Moertel concluded his speech in the cavernous ballroom at the Sheraton-Washington, an elderly woman, Gertrude Engel, stood up before hundreds of physicians to press her cause in support of Laetrile. "What about all the anecdotal evidence that Laetrile works?" she demanded. "Doesn't that count for something?"

Moertel responded from the podium, "People have said that crocodile dung and leeching have helped to cure disease based on anecdotal evidence. It is destructive information. We need scientific evidence and we now have it on Laetrile."

His remarks were met with a round of applause.—MARJORIE SUN

Watt Carves Up Strip-Mining Policy

The new Secretary of the Interior wants to hand it back to the states

One of the Reagan Administration's earliest reversals of environmental policy is occurring in the regulation of strip-mining. The Department of the Interior, under Secretary James Watt, is recasting virtually every rule written in the 4 years since Congress passed the Surface Mining Control and Reclamation Act, with the effect of drastically reducing federal involvement in the act's enforcement. Watt's plan is to give state authorities added discretion to interpret the law according to regional conditions, a decision that lets individual mine owners avoid some mining and reclamation procedures that they believe are too difficult and costly. At stake are millions of dollars in coal profits and some requirements that environmentalists had pursued for at least a decade.

A small group of officials from other federal agencies meets daily at the Office of Surface Mining to "streamline" the existing rules. "We've taken out a lot of the verbiage, a lot of the specific criteria for reclamation and mining operations," says Edward Johnson, an acting assistant administrator on loan from the Agriculture Department. "The idea is to accomplish great changes without a legislative fight."

As with much of Watt's agenda, the strip-mining plan has provoked strong opposition from the environmental community, as well as from farmers and ranchers in mining areas. Thomas Galloway, of the Center for Law and Social Policy, in Washington, D.C., threatens that some of the reforms will be challenged in court. Edward Grandis, of the Environmental Policy Institute, says, "they are developing a recipe for failure, leaving the program with high goals but no enforcement."

The industry, however, is excited at the prospect of operating under more flexible rules. Many of the regulatory changes have come directly from lobbying groups such as the Mining and Reclamation Council of America, in Washington, D.C., whose members conduct 70 percent of the nation's coal mining. Additional suggestions have come from individual mine owners and state political officials, who say that their protests against stringent interpretations of the law's provisions had previously fallen on deaf ears. Joseph Porter III, vice president of the Garland Coal and Mining Company in Arkansas, is one of many to write the department in recent weeks, applauding the attitude shift. "For small companies such as ours, the benefit is incalculable," he wrote.

The wrangling that attended the law's consideration by Congress has never ceased. Its proscriptions against the gouging of mountainsides and the carefree dumping of mining spoil reversed long-standing industry practices and cost millions of dollars. Operators complained that the Carter Administration started citing them for violations without even a short grace period to modify their practices. Federal officials took the attitude that requirements had to be spelled out in utmost detail or they would be circumvented. Last year, resistance to the rules was so great that the Senate voted to make the regulations "advisory" and not mandatory.

The opposition also found its way into the courts, where more than 100 provisions of the law and the subsequent regulations have been challenged. The result is a confusing patchwork of rules, some of which are in limbo and others in constant revision. The Supreme Court is expected to rule this spring on the decisions of federal judges in Virginia and Indiana that certain portions of the law violate states rights, due process, and

Office of Surface Mining

A mountainside littered by mining spoil

Kentucky argued to bar this completely last year, but only after a fight.

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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 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.

Most oversight inspections have been suspended.

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

(Continued on page 762)

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.

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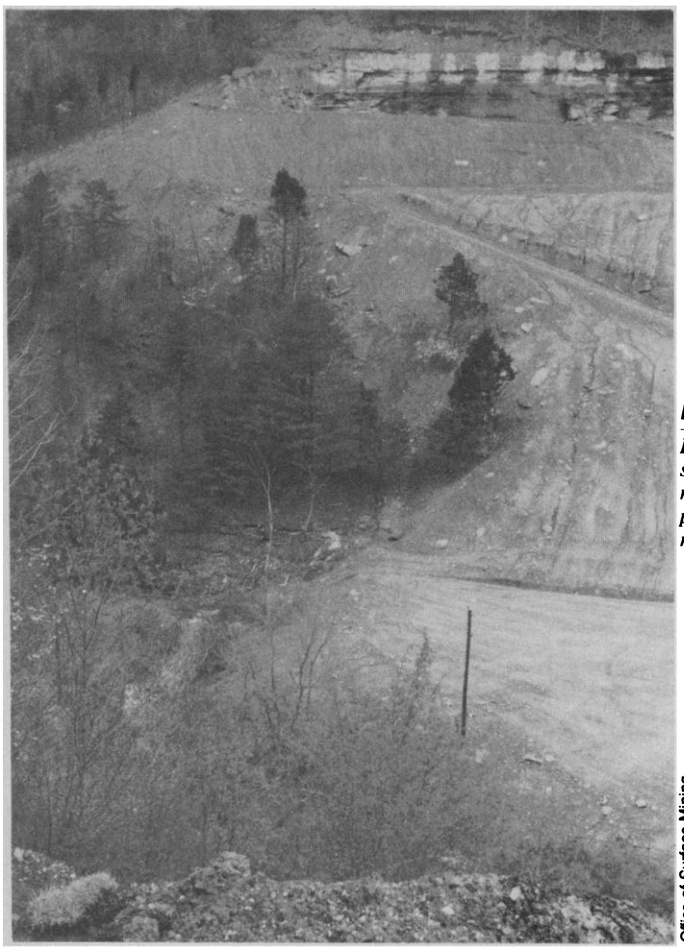

