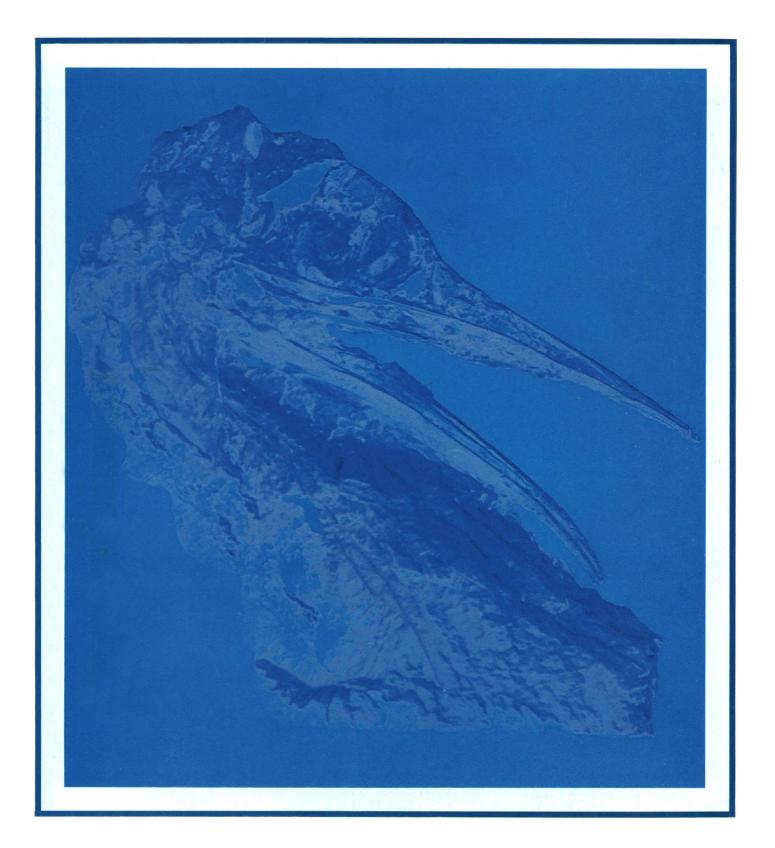
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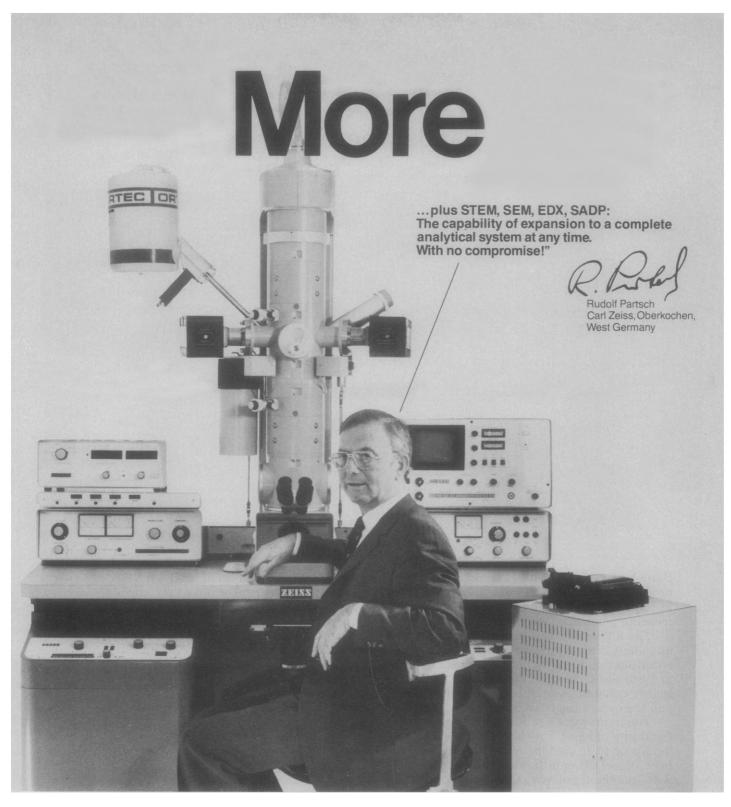
COVER

