

private property protections. The Carter Administration vigorously defended most of the suits in the lower courts, and won. Watt intends to make the remaining cases moot by eliminating offending provisions in the regulations. There are no current plans to try to get the law itself amended, he says.

To overhaul the surface mining office, Watt has chosen James Harris, an Indiana legislator who was active in state efforts to challenge the federal law in court. Harris's formal nomination has been delayed in the wake of reports that he purchased a large parcel of land at a discount from a surface mining firm, while he was chairman of two state legislative committees on surface mining. Harris was unavailable for comment to *Science*, but the *Wall Street Journal* reported that Harris admits to the purchase, which apparently involved no official wrongdoing. Appointed as assistant director of inspection and enforcement is Steven Griles, a former Virginia mining official, who took an active part in that state's challenge to the constitutionality of the law. Environmentalists say the appointments bolster their complaint that Watt appoints foxes as chicken-house sentries.

The Administration's general plan is to eliminate specific requirements of the regulations—such as orders that roads for hauling coal be dug and graded at a

Most oversight inspections have been suspended.

certain angle, or that mining water runoff be cleansed only by means of a silt pond. New rules published in draft form several weeks ago will permit state authorities to establish enforcement programs "as effective as" the federal requirements but significantly different. Matters such as the density of trees required on reclaimed forest land and the frequency of certain mine inspections could be determined by the state.

The Administration has proposed to scrap a current requirement that mine operators be assessed fixed financial penalties for different violations, thus giving state inspectors more discretionary powers. Galloway claims that "flexibility is being used by the department to

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No Major Change in OMB View of A-21

Those who hoped that the Reagan Administration would promptly get the government—in the form of Circular A-21—off the universities' backs were disappointed in an exchange of views between Office of Management and Budget (OMB) officials and those attending a recent meeting of the Council of Scientific Society Presidents (CSSP). The OMB continues to insist that strict accounting for federal research funds is necessary. On the other hand, the meeting produced the strongest expression of willingness to date by OMB officials to work to remove "misunderstandings" that have resulted in excessively rigid implementation of the A-21 rules on accounting for federal research funds.

Representing OMB were Glenn R. Schleede, executive associate director, and John J. Lordan, chief of the financial management branch who has been OMB anchorman during revision and implementation of A-21, which has been highly unpopular in academe.

James D'Ianni, chairman of the CSSP, says the encounter was "not confrontational." The upshot, in fact, was that OMB accepted a CSSP offer to prepare explanatory material intended to accompany A-21 and help avoid excessively demanding interpretations of the time-and-effort reporting provisions that are the most controversial part of the circular.

Lordan told *Science* this could be helpful since it appears that the revised A-21 is being misinterpreted in some places. Reporting requirements are not intended to make faculty punch time clocks or do hourly reporting, he said, but to give "reasonable approximations." Lordan said there apparently are cases in which university administrators or field auditors are "being too rigid in implementation."

Also discussed were complaints that auditors from the Department of Health and Human Services are unreasonably demanding compared to Defense Department auditors. Lordan acknowledges that such complaints are common, but says that the impression in Washington is that the auditors generally take the same point of view in applying the provisions of A-

21. He said, however, that OMB "will try to work on that."

D'Ianni said that the OMB officials made clear that there is no change in the view that full accountability for research funds is necessary. The CSSP members were satisfied with the results of the meeting, he said, "but of course nothing has changed." The CSSP position has been that time-and-effort reporting provisions should be removed from A-21. Now, says D'Ianni, "we may be able to come up with something satisfactory without insisting on complete elimination."—**John Walsh**

Academy Protests Human Life Bill and Budget Cuts

The National Academy of Sciences stepped into the abortion debate and took issue with the Reagan Administration's budget proposals with two resolutions passed during its annual meeting in April.

One of the resolutions disputes the underlying assumption of the "human life" bill currently under consideration in Congress. The bill, basically an anti-abortion measure, states that "present day scientific evidence indicates a significant likelihood that human life exists from conception." But, says the Academy, "the proposal . . . that the term 'person' shall include 'all human life' has no basis within our scientific understanding." Rather, it says the issue "must remain a matter of moral or religious values." Scientists have expressed concern that the bill would curtail much fertility research (*Science*, 8 May 1981, p. 648).

The other resolution is aimed at shoring up support for the social and behavioral sciences, which have been badly mauled in the proposed Reagan budget. The resolution says behavioral and social sciences are important to advancing the frontiers of basic science, and that proposed cuts "are so large as to endanger the continued vitality and progress of this field of scientific inquiry. . . ." The resolution adds that the least that could be done is to permit the National Science Foundation to decide which of its programs should be cut back to keep within total budget allocations.

