1993

The effects of the Presidency on the EPA

Patrick Cook

University of Northern Iowa

Follow this and additional works at: https://scholarworks.uni.edu/pst

Part of the American Politics Commons, and the Environmental Policy Commons

Let us know how access to this document benefits you

Recommended Citation
https://scholarworks.uni.edu/pst/59

This Open Access Presidential Scholars Thesis is brought to you for free and open access by the University Honors Program at UNI ScholarWorks. It has been accepted for inclusion in Presidential Scholars Theses (1990 – 2006) by an authorized administrator of UNI ScholarWorks. For more information, please contact scholarworks@uni.edu.
The Effects of the Presidency on the EPA

by

Patrick Cook

Presidential Scholars Thesis
Advisor: Dr. Jeremy Lewis
This paper is a study of how the Presidency affects, and has affected, the Environmental Protection Agency. The EPA is a relatively new agency having only been created in 1970. Therefore, I have focused my research on the individual administrations from President Nixon to President Reagan. I shall present to you trends in presidential policy towards the Environmental Protection Agency, and how they have shaped the Agency, its direction, and its effectiveness.

To place this research in context, I will begin by presenting a history of the Environmental Protection Agency. This survey will focus on major events and important pieces of legislation that were crucial to the creation and evolution of the EPA. This will also include the manner in which this agency was formed and the organizational patterns it has assumed.

The history is then followed by a discussion of the Presidency's role in relation to the Environmental Protection Agency. I will focus on important trends and specific examples that show what the Chief Executive can do to alter the EPA. This includes budgetary patterns, the types of appointments made to the Agency, and the attitude of the President towards the Agency.
# Table of Contents

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>History</td>
<td>3</td>
</tr>
<tr>
<td>Two</td>
<td>The Environmental Protection Agency</td>
<td>11</td>
</tr>
<tr>
<td>Three</td>
<td>The 1970's Presidential Influence</td>
<td>18</td>
</tr>
<tr>
<td>Four</td>
<td>The 1980's Presidential Influence</td>
<td>23</td>
</tr>
<tr>
<td>Five</td>
<td>Conclusion</td>
<td>31</td>
</tr>
</tbody>
</table>
Chapter One
Introduction

As each new decade rolls around it seems as though everyone is trying to name the decade. Individuals, the media, even those purporting to be scholarly try to pin down what the theme of the decade will be, and subsequently name it. More often than not, the name that sticks comes only after the years are long past and the events are over. Some of these names that are used today are the "Decade of Love" for the sixties, the "Me Decade" for the eighties, and the seventies and the nineties now share a common epithet, the "Environmental Decade". The decade of the seventies received its name due in part to the surge of environmentalism resulting from the attitudes of the sixties, and also because the seventies was the first decade to see the Environmental Protection Agency. This concern for the environment subsided for a time, but has reappeared in the last few years as more than just popular culture.

People have become worried about the state of nature around them and have sought some form of action. Now the nation has a Vice-President who shares this deep concern for the environment. Even with this concern, what can the executive branch do to affect the nation's environmental health? The government has a powerful tool to accomplish that in the Environmental Protection Agency. The EPA has been delegated the significant and somewhat overwhelming task of overseeing and regulating pollution in the United States. To accomplish this, the EPA has been given fairly
wide latitude in its regulatory policy. Thomas Dye feels that this has allowed the EPA to accumulate "vast power over virtually every segment of economic activity in the nation" (Dye 191). Can such an agency accumulate such power in the United States? This question has led me to inquire into the role of the Chief Executive in relation to the Environmental Protection Agency. Specifically, this paper is an attempt to show how this agency is influenced by the office of President of the United States and the powers vested therein. The President wields much power in the ability to appoint agency leaders, propose budgets, and influence through ideology. Can this relatively new agency withstand pressures from a president, or can it absorb the discord and weather the changes like other bureaucracies in the federal government.

History

The idea of protecting the environment is not a new, but where did it come from? Originally the environment was seen by humans to be a hostile force, an obstacle impeding a persons chance of survival. This mentality of people led to the idea that nature must be conquered and used to humankind's advantage. The concept of environmental utilitarianism was dominant throughout the seventeenth and most of the eighteenth century.

