska as a State, shall be prosecuted to final determination as though this Act had not been passed. All cases in which final judgment has been rendered in such district court, and in which appeals might be had except for the admission of such State, may still be sued out, taken, and prosecuted to the Supreme Court of the United States or the United States Court of Appeals for the Ninth Circuit under the provisions of then existing law, and there held and determined in like manner; and in either case, the Supreme Court of the United States, or the United States Court of Appeals, in the event of reversal, shall remand the said cause to either the State supreme court or other final appellate court of said State, or the United States district court for said district, as the case may require: *Provided*, That the time allowed by existing law for appeals from the district court for said Territory shall not be enlarged thereby.

Transfer of cases.

SEC. 15. All causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State which are of such nature as to be within the jurisdiction of a district court of the United States shall be transferred to the United States District Court for the District of Alaska for final disposition and enforcement in the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts. All other causes pending or determined in the District Court for the Territory of Alaska at the time of the admission of Alaska as a State shall be transferred to the appropriate State court of Alaska. All final judgments and decrees rendered upon such transferred cases in the United States District Court for the District of Alaska may be reviewed by the Supreme Court of the United States or by the United States Court of Appeals for the Ninth Circuit in

the same manner as is now provided by law with reference to the judgments and decrees in existing United States district courts.

Succession of courts.

SEC. 16. Jurisdiction of all cases pending or determined in the District Court for the Territory of Alaska not transferred to the United States District Court for the District of Alaska shall devolve upon and be exercised by the courts of original jurisdiction created by said State, which shall be deemed to be the successor of the District Court for the Territory of Alaska with respect to cases not so transferred and, as such, shall take and retain custody of all records, dockets, journals, and files of such court pertaining to such cases. The files and papers in all cases so transferred to the United States district court, together with a transcript of all book entries to complete the record in such particular cases so transferred, shall be in like manner transferred to said district court.

SEC. 17. All cases pending in the District Court for the Territory of Alaska at the time said Territory becomes a State not transferred to the United States District Court for the District of Alaska shall be proceeded with and determined by the courts created by said State with the right to prosecute appeals to the appellate courts created by said State, and also with the same right to prosecute appeals or writs of certiorari from the final determination in said causes made by the court of last resort created by such State to the Supreme Court of the United States, as now provided by law for appeals and writs of certiorari from the court of last resort of a State to the Supreme Court of the United States.

Jurisdiction of District Court. Termination date.

SEC. 18. The provisions of the preceding sections with respect to the termination of the jurisdiction of the District Court for the Territory of Alaska, the continuation of suits, the succession of courts, and the satisfaction of rights of litigants in suits before such courts, shall not be effective until three years after the effective date of this Act, unless the President, by Executive order, shall sooner proclaim that the United States District Court for the District of Alaska, established in accordance with the provisions of this Act, is prepared to assume the functions imposed upon it. During such period of three years or until such Executive order is issued, the United States District Court for the Territory of Alaska shall continue to function as heretofore. The tenure of the judges, the United States attorneys, marshals, and other officers of the United States District Court for the Territory of Alaska shall terminate at such time as that court shall cease to function as provided in this section.

Federal Reserve System.

SEC. 19. The first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following: "When the State of Alaska is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within ninety days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under the Federal Deposit Insurance Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

48 Stat. 168.
64 Stat. 873.
12 USC 1811 note.

Repeal.

SEC. 20. Section 2 of the Act of October 20, 1914 (38 Stat. 742; 48 U. S. C., sec. 433), is hereby repealed.

Immigration and nationality.

SEC. 21. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, nor restore nationality heretofore lost under any law of the United States or under any treaty to which the United States may have been a party.

SEC. 22. Section 101 (a) (36) of the Immigration and Nationality Act (66 Stat. 170, 8 U. S. C., sec. 1101 (a) (36)) is amended by deleting the word "Alaska,".

SEC. 23. The first sentence of section 212 (d) (7) of the Immigration and Nationality Act (66 Stat. 188, 8 U. S. C., sec. 1182 (d) (7)) is amended by deleting the word "Alaska,".

SEC. 24. Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 304 of the Immigration and Nationality Act (66 Stat. 237, 8 U. S. C., sec. 1404).

SEC. 25. The first sentence of section 310 (a) of the Immigration and Nationality Act (66 Stat. 239, 8 U. S. C., sec. 1421 (a)) is amended by deleting the words "District Courts of the United States for the Territories of Hawaii and Alaska" and substituting therefor the words "District Court of the United States for the Territory of Hawaii".

SEC. 26. Section 344 (d) of the Immigration and Nationality Act (66 Stat. 265, 8 U. S. C., sec. 1455 (d)) is amended by deleting the words "in Alaska and".

Transportation by water.
41 Stat. 999.

SEC. 27. (a) The third proviso in section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C., sec. 883), is further amended by striking out the word "excluding" and inserting in lieu thereof the word "including".

(b) Nothing contained in this or any other Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Alaska and other ports in the United States, its Territories or possessions, or as conferring upon the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

Mines and mining.
38 Stat. 744.

SEC. 28. (a) The last sentence of section 9 of the Act entitled "An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes", approved October 20, 1914 (48 U. S. C. 439), is hereby amended to read as follows: "All net profits from operation of Government mines, and all bonuses, royalties, and rentals under leases as herein provided and all other payments received under this Act shall be distributed as follows as soon as practicable after December 31 and June 30 of each year: (1) 90 per centum thereof shall be paid by the Secretary of the Treasury to the State of Alaska for disposition by the legislature thereof; and (2) 10 per centum shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts."

41 Stat. 450.

(b) Section 35 of the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended (30 U. S. C. 191), is hereby amended by inserting immediately before the colon preceding the first proviso thereof the following: ", and of those from Alaska 52½ per centum thereof shall be paid to the State of Alaska for disposition by the legislature thereof".

72 Stat. 352.

Separability clause.

SEC. 29. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, 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 any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

Repeals.

SEC. 30. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Approved July 7, 1958.

IMMEDIATE RELEASE July 7, 1958

Anne W. Wheaton, Acting Press Secretary to the President

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THE WHITE HOUSE

STATEMENT OF THE PRESIDENT

I have today approved H. R. 7999, to provide for the admission of the State of Alaska into the Union.

While I am pleased with the action of Congress admitting Alaska, I am extremely disturbed over reports that no action is contemplated by the current Congress on pending legislation to admit Hawaii as a State. My messages to Congress urging enactment of statehood legislation have particularly referred to the qualifications of Hawaii, as well as Alaska, and I personally believe that Hawaii is qualified for statehood equally with Alaska. The thousands of loyal, patriotic Americans in Hawaii who suffered the ravages of World War II with us and who experienced that first disastrous attack upon Pearl Harbor must not be forgotten.

Pursuant to section 10 of the Alaska Statehood Act, I am authorized to make special national defense withdrawals to assure that the defense requirements of our Nation are adequately protected. I have requested the Secretary of Defense to review our defense needs in Alaska, and to make recommendations to me with respect to the extent to which the authority vested in me by section 10 of the Act should be exercised.

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PL 568-85d