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A Congressman Looks At County Government
8/10/64 - Delos Hamlin
Herston Hall.

Introduction - Two Impersonal
Great, great man

What does a Congressman see when he looks
at County Government -

Variety - Big boards - Michigan
Small boards -

Some elected in one way,
some another
Some appointed in part (Mich)

Variations in certain states
Michigan now provides for
alternatives.

When one considers the diversity in
the problems facing Counties it is important
to have different solutions to county govt.

Diversity - state to state

within states

Under no circumstances should we
straightjacket local govt - by federal dictation or fiat.

Delos Hamlin



At the present time

Two developments in Washington that are affecting, or may affect the right of the County & its ^① Spoke To make decisions, or ^② to determine for itself the kind of county govt it will have.

Not by the people
state legislature
Congress. Supreme Court decision

The Sup. Ct. has now ordered that states must district both House of the state legislature on the basis of population - and the population in each district must be substantially equal. 40 or more states are so affected. Court decision have brought one of the most sweeping overnight changes in American government.

Baker vs Carr & others

State legislatures - Michigan cut across county & even township lines.

County & City govt.

Action in this area is not academic. No one thought legislative action was conceivable but it happened.

If we are to have Home Rule in our counties or in our states there must be alert public concern to the far reaching implications of the Supreme Court decisions.



COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA

October 10, 1963

Rep. Gerald R. Ford

County or an official in County govt
Introduction: Although never a Supervisor, I have:

- A. a brother who is - his job is tougher than mine.
- B. worked closely with supervisors in my two counties:
 - 32 in Ottawa - population of 98,719 (1960)
 - 70 in Kent - population of 363,187 (1960)

They, like you, are dedicated public servants who must provide local services, build better communities, all within the tight framework of local taxes and the spotlight of hometown scrutiny.

- C. D. C. welfare investigation



② Right of the County & its
Officials to make independent
decisions without direction from the executive
branch of the federal govt.

To any objective student of American government since 1932 it should be crystal clear there has been a distinct trend to increased power in the hands of non-elected federal officials through executive decisions. *Such decisions on a daily basis in one way or another have an impact on County govt.* In recent years, and the situation is growing worse rather than better, there have been a multitude of executive orders flowing out of administrative offices in the Nation's Capital. The output of such self-serving power by non-elected officials in the federal government has reached such proportions it is virtually impossible for members of Congress, state officials or local authorities to keep abreast of what is being done in this vast bureaucracy that to a dangerous degree controls the life and destiny of the American people.

Unfortunately few Americans realize the numerical strength of decision makers in the federal government. Today Uncle Sam employs approximately 2,500,000 civilians and this army of bureaucrats is supplemented by 2,800,000 men on active duty with the Armed Forces. It must be conceded, although seldom realized except by those affected, that the military decision makers in America are a part of the Executive Branch and their decisions, both locally and nationally, can be arbitrary and far-reaching to individuals, to business, or to the local community.

The fundamental point, however, is that working for the federal government in the Executive Branch of the national government there are about 5½ million employees who are never really "called to account" by the voters. The President representing the Executive Branch, it is true, puts his record on the line once every four years and the voters in a broad sense pass judgment on an Administration whether it be Republican or Democratic. On the other hand a vast, entrenched and potentially arbitrary bureaucracy backed up by the power of \$100 billion a year in federal funds never really puts its record to the test of the ballot box.

On this point of federal Executive dictatorship I have read lately of numerous serious conflicts between local authorities in California *practically every state on the one hand* and arbitrary federal officials in Washington *on the other*. Let me assure, you, however, that this federal octopus does not limit itself to browbeating local authorities by self-serving interpretations of legislation or Congressional intent. In the past few months, *my* the State of Michigan *& other states have* has experienced

first-hand the disastrous effect of the abuse of power concentrated in Washington.

A classic illustration in Michigan is the dispute between the Dept of H.E.W. & our state authorities
Back in 1961, the Congress decided to extend the aid to dependent children act to include unemployed parents. And so we passed what is now known as ADCU.

And when the bill was passed, it was to run for only one year because the Congress

Case of a multitude of others
This ~~situation~~ raises some tremendous issues. And the issues are threefold:

The first is whether Federal officials can remodel the will of Congress to conform with their own ideas of social necessity. *rough -* And ~~the issue is in effect~~ whether we are going to allow laws written by our elected Congressmen to be rewritten by administrative officials whose actions lie largely beyond the effective control of the people. The issue involves this significant question: Is this a Government of law or is it a Government of men?

county, a city or a
The second issue is whether a state is to have the advantage of a program tailored to meet its own needs.

or county
And the third is whether acceptance by a state of Federal aid is acceptance of Federal dictation.

You and I know what the answers should be. The clearly-expressed will of the elected representatives of the people must be followed. While men govern, it is the law which must rule. And the strength of our federal system lies in the conformity of purpose and action on national issues with a diversity of policy and methods on state and local affairs. But when we get to the third issue, I fear that we can see the hand-writing on the wall: the more extensive the federal aid the more likely and the more serious the federal dictation.