Towards the late eighteenth century some people began to see non-utilitarian uses of the environment. Writers like Henry David Thoreau and Ralph Waldo Emerson began to forge a new relationship
with nature. They began to experience and believe in a more
balanced relationship with nature, one not of devastation and use,
but one of harmony and symbiosis. It was also during this time
that members of the public began to react to the slaughter of herds
of wild bison. This outrage spurred an attitude of wildlife
conservation that was embraced by much of the nation.

Even with a new appreciation of nature, humans' view of the
environment was still an anthropocentric one. These
conservationists, as they were called, wanted to avoid the wanton
destruction of all the resources of North America, not just the
wildlife. These conservationists preferred a planned use of
resources to obtain the maximum utility. This attitude was
prevalent in the late nineteenth century, and was even popular with
presidents such as Teddy Roosevelt. The conservationists did help
create some of the national parks people enjoy today. As a result
of this movement, Yellowstone and Yosemite National Parks are
available to millions of visitors each year.

As the United States came out of World War II, the environment
was in for a great shock. The nation had experienced a period of
full employment in which there were few consumer goods to purchase.
When the war was over, industry turned to the production of vast
quantities of goods in order to meet the demands of America. From
this came many detergents, synthetic fibers, plastics, and
pesticides mass-produced and then disposed of with little thought
given for the effects that might incur. This time of prosperity
was enjoyed for the next couple of decades with little concern over
the impact its waste was having on the environment.

This general attitude of ignorance towards pollution remained prevalent until around the 1960's. In 1962, Rachel Carson published a book entitled *Silent Spring*. This book was key in focusing the public's attention on pollution in the United States, especially chemical pollution like pesticides. This decade saw the revolutionary attitude of many youths seeking change. The sixties were a time of increased awareness of the natural world, as well as a time of increased publicity of major environmental disasters. The attitudes regarding the environment of small groups of radicals was suddenly becoming a national concern.

The year 1969 is known for some of the more highly publicized environmental crises of the United States. On January 29 of that year, the Union Oil Company drilling platform in Santa Barbara, California, ruptured sending hundreds of thousands of gallons of crude oil onto the beaches of the city. These beaches were famous for their beauty, and were a large source of revenue for the city because of the tourism they generated. In this instance, pollution had a direct effect on tangible indicators. Then, in the summer of 1969, a lit cigarette was absently tossed into the Cuyahoga River in Cleveland, Ohio. The Cuyahoga River had been heavily polluted with combustibles and when that cigarette landed, the river ignited. The sight of a polluted and burning river in the center of a major city caused the public to take even greater notice of problems in the environment. Politicians, ever wary of shifts in the political climate, also took notice.
In Congress, action was forced onto the table concerning the environment. Prior to the incidents of 1969, there were some honest efforts to clean up certain areas of the environment. Certain Congresspersons such as Edwin Muskie and John Dingell were staunch proponents of environmental legislation. In 1965, the Water Quality Act was passed that allowed the department of Health, Education and Welfare to set standards concerning water pollution across the nation. By the end of 1968 though, Muskie and his supporters could pass no comprehensive environmental legislation that would satisfy both environmental and industry lobbyists.

In 1969, the chain of events leading up to the creation of the Environmental Protection Agency began. This was the year that Congress was forced into action. House Resolution 6750 was introduced by John Dingell and Senate Bill 1075 was introduced by Henry Jackson. After meeting in conference, a joint resolution was passed forming the National Environmental Protection Act. The opening section of the Act outlines its purpose as follows:

[T]he Congress, recognizing the profound impact of man's activity on the interrelationships of all components of the natural environment, particularly the profound influence of population growth, . . . industrial expansion, resource exploration, and new and expanding technological advance, and recognizing further the importance of restoring and maintaining environmental quality to the overall welfare and development of man, declare it is the continuing policy of the federal government . . . to use all practical means and measure. . . ./ in a manner calculated to foster and promote the general welfare, to create and maintain conditions which man and nature can exist in productive harmony and fulfill the social, economic, and the other requirements of present and future generations of Americans.

