

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Office of the Secretary  
Washington 25, D. C.

April 27, 1959

Dear Mr. Speaker:

Public Law 85-508, the Alaska Statehood Act, contained the following provision in section 6(e):

"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."

In connection with the consideration of this matter, on March 2, 1959, I wrote Acting Governor Hugh Wade, setting forth in detail some factors which in my opinion were necessary to be adequately considered in formulating a fish and wildlife program for Alaska in the broad national interest. A copy of that letter is enclosed.

On April 9, 1959, the Legislature of the State of Alaska enacted House Bill No. 201 entitled "An Act relating to the fish and game resources of Alaska; providing for a Department of Fish and Game and its organizational structure; providing a code of laws relating to fish and game; providing for licensing and prescribing fees thereof; providing penalties for violations; repealing certain laws relating to the fish and game resources of the State; and providing for an effective date." On April 23 I received Alaska House Bill No. 201 and other pertinent legislation of the Alaska Legislature from the Acting Governor by way of Senators Bartlett and Gruening and Congressman Rivers of Alaska. A copy of his transmittal letter is also enclosed.

We have reviewed the representations made to me in the letter of April 17 from Acting Governor Wade and the provisions of the Alaska legislation submitted to me by him. While we are disappointed with certain aspects of the legislation and regard it as short of ideal, P. L. 85-508, as I understand it, permits me to apply only a test of adequacy. Therefore, in accordance with the duty imposed upon me, I hereby certify that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of the fish and wildlife resources of Alaska in the broad national interest.

Sincerely,

(Sgd) Fred A. Seaton  
Secretary of the Interior

The Honorable Sam Rayburn  
Speaker of the House  
of Representatives  
Washington 25, D. C.

Enclosures

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Office of the Secretary  
Washington 25, D. C.

March 2, 1959

Dear Governor Wade:

This is in further reply to your telegram of February 5, 1959, requesting my views and assistance on fish and wildlife matters pertaining to Alaska.

We have given considerable study to the so-called Pelly-Westland amendment to section 6(e) of the Statehood Act (Act of July 7, 1958, 72 Stat. 339, 340). The amendment provides in pertinent part:

\*\*\* the administration and management of the fish and wildlife resources\*\*\*shall be retained by the Federal Government\*\*\*until\*\*\*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." (Emphasis supplied.)

This particular proviso was added to section 6(e) of H. R. 7999 by means of an amendment offered from the floor of the House, without prior hearings having been held thereon and without any consideration having been given to it by the Committee. Thus, all of the legislative history on the amendment is contained in the debate which took place during the consideration of the bill by the House. The only directives that the Congress gave to the people of Alaska and their elected representatives and to me are those contained in the amendment itself and the debate concerning it. This debate is to be found in the Congressional Record on pages 8411, 8412 (May 23, 1958), 8489-8491 (May 26, 1958), and 8738-8741 (May 28, 1958), and is our only means of ascertaining the purpose of the Congress in this matter.

In view of the foregoing, I have concluded, and I am sure you will agree, that the Congress expects that the Alaska Legislature and you will provide the legislative framework for carrying out a sound and efficient long-range program for the administration, management, and conservation of these immensely valuable resources in the broad national interest. Naturally the primary responsibility for such a program must rest with you as the Chief Executive and with the Legislature.

In developing such a program, there are various factors which you and the Legislature will probably wish to consider. The following are matters which, in my opinion, should be considered in formulating such a program:

#### Review of Existing Law and Regulations

Many Alaska officials are familiar with the laws and with the rules and regulations under which the Department of the Interior administers the fish and wildlife resources of Alaska. These should be carefully reviewed, and a determination should be made as to which laws and regulations should be continued under State administration, which should be changed or modified, and which might be considered unsuitable, obsolete, or unnecessary for inclusion in a State game code.

#### Experience of other Coastal and Big Game States

While we recognize that the fish and wildlife problems of Alaska are in large measure unique, a review and evaluation of the conservation laws of other States of the Union, particularly coastal States having substantial fisheries and the big game States of the West, should be of material assistance.

#### Staffing

The availability and effectiveness of the States' personnel in terms of numbers, professional qualifications, and stature must be considered. Thus, adequate provision must be made for a well-trained staff of career civil service officers and employees familiar with conditions in Alaska, who can administer and supervise the program, enforce rules and regulations, and perform the research which is necessary for the conservation of the resources.

#### Financing

Sufficient funds must be available to provide for sound administration and to prevent the wasting of the resource. Thus, provision must be made for adequate funds so that money will be available to carry out the responsibilities imposed on or assumed by the State.

