Environmentalists Seek New Strategies

The 1970's saw major gains for their cause, but many environmental programs are now beset by frustration

The Earth Day of 1970 was very much an upbeat affair, with the environmentalists flexing their political muscles and promising to take on the forces of environmental degradation. Earth Day '80, observed this past 22 April, was upbeat too, but during the intervening decade there has been a large and sobering accumulation of evidence that the environmental movement still has no tried and true strategy for success.

An assessment of where the movement stands was undertaken at the Environmental Decade Conference held 10–13 April at Estes Park, Colorado, under sponsorship of the Conservation Foundation of Washington, D.C. The conferees, made up of some 250 environmentalists from across the country, had reason to view the 1970's as a time of environmental renaissance during which a score of major pieces of legislation were passed.

But, besides hearing repeatedly that public concern about inflation, jobs, energy supplies, and lagging industrial productivity is making stormy political weather for the environmental movement, the picture that the conferees were given of regulatory programs was one of deep frustration, with no relief in sight. John Quarles, deputy administrator of the Environmental Protection Agency (EPA) until 1977 and now a private attorney concerned with environmental regulation, said that EPA is "severely overloaded." "In the 9 years of EPA's existence its manpower has roughly doubled while its program responsibilities have been multiplied, I would say, by a factor of 20. Today, it cannot perform its workload."

Among his cases in point, Quarles cited these EPA laws and programs:

State implementation plans, or SIP's, under the Clean Air Act. The revised SIP's, supposed to have been completed by mid-1979, are still not finished and in "many cases final resolution is nowhere in sight."

Pesticides registration, supposed to have been completed by 1975. "That effort has ground to a virtual standstill. After nearly 8 years only 10 active ingredients have been registered in all."

Toxic Substances Control Act of 1976. "After three and a half years EPA's implementation of TOSCA is still in its infancy. . . . The agency has been literally overwhelmed by the difficulties of establishing an inventory of existing chemicals."

Resource Conservation and Recovery Act of 1976, which is supposed to prevent more Love Canals. EPA is 2 years behind in promulgating the implementing regulations, and, Quarles said, it will be years before EPA and the state agencies achieve meaningful results with this regulatory program.

Quarles said that in pointing to these regulatory frustrations it was not his intent to "embarrass or criticize EPA," an agency which he said has displayed "extraordinary dedication" and "far above average competence."

He said that EPA, overloaded as it is, is "like a statutory bankrupt; it cannot meet its obligations as they fall due." Moreover, he added, given the current state of the economy and President Carter's efforts to hold down federal employment and expenditures, the capacity of the government machinery will not be materially expanded.

In an interview with *Science*, another conferee, Thomas C. Jorling, who was assistant administrator for EPA's water pollution and solid waste programs until last September when he returned to Williams College where he is professor of environmental studies, took quite a different view of EPA's difficulties. In his opinion, the problem is not primarily one of system overload. Rather, it has to do with a tendency of polluters to try, through the legal system, to avoid compliance with the law.

"The bar and countless other resources are marshalled in support of efforts to avoid the law, to interpret words and provisions so as to make them not applicable—to avoid," Jorling said.

"Of course each year of delay provides the corporation opportunity to invest the resources which would be required for control into more 'productive' uses," he added.

Jorling believes that the tendency to search for "loopholes" is traceable to the Internal Revenue Amendment of 1913. In his view, this measure led to a proliferation of lawyers, trained as "clever semanticists," who interpret the law in such a way as to wring from it every advantage for the taxpayer. (Others might trace the problem to original sin and statutory provisions so elaborate and complex as to answer a lawyer's dreams.)

In his talk to the conferees, Gus Speth, chairman of the Council on Environmental Quality, said environmentalists had made major gains in the 1970's, but he then warned: "If we look at the recalcitrants and adversaries of environmental quality, we see a regrouping of forces, a reassertion of environmental clout, and cold-blooded exploitation of such fundamental national character traits as suspicion of government interference with private choice."

Speth said that since 1971, when changes in the campaign finance law permitted corporations to set up political action committees, or PAC's, "a veritable avalanche of money has passed through the corporate PAC's to political candidates. . . .

"Contributions to House committee chairmen from PAC's of all types—corporate, trade association, and labor—averaged $43,000 in 1978, more than double the 1976 average," he said. "The number of House members receiving 40 percent of their campaign contributions from PAC's grew from 78 in 1974 to 155 in 1978."

A discouraging note was sounded at the conference by Governor Richard D. Lamm of Colorado, whom environmentalists regarded as one of their own when, in 1974, they helped him win his first term, only to be disappointed at his subsequent performance in office. Lamm said that the environmental movement cannot look to him or other politicians for leadership. Politicians fear impotence even more than they do defeat, he said.

Early in his first term, Lamm recalled, he tried futilely to stop construction of 12 miles of interstate highway in metropolitan Denver—a region with one of the worst air pollution problems in the nation—and to shift the funds to mass transit. The public outcry was such, he said, that "government practically came to a halt. People were giving me the victory sign one finger at a time."