Office of Surface Mining

Land erosion

Photo taken last year shows an unreclaimed mining pit, with improper drainage and no revegetation.

(Continued from page 760)

mask a return to few penalties." But a surface mining official, who asks not to be named, frankly admits that "a number of states will substantially reduce the number of fines" they assess if the reform is made. Several other officials argue that a citation alone is embarrassing enough to bring many mine owners into compliance.

In line with the return of control to the states, Watt has proposed to cut the federal mining inspection force from 350 to 161, beginning with the new fiscal year in October. Andrew Bailey, a federal geologist who serves as the acting surface mining director, explains that all 27 states where surface mining occurs are expected to have their own inspection and enforcement programs operating by then (as the law required over a year ago). The diminished federal role of oversight requires few inspectors, he says. But others believe that his timetable is optimistic. Court action initiated by the industry in eight states prevents them from developing enforcement programs until next year. Representative Sidney Yates (D–Ill.), chairman of the subcommittee that funds the surface mining office, has sharply attacked the inspection curtailment, and promised to see that more inspectors are retained than the Interior Department wants.

In the meantime, most oversight inspections have been suspended. In a letter of 12 March to his regional directors, Bailey said that such inspections "are to be conducted according to an approved oversight program. Since no program has yet been established, there should be no oversight inspections being conducted" (sic), with few exceptions. The "approved program" will not be ready for another 3 or 4 months, so until then no federal scrutiny exists in the 16 states that already have enforcement programs. Harriet Marple, the new director of enforcement, acknowledges that the curtailment will please both the states and the mine operators. "If I was asked today, does every state have an adequate inspection force . . . I don't know for sure," she told Yates.

The most controversial change in surface mining policy will probably be the easing of a requirement that mined land be returned to its approximate original contour—one of the most highly debated aspects of the law and what many consider to be its centerpiece. The rule, which applies primarily in Appalachia, forces an operator to replace material dug out from the side of a mountain, instead of leaving an L-shaped pit. Drainage over a pit wall leads to erosion and water pollution by toxic or acidic minerals and sediment. But replacing the spoil is typically the most expensive aspect of surface mining, and the operators argue that the floor of a pit can be a valuable site for real estate or commercial development. Under current regulations the pit walls must be eliminated and part of the floor can be retained only if mine owners have a commitment for development in hand. Watt wants to approve the retention of the pit walls and floor even without a commitment, if the landowner wants it. Johnson says that "emotionalism overwhelmed the practical aspects" during congressional debate on the issue. A recent report on surface mining by the National Research Council,* takes the opposite point of view. "A limited quantity of mining-created flat land in desirable locations could be a valuable by-product of surface mining. . . . If relieved of 'back-to-contour' regulations, however, the mining industry would probably provide such land in quantities considerably in excess of the demand, and with no special regard to the . . . requirements that would make such land useful."

Surface mining officials also plan to relax or eliminate a rule regarding reclaimed prime farmland. Mine operators would no longer have to farm the land for several years and compare its yield to that of neighboring unmined farms in order to prove that it had been returned to full productivity. Finally, the department wants to make it more difficult for citizens' groups to petition for a declaration that federal land in their region cannot be mined because of the environmental damage it would cause. Environmentalists in Utah and Montana have petitioned to declare thousands of federal acres off limits to mining operations organized by the Interior Department's Bureau of Land Management.

Along with the shift in policy has come a reversal in positions of influence. Mine operators, previously consigned to the courts, now find their interests tended by Watt's appointments to the bureaucracy. Environmental and community groups, who enjoyed good relations with the previous appointees, have only the courts for redress now. Members of Congress on both sides of the issue plead reluctance to enter the fray until the Supreme Court has ruled on the constitutionality of the law itself, later this year.—R. JEFFREY SMITH

**Surface Mining: Soil, Coal, and Society* (National Research Council, Washington, D.C., 1981).