-NEPA Section 101 (a)

Congress had worked into the particulars of the bill six goals for
this act: 1) To fulfill the responsibilities of each generation as a trustee of the environment for succeeding generations; 2) Assure for all Americans safe healthful, productive, and aesthetically and culturally pleasing surroundings; 3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety or other undesirable and unintended consequences; 4) Preserve important historic, cultural, and natural aspects of our national heritage, and maintain wherever possible an environment that supports diversity and variety of individual choice; 5) Achieve a balance between population and resource use, which will permit high standards of living and a wide sharing of life's amenities; 6) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources (Petulla 49). This act and its provisions had a profound effect on the workings of government from that point on. Congress had meant for this bill to affect the substance of agency decisions in all branches of government.

One of the provisions of this act is the requirement of Environmental Impact Statements. An EIS was required for any "major federal action significantly affecting the human environment" (section 102). The agency in question must report any adverse environmental effects that cannot be avoided should the policy in question be implemented. Also, any alternatives available must be reported as well as any irreversible commitment of resources. Eventually this requirement of an EIS circulated down into the state and local governments.
The actual process of the Environmental Impact Statement has two major steps. Step one consists of the environmental assessment. If no significant impact is found, then the agency must file a Finding of No Significant Impact report. Step two is required for programs with significant impact. This step then requires the preparation of an actual EIS that considers all aspects of the program, not just certain components. This EIS is mainly a procedural requirement; it does not force the cessation of any programs. The only way an EIS could stop a project is if an environmental statute would be violated by the continuance of the project. The importance of this report lies in its ability to raise public awareness, a tool that will often force the cancellation of some particularly harmful projects.

Another provision of the Nation Environmental Protection Act is the establishment of the Council on Environmental Quality. This Council is situated in the executive branch, and its primary purpose is to advise the President on matters concerning the environment. The members are appointed by the President, and its effectiveness has varied from one administration to the next. The courts have recognized the authority of the CEQ to develop and implement the provisions of NEPA.

The bulk of the legislative work concerning the NEPA occurred during the administration of President Nixon. As the Chief Executive, and a politician, he was not ignorant to the issue of environmentalism. In 1969, a poll showed that the protection of the environment was the third most important issue to the American
voters, just behind the Vietnam War and jobs. This kind of issue support could not be ignored by any reasonable politician who wanted the support of the voters. One of Nixon's chief political rivals was Senator Edwin Muskie. Muskie was very active on behalf of the environment in Congress and he found much support as a result. Since Muskie had shown some interest in challenging Nixon in 1972, some have speculated that Nixon's sudden friendliness towards the environment was an attempt to undermine Muskie's support.

In first year of the 1970's, Nixon took the initiative concerning the environment. On January 1, 1970, Nixon signed the National Environmental Protection Act into law. That day, Nixon was quoted as saying "The 1970's absolutely must be the years when America pays its debt to the past by reclaiming the purity of its air, its water, and our living environment. It is literally now or never." Nixon even followed this up by giving two messages to Congress concerning the environment later that year. Besides just talk concerning the environment, one of the major steps for the betterment of the environment came under administration of President Nixon, the formation of the Environmental Protection Agency.
Chapter Two
The Environmental Protection Agency

In Richard Nixon's first year as President, he set up a blue ribbon presidential council to look into governmental reorganization. Nixon wanted to promote efficiency in the federal government and federal agencies. Instead of just finding ways to cut back on agencies, this council suggested the formation of a new agency. The new agency suggested was at first named the Department of Natural Resources and the Environment. It seemed only natural to the members of the commission that this agency should be housed within the Department of the Interior. After much jockeying among agencies vying for the right to control this department, Nixon set up the Environmental Protection Agency, one separate from all other departments and responsible directly to the President.

The EPA was not all inclusive when it came to the environment of the United States. The EPA was set up originally with divisions of water pollution, air pollution, pesticides, solid waste, and radiation. Separate from this agency was the National Oceanic and Atmospheric Administration and the Forest Service. Secretary of Commerce, Maurice Stevens, a friend of Nixon's, lobbied to keep the former in his department. The Forest Service was kept within the Agriculture Department thanks to the efforts of its Secretary Clifford Hardin. These two agencies were fought for because the maintenance of their current placement meant the retention of that
much more power by the individual Secretaries in question.

