Rogers Morton: The "Good Soldier" Leaves Interior, a Troubled Agency

The article below examines the record of Secretary of the Interior Rogers C. B. Morton, now reassigned as Secretary of Commerce, as it relates to the tenuous place Interior holds in the federal bureaucracy. A subsequent article will look at the man nominated to fill the vacancy at Interior, Stanley K. Hathaway, former governor of Wyoming and a hotly controversial figure among environmentalists.

When Rogers Morton, the "good soldier" of the Nixon and Ford administrations, leaves the Department of the Interior soon, it will be even weaker than it was when he became secretary in 1971. His apparent successor, Stanley Hathaway, will preside over a department which during the past 5 years has lost all or part of three of its major functions to other agencies. As it stands, Interior is so enfeebled that it probably will either go up, through executive reorganizations that would make it the core of a new department, or go down through the loss of more of its functions. As one strategically placed observer within the department says, "There is a pervasive fear here at the middle management level that the department is being cannibalized."

Also, there is the troublesome fact that Interior lacks a clear departmental mission. The secretary's position seems to be largely that of a super bureau chief for each of his agencies, which have disparate and often conflicting roles. These agencies include, to name some of the major ones, the Bureau of Land Management (custodian of nearly two-thirds of the 755 million acres of public lands), the Bureau of Reclamation, the Bureau of Mines, the Bureau of Indian Affairs, the Geological Survey, the National Park Service, and the Fish and Wildlife Service. The secretary can try to direct and oversee these agencies but he cannot make them march together.

Efforts to give Interior departmental missions in the fields of national energy policy and national land use policy have failed. The responsibility for this failure lies partly with Morton.

When Rogers Morton first arrived at Interior, 4 years ago, the department already was at a low point. His predecessor, Walter J. Hickel, had lost out on two major executive reorganization questions in 1970, the same year he was finally fired. Hickel had wanted Interior to grow into a new Department of Natural Resources and Environment. Instead, the White House came at him and whacked off an arm and a leg.

In creating the National Oceanic and Atmospheric Administration (NOAA), President Nixon put it not into Interior as Hickel wanted but into the Department of Commerce. As part of this transaction Interior lost its Bureau of Commercial Fisheries and its marine mining program. Also, when the Environmental Protection Agency (EPA) was established by another executive reorganization order, Interior lost the Federal Water Quality Administration, which had been the department's largest and fastest growing agency and the only one giving it a major role nationwide. Although these reorganizations were defensible, they did have the bad effect of reinforcing Interior's provincialism, for it left the department with principally its traditional activities in the West.

A Good Loser

Morton began at Interior with high ambitions for the department, but, as in Hickel's case, he was to be a loser, albeit a good humored one. At first, the prospects for Morton and Interior seemed bright. As congressman from Maryland's eastern shore, Morton had served for a time on the House Interior Committee and had taken a deep interest in natural resource issues. He had shown political courage and skill in bringing his constituents to accept the establishment of the Assateague Island National Seashore, and he had shown foresight in pressing successfully to have a large physical model built for the study of the Chesapeake Bay.

Furthermore, Morton was an easterner (previous secretaries had been westerners) who would give Interior a strong national orientation and put it in excellent standing with the President and the Congress. He had just served a 2-year stint as Republican national chairman, and he remained popular with his former colleagues on Capitol Hill, Democrats and Republicans alike, who knew him as a man of ability and goodwill.

Morton seems to have been miscast as secretary. He evidently has lacked the qualities necessary for an agency head who is to prevail or even hold his own in the bureaucratic struggles that go on constantly in Washington—aggressiveness, tirelessness in attention to the job, and the determination to be where the action is and not be left out of deliberations affecting the agency's interests or objectives. For example, just in looking at Morton's performance over recent months, one sees that on more than one occasion he has left it to subordinates to represent Interior at White House meetings where the President was arriving at major decisions important to the department. In one notable instance, the President took the advice of Frank Zarb, the Federal Energy administrator, who was present, and decided to veto the strip-mining bill, a measure which would have given Interior important new responsibilities.

In the spring of 1971, shortly after Morton became secretary, President Nixon proposed to Congress a major executive reorganization which, among other things, would have established a Department of Natural Resources. Morton had himself chaired the task force that recommended the new department; it was to include the existing Interior agencies plus certain others, principally NOAA from Commerce, the Forest Service and the Soil Conservation Service from the Department of Agriculture, and the planning functions of the Corps of Engineers' civil works division.

Morton's most basic aims, as he made clear in public statements, were to see this new department come into being and to see passage of the National Land Use Policy Act, also submitted to Congress in 1971 by President Nixon. Under that proposed act, Interior would have administered grants to the states and reviewed the states' land use regulatory programs, thus playing a potentially important if indirect role in preserving prime agricultural lands, accommodating new energy facilities with minimal environmental disruption,

ending urban sprawl, and making residential development more compact and energy-efficient.

