ADDRESS BY SENATOR STROM THURMOND (D-SC) ON SENATE FLOOR IN SUPPORT OF HIS AMENDMENT TO THE ALASKA STATEHOOD BILL EXCLUDING LAND WITHDRAWAL AREA IN SECTION 10 FROM STATEHOOD, JUNE 30, 1958.

Mr. President, I call up my Amendment which would exclude the land withdrawal area in Section 10 of the bill from statehood.

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 13 original colonies who were sent as delegates to a constitutional convention, and 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 they were creating. They knew not 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 really had not 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.
Even within an individual colony, historians tell us that 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 think 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/over-ruled all other questions, even though many of the colonists had strong reservations/concerning the delegation of even those 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 this 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 there are questions of national defense/which are raised by this bill. Section 10 of the bill establishes this without equivocation.
The testimony of Department of Defense officials indicates that there is a serious enough question of national defense involved in the cession of jurisdiction to the proposed State of Alaska for this Department of the Executive branch of the Government to recommend a procedure about which there are grave constitutional questions raised, to say the least. The Committees of Congress were concerned enough about the questions of national defense in the northern and western portions of Alaskan Territory to draft and recommend passage of Section 10 of this bill. I might say, parenthetically, that where the national defense is concerned to this extent the Armed Services Committees of Congress should have, in my opinion, 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 to grant statehood to an incorporated territory on the other hand, then if the conflict cannot be reconciled, the question of providing for the national defense should by all means prevail. I would further 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 which 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, and it would eliminate the controversial Section 10 of the bill. The amendment would establish the boundaries of the proposed State of Alaska to exclude the so-called withdrawal area from the bounds of the new State. The jurisdiction of the so-called withdrawal areas would then be unequivocably retained in the United States. The proponents of this measure should find little difficulty in accepting this approach.

In fact, President Eisenhower has himself suggested this identical approach as a solution to the problem now confronting us. I shall now read an extract of 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 adds 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 52 platform, but time and time again I brought it before the Congress in the terms of recommendations. Now, 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 a way worked out where the defense requirements could be retained, I mean, the areas necessary 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 this debate, described this withdrawal area as "barren tundra land." I thoroughly agree with this description. Generally, the areas which would be excluded from the State, under my amendment, 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 when he stated 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 were the inclusion of mineral rights stricken from the proposed give-away lands.

Also, we should note that the majority of the lands which would be excluded from the boundaries of the proposed State, under my amendment, are sparsely settled, and understandably so. Much of this territory is north of the timber line, and vegetation is
practically non-existent. While there is a wide range of temperature variation during the different 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 would far outweigh the advantages. I can see no reason why this desolate area for the most part should be included within the boundaries of the proposed State. I reiterate that my amendment would resolve the difficult question presented by national defense considerations in a clearly constitutional manner. I urge the Senate to adopt this modification in the statehood bill.

I must realize that some think that the adoption of this or any amendment might possibly mean that final action on statehood could not be completed during this session. In my opinion, the amendment may delay final action on the bill because it would have to go to conference. In all good conscience, however, I sincerely urge the proponents of this measure not to be carried away in the haste of their exuberance at the thought of reaching a long sought goal. This is a matter which is irrevocable. It is one which has been considered already 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. I hope that the Senate will, therefore, adopt my amendment.