The intent of today's EPA is very similar to its original statement of purpose. When it was created, the EPA was to have primary responsibility for enforcing environmental regulations in the United States. It was also to engage in research, set pollutant standards, and monitor similar activities at the local level. The current Organization and Functions Manual of the EPA states that the agency "endeavors to abate and control pollution systematically, by proper integration of a variety of research, monitoring, standard setting, and enforcement activities" (I-1). Included in this activity is the EPA's coordination and support of research by State and local governments, private and public groups, individuals, and educational institutions. The manual states that as a whole, the EPA is to be an "advocate for a livable environment" (I-1). The fundamental reason for being of the EPA has changed very little, but the Agency has not been immune to reorganization.

The current organization of the Environmental Protection Agency is structured around the Administrator. According to the Organization and Functions Manual of the Environmental Protection Agency, the Administrator is responsible directly to the President and is assisted by a Deputy Administrator (See Appendix A). The Office of the Administrator is supported by the staff offices of Administrative Law Judges, Civil Rights, Small and Disadvantaged Business Utilization, and the Science Advisory Board. Besides these offices, the Administrator of the EPA is also assisted by the
offices of Associate Administrator for International Affairs and
the Associate Administrator for Regional Affairs.

Stemming from the offices of the Administrator are various
offices in charge of the daily administration of the EPA. The
office of the General Counsel provides legal services to all areas
of the organization in matters relating to Agency operations. The
Office of the Assistant Administrator for Enforcement and
Compliance Monitoring serves as the primary advisor to the
Administrator of the EPA in matters of compliance and enforcement
of all environmental legal statutes, as well as providing direction
for civil enforcement activities such as litigation. The
Administration and Resources Management office is responsible for
policy and procedures concerning areas such as occupational health
and safety, administrative services, and resource management. The
Office of Policy, Planning, and Evaluation is primarily responsible
for policy and economic analysis, setting general environmental
standards and regulations, and evaluation activities. The Office
of External Affairs provides direction and support for the Agency
in areas of public information and press services, congressional
liaison, intergovernmental liaison, interaction with other Federal
agencies, and the preparation of legislation. The Office of the
Inspector General coordinates and conducts audits and
investigations of the programs and operations of the EPA. Finally,
the Office of the Assistant Administrator for Research and
Development is concerned with research and development for Agency
programs, as well as providing coordination and direction for
national, state and local environmental research.

The remainder of the offices of the EPA are divided into areas of protection for the environment. The first of these is the Office of the Assistant Administrator for Water. This office represents a coordinated effort to restore the Nation's waters to a reasonably unpolluted state. This effort includes developing national programs, technical policies and regulations relating to drinking water, and the setting pollution and emission standards for pollution into bodies of water. This office is also concerned with marine and esturine protection, as well as numerous other programs dealing with the safety and health of the nation's water inside and outside the continental shores.

The next environmental area is the Office of the Assistant Administrator for Solid Waste and Emergency Response. This Office is primarily responsible for providing public policy and direction in this area. In addition, the Office for Solid Waste is involved with setting standards for toxic and hazardous waste, solid waste management activities, and implementation of a response effort for hazardous waste spills. The area of response to hazardous waste is where the Superfund and its activities are housed. This Office also maintains some responsibility for the enforcement of laws applicable to its area of influence.

The Office of the Assistant Administrator for Air and Radiation is in charge of programs and policies concerned with the pollution of the air. This includes setting standards for emissions, hazardous pollutants, technical direction and support,
and enforcement of laws and regulations pertinent to this area. This Office is often beset by pressure from the lobbyists of the auto industry, as it is this Office that controls the setting of emissions standards for motor vehicles.

The final environmental area is the Office of the Assistant Administrator for Pesticides and Toxic Substances. This Office is involved with the development of national strategies for dealing with toxic substances, testing and setting standards for the private use of chemicals, creating regulations for industry use of chemicals, and evaluating new chemicals that are planning on entering the market. This area of the EPA also attempts to assure human safety and the protection of environmental quality in relation to the use of pesticides. This latter area is quite important considering the magnitude of pesticide use by the nation's farmers.

The EPA also has ten regional offices located throughout the country. These regional offices are an attempt to promote and maintain local programs and efforts concerning the protection of the environment. These Offices are also responsible for assisting in, and ensuring that, the objectives of these regions, as determined by the EPA, are met.