Sweeping executive reorganization proposals usually have hard going. Some of the agencies that are to be affected, together with their various constituencies and congressional allies, will always oppose the proposed changes either overtly or covertly, taking good advantage of the massive inertia of the status quo. So, predictably, the proposal for the new department got nowhere. The land use bill was sympathetically received in Congress at that time, but a few more years would pass before both the House and the Senate would be ready to act on such legislation.

Meanwhile, the energy issue was in the air, posing the question as to the place the Department of the Interior and its secretary would have in the development and administration of energy policy. Morton, to his credit, was seeing to it that Interior—which already contained several energy units, such as the Bureau of Mines, the Office of Coal Research, the Office of Oil and Gas, and the Oil Import Administration—was gearing up to play a broader role in the energy field. Under him, the department was adding three new energy offices, one for conservation, another for the collection and analysis of energy data, and a third for a program of voluntary

Briefing

Focus on Food

Food Day is coming on 17 April. Modeled on the lines of Earth Day, originally celebrated in April 1970, Food Day will mark an assortment of activities around the nation to raise public awareness about nutrition, food prices, and world hunger problems.

The chief mover behind Food Day is Michael Jacobson, a scientist-activist and author of several consumer-oriented food books who is associated with the Center for Science in the Public Interest (CSPI) in Washington. Jacobson says dozens of educational "food fairs" will be held in parks, and teach-ins will be conducted at high schools and colleges. There will be rallies, fastings, garden plantings, and local television and radio spots to celebrate the day. The Public Broadcasting System has put together a 2-hour special, "The Last American Supper," to be aired on Food Day. And CSPI has assembled an "official Food Day anthology" called *Food for People Not for Profit.*

Jacobson says that despite the political apathy some people believe has settled over the land, the response from community groups and local governments to the Food Day idea has been surprisingly enthusiastic. He theorizes that people are looking for a new cause now that other issues, such as the anti-war and women's movements, have either disappeared or entered a more stable phase.

Organizers of Food Day hope the occasion will spur grass-roots efforts by people to exercise more control over their food supply—by establishment of food cooperatives, for example—and will catalyze the formation of new consumer groups. Food Day will be a one-shot deal because, as Jacobson observes, these things never happen the same way twice. One need only trace the evolution of Earth Day, which some hoped to make an annual event. This year President Ford proclaimed 21 March as Earth Day 1975, and hardly anyone noticed.—C.H.

Reserve Mining (Cont.)

On 31 March the Supreme Court refused, for the third time, to intervene in a long-simmering case involving the efforts of the U.S. government, three states, and several environmental groups to stop Reserve Mining Company of Minnesota from dumping 67,000 tons of asbestos-like tailings daily into Lake Superior (*Science*, 4 October 1974).

The court action followed a 21 March letter sent by Russell Train, administrator of the Environmental Protection Agency, to the Justice Department, in which he recommended that the government settle for an appeals court ruling rather than pursue the matter to the Supreme Court. The 8th Circuit Court of Appeals had ruled a week earlier that Reserve's discharges violate air and water pollution laws and that they "give rise to a potential threat to public health." The circuit court ordered Reserve to take immediate action to remedy the air situation, but did not set a firm timetable for cessation of water dumping (the plaintiffs sought a 2-year deadline), since it claimed that no harm to public health had yet been proven.

An estimated $4 million has been spent by the federal government alone in 6 years of litigation with Reserve Mining. Last year a district court judge ordered the company to cease operations immediately, but a three-judge panel of the appeals court stayed the order pending a full hearing.

EPA chose to regard the subsequent ruling as sufficient to stimulate stepped-up abatement efforts, and Train has ordered the formation of a multidisciplinary task force to monitor Reserve's cleanup programs.

The private plaintiffs in the case, however, feel the appeals court decision is too vague. Philip Mause, a lawyer with the Environmental Defense Fund (EDF), says a decision remains to be made on whether to petition the Supreme Court for certiorari. (The 31 March action was a denial of a move to vacate last year's stay order.) Meanwhile, EDF is seeking to close what it calls a loophole in the appeals court decision which could allow Reserve to continue dumping tailings into the lake indefinitely if the company and the state of Minnesota can't agree on a suitable land disposal site. The plaintiffs are also monitoring health studies on asbestos in an effort to determine whether ingestion of the fibers in drinking water (as opposed to inhalation, which is known to be carcinogenic) poses a health threat.

