

THE MIDDLE SNAKE RIVER AND THE HELLS CANYON: UNIQUE BEAUTY WHICH MUST BE PROTECTED

Mr. CHURCH. Mr. President, my native State of Idaho is blessed with many natural wonders not the least of which is the Hells Canyon which we share with our sister State of Oregon. This magnificent gorge, the deepest on the North American Continent, was cut by the relentless meanderings of the mighty Snake River.

In this land of incomparable beauty with its splendid high peaks and pristine mountain lakes, wildlife flourishes and any man who ventures into the area comes away singing its praises.

Recently Ted Trueblood, whom I have known for many years and who is no stranger to the Hells Canyon, set his thoughts about the Hells Canyon down on paper. In a delightful and highly informative article published in the June-July issue of "National Wildlife," the magazine of the National Wildlife Federation, Ted describes his highly personal feelings about the Hells Canyon. I call attention to this article which so clearly points out the need to save this last remaining stretch of the Snake River from dams and further commercial development. I only regret that the beautiful pictures which were taken by an equally well versed Hells Canyon hand, Ernie Day of Boise, cannot be reproduced in the RECORD.

I ask unanimous consent that Ted's article, "You May Never Know the Middle Snake" appear in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOU MAY NEVER KNOW THE MIDDLE SNAKE
(By Ted Trueblood)

In the Spring of 1949 there were no dams on the Snake River for 450 miles above its junction with the Columbia. Arville Smith and I lay on a sandy beach beside a big pool near the upper end of Hells Canyon and watched the seething water roll with incredibly huge fish.

The Snake was rising with the spring runoff and sturgeon were on the move, headed upstream to spawn. Occasionally one shot straight up out of the water and fell back with a splash that echoed off the cliffs in two states, Oregon across the river, Idaho on our side.

An hour earlier Arville had landed a six-footer that weighed about 100 pounds. Eventually, one of the big fish picked up my bait. It jumped, and we agreed that it would weigh at least 300 pounds, maybe 400. I had a powerful rod, a star-drag reel, and 250 yards of 50-pound-test line. My tackle was far too light. I couldn't turn the big sturgeon. For an instant my line was dead solid, tight as a bridge cable. Then it went slack. I reeled in the broken end.

Now, 24 years later, the Snake River's white sturgeon, America's largest freshwater fish, are in trouble. They must have running water; they can't exist in reservoirs. Their last holdout is the free-flowing reach of the Middle Snake, from Lewiston, Idaho, upstream for 108 miles to Idaho Power Company's Hells Canyon Dam.

The Snake is a big river, in spots an awesome one. It is more than 1,000 miles long and it pours about ten trillion gallons of water a year into the Columbia. Its most spectacular reach is Hells Canyon, 6,500 feet deep in places, gnawed during millions of years by the tireless river.

I sat alone beside that river recently in the depths of Hells Canyon. The river gave me a wild, free feeling, mingled with a bit of awe and primitive reverence. There was a rapids 50 yards away, frothy with bubbles along the edges where it broke over exposed rocks, but dark and slick in the center, with big, gliding, heavy waves that crested and broke like surf. Its voice was the sonorous roll of organ music—constant, compelling, yet always varying if I listened closely.

I had made camp the day before about 40 feet above the river, with two old friends, Ernie Day and Woody Benson. They were down along the river now, fishing. I had come in early and as I sat, almost overwhelmed by my surroundings, my mind wandered to the others who had camped on this spot hundreds, perhaps thousands of years before.

Those early campers had left enduring evidence. Under an overhanging rock we had seen crude figures drawn with some red pigment; they had lasted well. Here and there on the flat were circular depressions, grass grown now and partly filled by wind-blown sand, but still showing clearly where the Indians had dug into the riverbank before roofing over the pit houses they once built all along the river.

Ernie came in from fishing, leaned his rod against a tree and sat down on a rock nearby. I knew he was experiencing the same feeling I was and we talked little. Then two bright yellow specks came around the bend upstream. Two rubber rafts, each carrying two boys, surged with the swift current and shot down the steep, oily glide into the rapids. They bounced over the big waves and water hit them in the face as they paddled with all their might to stay right-side-up.