Each of these major administrative units are provided with help from the Enforcement Office. This office is staffed by EPA enforcement agents recruited from police departments, the Federal Bureau of Investigation, and the Treasury Department. These agents are required to have six years of experience investigating
organized crime, white collar crime or major felonies. These agents are involved with collecting evidence against environmental transgressors, serving warrants against violators, and occasionally getting shot at.

Although many of these offices have existed since the inception of the agency, others have not. Reorganization has shifted offices around as it became necessary or logical. Other offices, such as the Superfund, were simply located within an appropriate office of an Assistant Administrator. Much has changed in the area of environmental protection in the past few decades and it will continue to do so. So as change affects the EPA, the Agency will be forced to change in order to accommodate the next generation of problems in the environment.

The EPA has experienced much change, but it also has had to survive a very controversial past. Since its creation in 1970 it has been given fairly wide latitude in writing and implementing environmental regulations. There have been complaints that the EPA has been given a quasi-legislative authority in its ability to set and enforce standards for pollution. The EPA has also been a contact point between the federal, state and local governments, as well as businesses. These very same organizations have been, and still are, harsh critics of the EPA when regulations are contrary to their interests. The Presidents themselves have each perceived this Agency and its role in a different light. This paper is an attempt to explain how this attitude assumed by the Chief Executive has affected the EPA in a variety of ways, both positive and
negative.
Chapter Three
The 1970's Presidential Influence

The 1970's was a decade of intense activity in the area of environmental protection. Three Presidential administrations were witness to unprecedented legislation and policy to preserve and restore the United States' air, water, and land. New agencies were being formed, new regulations were created, and more money was being allocated. These three Presidents shaped their own role concerning the EPA.

The first President that shaped the Environmental Protection Agency was Richard Nixon. It was under Nixon's Republican administration that both the National Environmental Protection Act and the EPA came into being. Ironically, Nixon wanted to reduce the amount of federal agencies and try to streamline the federal government.

President Nixon had set up the Ash Council as a commission to streamline the federal bureaucracy. The members of this commission were prominent figures in the business community and were chosen by Richard Nixon. What evolved from this Council and their decisions was the Environmental Protection Agency, formed as an executive agency rather than an independent regulatory commission. This way, the president could retain control of it rather than allowing the Congress control of it, as would have been the case if the EPA was an independent regulatory commission. Of course, by making the EPA
an executive agency, this opened up the door for direct influence by future Presidents, whether they are hostile or accepting of the idea of preserving ecology.

The Ash Council justified their recommendation by stating that this action would be "rationalizing the organization of environmental efforts, and giving focus and coordination to them" (Harris 228). Many of the environmental problems facing the nation were multi-media and therefore required a unified front to deal with them. Also, by creating a separate agency reporting directly to the President, pre-existing biases from competing agencies could be avoided. This way the new agency could look at the big picture, rather than altering the goals set forth to follow the goals of an existing agency only. As a result, the Environmental Protection Agency was set up as an executive agency within the Federal government.

With the creation of NEPA and the EPA, the door was opened for much environmental legislation during the Nixon Administration. The year 1970 saw the passage of the Clean Air Act and the Occupational Safety and Health Act. Then in 1972, Congress was very busy passing the Federal Water Pollution Control Act Amendments, Marine Protection Research and Sanctuaries (concerns ocean dumping), Federal Environmental Pesticide Control Act, Consumer Product Safety Act, and finally the Noise Control Act. With this much new regulation on the books, the EPA was extremely busy just trying to stay caught up with the changing face of environmental protection in the United States.
Nixon's choice to lead the EPA into the regulatory business was William Ruckelshaus. Ruckelshaus was a former Indiana politician and attorney for the U.S. Justice Department. He quickly built a reputation for being aggressive in the enforcement of environmental statutes. Within one week of becoming the Administrator of the EPA, Ruckelshaus moved against the cities of Atlanta, Detroit, and Cleveland by threatening court action if the discharge of untreated sewage did not cease. He also threatened action against the corporations of Republic Steel, Jones and Laughlin, and Kennebec River Pulp and Paper Company. Ruckelshaus' method was to attack the biggest and most visible polluters, bring them under control and thereby forcing lesser polluters to fall into line or face the same action. He knew he could not take every polluter to court, but if he made the threat real enough and the cost big enough, he would not have to be faced with that option of court action.

