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NEWS SUMMARY

U.S. Department of the Interior

Office of Public Affairs

Monday, October 7, 1991 C193

A26 SUNDAY, OCTOBER 6, 1991

THE WASHINGTON POST

Nuclear Waste Shipments To Idaho Are Resumed

Associated Press

BOISE, Idaho, Oct. 5—Radioactive waste shipments to Idaho resumed today, three years after Gov. Cecil D. Andrus (D) declared he would not allow his state to become a dumping ground.

Andrus, who headed the Interior Department during the Carter administration, refused to concede defeat as the first truckload of about 200 planned shipments of waste from a decommissioned nuclear plant in Colorado rolled into the state.

"This Colorado utility's waste is truly the camel's nose under the tent," he said.

After a 560-mile trip from Platteville, Colo., the truck passed an Idaho State Police inspection on its way to the Idaho National Engineering Laboratory. The 550,000-acre federal research installation is in eastern Idaho, 130 miles from Colorado.

A strict inspection of the truck loaded with spent fuel rods had been the state's last chance to stop the shipment. Last month, Idaho lost its latest round in court to the federal Energy Department in their ongoing fight over waste from the Fort St. Vrain nuclear power plant in Platteville.

Idaho contended in a lawsuit that the shipments would violate the Nuclear Waste Policy Act because the Energy Department failed to conduct a full assessment of the threat of radioactive exposure to eastern Idaho's 250,000 people.

A three-judge panel of the 9th U.S. Circuit Court of Appeals ruled

against Idaho, agreeing with the Energy Department that its contract with Public Service Co. to accept nuclear waste predated the 1982 act.

State Attorney General Larry EchoHawk said Friday he may seek a rehearing by the full 9th Circuit. Andrus and EchoHawk also planned to press challenges this week in state court, contending the Idaho laboratory failed to obtain the necessary state environmental permits to handle the waste.

Andrus charged the Energy Department, which operates the Idaho laboratory, lied to the state for more than a decade on the purpose of the shipments. The agency originally told Idaho the waste would be brought into the state for research and development at the lab, he said.

"I refuse to accept that it's inevitable, that they will make a nuclear waste dump out of Idaho. I am going to do everything I can within the law to see that that does not happen," he said.

The state already has about 120 truckloads of waste from the Colorado plant. The shipments were made between 1980 and 1986. Andrus has been battling with the federal government over nuclear waste shipments since 1988.

In 1989, Andrus allowed a few radioactive waste shipments from the Rocky Flats nuclear plant near Denver, citing national security concerns because plutonium triggers are made there.

One protester at the port of entry at Inkom was arrested today when he refused a police order to get out of the truck's way.

U.S. Is Set to Store Nuclear Waste Despite New Mexico's Objections

By KEITH SCHNEIDER
Special to The New York Times

GOLDEN, Colo., Oct. 5 — Barring a court order, the first shipment of plutonium wastes to the nation's first permanent nuclear waste repository will leave a nuclear weapons plant in Idaho on Oct. 10 and arrive in New Mexico two days later, the Department of Energy said Friday.

The announcement, by a spokesman in Washington, came a day after Energy Secretary James D. Watkins bypassed Congressional approval and said the \$1 billion Waste Isolation Pilot Plant, 26 miles east of Carlsbad, N.M., was ready to begin operations soon after the shipment arrived.

In New Mexico and Washington, the state's top political leaders condemned Mr. Watkins's decision, and lawsuits to block the repository's opening are being prepared by New Mexico's Attorney General, and state and national environmental groups.

"In going ahead on an administrative basis, as he has done here, the

Bypassing state leaders to give weapons plants relief.

Secretary needlessly causes conflict with our state and with the Congressional delegation," said Senator Jeff Bingaman, a Democrat, in an interview.

Call for More Negotiations

Gov. Bruce King, a Democrat, said he supported the state's lawsuit, but he also called on Mr. Watkins and members of New Mexico's Congressional delegation to begin new negotiations on when and how the repository would open. "We run the risk that a decision very important to New Mexico will be made in a distant Federal court," Mr. King said in a news conference Friday in Santa Fe.

The rush of reaction arises from Mr. Watkins's announcement on Thursday that the Waste Isolation Pilot Plant had passed all of its safety reviews and was ready to open. The repository is a catacomb of storage rooms 2,150 feet beneath the desert in southwestern New Mexico that is designed to permanently entomb nearly one million barrels of plutonium wastes from nuclear weapons plants and laboratories in 10 states.

Also on Thursday, Interior Secretary Manual Lujan Jr. transferred control of 16 square miles of Federal land above the repository from his department to the Energy Department. Federal law requires the Energy Department to control the land before it can operate the repository.

Both houses of Congress have been considering proposals that would authorize the transfer of the land, but they have been stuck on other provisions in the legislation.

Negotiations between Mr. Watkins and New Mexico's two Senators broke down on Thursday over the issue of how much waste to put in the repository in a five-year test. The Environmental Protection Agency has licensed a limit of 9,000 barrels, the amount Mr. Watkins says is needed to gain valid results. Senator Pete V. Domenici told Mr. Watkins he would accept such an amount only if the Energy Department plan was validated by independent scientific groups; Senator Bingaman argued that only 4,500 barrels were needed for a test.

In a statement issued on Thursday, Mr. Watkins said that he could no longer wait for Congress's approval.

"The Waste Isolation Pilot Plant is a \$1 billion U.S. taxpayer investment," Mr. Watkins said in a statement. "It also costs the taxpayers \$13 million per month to operate. Many other states are adversely affected by the delays. I have to think of them, too."

From the beginning of construction in 1983, the Energy Department has considered the repository one of its most important new projects. The Department hopes to reduce the amount of plutonium wastes piled up at its weapons installations, particularly the Rocky Flats Plant here, where accumulating wastes have become a central political issue and threatened the plant with permanent closure.

Question of Safety

The Energy Department also hopes to prove it can safely store some of the world's most dangerous industrial by-products. Such lessons, say the department's engineers, would be invaluable in building a separate repository in Nevada for permanently storing even more lethal radioactive wastes from civilian nuclear power plants.

But the Waste Isolation Pilot Project has been plagued by management, engineering and training weaknesses. In 1988, Energy Department engineers questioned whether the repository could be operated safely, and its opening was indefinitely postponed.

As doubts grew among Federal engineers, the safety issue was seized on by critics of the nuclear weapons industry in New Mexico. They argued that the state's narrow roads coupled with the Energy Department's shortcomings represented a grave threat to the health of citizens and the environment.

In Carlsbad, the prospect that the repository would open soon was greeted with enthusiasm; 900 people are working there. "People in Carlsbad are satisfied that WIPP is safe, and we think it should be open," said Don Patterson, the City Administrator.

But outside Carlsbad, many more residents were angry. "They're talking about barricades in the streets to block the trucks," said Don Hancock, a nuclear expert with the Southwest Information and Research Center in Albuquerque and a leading critic of the repository. "Normally well-balanced people are pretty steamed about this."