Skull of a paleognathous bird from the early Eocene of Wyoming, about 50 million years old. Somewhat older fossils from Montana also belong to this previously unknown group of medium-sized, flying birds. The ostrich-like palate of these birds is primitive and therefore cannot be used to define the ostrich-like birds (ratites) as a monophyletic group. See page 1236. [V. Krantz, Smithsonian Institution, Wash-ington, D.C. 20560]



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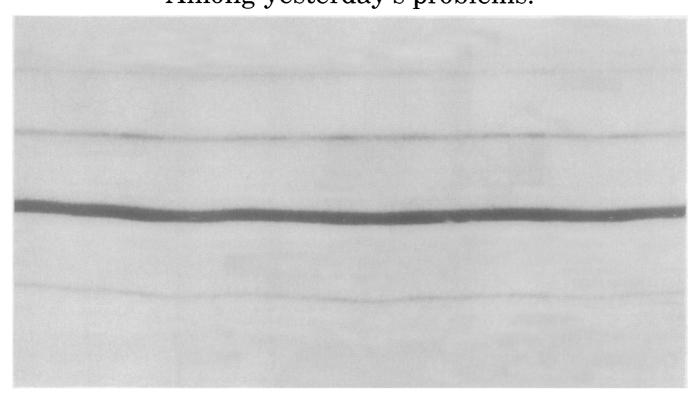
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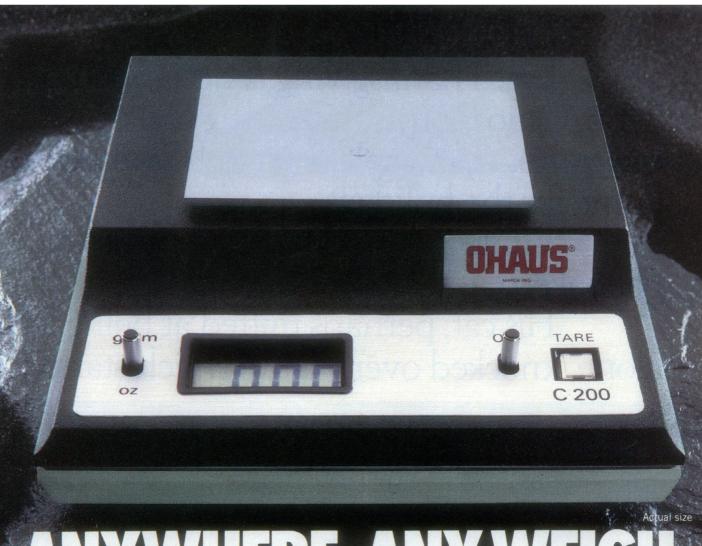
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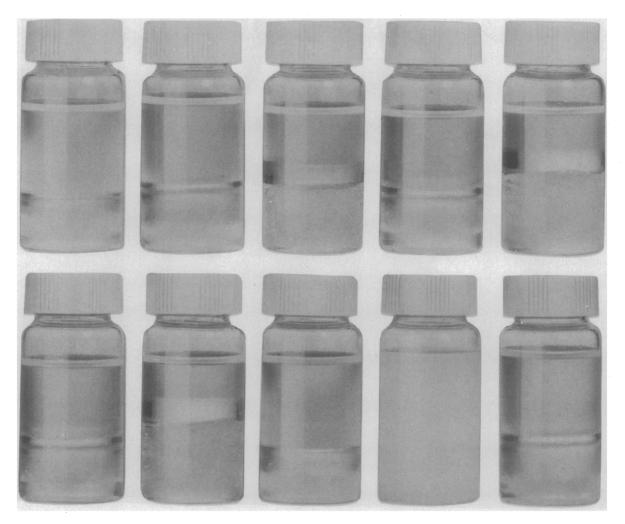
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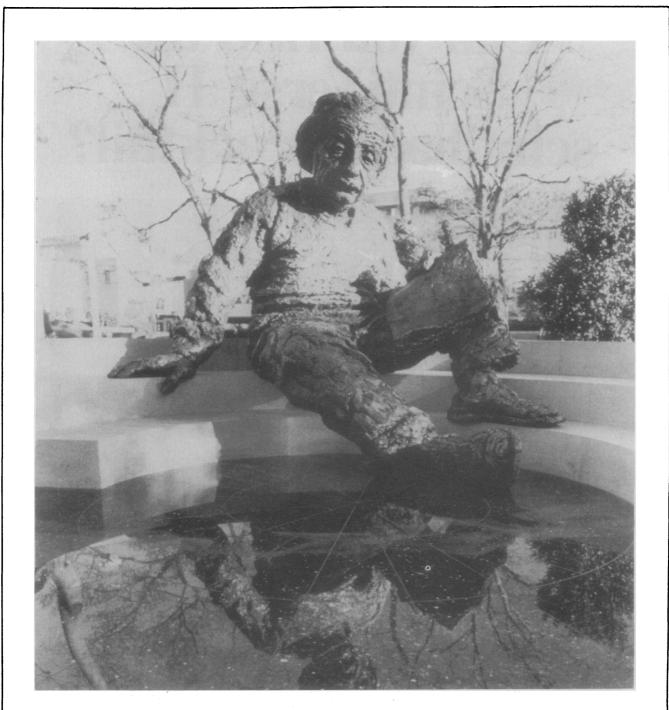
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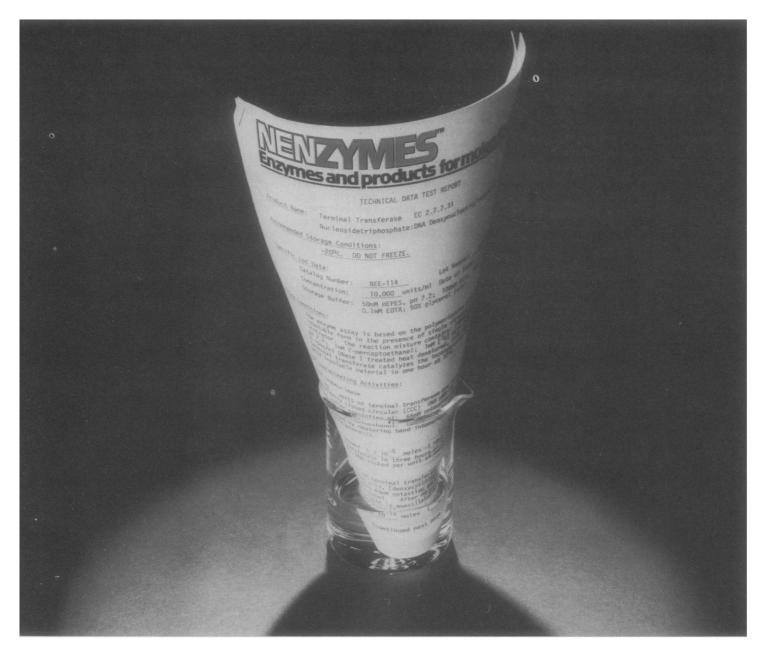


