

Synfuels Program Born in Confusion

In the White House it's called tactical flexibility, but congressmen call it a muddle

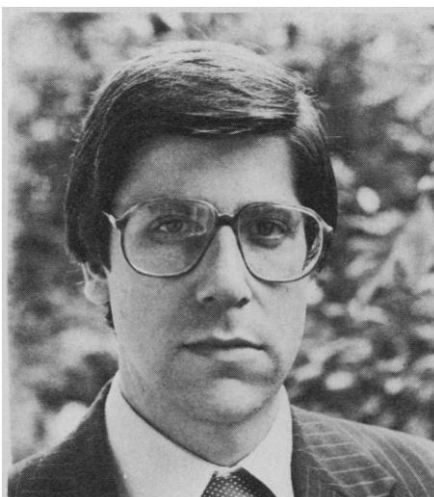
When Congress sat down to finish work on the synthetic fuels subsidy bill in September, it became bogged in the confusion that surrounds the Administration's energy policy. Several congressmen claimed they were having difficulty hammering out legislative language because they were being given conflicting messages about what the President wanted. (Carter did not submit a bill of his own.) In particular, they seemed to find the White House undecided on two key issues: the scale of the synfuels program and the scope of the authority to be given a new agency known as the Energy Mobilization Board. The latter, according to Carter, will "slash through red tape and bureaucratic obstacles" that stand in the way of chosen energy projects. For the most part, the slashing will take place in the area of environmental law.

The confusion stems in part from a proliferation of federal energy spokesmen since July. After the White House staff shake-up and the departure of Energy Secretary James Schlesinger, there was a general scramble for position. The dust has not settled entirely. Stuart Eizenstat, the chief domestic policy adviser on the White House staff, occasionally speaks for the Administration on energy. So does Lynn Coleman, general counsel of the Department of Energy. Then there is the treble confusion of Cutler, Cutler, and Cutter—all of them defenders of the synfuels scheme. Lloyd Cutler, a Washington, D.C., attorney recently named the President's counsel, campaigned for the creation of such a program this spring before his appointment to the Executive staff. Although he signed an influential article in *The Washington Post* on 10 June promoting synfuels, Cutler has been silent in public on the subject since then.

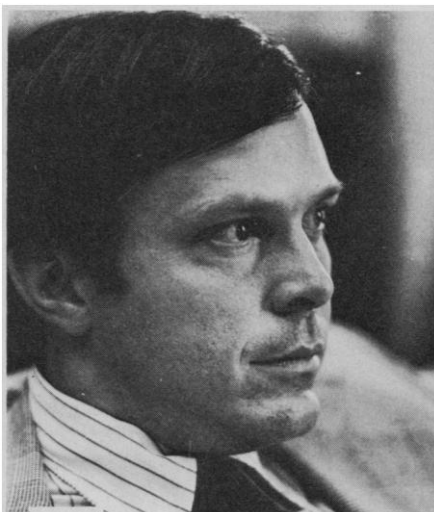
Eliot Cutler, the energy coordinator at the Office of Management and Budget (OMB), and Bowman Cutter, the OMB official most often called upon to defend the Administration's program in public, reportedly have sought to trim the synfuels scheme down to a more manageable scale. Finally, there is the new secretary of energy, Charles Duncan, Jr.,



Lloyd Cutler



Eliot Cutler



Bowman Cutter

Richard A. Bloom

who, like Lloyd Cutler, favors accelerated spending on synfuels.

A deeper source of confusion may be Carter's own policy reversal 2 months ago. Until July, the President was asking Congress to pass an energy program stressing conservation first and giving only modest support to a handful of experimental energy-producing technologies. The fiscal 1980 budget contained only several hundred million dollars for synthetic fuels projects (*Science*, 13 July 1979). But congressional leaders on both sides of Capitol Hill, acting during the summer gasoline panic, rejected the conservationist approach and began pushing a scheme for accelerated oil and gas production from coal and shale. The estimated cost of these proposals ranged from around \$18 billion to more than \$50 billion.

Despite his previous opposition to this approach, Carter changed his policy in his speech of 15 July, making energy production his first priority. He adopted Congress's initiative, but on a larger scale, seeking long-term financing for a variety of new technologies, including \$88 billion for synfuels. The turnabout surprised many people in his own Administration.

By mid-September, the Administration found agreement within itself on one of the two disputed points—the pace of spending—and settled some of its differences with Congress. Carter accepted the approach taken by the Senate energy committee, chaired by Henry Jackson (D-Wash.), a more deliberate one than was envisioned in Carter's announcement of the program on 15 July. Rather than ask Congress for a single commitment of \$88 billion to finance synfuels production, Carter will now seek \$20 billion as the first segment of a two-part program. This will support the construction of 10 to 12 demonstration plants using a variety of technologies. In several years, Congress will be asked to commit funds for the second part, enough to finance scores of production (as distinguished from demonstration) plants. The goal is to have these produce 1.7 million barrels of synthetic fuel a day by 1995.