Nuclear Waste Shipments to New Mexico Scheduled

■ **Environment:** But state's attorney general vows to block action in court. Material would be stored in salt caverns.

By RUDY ABRAMSON
TIMES STAFF WRITER

WASHINGTON—Saying that it has complied with all safety and environmental requirements, the U.S. Department of Energy Thursday proposed shipping the first of an estimated 8,500 barrels of radioactive waste to the southeastern New Mexico repository selected as the nation's first permanent nuclear disposal site.

But New Mexico Atty. Gen. Tom Udall said that he would try to stop the shipments by seeking a temporary restraining order in federal court.

Scheduled to begin late next week unless the courts intervene, the shipments would mark the beginning of a five-year test of the facility's suitability as a nuclear disposal site.

A series of catacombs hollowed out of 2,100-foot-deep salt deposits beneath the desert near Carlsbad, N.M., the site was chosen because

it has remained stable for an estimated 250 million years. Scientists believe that the chambers will close naturally, entombing the radioactive debris.

In what was to have been a final step to permit the test shipments, Assistant Secretary of the Interior David C. O'Neal signed an order Thursday transferring control of the 10,200-acre site to the Energy Department.

Udall, however, responded by claiming that the transfer was illegal and said that he would take the matter to court.

The Energy Department first planned to begin testing the repository in 1988 but the tests have been delayed repeatedly because of technical and safety requirements. The most recent hurdle was congressional reluctance to transfer ownership of the site from the Bureau of Land Management to the Energy Department.

The transfer order was signed Thursday at the request of Energy Secretary James D. Watkins.

A land-transfer bill adopted by the House Interior Committee last June would pay New Mexico \$20 million per year for the next four years and a lump sum of \$200 million when the repository is declared operational.

If the Administration succeeds in opening the facility without congressional approval, the state is to receive \$20 million in impact assistance, plus \$42 million for road improvements.

But Leo P. Duffy, director of the Energy Department's Office of Environmental Restoration and Waste Management, said that the payments would be withheld if the state proceeds with a lawsuit.

Material to be stored in the facility includes refuse from nuclear weapons facilities contaminated by plutonium and other toxic materials generated in nuclear weapons production.

Although the kind of radiation emitted by plutonium cannot penetrate even a piece of paper, plutonium is one of the most toxic substances known to man. It decays so slowly that a permanent repository must remain fail-safe for about 10,000 years. If the five-year test proves the site to be safe, approximately 880,000 drums of material are expected to be lowered into the salt chambers over the next 20 years.

Udall Tells DOE: 'See You in Court'

By Richard Parker
And Susan Landon

JOURNAL STAFF WRITERS

WASHINGTON — The Interior Department quickly approved a request from Energy Secretary James Watkins late Thursday to turn over the site of the Waste Isolation Pilot Plant, clearing the way for the first shipment of transuranic waste from Idaho next Thursday.

Attorney General Tom Udall said he would seek a temporary restraining order against the Department of Energy in federal court.

"We believe that this is an illegal action by Secretary Watkins," Udall said in phone interview from Santa Fe. "I have four words for Secretary Watkins: See you in court."

"We're going to proceed to court to stop the administrative with-

drawal and the movement of test waste to the WIPP site," Udall said.

Immediately after the Interior Department approved the formal transfer of WIPP's land and facilities to the Energy Department, Gov. Bruce King's office was informed by DOE that a waste shipment will be sent from Idaho National Engineering Labs as early as Oct. 10, said John McKean, King's press secretary.

McKean said the governor will probably meet with Udall today to discuss legal action.

"The attorney general is the governor's chief legal advisor, and the governor is likely to support whatever the attorney general thinks is necessary to support the state's legal position," McKean said.

"The governor greatly prefers a

MORE: See UDALL on PAGE A8

congressional land withdrawal," McKean said. "He is disappointed Congress has not received sufficient time to act this fall on the land withdrawal bill. The governor still hopes some congressional action will take place."

Watkins, appearing frustrated and agitated after three weeks of negotiations with New Mexico's two senators, said in a news conference Thursday he had a responsibility to other states and the nation's taxpayers to begin radioactive experiments at the plant.

"WIPP is a \$1 billion installation," Watkins told reporters. "It costs the taxpayers \$13 million a month. I have a responsibility not only to the taxpayers but other states. We have reached the limit of our ability to negotiate."

Watkins said negotiators came close last week to agreeing on a Senate bill that would withdraw the WIPP site and still pledge health, safety and financial guarantees to the state of New Mexico. But the negotiations broke down after Democratic Sen. Jeff Bingaman insisted that no more than one-half of 1 percent of WIPP's total volume be used for radioactive tests. Watkins on the other hand insisted on as much as 1 percent of the site's total volume for the experiments.

Watkins' decision to seek the administrative withdrawal of WIPP after years of deadlock and debate with Congress — capped off a day of recriminations and 11-hour attempts at compromise. Watkins singled out Bingaman as the reason for the breakdown of negotiations.

And Bingaman said in a statement that he, in turn, was disappointed in Watkins' decision.

But Watkins also rejected a compromise attempt by Republican Sen. Pete Domenici. Late Thursday morning, Domenici broke ranks with Bingaman to offer his support for allowing double the transuranic waste that Bingaman would allow into WIPP.

"I believe that one last effort should be made," Domenici said. "What I'm fearful of is that no bill will get through."

Watkins said he rejected Domenici's plan because it did not have Bingaman's support.

Watkins added that he will begin tests at WIPP — while at the same time supporting a land withdrawal bill, should one get under way in Congress. He said that such a bill would provide guarantees not only for New Mexico but also for the federal government.

Watkins said he was aware that Udall has threatened to block the tests in court. And he said the Energy Department could halt shipments, depending on the basis of a potential lawsuit.

But he also accused Udall of acting irresponsibly.

"The attorney general is using whatever he can find in the law and he's off base," Watkins said. "We ought to get on with it."

Watkins said that a lawsuit would endanger long-term financial aid to the state for the economic impact of the project and improvement of roads to the plant. With the first shipment of waste next week, the department plans to release \$20 million in economic aid to the state and \$42 million for road improvements.

"If the state takes legal action against DOE," Watkins said. "Then obviously the money has to be withheld."

Udall said from Santa Fe he didn't know when the state would go to court to seek the restraining order, but said it would be before Oct. 10.

There are many reasons the state believes the DOE action is illegal, Udall said.

The first shipment is due to leave Idaho next Thursday, according to Leo Duffy, chief of the department's waste cleanup effort. A truck containing one bin of transuranic waste — mainly contaminated glass articles — will leave Idaho National Engineering Laboratory bound for WIPP, in southeastern New Mexico. Each bin contains five to six drums of waste, and each drum contains 1.5 to 1.8 cubic meters of waste, Duffy said.