"The civil rights movement, the woman's movement, the environmental movement—all these were initiated and led by people outside the political system," Lamm said. "Public leaders

0036-8075/80/0502-0477$00.50/0

Nonproliferation Policy Challenged

A major retreat in one of the distinctive foreign policy initiatives of the Carter Administration seems to be in the making. The President's special ambassador for nuclear nonproliferation is recommending significant modification in the Carter policy of trying to halt the spread of nuclear weapons by restraining international trade in nuclear technology. In light of several recent policy setbacks, Gerard C. Smith proposes that the United States soften or withdraw altogether its opposition to aspects of the nuclear energy policies of America's major allies and trading partners, particularly their widespread interest in construction of pilot breeder reactors which use weapons-grade material as fuel.

The recommendation is contained in a still classified memorandum to the President, intended as a working draft, that is currently under discussion by a nine-member presidential review committee coordinated by the National Security Council. Included are representatives of every major executive agency concerned with nuclear weapons.

Smith proposes that the United States give up its case-by-case review of foreign requests for transfer or reprocessing of nuclear fuel, in favor of a blanket assurance that such requests will be granted when the fuel is needed for reasonable overseas breeder reactor research and development. Under present agreements, U.S. jurisdiction over the transfer of fuel is expensive, giving the United States veto power over the disposition of between 60 and 70 percent of the world's present uranium supply.

Smith also proposes that the United States grant contracts to supply uranium to reactor operators in foreign countries for the duration of a reactor's lifetime—about 30 to 40 years. Contracts would be granted in return for various concessions for government officials of the countries involved. At present, sales contracts are approved only for a few years at a time.

Finally, Smith proposes that the United States actively support the start-up of an international plutonium storage and management regime, altering the present approach to the controversial suggestion.

Each of these ideas is vigorously desired by American allies and opposed by a large segment of the nonproliferation community in Washington. State Department officials say they decided to support a new policy after becoming convinced that a rigid U.S. policy of denial and confrontation was leading nowhere. They point to three recent diplomatic setbacks, the most noteworthy being the final report of the U.S.-sponsored International Nuclear Fuel Cycle Evaluation (INFCE) in February (*Science*, 28 March). Against the wishes of the United States, the conference generally endorsed the breeder concept.

A second setback was the recent announcement that Switzerland and West Germany had reached agreement with Argentina for the sale of nuclear energy equipment that substantially enhances Argentina's capability to develop a nuclear bomb. A number of American officials, up to and including President Carter, had unsuccessfully attempted to intervene in the case. Finally, the long-stalled U.S. negotiations with India over nuclear safeguards recently missed an important deadline without any further progress.

These and earlier disappointments produced a sense of frustration at the State Department that led to the latest proposal. "We just need more flexibility to negotiate," says one diplomat. "We go over there [to Europe] and recite for them, *ad nauseum*, the American [nonproliferation] law, and all they do is smile at us." The hope is that by granting concessions on breeder R & D, plutonium storage, and uranium supply, the United States might gain acceptance of some of its more difficult objectives, such as complete nuclear energy proliferation safeguards and pledges not to engage in enrichment or reprocessing for conventional reactor systems.

Backers of the proposal hope to have a final version on Carter's desk within 2 to 3 weeks. But interviews with many of the officials involved at different agencies reveal considerable disagreement about what the final draft should say. Furthermore, the President's domestic policy staff is concerned about the impact of a major policy shift during an election year.

—R. JEFFREY SMITH

merely confirmed into law changes which had their genesis in sweeping value changes outside the political system. Politicians have seldom been leaders."

Sociologist Robert C. Mitchell of Resources for the Future had encouraging news for the conferees in that public opinion polls have consistently shown strong public support for environmental quality objectives, even when it has been made clear to respondents that attainment of these objectives may involve economic trade-offs. But, on the whole, the assessments as to where the environmental movement stands indicated a need for new solutions and new strategies. Those that were offered vary widely and some appear clearly contradictory.

Speth called in particular for political mobilization at the grass roots and for building coalitions with "natural allies"—among them the urban poor, farmers, industrial workers exposed to hazardous chemicals, and "concerned and enlightened businessmen."

William K. Reilly, president of the Conservation Foundation, emphasized consensus building "in quiet cooperation with other sectors of society, including business and labor leaders." He also emphasized more reliance on state, local, and private initiatives rather than on federal initiatives.

Peter Harnik of Environmental Action urged that environmentalists get behind the campaign being led by Ralph Nader and others for "corporate democracy." This is a revival of an effort that goes back to 1970 to shift corporate control from company managers to shareholders and independently elected directors who would include consumerists, environmentalists, labor representatives, and other outsiders.

Lester Brown, president of the World Watch Institute, saw a need for sharpening the environmental movement's semantics and rhetoric. "We have allowed our opponents to define the movement in terms of environmental quality versus jobs," he said. "We ought to stress the protection of natural systems that underpin the social and economic systems. In defining the problem that way, we can occupy the high ground."

Brown stressed that present economic circumstances are encouraging some environmentally benign innovation: "We are on the edge of a fundamental transformation in the U.S. social and economic system," he said. "As we move toward $40 a barrel oil and full price decontrol, solar collectors may sprout on roof tops in the 1980's like TV antennas did in the 1950's."—LUTHER J. CARTER

0036-8075/80/0502-0478$00.50/0