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Edmund S. Muskie Papers

3-11-1964

Responsibility for Action - Remarks by Senator Edmund S. Muskie Prepared for 1964 Health Forum

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REMARKS BY SENATOR EDMUND S. MUSKIE (D-ME.)

BEFORE 1964 HEALTH FORUM

"HEALTH NEEDS IN OUR CHANGING ENVIRONMENT"

HILTON HOTEL, PITTSBURGH, PENNSYLVANIA

MARCH 11, 1964

not given

"RESPONSIBILITY FOR ACTION"

I AM GRATEFUL FOR THE OPPORTUNITY TO APPEAR BEFORE THIS DISTINGUISHED GATHERING. UNDER NORMAL CIRCUMSTANCES, YOUR CONCERN WITH THE HEALTH OF OUR NATION SHOULD BE OF INTEREST TO ALL OF US. THIS YEAR, WITH YOUR INTEREST FOCUSED ON THE IMPACT OF OUR CHANGING ENVIRONMENT ON OUR HEALTH, YOUR DELIBERATIONS HAVE A MAJOR SIGNIFICANCE FOR THE ENTIRE NATION.

OVER THE PAST YEARS, I HAVE BECOME INCREASINGLY AWARE OF THE INTIMATE RELATIONSHIP BETWEEN OUR ENVIRONMENT AND OUR NATIONAL ECONOMIC AND PHYSICAL HEALTH. AS A STATE LEGISLATOR, AS GOVERNOR, AS A MEMBER OF THE SENATE COMMITTEE ON PUBLIC WORKS, AND AS CHAIRMAN OF THE SENATE SUBCOMMITTEE ON AIR AND WATER POLLUTION, I HAVE BEEN EXPOSED TO STATISTICAL EVIDENCE OF HOW POLLUTION IN THE WATER WE DRINK CAN WEAKEN OUR BODIES AND CAUSE DISEASE. I HAVE LEARNED OF THE BURDENS AIR POLLUTION CAN IMPOSE ON OUR MODERN SOCIETY. BOTH AIR AND WATER POLLUTION HAVE A SIMILAR IMPACT. EACH INVOLVES A RESOURCE WHICH FOR ALL PRACTICAL PURPOSES IS LIMITED. THE POLLUTION PROBLEM IN EACH IS A PRODUCT OF

OUR CIVILIZATION. THE PROBLEMS ARE ACCELERATING RAPIDLY.

DEALING WITH AIR AND WATER POLLUTION IS EXPENSIVE.

EACH RESOURCE IS ESSENTIAL TO LIFE AND TO OUR CIVILIZATION --
INDUSTRY, AGRICULTURE, RECREATION. THUS, WE HAVE NO CHOICE
BUT TO DEAL WITH IT -- AND TO DEAL WITH IT WITH INCREASING
EFFECTIVENESS.

YET, THERE ARE DIFFERENCES IN THE WAY WE TREAT EACH OF
THESE ENVIRONMENTAL HEALTH PROBLEMS. THERE IS A DIFFERENCE
IN THE TYPE OF ENGINEERING WORK WHICH MUST BE CONSTRUCTED TO
MEET BOTH PROBLEMS. AIR POLLUTION MUST BE DEALT WITH LARGELY
AT THE SOURCE OF THE POLLUTION, WHILE WATER COMBINES THAT
APPROACH WITH CLEAN-UP AFTER POLLUTANTS HAVE BEEN ADDED.

WATER POLLUTION HAS BEEN RECOGNIZED AS A THREAT TO THE
HEALTH OF THE AMERICAN PEOPLE FOR SOME TIME. GOVERNMENT
ACTIVITY ON ALL LEVELS HAS BEEN EXTENSIVE BOTH THROUGH THE
CONSTRUCTION OF WATER TREATMENT PLANTS AND THE ESTABLISHMENT
OF SAFETY STANDARDS. GOVERNMENTAL ACTION IN COMBATTING AIR
POLLUTION HAS LAGGED BEHIND.

AS WE CONSIDER THE RESPONSIBILITIES OF GOVERNMENT WE
MUST ALWAYS REMEMBER THAT WE ARE DEALING WITH A FEDERAL SYSTEM.
WE SHOULD NEVER FORGET THAT OUR SYSTEM OF GOVERNMENT IS THE
PRODUCT OF TWO TRAUMATIC AMERICAN EXPERIENCES:

(1) THE WAR FOR INDEPENDENCE. AT YORKTOWN IN 1781, WE WON NOT A SYSTEM OF GOVERNMENT, BUT RATHER THE FREEDOM TO CHOOSE A SYSTEM OF GOVERNMENT. WE SOUGHT THIS FREEDOM BECAUSE OF OUR EXPERIENCE WITH THE ABUSES OF CONCENTRATED POWER.