A second bin is scheduled to follow in October and a third in November. Shipments are expected to increase in the following months.

The Idaho lab holds some 60,000 drums of transuranic waste, 70 percent of the waste eventually bound for WIPP.

Other members of New Mexico's congressional delegation had this to say of Watkins' decision:

"I am enormously disturbed by the Department of Energy's decision," said Democratic Rep. Bill Richardson. "I will fight this action vigorously, including joining a law suit as a private citizen."

Richardson added that his "cooperative attitude with DOE has ended."

Republican Rep. Steve Schiff: "I'm disappointed but not surprised. The secretary of energy has made it very clear that he intends to open WIPP one way or the other."

Republican Rep. Joe Skeen said "It's unfortunate that the negotiations have broken down over such minute point." But he added, "I don't condemn DOE for taking the action in light of Congress' failure to act."

Domenici offers WIPP compromise

By KAREN MacPHERSON

Washington bureau

WASHINGTON — Sen. Pete Domenici today offered a last-ditch compromise on the Waste Isolation Pilot Plant, hoping to stop the U.S. Energy Department from opening the \$1 billion nuclear dump without Congress' approval.

Domenici's proposal came as Energy Secretary James Watkins reportedly was close to using his administrative powers to open WIPP without waiting for Congress to pass legislation for the Carlsbad-area facility.

Interior Secretary Manuel Lujan Jr. has said he would approve the transfer, bypassing Congress. The Interior Department would then transfer ownership of the lands around WIPP to DOE before the facility can open.

Meanwhile, Domenici pushed his compromise, saying he believes he has the key support of the top two members of the Senate Energy and Natural Resources Committee to attach his proposal to WIPP legislation the panel is now considering.

Sen. Jeff Bingaman still opposes it.

Domenici's compromise would give the energy department the right to store up to 1 percent of the WIPP's limit. He and Bingaman had wanted to keep the limit at half of 1 percent.

Bingaman said that, while DOE has "made a case for being able to put up to half of a percent into the site for purposes of testing ... I haven't seen similar justification for going beyond that."

The WIPP legislation being considered by Congress would transfer ownership of 10,000 acres of land near WIPP from the Department of Interior to DOE, which will bury radioactive waste from its nuclear weapons plants 2,150 feet below the desert surface at WIPP.

If Watkins does open WIPP on his own, New Mexico could be a big loser. Legislation now in Congress would give New Mexico millions of dollars for hosting WIPP.

CongressDaily

October 3, 1991

ENERGY

Domenici, Bingaman Split On 'Final' WIPP Offer

Sen. Pete Domenici, R-N.M., in an effort to avert an apparently imminent move by the Energy Department to use its administrative authority to withdraw land for the Waste Isolation Pilot Plant (WIPP), today sent what he called a "final" offer to Energy Secretary Watkins on legislation regarding the site. The bill would set conditions for the higher limit sought by DOE on the amount of radioactive waste that could be stored at the site. An aide to Sen. Jeff Bingaman, D-N.M., however, said that Bingaman does not support the latest offer by Domenici, and will not agree to a higher limit under any circumstances.

Although a Domenici aide said there had been "indications" Watkins was about to begin the withdrawal, which would transfer control of the land from the Interior Department to DOE, a DOE spokesman said this afternoon that Watkins had not made a decision on the withdrawal. The spokesman also called Domenici's new offer "close" to being acceptable to Watkins, but said no decision had been made on it.

Although Domenici and Bingaman had insisted that DOE be restricted to storing no more than one-half of 1 percent of the total capacity of the WIPP site during a seven-year "test" period, Domenici's new offer would allow the limit to rise to the 1 percent sought by DOE as long as the department explained the scientific necessity for the higher limit; submitted a plan for review and comment to the National Academy of Sciences, EPA, New Mexico's Environmental Evaluation Group, and the state of New Mexico; and received EPA approval. Domenici and Bingaman have sought a legislative, rather than an administrative, withdrawal of the land in order to incorporate not only the storage limit, but also standards for transportation of the waste and requirements for road-improvement funding.

Activists may confront WIPP trucks

“Will the Department of Energy tell their people to run over people, or will they tell the drivers to stop? Will they send U.S. marshals along?”

Don Hancock
Southwest Research and Information Center

By **KAREN MacPHERSON**
Washington bureau

WASHINGTON — Environmentalists are preparing a network of activists from Idaho to New Mexico who may try to stop the first truck bearing radioactive waste to the Waste Isolation Pilot Plant.

One day after Energy Secretary James Watkins' decision to open WIPP without congressional approval, environmentalists remained cryptic about their plans.

But the groups appear to be gearing up to follow trucks leaving the Department of Energy's Idaho National Engineering Laboratory as early as Thursday.

The environmentalists also may be ready to lie down on roadways to prevent the truck from continuing.

“Part of it will be planned. Part

of it will be spontaneous,” said New Mexican Don Hancock of the Southwest Research and Information Center.

While Hancock refused to give specifics, he did ask rhetorically:

“Will the Department of Energy tell their people to run over people, or will they tell the drivers to stop? Will they send U.S. marshals along?”

Environmentalists continue to urge Gov. Bruce King to use his police powers to prevent the DOE trucks from reaching WIPP.

“We hope that he'll come out and say the borders are closed to this waste,” said Margaret Carde

of the Santa Fe based Concerned Citizens for Nuclear Safety.

King has declined to comment on Watkins' decision until a press conference later today, but has indicated through a spokesman that he would support a lawsuit to block the waste.

Watkins warned New Mexico that if the state sues his agency over his go-ahead for WIPP, the

Please see WIPP/AS

WIPP From A1

state is turning away \$63 million and may be threatening as much as \$600 million.

But New Mexico Attorney General Tom Udall has vowed to go to court, at least to seek health and safety protections missing from Watkins' plan.

Watkins' decision Thursday to open the nation's first nuclear waste dump without Congress'

OK means radioactive waste could be on its way to WIPP near Carlsbad next week.

But the six carbon-steel drums of waste are likely to just sit where they are, at the Department of Energy's Idaho National Engineering Laboratory, while Udall and Watkins slug it out in court over the facility.

"We don't want to have waste on the road when there is some question whether we're going to have an injunction against us,"

Leo Duffy, DOE's "waste czar," told a news conference late Thursday.

Udall, joined by the environmentalists and several New Mexico congressional delegation members, decried Watkins' decision to open WIPP — instead of waiting for congressional approval of legislation transferring ownership of the lands surrounding WIPP from the Interior Department to DOE.

Acting swiftly after Watkins'

decision late Thursday, Interior Department officials used their own administrative powers to complete the transfer.

As Watkins announced his decision, he noted that New Mexico is entitled to \$63 million just as soon as the first shipment of radioactive waste arrives.

"If the state takes legal actions against the Department of Energy, then obviously those monies will have to be withheld," Watkins told a group of New Mexico

reporters.