Nixon influenced more than just the personnel of the EPA, he also affected the shape of its budget. As the EPA was such a new agency, a great deal of money was need to get started. In an article by James Regens and Robert Rycroft, a graph was compiled comparing Presidential Request, Congressional Appropriations, and Agency Outlays of the EPA (see Figure 1). Under the administration of President Nixon, the budget requested and appropriated was steadily growing. The role of the EPA was growing everyday and money was needed to meet these demands. Since the Congress still had many members favoring environmental protection, the money
continued to be appropriated.

After Nixon left office, the next two administrations appear to be more transitional until the next big presidential shakeup. Under President Ford, the policies of Nixon continued to be followed in part. Less emphasis was placed on the protection of the environment by the public, as most of the nation was facing an energy crisis. Therefore, protection took a backseat in the realm of public policy, yet money continued to be requested, appropriated, and spent. If fact, the EPA had been spending much less than was given to them, but in 1976, the agency caught up to and passed, that mark. Until the term of Reagan, the EPA would then be running with a deficit.

Under President Carter, the policies of environmental protection were given due consideration. Carter appointed some key environmentalists in the United States into positions within the EPA. It must be pointed out that although personell were supported by Carter, the budget suffered somewhat. In the first year's budget under Carter, the request for the EPA dropped sharply. This was because of a lack of support for construction grants for sewage plants that are included in the EPA's budget. These construction grants were seen as a form of pork, and the reaction to them drastically affected the budget. This is interesting in the fact that this is a time when the EPA's role was continuing to expand, but the money to accomplish the task was being reduced. This type of attitude, according to Regens and Rycroft, seems to be a precursor to the policies of the Reagan administration (294).
The administrations of President Ford and President Carter held some interesting developments for the EPA. These developments were not as severe or as directly related to the President as they were under President Nixon. Ford and Carter seemed to be a transition period until President Reagan took office and shook up the Environmental Protection Agency.
Chapter Four
1980's Presidential Influence

Ronald Reagan became President of the United States in January of 1981. By this time, the Environmental Protection Agency had become institutionalized at both the federal and state levels. Together, the Republicans and the Democrats in Congress were in agreement to support environmental legislation to some extent. At this point much of the public was also generally in favor of laws protecting the environment. The first few years of Ronald Reagan's administration radically affected all of this.

Reagan entered office with what he claimed was a mandate to "get government off of our back." This inclination to reduce the amount of government was part of Reagan's ideology and his "New Federalism." He felt that environmental compliance was diverting capital from needed investment in the economy. This retarded the growth of the nation for "minimal" gains in environmental quality. These beliefs were strongly held and caused Reagan to waste little time in trying to reverse the institutionalism of the EPA.

It is fairly well accepted that it is nigh impossible to eliminate an institution at the Federal level. Nevertheless, President Reagan did his utmost to do so. Reagan attacked the areas most vital to the success of an agency: personnel, money, and morale.

Big business was a vital part of Reagan's constituency. He
aimed to come through for business by alleviating regulations on them set by the EPA. Therefore, a concentrated effort was made by the Reagan administration to either reduce regulation or eliminate the efforts of the EPA.

The first part of Reagan's attack on the EPA was the appointment of personnel faithful to him first and foremost. It was not until May 5, 1981, that Reagan made Anne Gorsuch (later Burford) the EPA Administrator. Gorsuch was a protege of James Watt, the Secretary of the Interior appointed by Reagan. Both of these people believed that most resource and environmental problems could be solved by an unfettered, free market existence. Gorsuch entered her post at the EPA with no prior management experience, no experience in Washington D.C., and no in-depth knowledge of environmental policy.

Other areas of personnel suffered during the first years of President Reagan. Of the six Assistant Administrator positions in the EPA, two were vacant for seven months after the inauguration of the President, one for ten months, two for fifteen months, and one office remained vacant for the entirety of Gorsuch's tenure. Of those who were appointed, the majority were from the business community and were hostile to environmental regulation. The career civil servants were reduced by 22.6% from the years 1981-1983 (Davis 147). Of those who were not cut, many of the experienced civil servants left because of the changes in the Agency.