(2) THE ARTICLES OF CONFEDERATION. IN OUR CHOICE OF A SYSTEM OF GOVERNMENT, THE PENDULUM SWUNG THE OTHER WAY AND WE DIDN'T GIVE THE CENTRAL GOVERNMENT ADEQUATE AUTHORITY TO DEAL WITH NATIONAL PROBLEMS. UNDER THE CONFEDERATION WE SAW EMERGING, NOT A SINGLE STRONG NATION, BUT THIRTEEN SMALL AND QUARRELSOME ONES. THEY ERECTED TRADE BARRIERS AGAINST EACH OTHER, CREATED COMPETING AND WORTHLESS CURRENCIES, NEGLECTED NATIONAL PROBLEMS, AND CONTRIBUTED TO THE RAPID DECLINE OF NATIONAL PRESTIGE ON BOTH SIDES OF THE ATLANTIC. CONFIDENCE IN THE ABILITY OF FREE MEN TO GOVERN THEMSELVES FADED TO THE POINT WHERE VETERANS OF WASHINGTON'S ARMIES BEGGED HIM TO MAKE HIMSELF KING. THUS, WHEN THE FOUNDING FATHERS GATHERED IN PHILADELPHIA IN THE SUMMER OF 1787, THEY WERE CONFRONTED WITH THE TASK OF DEVISING THE MEANS FOR FREE MEN TO CONSIDER THEIR COMMON PROBLEMS, TO FORM COMMON JUDGMENTS, AND TO MAKE EFFECTIVE COMMON DECISIONS.

AND THAT IS WHAT THEY DID!

THEY CREATED NOT A PROGRAM FOR GOVERNMENT, BUT A STRUCTURE OF GOVERNMENT.

THEY UNDERTOOK, NOT TO IMPOSE THEIR WILL, IRREVOCABLY AND COMPLETELY, UPON FUTURE GENERATIONS OF AMERICANS, BUT RATHER TO MAKE IT POSSIBLE FOR THOSE WHO FOLLOWED AFTER TO MAKE THEIR OWN DECISIONS EFFECTIVELY.

AND WHEN THEY WERE DONE, MEN OF SUCH DIVERGENT PHILOSOPHI AS HAMILTON AND JEFFERSON COULD LOOK AT THE WORK AND CALL IT GOOD. OUT OF THEIR DELIBERATIONS EMERGED THE FEDERAL SYSTEM OF GOVERNMENT. IT WAS DESIGNED TO MEET TWO OBJECTIVES.

(1) TO AVOID THE ABUSES OF CONCENTRATED POWER.

(2) TO INSURE THAT GOVERNMENT HAD THE AUTHORITY NECESSARY TO PERFORM THE ESSENTIAL CHORES OF GOVERNMENT.

EVER SINCE, IN THE OPERATION OF OUR SYSTEM OF GOVERNMENT, WE HAVE CONTINUALLY FACED THE SAME DILEMMA WHICH CONFRONTED THEM: HOW DO WE INSURE THAT GOVERNMENT HAS ENOUGH AUTHORITY BUT NOT TOO MUCH AUTHORITY?

THE ANSWER TO THIS QUESTION HAS INEVITABLY INVOLVED THE PROBLEM OF THE DIVISION OF THE RESPONSIBILITIES AMONG THE THREE LEVELS OF GOVERNMENT. AS WE LOOK OVER THE BROAD SWEEP OF OUR HISTORY OVER THE PAST 175 YEARS, I DOUBT THAT THERE WOULD BE ANY DISSENT ON THE CONCLUSION THAT THE DIVISION OF RESPONSIBILITIES CANNOT REMAIN STATIC.

FLEXIBILITY HAS BEEN AN IMPORTANT FACTOR IN THE CAPACITY OF OUR SYSTEM OF GOVERNMENT TO ADAPT AND TO MEET A GREAT WIDE RANGE OF NEW, EMERGING AND UNANTICIPATED PROBLEMS, AS OUR COUNTRY HAS GROWN FROM A POPULATION OF LESS THAN 4 MILLION

PEOPLE CLUSTERED IN THIRTEEN STATES ALONG THE ATLANTIC SEABOARD TO THE TREMENDOUS FORCE IN THE WORLD WHICH OUR NATION OF 180 MILLION AMERICANS IS TODAY.