Centralism will be checked only when national leaders refuse to encourage the "easy way" of federal assistance, and state and local leaders assume the responsibility and privilege of local action and control. The answer is not a call to easy living but an opportunity for strength through struggle.

The big issue 100 years ago was whether the excess sovereignty of the states was going to destroy the Union and the Constitution. The big issue today is whether the excess concentration of Federal power and sovereignty is going to destroy state, local and individual freedom and responsibility.

You with all local officials throughout the country, have the answer. When in concert, local and state leaders proclaim loudly and clearly 'we will do the job



the first step will be taken.

But one more thing is essential. You and I, all of us who are concerned, must continue to show our citizens, the voters, the significance of this issue, and that ^{for nearly} 200 years America has grown strong & prospered by reliance on local participation & action. ~~those political candidates who promise the most from Washington are not the most deserving of our support.~~ *We must not let this bulwark of strength slide to impotence in the face of federal handouts & federal dictation.*

III. THE LEGISLATIVE BRANCH : CORNERSTONE OF DEMOCRACY

There is another
The third major topic which I want to consider with you for just a few minutes, ~~is to me equally as serious as the one we have just been discussing.~~

I am deeply concerned with the expressed and implied criticism of the Congress, yes, to all elected officials, which seems to be a popular pastime today. Many newspaper and magazine articles have been written with such titles as "Congress Must Reform;" "Old-Fashioned Congress Refuses to Face Reality." A recent long article in an outstanding magazine was entitled "Is Congress Doing Its Job?" ~~and an article in a magazine widely read was about "Our Costly Congress."~~

First of all let me point out that I do not contend that the Congress is perfect or that certain revisions in procedure would not be beneficial. Of course its organization and methods can be improved. But I detect in all of this criticism and especially that levied by those in the Executive branch, whether it be controlled by Democrats or Republicans, a determined effort to downgrade the Congress and all elected legislative bodies. There is an overwhelming tendency in this accelerated world to justify the elimination of that which is old merely because it is old rather than because it may no longer serve a useful purpose. I think that any close observer has noted in the last 3 or 4 decades a concerted effort to weaken or discard our traditional system of checks and balances. The common argument, as put forward by Professor James M. Byrnes, is that "our government was set up to be a divided government with internal checks at a time when we did not need a strong national government." This of course assumes that we have reached the stage in our national development where we do need a strong national ^{at the expense of local government} government. The next assumption is that a strong national government means a strong executive government and that anything which impedes the will of the executive is ~~anachronistic~~ ^{unil} and detrimental. From these assumptions have arisen the efforts to reduce substantially the effective power of Congress or any other legislative body elected by the people.

These assumptions lead to action in three general categories. First the increase of power through executive decisions which I have described. Second, public statements by officials, news commentators, political scientists, and others downgrading the Congress. And third, the general attitude expressed by certain political leaders that they know more about what is good for the people than the people know themselves.

Rather than to appear partisan in discussing this important issue at this meeting, I will give no specific illustrations to prove the point which we are making. You are all familiar with the anti-Congress statements emanating from various sources. By discrediting the Congress in the eyes of the public those who make these statements hope automatically to win support for programs opposed by a majority of the Congress. There is some kind of strange theory gaining prominence today which holds that simply because the Executive branch requests legislation it is good for the country and those in the Legislative must approve it. What this really means is that the Legislative should become a rubber stamp for the Executive Branch. You who are legislators must agree that none of us who are elected by our constituents can justly abdicate our responsibilities to another. Those who are so critical of the Congress completely overlook, and certainly not unknowingly, that the House of Representatives probably has the closest kinship with the electorate of any segment of the federal government. Every one of the 435 members of the House must put his record on the line and obtain the approval of his constituents every two years. I do not mean to imply that the Congress should not be criticized or that members of any legislative body always reflect fully the views of their constituents. On the other hand, it is the House of Representatives and those of us who are elected periodically who do go directly to the people for a mandate and the authority to continue in power. We are on the firing line and expect to receive our share of the sniping. It is not the criticism that troubles me but the aura of distrust generated by it; the feeling that Congress is a negative body, ^{or any other legislative group} obstructing progress, and failing to fulfill its role and, therefore, should relinquish some of its authority to the Executive.

I contend that in many instances Congress and any legislative body takes the most effective action when it takes no action at all. It will be an evil day indeed when it is wrong to say "NO."

From the viewpoint of a person who craves power the Constitution is negative. It stresses the limitation to be placed upon the government and not upon the governed. Its foundation is laid on the basic belief that a government not controlled by the people will control the people.

Affirmatively, this means that there is a basic faith in the electorate and in elected representatives. We who fill elective offices must assume and hold as a sacred trust that authority and responsibility which temporarily rests with us. The broader vision, the unselfish endeavor, the sincere purpose, and the genuine devotion to duty on our part will preserve and strengthen that way of life which we all cherish.