

## Strip Mining Legislation— The Prospects Look Bleak

The narrow defeat of efforts in the House of Representatives to override President Ford's veto of the strip mining bill may have killed all chance of enacting such a measure during the 94th Congress, which runs through 1976.

In the showdown with the White House on 10 June, 278 members voted to override the veto, while 145 members voted to sustain it—with the override attempt thus falling three votes short of the two-thirds majority needed.

In March well over two-thirds of the House voted for a stronger bill than the one which the President vetoed. But after the veto, part of this support vanished. The White House claimed to good effect that, if enacted, the measure would bring a substantial drop in coal production, higher coal prices (and hence higher electricity bills), and the loss of up to 36,000 jobs. All of these assertions could be disputed, and none seemed shakier than the especially damaging claim that higher coal and electricity prices would result. Studies by the Library of Congress and the Federal Energy Administration have indicated that over the next 3 years coal prices will be determined by the price of oil and other competitive fuels.

Sponsors of the bill managed to turn some defectors around, but not enough of them. As the showdown neared, it was up to the Democratic leadership to save the bill, but the leadership proved unequal to the task. According to John McCormick, a lobbyist with the Environmental Policy Center, a gain of only four votes was picked up among the Democrats during the 2 weeks prior to the vote.

If strip mining legislation is to be enacted during this Congress, the possibilities would seem to be these:

- Representative Morris Udall (D-Ariz.) and other sponsors of the strip mining bill could draft a measure mild enough to gain President Ford's support. But this is unlikely because they would have to allow the very practices—such as the leaving of high walls—that have been a curse to Appalachia.

- A strip mining bill applicable only to the federally owned coal in the West could be pushed. Senator Lee Metcalf

(D-Mont.), sponsor of the strip mining bill in the Senate, wants to do this, but Udall is said to think poorly of the idea. Such a measure would have the advantage of protecting coal lands not covered by any state laws. But it would have the disadvantage of perhaps breaking up the coalition that wants to see strip mining better regulated both East and West.

- Finally, essentially the same bill as the one the President vetoed could be attached as a rider to some measure that the White House would be unwilling to kill. Although there is some hopeful talk of this among Udall committee staffers, this kind of strategy seldom succeeds.

In sum, none of the above possibilities appears to hold much promise. Strip mining, which has been recognized in Congress as an important issue for about 4 years now, is likely to still be on the agenda when the 95th Congress convenes in 1977.—L.J.C.

---

## Air Law Backed

A report by the National Research Council (NRC) of the National Academy of Sciences—National Academy of Engineering has confirmed earlier academy reports to the effect that there is no need to loosen up or delay implementation of auto emission standards mandated by the Clean Air Act. The report is the product of an interdisciplinary conference on air quality and automobile emissions held at the NAS on 5 May. The authors of the report perceive things differently than do officials of the Environmental Protection Agency (EPA). The EPA in March granted auto makers a 1-year delay on the 1977 standards and made recommendations that would amount to a 5-year delay in implementing the 1978 (final) standards.

The NRC report stands firm behind the 1978 standards for emissions of hydrocarbons and carbon monoxide. It is less certain about the standard for nitrogen oxides, saying the 1978 level is "probably feasible" with catalytic converters, but that it would discourage development of noncatalyst technologies such as diesel and stratified charge engines.

On the matter of sulfuric acid, the troublesome by-product of catalysts

now in use, the report proposes that an emission standard be put into effect by 1978 (EPA is working on one for 1979).

The conference expressed the belief that adherence to the law as it now stands would not inhibit continued improvement in fuel economy. The report is expected to supply ammunition for congressmen who oppose major alterations of auto emission standards in the 1975 amendments to the Clean Air Act now being drafted.—C.H.

---

## Hathaway Confirmed, but No Hosannas

President Ford's controversial nominee for Secretary of the Interior, Stanley K. Hathaway, was confirmed by the Senate on 11 June, but not resoundingly. Indeed, more than a third of the Senate voted against confirmation.

Hathaway had going for him the fact that, by tradition, the Senate allows a President wide latitude in selecting his cabinet and rarely rejects a nominee. Also, as a popular former governor of Wyoming, Hathaway could count on the support of most western senators. Many political leaders in the West have been eager to have Interior headed by a westerner knowledgeable about the public lands and the problems of livestock growers, timber companies, and other resource-user interests. Only six western senators voted against confirmation, and, of those, four were from two states predominantly urban, Colorado and California.

Going against Hathaway was his mixed record on environmental and resource management. To some senators, the record was in certain ways atrocious, as in the Hathaway administration's wholesale leasing of state coal lands (*Science*, 30 May). National environmental groups were solidly opposed to the nominee.

When the confirmation vote came, 60 senators, including about half the Democrats, voted yea. Thirty-six senators, including only four Republicans, voted against the nominee. Some senators expressed the hope that Hathaway would quickly overcome their doubts and prove himself a good environmentalist, as another controversial nominee, Walter J. Hickel, did several years ago.—L.J.C.