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How Amoco uses an evolving science to help search for new oil and natural gas.

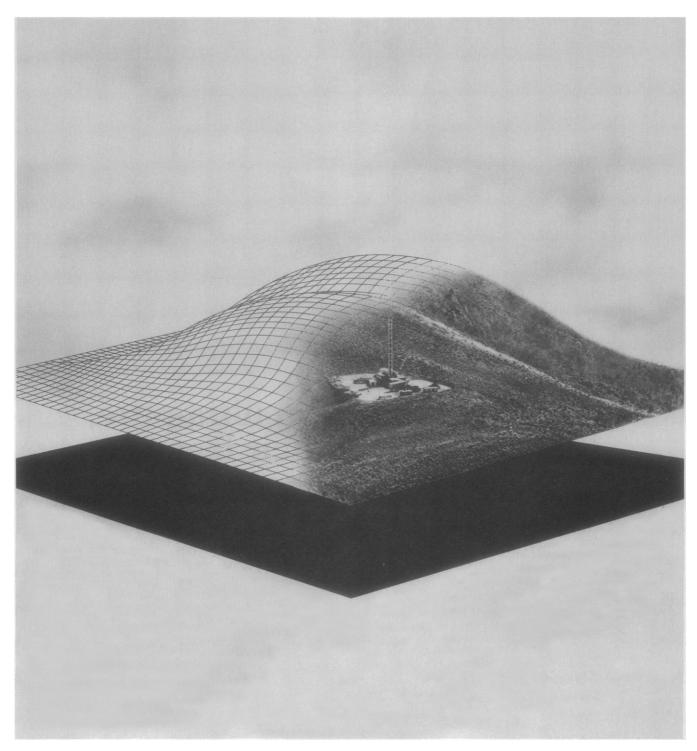
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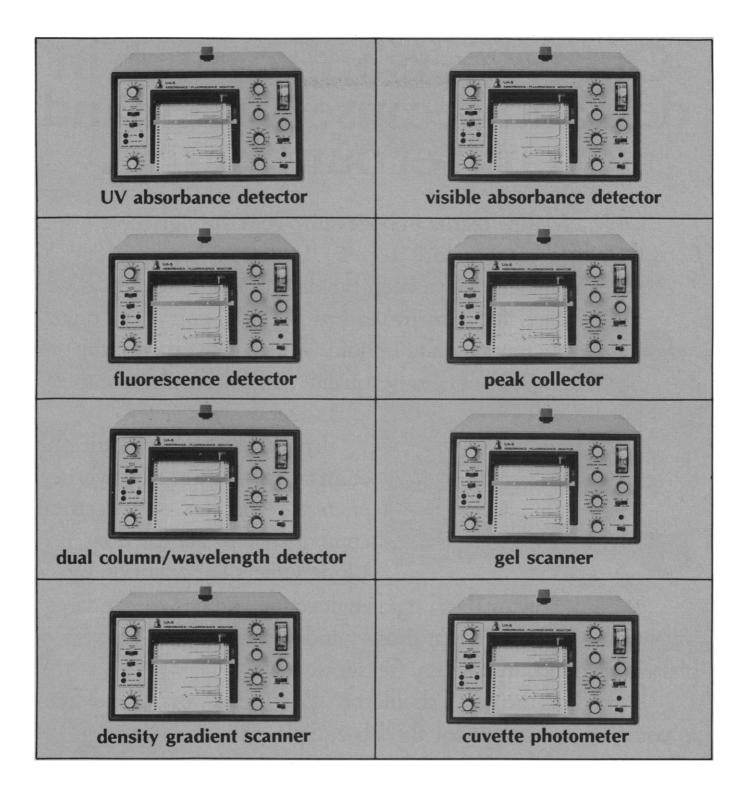
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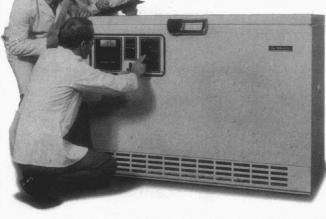