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Carter originally aimed to produce 2.5 million barrels a day by 1990—an objective judged by half a dozen expert reviews this summer to be unachievable.

Although agreement seems near on the level of funding for the project, confusion persists on the degree of authority to be given to an associated proposal, the Energy Mobilization Board (EMB). This new agency would be given the power to remove legal barriers standing in the way of high-priority energy projects, including any that might hinder the synfuels plants. According to Bowman Cutter, the panel would be composed of three members appointed by the President and confirmed by the Senate; it would be able to designate up to 75 projects for “fast-track” regulatory consideration; it would draw up a “project decision schedule” for each of these, setting deadlines by which federal, state, and local agencies would have to accept or reject each project; and it would be able to enforce these schedules by stepping in and making a ruling itself whenever an agency failed to meet a deadline.

The central point of dispute has to do with the EMB’s power to override “substantive” laws when they are seen as causing delays in licensing or construction schedules. Before the August recess, Carter said he did not want to give the EMB broad authority: He simply wanted it to have the power to waive procedural delays after a project has received all the necessary approvals and construction has begun. This “grandfathering” approach, as it is called, would guarantee that once contracts

have been let on a project, work will not be halted by a new law or a revision of existing law. Waivers would be given, the President said, only if they were needed to help get a project on the EMB’s fast-track approval list finished on time, and only if they would not “unduly endanger public health and safety.” The language used to describe these waivers remains vague.

When it came time to write the legislation, however, Administration lobbyists seemed to take a different tack. Coleman and Eizenstat, for example, gave their support to a sweeping waiver provision drafted for the House commerce committee by Representative John Dingell (D-Mich.), giving the EMB power to override any law standing in the way of energy projects on the EMB’s fast track. Representative Tim Wirth (D-Colo.) attempted twice to have the provision amended so that the EMB would only override procedural actions, not matters involving substantive law. Wirth’s amendments, his staff says, were opposed both times by Administration lobbyists.

The distinction between substantive and nonsubstantive waivers is not a clear one; even several Cabinet officers seem unsure of the official line on this issue. The heads of the Environmental Protection Agency, the Interior Department, and the Council on Environmental Quality have written to the President expressing concern about the powers being given to the EMB and asking for a clearer definition of its role.

One clarification was given by the director of the Office of Management and

Budget, James McIntyre, Jr., in a letter to Senator Abraham Ribicoff (D-Conn.). Ribicoff, who chairs the Governmental Affairs Committee, wanted to know which federal laws would be affected by the EMB’s override authority. McIntyre’s reply contained what one Ribicoff staffer called a “hit list” of major environmental legislation, including the Clean Air Act, the Clean Water Act, the National Environmental Policy Act, the Endangered Species Act, the Toxic Substances Control Act, and about 20 others. McIntyre wrote: “The Administration’s proposal does not provide for changes in the substantive requirements of any law that we have mentioned. . . . Our concern rests primarily with the time frames within which these substantive requirements are considered.”

There is no clash between this assurance and the decision to support the Dingell bill, Eizenstat says, because the latter was adopted for purely tactical reasons. White House tacticians decided they should support a stronger bill than they wanted in order to offset weakening amendments expected on the House floor. The conservationists take this explanation with a grain of salt, for they have been burned by unexpected policy shifts before.

Among the important committee chairmen who have registered doubts about the power being given the EMB are Senators Ribicoff, Edward Kennedy, and Jennings Randolph, and Representative Morris Udall. The stage is set for another energy battle in Congress.

—ELIOT MARSHALL

Egyptian Geologist Champions Desert Research

From his base at the Smithsonian, Farouk El-Baz looks to space technology for more knowledge of the earth

The man who is perhaps the Arab world’s best-known scientist is right here in the United States, working at the Smithsonian Institution’s Air and Space Museum. He is Farouk El-Baz, Egyptian-born geologist and personal science adviser to Egyptian president Anwar Sadat.

El-Baz, who first came to this country in 1960, gained renown as a scientific planner for the Apollo moon flights. He was one of the people who advised astronaut-geologist Harrison Schmitt what to

look for when he got to the moon. But El-Baz, a humanist at heart, has discovered in recent years that his real concerns have to do with the planet Earth, namely its deserts. The deserts occupy one-fifth of the earth’s land surface, yet they are the least understood of the world’s ecosystems, he says. A comprehensive understanding of deserts and their ways is crucial if man is going to learn to live with them and make intelligent decisions in attempting to reclaim desert areas for agriculture.

As director of the Air and Space Museum’s research core, the Center for Earth and Planetary Sciences, El-Baz finds that he is in an ideal position to pursue his interests. Yet he would not be there were it not for the shortsightedness of Gamal Abdel Nasser.

El-Baz was born in 1938 in the Nile delta town of Zagazig, one of nine children, the son of a language and religion teacher. The family eventually moved to Cairo. El-Baz’s father used to say that he would be happy if one of his children