When they were gone Ernie said, "By God! That's the great thing about this river. It's a challenge. It's adventure. In our day it's hard to find these things. Those kids are having the time of their lives!"

He thought a moment and added, "That's the real reason why all the effort we've put into trying to keep the dams out of the Middle Snake has been worthwhile."

And effort there has been! Ernie Day, Woody Benson, Bruce Bowler, Franklin Jones and many other members of the Idaho Wildlife Federation, state affiliate of the National Wildlife Federation, have put in thousands of hours at this task for more than 20 years. More recently, other organizations have joined the struggle. Their help is welcome—and needed.

The dam builders are as persistent as the surf and as tireless as a river. Beginning in 1952 when Congressional hearings finally led to a decision in favor of Idaho Power Company's series of low dams rather than a high Hells Canyon Dam, the covetous eyes of the river killers have never left the last free-flowing reach of the Snake.

There would be little point in detailing the long struggle to keep the concrete monoliths, variously urged upon us by public and private utilities, the Army Corps of Engineers, and the Bureau of Reclamation, out of the river. Let me say only that the struggle has been successful to this date. Here is the present situation:

There are five ranches totaling 12,067 acres along the Middle Snake. Their present owners have been tolerant of sportsmen. But now with high prices bid for this choice land, the ranchers want to sell and the threat of subdivision and development is imminent.

Last year, Congress passed a bill—and the President signed it—authorizing \$4 million from the Land and Water Conservation Fund for the U.S. Forest Service to buy this land.

Still pending before the Federal Power Commission is an application to construct hydroelectric power facilities in the area. In 1971, the FPC recommended two dams, but said construction should not begin until

1975, thereby giving Congress time to evaluate the decision. Consequently, a "moratorium bill" passed the Senate and is re-introduced in the 93rd Congress as H.R. 619 by Idaho's Rep. Orval Hansen.

Three differing legislative approaches offer more permanent protection:

First, the re-introduction of H.R. 1890 by Pennsylvania's Rep. John P. Saylor, creating a Hells Canyon-Snake National River. Same as a bill authored by Oregon's Sen. Robert Packwood in the 92nd Congress, this approach would prohibit dams and give priority to conservation of scenic, wilderness and recreational values.

Second, Representatives Al Ullman, Edith Green and Wendell Wyatt and Sen. Mark Hatfield, all of Oregon, have introduced H.R. 2624 and S. 657, identical bills to establish the Hells Canyon National Forest Parklands Area.

Third, there seems a strong likelihood that Senators Frank Church and James A. McClure, of Idaho, and Senator Packwood will be joined by Congressmen Orval Hansen and Steven D. Symms, of Idaho, in another non-partisan approach to preserve the Snake River from dams and protect the shoreline and canyon rim from commercial development. These, of course, also are the primary goals of the National Wildlife Federation.

Toward the upper end, Hells Canyon proper is 6,550 feet deep, measured from the peaks of the Seven Devils Mountains that crowd it from the east and the Wallowa Mountains on the west. Here, only a few air miles from the shaded canyon, are alpine meadows, perpetual snow banks, and crystal lakes filled with trout. No one can appreciate the treasure America has in this area without visiting both the high country and the canyon that splits it north and south.

Why should we preserve the Middle Snake? Why not dam it? After all, the high country would still be there.

I answered these questions one day a friend and I spent at the mouth of the Salmon River, 50 miles upstream from Lewiston. We had come by boat, the only way to get there, and we were camped 200 yards up the Salmon. It was October.

We got up early that morning, Doc Jones and I, pulled on our waders and grabbed our rods. He walked down to the Snake; I began fishing right in front of camp. After only two or three casts, I hooked a steelhead, a wild, crazy, hard-going fish that peeled line from my reel like a foul-hooked mustang. I followed along the short as fast as I could—waders were never meant for running—and eventually landed it halfway to the Snake. I turned it loose and resumed fishing.

Just where the Salmon's water bent downstream, pushed by the heavy current of the Snake, another steelhead struck my fly. It took me down nearly to where Doc was fishing before I could beach it. I turned it loose, too, and walked on to ask Doc how he was doing. He had also caught two.