WE HAVE LEARNED A GREAT MANY THINGS ABOUT OUR FEDERAL SYSTEM OVER THESE YEARS. THERE IS CONSTANT AND CONTINUING DIS-AGREEMENT AMONG US AS TO THE PROPER DIVISION OF RESPONSIBILITIES AMONG THE THREE LEVELS OF GOVERNMENT. HOWEVER, AS WE VIEW THE CHALLENGES THAT CONFRONT OUR SYSTEM ALL AROUND THE GLOBE, WE SHOULD NOT FORGET THAT THE FEDERAL SYSTEM IS DESIGNED NOT ONLY TO DIVIDE AUTHORITY BUT ALSO TO INSURE THAT EFFECTIVE AUTHORITY EXISTS AT THE RIGHT LEVEL OF GOVERNMENT TO PERFORM THE NECESSARY CHORES OF GOVERNMENT.

THE FEDERAL SYSTEM IS A MEANS OF MINIMIZING THE POSSIBLE ABUSE OF AUTHORITY BY DIVIDING THAT AUTHORITY AMONG THE THREE LEVELS OF GOVERNMENT. IT IS INTENDED ALSO, HOWEVER, TO MAKE POSSIBLE EFFECTIVE DEALING WITH COMMON PROBLEMS. AS THE COMPLEXITY OF OUR SOCIETY HAS EMERGED, IT HAS BECOME NECESSARY TO SOLVE BOTH THESE PURPOSES BY DEVELOPING COOPERATIVE FEDERALISM. IN EMPHASIZING THE NEED FOR EFFECTIVE COOPERATION BETWEEN LOCAL, STATE, AND FEDERAL GOVERNMENTS, WE CAN AVOID CONCENTRATING POWER IN THE FEDERAL GOVERNMENTS. ~~WE CAN AVOID CONCENTRATING POWER IN THE FEDERAL GOVERNMENTS.~~ IN ADDITION, WE CAN INCREASE THE GOVERNMENT'S CAPABILITY TO DEAL EFFECTIVELY WITH PROBLEMS WHICH OVERLAP LOCAL AND STATE JURISDICTIONAL LINES. OBVIOUSLY THE DIVISION OF RESPONSIBILITIES

AMONG THE THREE LEVELS CHANGE RAPIDLY. OUR SYSTEM OF GOVERNMENT MUST BE FLEXIBLE ENOUGH TO MEET THE CHANGES. WE AMERICANS HAVE DEMONSTRATED THE GENIUS FOR PRACTICAL FREEDOM -- THE DEVELOPMENT OF OUR GOVERNMENTAL SYSTEM.

WHAT HAS INFLUENCED THE SHIFT IN THE DIVISION OF GOVERNMENTAL RESPONSIBILITY? ANY CHANGE OF AUTHORITY HAS BEEN RESISTED BY THE DESIRE TO LET LOWER LEVELS OF GOVERNMENT DEAL WITH SPECIFIC PROBLEMS. WE ONLY BRING IN OTHER LEVELS OF GOVERNMENT IF THEY ARE NEEDED TO DEAL WITH A PROBLEM EFFECTIVELY.

NOW, LET US APPLY THIS CONCEPT OF COOPERATIVE FEDERALISM TO THE PROBLEMS OF AIR AND WATER POLLUTION. EACH INDIVIDUAL PROBLEM IS LOCAL IN NATURE, IN THE SENSE THAT THE POLLUTION IS GENERATED BY INDIVIDUALS AND ACTIVITIES WHICH ARE ESTABLISHED IN COMMUNITIES. THESE PROBLEMS ARE UNDER THE JURISDICTION OF SOME UNIT OF LOCAL GOVERNMENT. EACH PROBLEM, HOWEVER, HAS AN ALMOST INEVITABLE IMPACT UPON PEOPLE OUTSIDE THE COMMUNITY WHERE IT ORIGINATES. WE SEE THIS BOTH IN THE CASE OF STREAMS AND OF AIR CURRENTS. POLLUTION CONTRIBUTED IN ONE COMMUNITY OFTEN AFFECTS ANOTHER ADJACENT COMMUNITY.

EACH PROBLEM CAN HAVE AN INTERSTATE IMPACT. FOR INSTANCE, POLLUTION DUMPED IN A STREAM IN ONE STATE CAN HAVE A DETRIMENTAL IMPACT ON THE HEALTH AND PROPERTY OF INDIVIDUALS IN AN ADJACENT STATE. WE KNOW OF CASES WHERE AIR MASSES IN METROPOLITAN AREAS HAVE HAD A PROFOUND IMPACT ON SEVERAL STATES, NOT JUST THEIR OWN. THEREFORE,

WE CAN SEE WHERE THE ABILITY OF LOCAL AND STATE GOVERNMENTS TO DEAL WITH THE PROBLEM CAN BE AFFECTED BY OUTSIDE FACTORS. WE MIGHT BE ABLE TO DO AN EXCELLENT JOB IN CLEANING UP POLLUTION IN OUR COMMUNITY ONLY TO INHERIT THE POLLUTION PROBLEMS OF OTHER TOWNS AND CITIES WHICH THEY HAVE SLOUGHED OFF ON US. AND SO WE CAN SEE IN DEALING WITH THESE PROBLEMS THERE ARE VARIATIONS IN BOTH PERFORMANCE AND RESULTS.