In fact, if Congress fails to pass WIPP legislation, the state can kiss goodbye to up to \$600 million that the bill would require DOE to pay to New Mexico, Watkins added.

Several health and safety requirements in the WIPP legislation are missing in Watkins' administrative order, including that DOE itself determines when it meets environmental standards.

New Mexican 10/4/91

Watkins: WIPP shipments begin in week

WHAT THE MAJOR PLAYERS SAY ABOUT OPENING WIPP



James Watkins
Energy secretary

"We're not trying to ram it down their (New Mexicans') throats. We're trying to do it sensibly and properly. But I have other concerns to worry about ... I sit here facing a \$13 million monthly bill (to run WIPP).



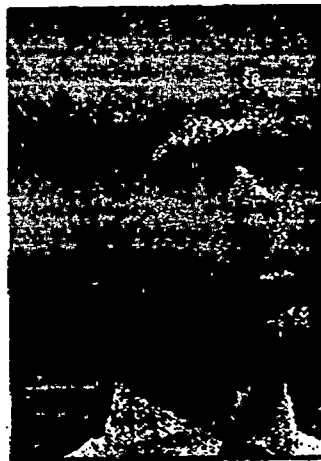
Tom Udall
Attorney general

"I'm sure there are some angry New Mexicans who could use some four letter words about Secretary Watkins ... The four words I have for him are, 'See you in court.'"



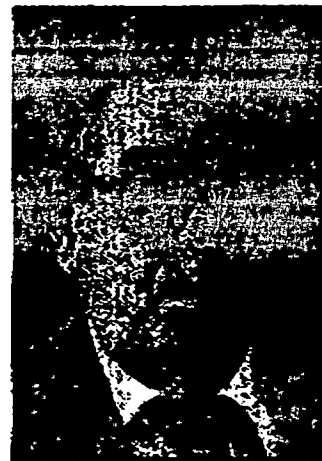
Pete Domenici
U.S. senator

"I believe an administrative withdrawal is not in the best interest of either the Department of Energy or (the) state of New Mexico. I regret today's decision and have no alternative but to oppose it."



Jeff Bingaman
U.S. senator

"The Department of Energy has never justified the need for doubling the amount of waste for the experimental program ... I have difficulty just saying, 'OK, whatever you guys want.'"



Manuel Lujan
Interior secretary

"He (Watkins) assured me that all clearances have been received. He further told me that (environmental agencies and scientists) have agreed that WIPP can be operated safely."

A WIPP CHRONOLOGY

SANTA FE — Here is a chronology of key events relating to the Waste Isolation Pilot Plant:

1955 — The U.S. Atomic Energy Commission asks the National Academy of Sciences to study permanent disposal of radioactive wastes. A committee the following year recommends disposal in salt deposits.

1970 — A Lyons, Kan., salt mine is selected as the potential site for a radioactive waste depository.

1972 — The Lyons site is judged unacceptable.

1974 — A site 30 miles east of Carlsbad, N.M., is chosen for exploratory work.

1975 — A 3,000-foot-deep borehole is drilled; the site is abandoned after pressurized brine is encountered. Another site, seven miles away, is recommended and studied.

1977 — The Energy Research and Development Administration (the Department of Energy's predecessor) tells the Nuclear Regulatory Commission it will request a license to build the WIPP plant near Carlsbad.

1979 — Congress author-

izes WIPP for the disposal of radioactive wastes.

1980 — DOE issues its Final Environmental Impact Statement on WIPP.

1981 — New Mexico Attorney General Jeff Bingaman sues DOE and the Department of Interior. The suit is resolved by an agreement requiring more studies and guaranteeing the state more information. The first exploratory shaft is drilled. The repository is redesigned after a large, highly pressurized brine reservoir is discovered.

1985 — The state's watchdog Environmental Evaluation Group notifies DOE the TRUPACT-I container proposed for WIPP shipments is unacceptable. The EPA promulgates its radioactive-waste disposal standards applicable to WIPP.

1986 — EPA says WIPP must meet the standards of the Resource Conservation and Recovery Act of 1976 for disposing of mixed hazardous and radioactive waste.

1987 — DOE selects a new design for shipping containers. A federal court invali-

dates part of EPA's radioactive-waste disposal standards, leaving no repository standards applicable to WIPP.

1988 — DOE announces WIPP will not open as scheduled in October.

1989 — DOE applies to the Interior Department for the withdrawal from public use of 10,240 acres of federal land. DOE petitions EPA for a waiver from the RCRA land disposal restrictions. DOE issues its five-year test plan for WIPP. The Nuclear Regulatory Commission approves the TRUPACT-II containers. DOE says July 1, 1990 is earliest possible WIPP opening date.

1990 — DOE issues its Final Supplemental Environmental Impact Statement on WIPP. EPA grants a conditional waiver from RCRA restrictions.

1991 — Interior Department administratively transfers WIPP land to DOE on Jan. 22. House Interior and Insular Affairs Committee passes a resolution on March 6 nullifying the administrative transfer.

OCTOBER 7, 1991

Washington Times Iowa welcomes nuclear waste

CARLSBAD, N.M. — It's been years coming but it appears a nuclear waste repository with strong backing in this southeastern New Mexico community will be opening soon, despite opposition from state political leaders.

The government plans to bury plutonium-contaminated waste 2,150 feet below the surface in salt beds 26 miles southeast of Carlsbad.

Excitement is building among residents as the Department of Energy prepares to move into a test phase 20 years in the making. Their enthusiasm hasn't been dampened by threats from state Attorney General Tom Udall and environmental groups to sue the agency if

it attempts to ship waste into New Mexico.

Community leaders say the plant, which employs about 900 people, has brought millions of dollars into the area's economy and will provide a safe, permanent place to store the nation's nuclear refuse.

SUNDAY, OCTOBER 6, 1991
The Washington Times

Radioactive waste rolls into Idaho

BOISE, Idaho — Radioactive waste shipments to Idaho resumed yesterday, three years after Gov. Cecil Andrus declared he wouldn't allow his state to become a dumping ground.

Mr. Andrus, a former U.S. interior secretary, refused to concede defeat as the first truckload of about 200 planned shipments of waste from a decommissioned nuclear plant in Colorado rolled into the state on its way to the Idaho National Engineering Laboratory.

Last month, Idaho lost its latest round in court to the federal Department of Energy over waste from the Fort St. Vrain nuclear power plant in Platteville, Colo.

State Attorney General Larry EchoHawk said Friday he may seek a hearing by the full 9th Circuit. Mr. Andrus and Mr. EchoHawk also planned to press challenges this week in state court, contending the Idaho laboratory failed to obtain the necessary state environmental permits to handle the waste.