Reserve Mining's operations have generated immense public concern in surrounding communities. The key issue has been whether the potential threat to health is great enough to justify termination of operations. The environmentalist viewpoint has been that, since a potential health threat has been clearly established, the burden of proof that dumping activities are not hazardous should rest with the company. But this argument is difficult to sell at a time when layoffs of workers resulting from closedown of the plant would be disastrous for the local economy.—C.H.

(later mandatory) fuel allocation.

But, despite this good try, Interior was to suffer a major setback. In the fall of 1973, the formation of what was to be the Federal Energy Administration (FEA) was under way, and this new agency absorbed Interior's three new energy offices. This was a frustrating development for Morton, but he had been either unable or unwilling to assert himself forcefully and claim the role of energy czar. Indeed, if Morton had had the instincts of a czar, he might have resuscitated the moribund National Energy Subcommittee of the White House Domestic Council in 1972 when he was appointed to head that body, shortly before it was finally interred.

The loss of the new energy offices to FEA was particularly dispiriting for Interior because it came when the department was about to lose several other energy activities—including some on which large sums were now to be lavished. The White House had asked Congress to create the Energy Research and Development Administration (ERDA), which would absorb Interior's Office of Coal Research plus several other programs, such as the fossil fuel research of the Bureau of Mines.

When the ERDA bill was in fact enacted last fall, President Ford appointed Morton chairman of the interagency Energy Resources Council (ERC) created under that legislation. But, again, Morton would be anything but a czar, despite speculation to the contrary after he forced the resignation of Federal Energy Administrator John Sawhill on vague grounds that he was not a team player. Morton willingly allowed Frank Zarb, now head of FEA and executive director of the energy council, to be the council's moving force.

Zarb seems to have the sharpness and persistent assertiveness that make one a winner in the bureaucratic arena. Although careful to discuss things with the chairman and keep the image of a team player, he has not hesitated to oppose Morton on certain major issues, as in the important matter of energy facility siting.

In fact, Zarb may have seriously impeded passage of the national land use legislation, Morton's long held goal, by persuading the President to send Congress legislation that would establish an energy facility siting program to be administered by FEA. Morton's approach would have been to deal with the facility siting within the broader context of the general land use planning and regulatory program to be administered by Interior. After going with Zarb on the facility siting question, it became easy for the President to decide, just a few weeks ago, not to ask Congress for general land use legislation this year. He concluded that to do otherwise would violate his policy of not asking for new spending programs unless they are related to energy development. Appearing before a House subcommittee to explain this decision, Morton said, "I have to be a good soldier and recognize [the need to restrain deficit spending] and join in an effort to postpone something that I very much believe in. . . ."

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NAE Elects 86 New Members

The National Academy of Engineering, established to share the responsibility given the National Academy of Sciences under its congressional charter to examine questions of science and technology at the request of the federal government, has elected 86 new members. This addition brings the total membership to 587. The new members are as follows:

Betsy Ancker-Johnson, Department of Commerce; **Arthur G. Anderson**, IBM; **Rutherford Aris**, University of Minnesota; **Rupert L. Atkin**, TRW Worldwide; **W. O. Baker**, Bell Laboratories; **Leo R. Beard**, University of Texas, Austin; **Stephen D. Bechtel, Jr.**, Bechtel Group of Companies; **Wilson V. Binger**, Tippetts-Abbett-McCarthy-Stratton; **Andrew H. Bobeck**, Bell Laboratories; **John L. Bogdanoff**, Purdue University; **Bruno A. Boley**, Northwestern University; **P. L. Thibaut Brian**, Air Products and Chemicals, Inc.; **Alfred E. Brown**, Celanese Research Company; **J. H. U. Brown**, Southwest Research Consortium; **James R. Burnett**, TRW Systems Group; **Dean R. Chapman**, Ames Research Center, NASA; **Robert A. Charpie**, Cabot Corporation; **Louis F. Coffin, Jr.**, General Electric; **Edward Cohen**, Ammann & Whitney, Consulting Engineers.

Donald A. Dahlstrom, Envirotech Corporation; **James W. Daily**, University of Michigan; **Sidney Darlington**, University of New Hampshire; **Wilbur B. Davenport, Jr.**, Massachusetts Institute of Technology; **Kurt H. Debus**, National Aeronautics and Space Administration (retired): **Jacob P. Den Hartog**, Massachusetts Institute of Technology; **Joseph R. Dietrich**, Combustion Engineering, Inc.; **Joseph K. Dillard**, Westinghouse; **Gerald P. Dinneen**, Massachusetts Institute of Technology; **Kenneth McK. Eldred**, Bolt Beranek and Newman Inc.; **John F. Elliott**, Massachusetts Institute of Technology; **Ersel A. Evans**, Westinghouse Hanford Company; **Ralph E. Fadum**, North Carolina State University; **Sheldon K. Friedlander**, California Institute of Technology.