Another major target of the Reagan administration was the budget of the EPA. Even before Anne Gorsuch was sworn in as the
Administrator, the EPA's budget was targeted for a 12% cut. Just six months later, another 12% cut was proposed. By the time the 1984 budget was presented, the EPA's budget had been reduced by 44% in real dollars (Andrews 165-66). This significant reduction in an agency with increasing responsibilities only spells disaster for its programs.

The final area of the EPA that was targeted by the Reagan administration was its regulatory capabilities. On February 17, 1981, President Reagan issued Executive Order 12291. This order stated that a Regulatory Impact Analysis be prepared for all major regulatory proposals. This meant that whenever an agency proposed new regulation, its benefits had to be calculated in economic terms and balanced against costs. Once this was done, only regulations whose calculable benefits exceeded their costs could be instituted. Benefits to health and environmental quality, which are difficult at best, to quantify were not taken into consideration for this analysis. Only direct economic effects were to be calculated.

Reagan also created a Regulatory Relief Task Force on January 22, 1981. It was one of his first acts as President, and with George Bush as the chair of this task force, it was to create a list of regulations burdensome on all aspects of life in the United States. The task force invited nominations by businesses, trade associations, state and local governments, and anyone else who might have a regulation they do not like. These were then added to a list created by the Office of Management and Budget and then all were targeted for review. The task force announced its mission
complete by the fall of 1983 and had revised or eliminated some 76 of 119 regulations, most coming from the EPA.

Reagan made it clear when he came into office that regulatory relief for business would take precedence over environmental protection. He targeted the EPA's budget, personnel, and regulatory authority in an attempt to make the Agency impotent. Damage beyond this occurred due to the policies and actions of Anne Gorsuch, as she destroyed the reputation of the EPA.

Gorsuch, as the Administrator, had a policy agenda that reflected both the broader policies of the Reagan administration, and her own inexperience with regulatory management. Gorsuch's agenda included better science for the EPA, regulatory reform, elimination of backlogs, adjustment of Federal-State relations, and finally management improvement and budget reduction.

Anne Gorsuch's first objective included providing a better scientific foundation on which to base decisions. To accomplish this, Gorsuch required increased review of all internal and contract studies made by senior administrators and the EPA's Science Advisory Board. She then focused the research efforts of the EPA towards regulatory support rather than regulatory development. This prevented the research of evidence that might support new regulations, possibly the real purpose of the refocus of research. Richard Andrews feels that a more plausible explanation is that "her primary goal was not improving science, except where convenient and free of cost, but implementing the Reagan/Stockman policy of deregulation and domestic budget cuts"
Gorsuch's second objective was to institute a reform measure in the EPA to support the President's economic recovery program. To accomplish this she centralized the control over regulatory development, promoted regulatory relief, and streamlined reporting. This regulatory relief created some backlashes in the EPA's constituencies that forced a strengthening of regulations rather than a relaxation. Gorsuch also tried to promote voluntary compliance of EPA regulations. This concept relies on a realistic enforcement threat from the EPA, one that Gorsuch could not, and would not provide. In 1980, the EPA referred 200 civil enforcement cases to the Justice Department, and by 1982, this number had dropped to only 100 cases. The number of enforcement orders issued declined by one-third during this time period also (Davis 153). Thus, the enforcement of regulations under the Gorsuch tenure was seemingly lax and haphazard.

Due to the nature of the Agency, the EPA was required to complete much paperwork, and Anne Gorsuch was determined to eliminate as much of it as possible. In certain areas, such as state implementation of air quality programs, the red tape was reduced by as much as 90% (Andrews 172). Other areas were cut so drastically that speed seems to have replaced efficiency to the point of negligence.

The fourth item on Gorsuch's list of objectives was to reduce the burden on states and improve relations with them. She delegated more regulatory authority to the states and well as
delegating more of the costs to the states. Instead of alleviating burdens on states, this just increased it by forcing on them paperwork and costs normally taken on by the EPA.