Once in awhile, you have to be in the right place, on the right day, with the right fly. This was it. Darkness was seeping into the canyon when Doc and I walked wearily back to camp. We roasted potatoes and onions in foil and broiled four chukars. I had shot and then lay back to watch the stars come out. There was no sound but the river; we were the only people for miles.

All at once, far down the canyon of the Snake, we heard the faint calls of geese. Louder and louder the calls grew. Soon the resonant "o-onk, o-onk, o-onk" of the great gray birds from Canada echoed off the canyon walls. The sound faded away up the river, but almost before it was gone we heard another flock approaching. Flight after flight of Canada geese went past that evening. Even after we finally crawled into our sleeping bags they came, and we went to sleep listening to their mysterious, wild calling in the dark.

The Middle Snake has been good to me. I have camped on its shores many weekends; I have spent countless hours birdwatching in its spectacular canyon. I have hunted the native mule deer and mountain quail and the three kinds of grouse on the higher slopes. I have hunted the introduced chukars and California valley quail. I have never hunted the native whitetail deer, elk, nor bear, nor the introduced turkeys, though they are all there. I have fished for the native steelhead, salmon, trout, and sturgeon, and more lately for the introduced channel catfish and small-mouth bass.

It was the bass that Ernie, Woody, and I were after on this last trip. With our human cunning we had figured out just where they should be at that particular time. Our logic seemed sound to us, but not to the bass. We caught only small ones, the largest less than two pounds.

The time came—too soon, as always—to leave our pleasant camp with its grove of magnificent trees, its river filled with small-mouths, its towering cliffs and the memories of its native red men. We loaded our gear into the boat and our pilot took us skillfully back upstream, skirting the biggest waves in the rapids, avoiding the rocks that showed above the surface of the swift water and, more difficult, swinging clear of those that were revealed only by swirls or boils.

We docked a few hundred yards downstream from Hells Canyon Dam and carried our gear to the waiting car. Then we drove up the steep, rocky trail to the top of the dam and across it to the road upriver along the Idaho side. After a few miles we came to a sign reading, "Viewpoint." Ernie pulled over and stopped. We walked to the edge and looked down at Hells Canyon Reservoir below.

The sight was shocking. The once fast-flowing water, now stilled by the dam, was choked with algae. Streaks and strings and patches of it drifted with the breeze. Sickly green mingled with billious yellow. There was not a boat in sight, though we had seen many anglers along the clean, flowing river below the dam.

As we turned back to the car, Woody said something I won't soon forget. "What we need," he said, "is a few more dams. Then we can have this all the way to Lewiston."

U.S. VIOLATION OF U.N. SANCTIONS AGAINST RHODESIA

Mr. MCGEE. Mr. President, it was with interest that I read the colloquy of Thursday, June 14, between the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.), the distinguished senior Senator from Louisiana (Mr. LONG), and the distinguished Senator from West Virginia (Mr. ROBERT C. BYRD).

I was particularly interested in the colloquy since it concerned the issue of this Nation's violation of the U.N. sanctions against Rhodesia.

Since I was not present when this discussion took place—in part I had no notice of it at all—I would like to take this opportunity, to respond to various remarks made during that colloquy. Although I will not address myself to all the arguments at this time, I plan to do so in the near future.

At the outset, I want to make it clear that I felt this colloquy was an unjust and unfair attack upon our Ambassador to the United Nations, Mr. John Scali.

I also want to take note of the fact that I, too, have taken an oath upon entering the office of U.S. Senator to up-

hold and defend the Constitution and laws of the United States. In this oath, and I have checked to make sure I am correct in making this statement, nowhere have I found that I was sworn to uphold and defend all laws except the United Nations Participation Act of 1945. Since the United Nations Participation Act of 1945 is the result of our constitutional processes, and since I sincerely believe in that oath I took, I could not, in good conscience, support any effort in this body which would violate that act and, as a consequence, put me in the position of violating my oath. The action taken by this body the past 2 years has put us in violation of a duly constituted law of this Nation—a law that was subject to intense scrutiny on the part of the U.S. Congress and a law which the Congress, in its wisdom, saw fit to give its approval. Therefore, and I emphasize this point, I could not approve any action on the part of this body which would place me in violation of my oath to uphold and defend the Constitution and the laws of this Nation.