USA TODAY • MONDAY, OCTOBER 7, 1991

NUKE WASTE BATTLE: Idaho's losing battle to keep high-level nuclear waste from being brought in for storage makes it harder to prevent the state from becoming a "dumping ground" for such waste, Gov. Cecil Andrus said. The first of more than 200 planned truckloads of radioactive waste rolled into Idaho Saturday and passed state police inspection. Andrus, battling with the federal government over nuclear waste shipments since 1988, said, "I refuse to accept that it's inevitable, that they will make a nuclear waste dump out of Idaho. I am going to do everything I can within the law to see that that does not happen."

LETTERS

Squawfish facts

Mark Taylor's Sept. 23 column on the squawfish states that he felt like Alice sitting down to tea with the Mad Hatter because he could not believe that there was a bounty on the squawfish in Washington and Oregon.

Well, it is time to take notice of the facts.

A six-year study in the John Day Pool of the Columbia River found that Northern Squawfish ate 2 million juvenile salmon, or about 9 percent of the entire annual run.

By removing 20 percent of the adult squawfish, they believe they can reduce the predation on salmon by about 50 percent. Incidentally, salmon are being considered for the endangered species list.

There are specific check stations where \$3 vouchers will be issued for each squawfish 11 inches long or longer.

It occurs to me that if this effort in reducing Northern Squawfish is successful, then it, too, may become eligible for endangered species listing at some point in the future.

After all, the demand by fishermen for reduction of the Colorado Squawfish so that sport fishing could be developed has been cited as one of the reasons leading to consideration of the species as endangered.

Talk about "curiouser and curiouser!"

MANUEL LUJAN JR.
U.S. Interior Secretary
Washington, D.C.

For clarification: Mark Taylor's column did not question whether anyone had put a bounty on the Northern Squawfish, which is not an endangered species. Rather, it questioned Lujan's apparent assertion that the Northern Squawfish was endangered, and that, even so, a bounty had been placed on it.

OCTOBER 7, 1991

Washington Times

Smithsonian returns bones for burial

LARSEN BAY, Alaska — The bones of hundreds of Kodiak Island natives were reburied here in a Russian Orthodox ceremony nearly 60 years after the Smithsonian Institution took them for research without islanders' permission.

The skeletal remains of 756 persons, taken from the island off Alaska's southern coast in the 1930s, were flown home last month in cardboard boxes. Some of the remains were 2,000 years old, while others were of people who died of a 1918 flu epidemic, archeologists and islanders said.

The remains were buried Saturday in a 50-foot-long trench on a grassy hill on the outskirts of the village.

It was the largest repatriation of native remains by the Smithsonian since the 1990 Native American Grave and Burial Protection Act required federal museums to return them to tribes.

THE WASHINGTON POST

SATURDAY, OCTOBER 5, 1991

Added to Wildlife Reserve

Land Tract at Army Base

A 7,600-acre tract of undeveloped land at the Fort George G. Meade Army Base officially became a wildlife reserve this week.

The tract will fall under the jurisdiction of the U.S. Fish and Wildlife Service's Patuxent Wildlife Research Center in Laurel. The land transfer increases the wildlife research facility to 12,300 acres.

The tract of land is part of a 9,000-acre parcel that is being shed by the 74-year-old military installation in response to the department of defense's base closure and realignment plan.

The New York Times

Founded in 1851

ADOLPH S. OCHS, *Publisher 1896-1935*
 ARTHUR HAYS SULZBERGER, *Publisher 1935-1961*
 ORVIL B. DRYFOOS, *Publisher 1961-1963*

ARTHUR OCHS SULZBERGER, *Publisher*
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National Forests: Going, Going . . .

The forests are sanctuaries not only of human life but also of the human spirit. And every tree is a compact between generations.

So declared President Bush in 1989. Yet Mr. Bush has done little more than his indifferent predecessor to stop the devastation of these sanctuaries. Logging in the national forests continues at a furious pace. And neither the President nor Congress has tried to strike a fair compromise between the needs of nature and industry.

Last week, two senior Forest Service officials with responsibility for millions of public acres told Congress they had been kicked out of their jobs for resisting orders to increase the timber harvest that they felt were environmentally unsound. Their defiance, they said, provoked the wrath of the timber industry and the White House.

Such charges of industry favoritism are a further embarrassment to an Administration still smarting from the spanking it got in May from U.S. District Judge William L. Dwyer of Seattle. Accusing the Administration of a "deliberate and systematic refusal" to comply with laws protecting wildlife, he banned further logging in parts of the old-growth forests of the Pacific Northwest until Federal agencies produced an effective protection plan for the endangered spotted owl.

Congress is now seeking a compromise to the old-growth dispute. But it obviously has a much bigger task: the need to rethink the purpose of the national forests and the role of their designated stewards, mainly the Forest Service.

Historically, Federal policy has favored exploitation of the national forests, which provide roughly 15 percent of the nation's wood. The Forest Service has long been in the business of selling timber. In 1976 a worried Congress adopted the National Forest Management Act, which urged the service to treat the forests as valuable ecosystems by balancing wilderness and industry values.

Yet the trees kept falling. One reason was that a big chunk of the service's budget comes from selling timber. Perversely, some of its conservation programs — erosion control and plant and animal inventory — are funded by timber sales. As a result, the service assigns targets to each of its nine national forest regions, rewarding forest managers who meet their "cut."

It's a cozy deal for industry because the timber harvested from public land is cheap. The Forest Service picks up road construction and other costs. That, of course, creates artificially low prices, reduces incentives to harvest private land and further increases the pressure on public lands. But loggers love it.

The Government has been equally solicitous of industry in the Pacific Northwest, whose majestic old-growth forests are coveted by loggers. These forests are also home to the spotted owl, and for years, conservation groups — as anxious to save the forests as they were the owl — urged that the bird be listed as a threatened species.

The Reagan Administration dawdled, knowing full well that if it protected the owl it would also have to protect its habitat. And when Mr. Bush reluctantly agreed to list the owl in 1990, his aides torpedoed an interagency plan to set aside millions of acres to protect the habitat.

That's what set Judge Dwyer off. He acknowledged the complexity of the issue and the hardship his decision might cause for logging families, whose anxiety borders on desperation. Yet he found it inconceivable that "the mightiest economy on earth" could not find a way both to manage its irreplaceable old-growth forests and ease the pain for workers, families and communities.

Judge Dwyer is right. But the courts are not the place to set policy in the Northwest or anywhere else in the national forest system. That is a job for the "environment President" and the Congress. And so far, both have failed.

Legislation on sales of timber collapses

By ROBERTA ULRICH

of The Oregonian staff

WASHINGTON — Efforts to resolve the dispute over logging levels in the Northwest's federal forests crumbled on one front Thursday and inched forward on another.

Amid a flurry of news releases and rumors, Rep. Norm Dicks, D-Wash., gave up, at least temporarily, a behind-the-scenes effort to attach some language to the Interior Appropriations Bill to insure Forest Service and Bureau of Land Management timber sales in 1992.