#### Form of Management Organization

Conservation of the fish and wildlife resources is a never-ending program, and as such consideration must be given to the conservation and management of each and every phase of the resource and every square mile of the area which the program covers. Thus,

provision must be made for an organization which will adequately provide for continuity, especially in the making of policies pertaining to such matters as the management and conservation of the resource, staffing and promotions, and use of career personnel. The organization should provide for bipartisan representation from the different areas within the State. Further, the policy-making officials should be selected for their ability and their dedicated interest in the resource, and no identification should be made between a policy-making official and any particular segment of the population; likewise, no official should be bound to represent the interests of a specific geographical section. Provision should be made so that the organization would have regulatory and budgetary control.

#### Sanctions

Conservation of the resource cannot be effectuated without an organization which is free, procedurally, to act quickly and effectively in the issuing and amending of rules and regulations, the making of arrests, and the pressing of adequate civil and criminal penalties for violations of rules, regulations, and statutes designed to assure conservation of the resource.

#### General Provisions

Such a program should include provisions relating to search and seizure; authority to enter into cooperative programs for education, research, and predator and rodent control; authority to acquire land and water for such purposes as refuges, public hunting, access, and facilities to carry out programs in the pollution field, including control, research, and establishment of standards; and authority to receive funds from sources other than State revenues. In this last category, careful consideration should be given the requirements necessary to make your State eligible to receive grants under the Wildlife Restoration Act (16 U.S.C., sec. 669 et seq.) and the Fish Restoration Act (16 U.S.C., sec. 777 et seq.)

In setting forth my suggestions as to the factors which you and the Legislature may wish to consider, I do not wish to imply that I will necessarily use them as guidelines to measure the action taken by the Legislature against the requirements of section 6(e). From our experience in the Department of the Interior, however, these factors would ordinarily be considered in judging the adequacy of a State conservation program. Consequently, before making a certification to the Congress, I should like to have your assurance that these factors, together with the comments set forth in the debate on the Statehood bill in the House, as well as any other matters you consider appropriate, have been fully considered and weighted in determining the program and plan the State of Alaska has elected to follow.

In preparing for and effecting the transfer of the administration and management of Alaska's fish and wildlife resources from the Department of the Interior to the new State government, I wish to assure you of the full cooperation of the Department and especially of the administrative and technical personnel of its Fish and Wildlife Service. We wish to be of all possible help to you in undertaking this momentous task.

I am of the opinion that this letter satisfies fully your needs at this time. However, if you believe that you require further assistance, I am quite willing to send Mr. William Redmond of our Solicitor's office to Juneau at once for the purpose of drafting such implementing legislation as you may wish.

Sincerely,

(Sgd) Fred A. Seaton  
Secretary of the Interior

The Honorable Hugh J. Wade  
Acting Governor of Alaska  
Juneau, Alaska



## DEPARTMENT OF THE INTERIOR

### INFORMATION SERVICE

UNITED STATES FISH AND WILDLIFE SERVICE

For Release APRIL 27, 1958

#### VISITOR-USE OF NATIONAL WILDLIFE REFUGES CONTINUES TO INCREASE

Recreational opportunities on national wildlife refuges attracted more than 8½ million visitors during 1957 and set a new record for public-use, Assistant Secretary of the Interior Ross Leffler announced today.

The 8,668,580 visitors in 1957 represented an increase of 1,113,246, or 14.6 percent, over 1956's record of 7,555,334 visitor-days' use.

The Assistant Secretary pointed out that recreation on refuges is limited to designated areas where such activities can be accommodated without interfering with the primary function of the refuges in propagating and protecting wildlife resources.

Sport fishing attracted almost one-third, or 2,908,435 persons, with this sport being particularly popular on refuges along the Tennessee, Colorado, and Mississippi Rivers. Fishing derbies for youngsters were sponsored on several refuges.

Wildlife observations, picnicking, swimming, and photography accounted for more than 62 percent of all refuge uses, amounting to 5,371,150 visitor-days. As an example, some 15,000 persons visited the Horicon National Wildlife Refuge in Wisconsin on last October 20 to view a concentration of 35,000 Canada geese.

Some type of hunting, including archery, accounted for 388,995 visitor-days, or 4½ percent. On the 58,000-acre Necedah National Wildlife Refuge in central Wisconsin nearly 13,000 bow-hunters took 867 deer during the 12 weeks' hunt. No firearms were permitted.

Three refuge areas registered in excess of, or close to, a million visitors. The Upper Mississippi River Wild Life and Fish Refuge, which extends for 284 miles along the river from Wabasha, Minnesota, to Rock Island, Illinois, entertained 2½ million visitors. The 44,000-acre Crab Orchard National Wildlife Refuge in southern Illinois attracted 1,360,500 visitors, while the Wichita Mountains Wildlife Refuge in southwestern Oklahoma had 906,256.

The Bureau of Sport Fisheries and Wildlife of the United States Fish and Wildlife Service, Department of the Interior, administers a system of about 270 national wildlife refuges in the continental United States, Alaska, Hawaii, and Puerto Rico. They are managed on a coordinated-use basis, insofar as this can be accomplished without defeating the primary objective for which each was established, thus making possible a vast amount of recreational activity in areas where recreational facilities are at a minimum.

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