Ivar Giaever, General Electric; **John J. Gilman**, Allied Chemical Corporation; **Ralph E. Gomory**, IBM; **William E. Gordon**, Rice University; **John V. N. Granger**, National Science Foundation; **Paul E. Gray**, Massachusetts Institute of Technology; **Cyril M. Harris**, Columbia University; **W. Lincoln Hawkins**, Bell Laboratories; **Thomas J. Hayes III**, International Engineering Company, Inc.; **Wallace D. Hayes**, Princeton University; **John A. Hornbeck**, Bell Laboratories; **John A. Hrones**, Case Western Reserve University; **George J. Huebner, Jr.**, Chrysler Corporation.

Lydik S. Jacobsen, Consultant; **Richard C. Jordan**, University of Minnesota; **W. David Kingery**, Massachusetts Institute of Technology; **Ernest S. Kuh**, University of California, Berkeley; **Erastus H. Lee**, Stanford University; **Thomas H. Lee**, General Electric; **Harold Liebowitz**, George Washington University; **Edward A. Mason**, Nuclear Regulatory Commission; **Eugene M. Merchant**, Cincinnati Milacron Inc.; **Harold L. Michael**, Purdue University; **Gordon H. Millar**, Deere & Company; **Frank R. Milliken**, Kennecott Copper Corporation; **Erwin W. Mueller**, Pennsylvania State University.

Alex G. Oblad, University of Utah; **Russell R. O'Neill**, University of California, Los Angeles; **Jorj O. Osterberg**, Northwestern University; **Joseph A. Pask**, University of California, Berkeley; **Rocco A. Petrone**, National Aeronautics and Space Administration; **Lymon C. Reese**, University of Texas, Austin; **Eric H. Reichl**, Conoco Coal Development Company; **Leslie E. Robertson**, Skilling, Helle, Christiansen, Robertson; **Warren M. Rohsenow**, Massachusetts Institute of Technology; **Albert Rose**, RCA Laboratories.

Herman P. Schwan, University of Pennsylvania; **John H. Sinfelt**, Exxon Research and Engineering Company; **Joe M. Smith**, University of California, Davis; **Robert L. Smith**, University of Kansas; **Eli Sternberg**, California Institute of Technology; **J. George Thon**, Bechtel Inc.; **Ping K. Tien**, Bell Laboratories; **Klaus D. Timmerhaus**, University of Colorado; **John W. Townsend, Jr.**, Department of Commerce; **Alvin M. Weinberg**, Oak Ridge Associated Universities; **James G. Wenzel**, Lockheed Missiles & Space Company, Inc.; **David C. White**, Massachusetts Institute of Technology: **Robert V. Whitman**, Massachusetts Institute of Technology; **Robert L. Wiegel**, University of California, Berkeley; **Charles R. Wilke**, University of California, Berkeley; **F. Karl Willenbrock**, National Bureau of Standards; **Herbert H. Woodson**, University of Texas, Austin.

NEWS AND COMMENT

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Why the "good soldier" is now being reassigned to Commerce, albeit retaining his portfolio as chairman of the ERC, at least for the time being, is not entirely clear. The official story is that the President wants Morton to "galvanize the resources of the industrial community to help solve the energy problem." Another possible explanation, which the secretary's press spokesman says is unfounded, is that Morton wants a less demanding job (in 1973, he underwent treatment for cancer of the prostate; his recovery is said to have been complete). Still another explanation is that he is being moved into a position where, in 1976, he can galvanize the business community to help in Ford's reelection campaign.

At least as recently as last fall Morton was still championing the idea of a Department of Energy and Natural Resources (DENR) that was put forward by the Nixon White House in 1973 but allowed to languish. And it now happens that this idea never yet really fully formed is still alive.

Charles F. Bingman, the Office of Management and Budget's deputy associate director for organization and special studies, told *Science* that OMB has recently asked all interested agencies for comment on the DENR concept and other alternatives. A decision must be made within the year because the law creating FEA expires 30 June 1976, with the FEA functions then to be returned to Interior or any successor agency.

What the White House and the Congress must decide is whether the life of FEA is to be extended or whether its functions should be given to a DENR. And, if there is to be a DENR, should ERDA be part of it? In Bingman's view, a DENR consisting of—to put the matter roughly—the FEA functions, the Interior agencies, and NOAA would be a viable department, although this is not to say that OMB has concluded what should be done.

Before any decision as to a DENR and the future of Interior and other agencies has been made, there will surely be some bureaucratic infighting. Morton proved a loser at the bureaucratic game, and, at this point, one can only speculate whether his successor, Stanley Hathaway, will be any better at it. If Interior loses out in any more executive reorganizations, all will see that it is a department in name only.

—LUTHER J. CARTER