Meanwhile, a House subcommittee with jurisdiction over forest issues collected some facts it needs to write legislation aimed at permanently resolving the dispute over logging, preservation of old-growth forests and protection for the threatened spotted owl.

James C. Overbay, deputy chief of the U.S. Forest Service, said the agency could sell 2.2 billion to 3 billion board feet of timber in Oregon and Washington, but any figure is uncertain because of an injunction barring sales in owl habitat. If the injunction remains in place, the sale level could be close to the 1991 level of 1.1 billion board feet, he said.

Cy Jamison, director of the BLM, said the agency planned to sell 750 million board feet of timber. However, "I cannot guarantee we can make that target," he said. Sales could drop to 430 million to 440 million board feet, only slightly more than the 1991 offering.

"While these are cold numbers, these are lives of people before us," said Rep. Sid Morrison, R-Wash., ranking Republican on the subcommittee. "The folks in Cle Elum, Wash.; La Grande, Ore.; and Happy

Camp, Calif., and Molalla, Ore., deserve certainty. They deserve to know how to plan their lives over the coming year."

Neither the agency managers nor the committee offered any certainty.

Morrison asked Overbay and Jamison whether enacting the Jack Ward Thomas report into law would help. The Thomas report, a plan devised by a team of government scientists to protect the owl, would bar logging on vast tracts of federal forests.

Jamison said it would reduce the area on which the BLM could offer timber sales from 1.6 million acres to 700,000 acres.

Overbay said the Thomas plan was the Forest Service's preferred alternative for meeting the requirements for getting the injunction lifted. The injunction by U.S. District Judge William Dwyer bars 171 sales totaling 2 billion to 3 billion board feet on 66,000 acres in Oregon, Washington and California.

Overbay said the Forest Service hoped to meet Dwyer's March deadline for preparing an environmental impact statement on the sales, but even that might not get the injunction lifted in 1992.

Rep. Bob Smith, R-Ore., a subcommittee member, suggested, "Maybe the best advice is to go forward with the Forest Service and BLM and ... turn over management of the forests to the experts and not try to micro-manage from Congress."

Morrison said industry representatives had told him last week that if Congress would not pass a bill guaranteeing 3 billion board feet in annual sales, to "just forget it."

Rep. Mike Kopetski, D-Ore., a subcommittee member, said after the hearing, however, that without permanent legislation, sales in federal forests in Western Oregon and Washington would dip to 200 million board feet a year. "I'm not willing to accept that," he said.

The Interior Appropriations Bill provides enough money to arrange 3 billion board feet in sales, but few believe the agency can sell that much timber during the year.

Public foots concession bills in parks

\$2 million in tax funds went to concerns in 10 western parks in three years, review shows

By John Brinkley

News Washington Bureau

WASHINGTON — At Rocky Mountain National Park, Park Service personnel performed building repairs for the privately run Hidden Valley Ski Lodge, plowed its road, maintained livestock trails and sent the \$107,000 bill to the taxpayers.

At the Glen Canyon National Recreation Area in Utah, the Park Service spent \$172,000 of federal funds on repairs to the Dangling Rope Marina's dock, on which sit the privately owned marina's store and boat repair shop.

These are only two of many examples of spending tax funds to benefit park concessionaires and other non-federal entities turned up by the Interior Department's inspector general.

A review of such expenditures at 10 western parks found that they added up to roughly \$2 million during fiscal years 1988, '89 and '90. Since there are private

concessions in more than 100 national parks, the amount of money thus spent each year throughout the park system "could be substantial," inspector general James Richards said in a memo to Interior Secretary Manuel Lujan.

Concessionaires are already under fire in Congress because of the low fees they pay the government for the privilege of operating in national parks and other public lands. Legislation is pending to raise the fees, which average 2.5% of gross receipts but run as low as 0.75%.

"This is typical of the sweetheart deals that have lasted too long between the parks and these concessionaires," said Rep. Mike Synar, D-Okla., author of a bill to raise the fees to 22%. "It's clear from this, if there was ever any doubt, that the concessionaires are running the parks and not the Park Service."

He said the inspector general's report would add momentum to his bill and a similar one sponsored by Sen. Dale Bumpers, D-Ark.

"We believe that maintenance is a business cost and that the concessionaire should perform maintenance work, or the park should be reimbursed for any maintenance costs incurred on behalf of the concessions," the report said.

In response, the Park Service agreed to define precisely which maintenance costs are to be borne by the service and to start billing concessionaires for the rest.

Interior Department Backs Plan to Raze Dams

■ Northwest:

Conservationists agree that river systems should be restored to aid struggling salmon species.

By DAVID FOSTER
ASSOCIATED PRESS

PORT ANGELES, Wash.— From atop the Elwha Dam, the plight of the lone salmon far below was clearly hopeless. The fish, perhaps 40 pounds strong, leaped from the water again and again, hurling itself against the spillway's base, only to be pummeled back by the thundering current.

Instinct and sheer persistence once propelled salmon toward spawning grounds far up the 45-mile Elwha River. But no more. For 80 years, this dam, just five miles from the ocean, has been the end of the line.

Now, however, there's a growing chance the salmon may win back their river.

The Interior Department, bucking a century of government zeal to dam the Northwest's rivers, wants to tear down two privately owned hydroelectric dams and restore the Elwha to what it was: a wild, fertile river that produced some of the world's biggest salmon.

It's the first time the federal agency has recommended removing a major dam for environmental concerns, making the Elwha a focal point as conservationists nationwide gear up for a once-in-50-years battle over about 200 hydro-power dams due for relicensing by 1993.

Some of the dams were built in the 1800s. Most were last licensed in the 1940s, when federal regulators gained jurisdiction over them.

"When these projects were built, there was little understanding and virtually no protection of the ecology of river systems," said John Echeverria, conservation director for American Rivers, a river-advocacy group. "Relicensing is an opportunity to restore a lot of important river values that have been lost."

The dams block rivers nationwide:

- In northeastern Wisconsin, state officials are lobbying to rid the scenic Pine River of a small hydropower dam up for relicensing in 1993.

- River advocates trying to restore Atlantic salmon to Maine's Kennebec River hope to remove the 154-year-old Edwards Dam,

which produces electricity for 1,800 homes. The relicensing process is their last resort; negotiations between the state and owners to raze the dam fell apart last fall.

Removal is proposed for just a handful of dams. Most cases involve less drastic measures. In Massachusetts, for example, white-water rafters want a utility company to increase summertime flows over eight dams so the Deerfield River doesn't dry to a trickle. Elsewhere, environmentalists are urging fish-saving devices such as fish ladders or screens over turbines.

But even those modifications could cost millions, drawing opposition from hydropower boosters, who say dams don't deserve a bad environmental rap. They argue that hydropower, which generates 13% of the nation's electricity, is a clean, renewable energy source

preferable to alternatives such as coal or nuclear.