This suggests that Academy members would be willing, if necessary, to see funds for physical and biological sciences cut in order to restore some support for the behavioral and social sciences.—**Constance Holden**

Federal Science Policy Jobs Still Unfilled

Six months after President Reagan's election, several senior science policy posts in government remain unfilled and one has been abolished. There is consequently much uncertainty about the Administration's policies in some areas, and many programs are stalled as government officials await the appointment of people to key policy-making positions.

The most conspicuous unfilled science post is that of science adviser to the President and Director of the Office of Science and Technology Policy (OSTP). Senior White House officials did not seriously consider any candidate for the job until March, and at one point there was even some doubt about whether the post would be filled at all. After a decision was made to retain a scaled-down version of OSTP, the job of director was offered in late March to General Electric research chief Arthur Bueche.

Bueche, who was telephoned by Reagan himself with the job offer, reluctantly turned it down for personal reasons. Since then, several other candidates have been sounded out, but many of them have said they are not interested. One problem is that people in senior industrial posts are reluctant to take a major cut in salary to serve in a mid-level White House position. Another disincentive is that new conflict-of-interest rules require federal officials to divest themselves of stocks in areas that may come under their purview.

Until a new chief is appointed, OSTP's working arrangements and areas of responsibility remain unclear. Benjamin Huberman, OSTP's acting director, has a joint appointment on the staff of the National Security Council (NSC), and OSTP is consequently involved in studies of interest to the NSC, such as military technology, space, and international scientific matters. But the office will not take on

any major new assignments until a new boss is in place.

The top science policy post in the Department of Commerce, Assistant Secretary for Productivity, Technology, and Innovation, also remains vacant. According to Administration sources, there is a good reason—it is being abolished, and the assistant secretary's responsibilities will be transferred to the Director of the National Bureau of Standards. The Reagan Administration has already proposed the elimination of several innovation programs that were run by the Department of Commerce. The post was held in the Carter Administration by Jordan Baruch, and it was the focal point for developing the innovation program that Carter unveiled in October 1979.

In the Department of Energy (DOE), the senior research position, director of the Office of Energy Research, remains unfilled. But that is not surprising, for only eight people had been named to fill DOE's top 19 posts by the end of April, and only one—Secretary of Energy James B. Edwards—had been confirmed by the Senate.

The Environmental Protection Agency (EPA) is in similar shape. Candidates have been chosen for only two top positions, Administrator and Deputy Administrator, and neither had been confirmed by the Senate by 4 May. The post of Assistant Administrator for Research and Development is still vacant.

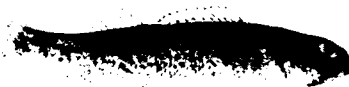
With the recent nomination of James M. Beggs and Hans Mark to be Administrator and Deputy Administrator of the National Aeronautics and Space Administration, heads have been chosen for most of the major federal research agencies. The chief exception is the U.S. Geological Survey (USGS). After the former USGS director, William Menard, was ousted on 26 January, the National Academy of Sciences was asked to draw up a list of qualified candidates. It suggested several names to the White House in March, but so far no appointment has been announced.

The delay in filling these science posts is explained by Administration officials as a consequence of a cumbersome review process and difficulties with the new conflict-of-interest rules. An equally important reason is that they have not been accorded high priority.—**Colin Norman**

Snail Darter's Status Threatened

The snail darter, the tiny fish that became the focus of a mighty battle over the closing of the Tellico Dam, may not be on the verge of extinction after all.

Until recently, the fish's only known habitat was the Little Tennessee River, one of the last free-flowing rivers in Tennessee. Environmentalists were concerned that the snail darter would be wiped out when the Tennessee Valley Authority (TVA) finished building its dam on the river, and they went to court to block the project. Congress



U.S. Fish and Wildlife Service

Snail darter

eventually allowed the dam to be completed by exempting the project from the Endangered Species Act. In the past few months, however, populations of snail darters have been found in three new places.

David Etnier, the University of Tennessee zoologist who first discovered the fish in 1973, found a few specimens in the Chickamauga Creek near Chattanooga last November, and TVA divers later located several more in a 15-mile stretch of the creek. Etnier found another population last March in the nearby Sequatchie River, and TVA zoologists have located a third population in the Sewee River, a tributary of the Tennessee River.

"There is a slim possibility that these populations may be recent invaders," says Etnier. "If so, the snail darter would be in as bad a shape as ever." But if they turn out to be established populations, the fish may no longer be an endangered species.

Etnier and TVA will conduct more studies during the summer, and if they show that the populations are well established, the snail darter may be reclassified as a "threatened" rather than an endangered species.

These recently discovered populations may have been missed before because they are all in relatively remote locations that can only be reached by boat.—**Colin Norman**