

prices produce a major conservation effect, it is often pointed out that, with the sharp increase in the world market price of oil and petroleum products brought about by OPEC in late 1973 and early 1974, the United States is now consuming about 3 million barrels of oil a day less than what was projected several years ago. The economic recession has accounted for maybe half of this, but not more.

President Ford set forth his proposal for immediate decontrol of oil prices, together with the rest of his energy program, in his State of the Union message of January 1975. What followed was a year-long battle in Congress over the decontrol issue. The widespread suspicion that the oil companies would in one way or another evade any excess profits taxes that might be enacted and fatten themselves obscenely at the public's expense made for strong opposition to decontrol. Also many senators and representatives feared that, unless they opposed decontrol, their constituents would hold them partly accountable for any increase in gasoline or heating oil prices.

The upshot of the prolonged congressional debate was the compromise providing for the 40-month phaseout of controls. The existing two-tier pricing system will continue for the time being, with "old oil" to be sold at substantially lower prices than those allowed for oil from new fields. It was this compromise that made possible the Energy Policy and Conservation Act of 1975, which President Ford signed on 22 December, despite the pleas from major oil companies that he veto it.

Although decontrol will be accomplished only gradually, in its other provisions the act either meets or exceeds most of the President's other proposals with respect to energy conservation and certain programs needed as a hedge against future embargoes or other emergencies. The act provides for:

- A strategic oil reserve of 150 million barrels to be established within 3 years and expanded to a capacity of 400 million barrels within 7 years.

- Standby authority for the President to impose controls on fuel prices and allocations in the event of a national emergency.

- Extension of the Energy Supply and Environmental Coordination Act (ESECA) allowing the FEA to order utilities, under certain conditions, to convert power plants from oil or natural gas to coal.

- Automobile fuel economy standards stipulating that the passenger cars of every manufacturer shall get at least 18 miles per gallon by the 1978 model year, with mileage then to be improved in stages to 27.5 by 1985.

- Fuel economy or energy-efficiency labeling for automobiles and a wide variety of home appliances, plus "energy efficiency improvement targets" to be prescribed for the appliances (if necessary, mandatory standards shall ultimately be established).

Voluntary energy efficiency improvement targets will be fixed for each of the ten most energy-consuming industries, and the FEA will monitor the industries' performance. The act also mandates conservation standards for the management of all federal agencies and requires several

key regulatory agencies, such as the Civil Aeronautics Board and the Interstate Commerce Commission, to report to Congress on how their policies bear on the efficient use of energy. In addition, the states will be encouraged through a new program of grants-in-aid to establish programs of energy conservation.

This year the President is asking Congress to complete action on several other measures which bear in whole or in part on energy conservation. These include bills to lift price controls from newly developed

Blackbird Bill Stirs Flap

Environmentalists are crying foul over a bill, hurriedly slipped through Congress on 27 January, that would allow Kentucky and Tennessee to bypass major environmental laws in an "emergency" pesticide-spraying program to eliminate millions of blackbirds.

The bill, now awaiting presidential signature, would circumvent the National Environmental Policy Act and other federal laws by requiring, as the only condition for spraying, certification by a state's governor that the birds constitute a significant hazard to human health, safety, or property.

Ever since the pesticide Tergitol was approved in 1974, environmental groups have been trying to get the Department of the Interior, which licenses its use, to prepare a comprehensive environmental impact statement on the use of the chemical against migratory birds. Faced with threats of litigation, the department agreed not to grant any licenses until such a statement was completed. Now, in what one environmentalist calls a "grotesque abuse of the legislative process," a bill has been passed that, in some people's opinion, sets a fearsome precedent for special interests to trot bills through Congress waiving federal environmental laws any time an "emergency" is perceived.

The Council on Environmental Quality (CEQ), is also, according to a spokesman, "deeply concerned" about the process by which the bill was passed. No hearings were held on it, and it was not even referred to the relevant committees. Instead, says one source, its Senate originators, Tennesseans Howard Baker and William Brock, hustled it through a near empty floor. The CEQ man also says the bill was "totally unnecessary"; existing laws already authorize Interior to permit a state to spray if it agrees that an emergency exists. The states did in fact request a permit from Interior, but the department hadn't gotten around to responding when the bill was passed.

House passage of the measure has been a cause of considerable embarrassment to Representative William L. Leggett (D-Calif.), chairman of the fish and wildlife subcommittee of the House Merchant Marine and Fisheries Committee. He reportedly went along with the motion to vote on the measure without having it referred to the committee because he was under the impression that it was all right with the committee's chairman, Leonor K. Sullivan (D-Mo.). It was not. So, responding to cries of outrage and concern, Leggett's subcommittee arranged a belated day of hearings to air all sides of the bird-spraying question and to seek "a more permanent solution." It was hoped the President would hold off consideration of the bill until after the hearings.

Procedural questions aside, not all parties agree on whether there is a health emergency. The states say the accumulations of blackbirds, which have become a major local pest over the past half-dozen years, damage crops and have caused a surge in cases of histoplasmosis, a lung infection caused by a fungus whose growth is aided by bird droppings. Environmentalists tend to downplay the health threat and fear the ecological consequences of decimating a local bird population when subtler measures might suffice. The states say other methods, such as bulldozing the roosts, don't work, and only Tergitol, a biodegradable detergent, will do. Tergitol, which works only in damp chilly weather, strips protective oils from birds' feathers and they die from the cold.—C.H.