"Every power source has its disadvantages," said Don Brunell, president of the Assn. of Washington Business. "The question we have to ask is: Which has the least? We've got to have a balance between power and environment."

Conservationists believe the Elwha River may be their best shot for swinging that balance toward dam removal.

Though hydropower is common in the Northwest, the Elwha is unique. Unlike most rivers in the region, it has not been degraded by agriculture or development. The watershed above the two dam reservoirs is pristine, situated completely within the 922,000-acre Olympic National Park.

Also, the undammed Elwha was one of the few Northwest rivers to support all five species of Pacific salmon, including huge chinook that grew to 100 pounds.

No salmon, however, could leap the 110-foot-high Elwha Dam, built in 1911 without a fish ladder. Elders of the Klallam Indian tribe recall the first years after construction, when thousands of salmon battered themselves to death against the dam's base.

The 210-foot-high Glines Canyon Dam was built seven miles upstream in 1926, also without a fish ladder.

When Olympic National Park was created in 1938, the Glines Canyon Dam remained as a private inholding within the park. The Elwha Dam is located a few miles outside the park. Both are owned by the James River Corp.

Today, spawning salmon are confined to the five miles below the dams. One salmon species has vanished from the river, and the others constitute a total annual run of about 40,000 fish. That's one-tenth of what some biologists believe a free-flowing Elwha could sustain.

In June, the Interior Department announced it supported removing the dams, backing up three Interior agencies—the National Park Service, the Bureau of Indian Affairs, and the Fish and Wildlife Service—that had urged the dams' removal.

“It's an opportunity to take what once was a world-class watershed and restore it,” said Maureen Finnerly, Olympic National Park superintendent. “Years of research convinced us we could get that restoration, but only if the dams come out.”

The dams' owner disputes that, saying the company could produce almost as many fish—at lower cost and without losing a valuable energy supply—by installing a fish ladder on the lower dam and trapping and hauling salmon around the upper dam. Those measures would cost an estimated \$14 million, compared to \$65 million for dam removal.

“We can have restoration of fisheries with those dams in place,” said Orville Campbell, hydropower

manager for James River.

City officials in nearby Port Angeles fear dam removal would jeopardize the 350 jobs at Daishowa America Ltd.'s pulp mill. The dams generate 40% of the mill's electricity at less than half the cost of power from the Bonneville Power Administration, a federal power marketing agency for the Northwest.

It's not clear when—or even by whom—the matter will be resolved.

The Federal Energy Regulatory Commission, which licenses all non-federal hydropower dams, is up to a year away from deciding whether to raze the Elwha's dams or license them for 30 to 50 years.

But the commission's authority is being challenged by environmentalists, four federal agencies and the Klallam tribe. Their suits, filed this summer in federal appeals court, claim the National Park Service, not the energy agency, has jurisdiction over dams in national parks.

Meanwhile, a deal is brewing in Congress to resolve the Elwha dilemma.

Sens. Brock Adams (D-Wash.) and Bill Bradley (D-N.J.) have started negotiating a settlement to give the dams to the federal government. Under their proposed legislation, the mill would get low-cost replacement electricity from the Bonneville Power Administration, and the federal government would cover Bonneville's losses.

Whatever approach prevails, there's no time to lose, said David Ortman, representative of the environmental group Friends of the Earth. If dam removal is approved, it could take five years to raze the structures and up to 20 years for the river to return to its natural state.

Meanwhile, Ortman said: “The salmon are swimming around, wondering why they can't go upstream.”

SATURDAY, OCTOBER 5, 1991

The Washington Times

Stadium talks stalled on minority contracts

National Park Service officials have warned that any agreement reached between the two parties may be futile unless approval is sought from the agency. The federal government owns land on which the parking lots are located.

...

Personalities

The inaugural Congressional Fishing Tournament, held by the Interior Department's Bureau of Land Management, will kick off at the Thompson Boat Center at 9 this morning. Twenty-five senators and representatives will be spinning their reels for the \$10,000 first prize, which will be donated to an environmental or recreational project in the winner's home state or district. They'll float down the Potomac, ending up at the Belle Haven Marina, where a picnic will be waiting and the fish, old shoes and tires will be weighed at 1 p.m. The event will spotlight Interior's "Enjoy Outdoors America" initiative, which Secretary Manuel Lujan hopes will provide people around the country with better and more varied recreational facilities. Among those trolling will be Sens. Conrad Burns, John Warner and Robert Smith and Reps. James Moran, Bruce Vento, Barbara Vucanovich, Joe McDade and Alex McMillan. Lujan and BLM Director Cy Jamison will be fishing too, but they aren't eligible for the prize.

INSIDE EPA - October 4, 1991

CORPS' APPROVAL OF MASSIVE WETLANDS PROJECT CALLS EPA TO QUESTION REGS

EPA staff are questioning the use of rules deferring wetlands decisions to the Army Corps of Engineers, following a Corps decision to approve a project that would disturb a vast tract of prime wetlands. Agency sources say the case flies in the face of a recent message from the President on interagency dispute resolution, and suggests that the agency may prefer to simply veto projects in the future.

The case focuses on a project proposed by Andalex Resources, Inc., for the Newcoal site in Hopkins County, KY to use 478 acres of prime bottomland hardwood wetlands for strip mining -- one of the largest amounts of wetlands EPA has ever considered in a permit. The proposal was to remove soil, debris and rocks from the area to strip coal, then later return the overburden back to its original position and replace it with vegetation. The company also included a proposal for off-site mitigation.

EPA Region IV decided under Clean Water Act section 404q to elevate the case to headquarters, which then elevated it to the Dept. of Army on Aug. 15. U.S. Fish & Wildlife Service also asked that the case be elevated. EPA was concerned with the amount of wetlands at stake and doubtful about the ability to recreate the wetland once the strip mining was finished. Further, then-acting Water Office chief Martha Prothro argued in an Aug. 15 letter that the decision could set a bad precedent for future projects involving the destruction and replacement of bottomland hardwood wetlands. The Corps denied EPA's request for elevation in a Sept. 6 letter, saying that EPA's concerns should be addressed, but can be handled in guidance without holding up issuance of the permit.

"We're disappointed that the Army did not formally accept [the project] but hope the guidance will meet our goals in this case," says an agency source. Still, this source feels the Corps' decision sends a signal about that agency's sensitivity to environmental concerns, since the project would result in a record number of wetlands losses. "This is the largest 404q [permit] in terms of acreage and wetlands impacts," says one agency source explaining the reason for elevating it in the first place. The agency is concerned about implications for future decisions that a case of this magnitude was not accepted, the source says. This source is "looking at the efficacy" of using 404q in the future, and whether that is the best procedure to protect wetlands. The agency can unilaterally move to a 404c action to get the permit denied. It opted for 404q in this instance in an effort to resolve the issue with the Corps without going through such a lengthy, formal review process, agency sources say.