Finally, Gorsuch contended that with management improvement, the EPA could do more with less. The problem with this idea is that the Agency was not run poorly to begin with and this left little room to reduce the budget. Nevertheless, between 1981 and 1984, the four major regulatory areas of air, water, hazardous wastes, and toxics, were cut by 44% (Andrews 173). This only contributed ineffectiveness to programs that were trying to protect the public and the environment.

After only a few years as head of the EPA, Anne Gorsuch was forced out of her position as Administrator. Gorsuch had refused to provide documents relating to the Superfund when asked by the Justice Department. On December 16, 1982, Gorsuch was cited for contempt of Congress, making her one of the highest ranking government officials ever to receive this citation. She then asked the Assistant Administrator for Hazardous Waste and the Superfund, Rita Lavelle, to resign. She refused, but three days later she was fired by President Reagan. In an attempt to limit the damage, Burford (Gorsuch married on February 20 and changed her name accordingly) fired the Inspector General and the Assistant Administrator for Administration in the EPA. Under a storm of controversy concerning the EPA and impending investigations of her Agency, Anne Burford resigned on March 9, 1983.

Needing some way to quiet down the critics, President Reagan
appointed William Ruckelshaus to replace Burford. Ruckelshaus had been the first Administrator of the Environmental Protection Agency and was confirmed by the Senate to fill this position again on May 18, 1983. He needed to restore the public's trust in the EPA as well as improve management of many programs, including the Superfund. Ruckelshaus was willing to take on this position on the conditions that he would report directly to the President, would have greater budgetary influence, and his recommendations for senior appointments would be honored by the President.

Reagan's choice of Ruckelshaus was important in restoring the ability and integrity of both the EPA and the current administration. The senior appointments made by Reagan had gone bad and he needed to reduce the damage. Ruckelshaus was a proven professional when it came to the EPA and he was intent on hiring people with "iron integrity" (Andrews 177). Ruckelshaus did try to reform the EPA, but faced with the same agenda of the Reagan administration he could accomplish little. The damage had been done to the EPA and it would take time to heal.

Looking at the graph of the budget of the EPA (app. B) the confusion of Reagan's policies towards the EPA is apparent. The graph shows the significant drop in the early eighties of appropriations. It can also be seen that in the years that Ruckelshaus was Administrator, even though money had been appropriated by Congress, it was not being spent. This is partially due to the reduction in regulations by Reagan's administration, and also the tight watch kept by the Office of
Reagan wanted to get government off of the people's backs. In doing so he attacked the EPA's budget, personnel and morale. This attack was reacted to when the mishandling and ineptness of the policy was realized. Reagan needed to appease the public, but he had already achieved many of his goals.
Chapter Five
Conclusion

The environment and its protection is an issue that seems to have become a permanent part of the political arena. Since the creation of the EPA, it has been instituted into the Federal bureaucracy and it even pervades the platforms of presidential hopefuls. The 1988 Presidential race had two contenders, George Bush and Micheal Dukakis, each calling themselves the environmental candidate.

George Bush used the issue of the environment to moderate the apparent conservatism of his postition. Considering he was the Vice-President under Ronald Reagan, Bush felt it necessary to distance himself from his predecessor's hostile policies towards the EPA.

His apparent willingness to embrace environmentalism was neither a farce nor entirely truthful. Although Bush was willing to consider new regulation within Congress and the EPA, he was still mindful of a key constituency--business. In legislation like the Clean Air Act Amendments of 1990, Bush tried to play both sides of the fence by proposing his own package that moderated both extremes of industry and environmentalists. In other respects, Bush's administration was involved in more curbing of environmental regulation as it was against his Republican ideology.

Today, the United States is witnessing the transition away
from twelve years of Republican dominance of the White House. The Clinton/Gore ticket has inspired hope for many people in America. With Vice President Al Gore around, many environmentalists are looking for the White House to help take a proactive stance in protecting the environment.

The history of the EPA has shown that the President can significantly affect this agency. Depending on the attitude of the current President, the EPA can benefit, suffer, or simply continue on. In the case of Richard Nixon, the EPA benefited greatly, as it was Nixon who created it and helped to get funding for it. On the other hand, a hostile President, like Ronald Reagan, can nearly destroy the agency. Much of this is due to the fact that the EPA is essentially an executive agency. As a result, its Administrator reports to the President who can then shape its policies and even its future.
Appendix A
Figure 1-1