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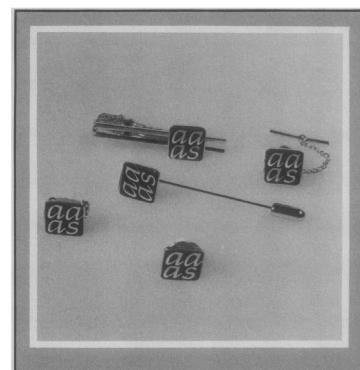
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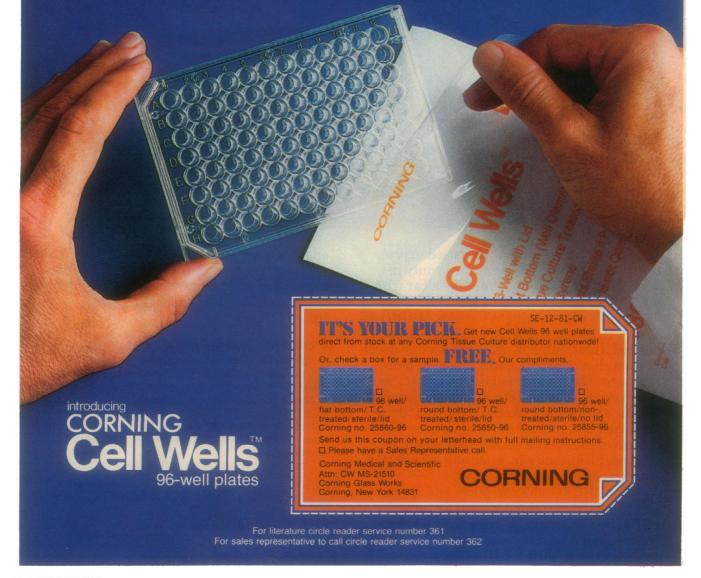
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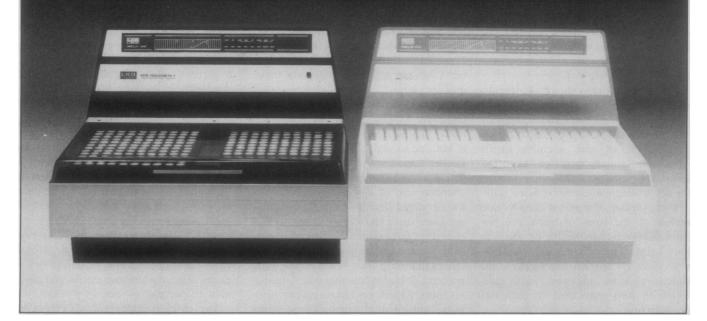
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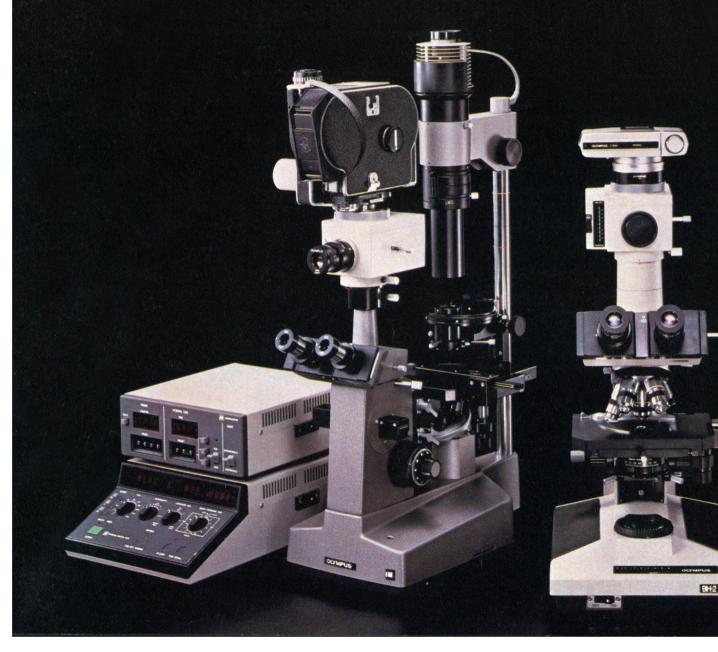
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Transition at the EPA