Our Government is sustained by a principle of faith, and it is for this reason all of us in this body take our oath of office. In order for our Government to perpetuate itself, our system demands faith on the part of its participants. This does not mean that we can select and choose only those facets of our Constitution and our laws to which we, as individuals, have determined we owe our allegiance, and that somehow there is an authority higher than our Constitution which allows us to ignore those laws with which we do not agree. If we allowed this to happen, it would spell immediate disaster for our Nation. Chaos would reign supreme.

There is an effort in this body to obscure the real issues involved in the U.N. sanctions against Rhodesia. There are some who would have us believe that the Security Council action imposing full economic sanctions against Rhodesia was a unilateral action on the part of the U.N. which impinged on the sovereignty of this Nation. The United States, as a member of the Security Council, can exercise its veto power when this Nation is confronted with actions which we do not deem in our national interests. Therefore, it is difficult for me to understand a line of reasoning which claims that our sovereignty has been violated. As a result, I defend Ambassador Scali's factual statement that action of the Security Council is legally binding on the United States. We acquiesced in that decision as a nation. Had we not, the sanctions would not have been imposed because our veto would have blocked passage of the resolution.

In last Thursday's—June 14—RECORD, there appeared an excellent and thoughtful statement by Congressman DON FRASER, Democrat, Minnesota, on this very issue. I ask unanimous consent that Congressman FRASER's statement be inserted in the RECORD at this point in my remarks:

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AMBASSADOR SCALI AND THE RHODESIAN CHROME AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 5 minutes.

Mr. FRASER. Mr. Speaker, our new Ambassador to the United Nations, John Scali, is demonstrating a very constructive attitude regarding the responsibility of the United States, as a member of the United Nations, to adhere to sanctions voted by the Security Council. He knows that when the United Nations Participation Act came into force in 1945, our country committed itself to live faithfully by the Charter of the United Nations, and to accept decisions of the Security Council in certain specified situations. The same is true of every other member of the United Nations. But in the case of the United States and other permanent members of the Security Council, the veto power made certain that we would not be bound to do something that we felt seriously jeopardized our own interests or the world interest as we view it.

Congress enacted the U.N. Participation Act by a considerable majority, and the President of the United States was thereby obligated to carry out the provisions of that act as mandated by Congress. When President Johnson ordered U.S. compliance with Security Council sanctions against the minority regime of Ian Smith in Southern Rhodesia, his action was entirely consistent with the provisions of the U.N. Participation Act. Moreover, the sanctions program had been supported by U.S. representatives of the United Nations who cooperated closely with our ally, the United Kingdom, in achieving agreement on sanctions in the Security Council.

Sanctions against Southern Rhodesia were viewed by the U.S. Government as the best feasible means to bring about a peaceful change toward majority rule in that British colony. Our policymakers saw nothing inimical to U.S. interests in the sanctions program, but rather, that such a program would be consistent with the longstanding U.S. policy of progress in international relations through non-violence.

The Nixon administration, upon assuming office in 1969, adopted as its own the previous administration's policy of supporting sanctions, but for reasons still not made clear, did not see fit to defend that policy when it was challenged in Congress in 1971. We know the results of the administration's acquiescence—the Rhodesian Chrome Amendment to the Defense Procurement Act of 1971 which allows importation of strategic materials such as chrome and nickel from Southern Rhodesia in violation of U.N. sanctions.

Mr. Speaker, whether or not the sanctions program is working effectively, one thing is crystal clear: the United States is in open violation of a treaty obligation it accepted, with congressional concurrence, in the U.N. Participation Act. This is the point Ambassador Scali made last week in a public speech in New York. He simply pointed out that the Security Council decision on Rhodesian sanctions "is legally binding on the United States" and that the Rhodesian Chrome Amendment "placed the United States in open violation of international law." For the U.S. Ambassador to the U.N. to ignore these two facts would be a dereliction of his responsibility as our representative. Indeed, he must not only state and defend the position of the United States at the United Nations, but also call to the attention of our Government and people the legal and moral responsibilities of this country as a member of the United Nations.

The question is not whether the U.N. can "dictate" what laws the U.S. Congress can or cannot pass, but rather whether the United