THESE DIFFERENCES IN THE TREATMENT OF POLLUTION PROBLEMS WERE DRAMATIZED IN OUR RECENT HEARINGS HELD ACROSS THE COUNTRY ON AIR POLLUTION. WE SAW IN LOS ANGELES WHAT COULD BE DONE TO MEET A SERIOUS AIR POLLUTION PROBLEM. BECAUSE OF THE SERIOUSNESS OF THE LOS ANGELES SMOG, THE AREA HAS BEEN MOTIVATED TO DEVELOP AN EFFECTIVE SOLUTION TO THE HEALTH AND PROPERTY MENACE THAT AIR POLLUTION REPRESENTS.

OTHER COMMUNITIES COULD BENEFIT JUST FROM OBSERVING THE RESULTS ACHIEVED IN LOS ANGELES. THERE IS AN AWARENESS OF THE PROBLEM. THERE IS MONEY AVAILABLE TO DO THE JOB. RESEARCH AND TECHNOLOGICAL EXPERTS ARE CONSTANTLY LOOKING FOR NEW WAYS AND MEANS OF MEETING POLLUTION PROBLEMS. COMMUNITY COOPERATION AND ENFORCEMENT ARE MORE THAN JUST WORDS, THEY ARE NECESSARY FACTORS IN THE OPERATION OF A SUCCESSFUL POLLUTION CONTROL PROGRAM. NO OTHER COMMUNITY MATCHES THE LOS ANGELES PERFORMANCE.

IF EVERY COMMUNITY FACING THE SAME PROBLEM WERE TO ADAPT SIMILAR MEASURES, THE PROGRESS WOULD BE SUBSTANTIAL. BUT SUCH IS NOT THE CASE. PERHAPS IF OTHER GOVERNMENTS WERE MORE HIGHLY MOTIVATED, THEY TOO COULD MEET THE PROBLEMS FACING THEM. WE HAVE A LONG WAY TO GO TO SOLVE THIS THREAT TO ENVIRONMENTAL HEALTH. UNFOR-

PROBLEMS ARE BECOMING MORE SERIOUS WHILE THE PUBLIC COMMITMENT TO SOLVE THOSE PROBLEMS IS NOT INCREASING TO MEET THEM. GOVERNMENTS ON ALL THREE LEVELS HAVE CERTAIN RESPONSIBILITIES. THE RESOURCES THAT ARE REQUIRED TRANSCEND THE COMMUNITY CAPABILITY. FEW COMMUNITIES ALONE CAN PROVIDE THE RESOURCES AND THE RESEARCH THAT IS NECESSARY TO GET TO THE ROOT OF THE PROBLEM. THIS IS WHERE THE FEDERAL GOVERNMENT CAN PLAY A ROLE. GRANTS CAN BE PROVIDED TO HELP LOCAL GOVERNMENTS CONCERNED WITH LOCAL PROBLEMS MEET THOSE PROBLEMS.

THERE ARE TWO OTHER AREAS WHERE THE FEDERAL GOVERNMENT MUST PLAY A ROLE WHICH IS MORE CONTROVERSIAL THAN THAT OF SUPPLYING GRANTS. THESE ARE IN THE CREATION OF PERFORMANCE STANDARDS AND IN THE SOLUTION OF INTER-STATE PROBLEMS. IT IS THE DUTY OF THE FEDERAL GOVERNMENT TO PROTECT THE GENERAL WELFARE. UNLESS WE TAKE STEPS TO SAFEGUARD HEALTH STANDARDS, WE COULD HAVE HORRIBLE REPERCUSSIONS. ONLY THE FEDERAL GOVERNMENT CAN FILL THIS ROLE. IT IS A CONTROVERSIAL ROLE BUT AN INDISPENSABLE ONE.

THE CHALLENGE THAT WE FACE TODAY IN CONTROLLING AIR AND WATER POLLUTION IS THAT OF DEALING WITH THE PROBLEMS AT PRESENT LEVELS OF GOVERNMENT ACTIVITY AND RESPONSIBILITY. MOST LOCAL GOVERNMENTS ARE FAILING TO MEET THEIR RESPONSIBILITY. THEY ARE NOT ACTIVE IN SPONSORING AIR AND WATER POLLUTION PROGRAMS. THEY ARE NOT ACTIVE IN ESTABLISHING SATISFACTORY HEALTH ENFORCEMENT STANDARDS. THIS IS A RESPONSIBILITY WHICH MUST BE UNDERTAKEN. THIS IS THE GREAT ENVIRONMENTAL HEALTH CHALLENGE OF THE FUTURE.