A year after the elections the future of the Environmental Protection Agency (EPA) and its priorities remain unclear. However, some indications may be gleaned from impending decisions by the EPA administrator on implementation of an agencywide strategy for the control of toxic substances. The strategy was developed over the course of the past year and is designed to be both scientifically sound and economically reasonable. The outcome will be of general interest, since the direction of environmental policy and the role of science in regulatory decision-making are at stake.

The need to place a higher priority on control of toxic pollutants in the environment was recognized by the Carter Administration. At the end of his term as EPA administrator, Douglas Costle spoke of a transition in environmental policy from control of conventional to toxic pollutants; this change would provide the major challenges for the agency in the 1980's and 1990's. Shortly before the elections, and prodded by the Office of Management and Budget, EPA began to analyze the regulatory and management implications of such a shift in priorities. The new Reagan team at EPA signaled initial approval of this approach and encouraged further development of the agencywide toxics strategy. For the first time in EPA's history, a scientist-engineer was appointed to the number two command spot.

Focusing attention and resources on risks from toxic substances will move EPA more directly into the orbit of public health policy. This makes it necessary to work closely with other public health agencies of the government on assessing risks and determining the relative seriousness of exposure from different sources, such as environment, workplace, diet, and other life-style factors. Work on an EPA cancer policy, which has been under way for some time, calls for cooperation of this kind.

Internally, the agency will need to move from a medium-specific and engineering perspective to a broad scientific and public health orientation. This will be difficult, partly because of the scientific and regulatory complexities of toxics control, partly for institutional reasons. Throughout EPA's history, individual program offices, in particular those responsible for air and water, have been the real power centers. Their principal regulatory approach was based on establishing pollutant standards. By contrast, the offices for pesticides and industrial chemicals are responsible for licensing commercial products once they have been found acceptable. Both strategies will have to be used as part of an integrated toxics control program; others will need to be developed, such as control programs for entire sectors of industry or geographic regions. Toxics control must, therefore, be organized as an agencywide function, establishing priorities for action, choosing the most appropriate intervention alternative, and making decisions in light of program views but not dominated by them.

A key ingredient for a successful toxics strategy is a vastly improved linkage between policy-making and science in the agency. The Office of Research and Development oversees a large research program and plays an important role in the preparation of science and health assessments. Some program offices have relied on the Office of Research and Development for these services, others conduct their own science assessments and bypass the agency's central science advisory mechanism. The result has been considerable duplication of effort, delays, and internal conflicts. The new toxics strategy emphasizes the importance of developing consistent procedures for collecting and analyzing scientific data and for submitting science assessments to outside peer review. Much of EPA's research will need to be more directly linked to regulatory needs. Policy-makers, on their part, need to engage in more sustained substantive dialogue with the experts.

In sum, an EPA-wide toxics strategy needs more central policy direction and oversight, less program independence, more cooperation with public health agencies, less emphasis on open-ended data collection, and more policy-relevant science.—JURGEN SCHMANDT, Professor of Public Affairs, University of Texas, Austin 78712

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scientific expertise is inherently removed from value considerations and that scientists are therefore political celibates is an anachronistic and even dangerous one. Expert forums may limit the role of dissent by giving a dominant place to establishment views on controversial topics. Such consensus-building procedures may also perpetuate misconceptions about the relation between facts and values in controversial areas where questions of value are difficult to distinguish from questions of fact. Furthermore, the need for urgent action in controversial areas may lead to undue reliance on expert opinion. When policymakers and the courts need quick answers, tentative scientific judgments may be treated as definitive conclusions and the qualifications intended by scientists may be lost (20).

In the end, proposals to bolster judicial competence in technical areas fall short, for the problems faced by the courts in dealing with controversies in these areas cannot be attributed simply to lack of judicial expertise. They also reflect the failure of the policy process to recognize fully the public and multifaceted character of modern scientific and technological development. In the absence of controlling policy principles, broad questions that follow from scientific and technological activities will continue to reach the courts in the artificial guise of two-party adversarial litigation. Equipping the courts with scientific and technical support may facilitate the adjudication of these issues; however, it may also divert attention from the public responsibility for major policy decisions and encourage the conversion of moral and political questions into technical debates among experts. As our strongest institution for defending fragile values, the courts should guard against such overextension of scientific expertise. However, the fundamental choices involved are not simply matters to be resolved by adjudication; they call for setting priorities and evaluating the public will, clearly a political, not a judicial, role.

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