"We feel the agency brought up good points" and will be asking the district to address their concerns, says a Corps source. But this source disagrees with the assertion that the 404q process is ineffective simply because the Corps did not deny this permit. "The agency has brought concerns to our attention and we're addressing them," this source says, adding that the Corps discussed the project with all agencies and is not "operating in a vacuum." But EPA staff "don't want the permit issued. We're simply not going that far," the source says. This source argues that the preferred route is to leave the decision with the district engineer, while issuing strong guidance, though the Corps will be watching the project closely, especially to ensure that the on-site mitigation will be effective.

Grizzly bear committee hopes to link populations

'Islands' in Yellowstone not sound biologically

By GEOFFREY O'GARA
Star-Tribune correspondent

JACKSON — A federal grizzly bear recovery plan is being rewritten to include an evaluation of "linkage zones" between small grizzly populations in Yellowstone, Idaho and northwestern Montana.

The idea is being explored by officials of the Yellowstone Ecosystem Grizzly Bear Subcommittee, a group of federal and state land and wildlife managers, who met here Tuesday.

The proposal, labeled "very unique and controversial" by Chris Servheen, a biologist with the U.S. Fish and Wildlife Service, would study areas not protected under the current grizzly recovery program that could become links between presently isolated grizzly populations, such as the few hundred bears believed to be in the Yellowstone area.

Servheen, who coordinates the federal-state grizzly recovery program from Missoula, said, "It's not biologically sound to leave 'island' populations of bears as they are."

Nevertheless, grizzly bear populations in the Yellowstone area have shown healthy growth in the last six years, according to Dick Knight, who heads the Interagency Grizzly Bear Study Team out of Bozeman. Knight reported sightings of 24 sows with 43 "cubs of the year" by his researchers during 1991 in the Yellowstone region, with no man-caused mortalities to date.

Servheen said the goal of finding 15 females per year with cubs has been surpassed for the last six years, with an average of 20 annually.

But Servheen and Knight sounded a warning that even with an apparently expanding population, new efforts have to be made to study the bears' habitat needs.

"We have a lot of material on monitoring populations," said Servheen, "but we need to beef up monitoring of habitat."

In addition, Servheen said the new draft recovery plan will call for more stringent standards to be met before "recovery" of the Yellowstone grizzly can be declared under the plan.

"Recovery" of the Yellowstone grizzly — the point at which biologists decide the population there can reproduce and survive without special protections — could be the first step toward taking the grizzly off the "threatened" list under the federal Endangered Species Act.

Servheen said in an interview, though, that achieving "recovery" would not mean immediate delisting of the bear. An earlier grizzly recovery plan divided the Yellowstone region into 18 "bear management units" — areas that individually could supply year-round needs for grizzly bears — and set standards for "recovery" that included finding females with cubs in 15 of the 18 BMUs.

Servheen said the new draft plan would require that females with cubs appear in all 18 of the BMUs before it would deem recovery achieved. This year, females with cubs have been located in 14 of the 18 BMUs, according to Knight.

Some of the committee members questioned the more stringent proposed standard, and asked Servheen to provide more information regarding its scientific basis.

"Last year you talked about being so close to 'recovery,'" said Barry Davis, superintendent of Shoshone National Forest. "Now I don't expect to see recovery before my death."

The grizzly bear recovery plan applies to five other areas of the West besides Yellowstone: the Northern Continental Divide ecosystem, including parts of the Bob Marshall Wilderness and Glacier National Park; the Cabinet-Yak Mountains in northwest Montana; the Selway-Bitterroot area of west-central Idaho; the Selkirk in northern Idaho, and the North Cascades in Washington.

Yellowstone is the most isolated of the four recovery areas which presently have grizzlies present, according to Servheen.

A first draft of the new recovery plan, released in 1990, suggested the Yellowstone population was too small to maintain genetic diversity without some input from other grizzly populations. The 1990 draft of the new recovery plan elicited 2,000 comments, according to Servheen, many of which suggested "linkage zones."

The new draft — which will still not be final — is expected early in 1992. Servheen said that while comment on the new draft plan will be solicited, there will be no public hearings, as there were for the 1990 draft.

Servheen emphasized that while the new draft recovery plan would evaluate "linkage zones" between grizzly ecosystems, there is no plan presently to extend the current boundaries of specially managed grizzly recovery areas into those zones.

But Wyoming Game and Fish Department representative John Talbott said during the two-day meeting that his agency wants to look at possibly expanding the territory managed for bear recovery in the DuNoir area near Dubois area, where a growing population of bears exists.

Talbott said the present recovery area boundaries, established in 1981, were "probably in error, and should be extended somewhat."

Grizzlies on the Way Back but Aren't Out of Woods Yet

Ecology: Improved management has given new hope for once-dwindling species. But some experts say a larger population is needed to ensure viability.

grizzlies seem to be flourishing today.

That was not the case in the early 1980s, when some feared that *Ursus horribilis* was heading for extinction in Yellowstone.

The leading cause of their decline—population estimates at the time said there were fewer than 200 bears, of which only 30 were sows—was the sudden weaning of the bears from park dumps in the late 1960s and early 1970s.

Biologists and park officials agreed that dump feedings were dangerous both to bears and humans, because the grizzlies associated people with food. In 1970, park officials began to close the dumps.

Frank Craighead Jr., who, along with his brother, John, studied grizzlies in Yellowstone from 1959 to 1968, said the ecosystem lost at least 118 grizzlies from 1970 through 1972. However, Yellowstone officials say rangers removed only 35 bears from the park in those years.

The closing of the dumps did not doom the bears; in fact, they rebounded throughout the 1980s. Wildlife officials won't put a number on the population but say there are at least 200.

"The number of reproducing females with cubs has to be up at least a minimum of 50," Varley said. "Adult females producing cubs. And that's very promising.

By KURT J. REPANSHEK
ASSOCIATED PRESS

GRAND TETON NATIONAL PARK, Wyo.—Grizzly bears, once feared to be making their last stand in the lower 48 states, are again leaving their tracks in the shadow of the Tetons.

Some grizzlies, no longer comfortable within Yellowstone National Park's 2.2 million acres, are heading to Grand Teton National Park, and others are moving into the Shoshone, Bridger-Teton and Gallatin national forests.

"There's no question that the range is expanding," said John Varley, Yellowstone's research chief. "In fact, the biologists believe that Yellowstone Park is filled up. It's probably got all the bears that it can effectively deal with.

"And so what's happening now are that all these sub-adults that are being weaned have to go into the adjacent national forests, or Grand Teton National Park, in order to find a territory," Varley said.

"And then we see other things with bears that give us cause for optimism. We're seeing bears give birth for the first time to cubs at age 4. And that's one indication of a healthy bear. That's like a teenage mother," Varley said.

The Yellowstone bears are also having larger litters. Although the average is just under two cubs per litter, some sows are giving birth to four cubs, he said.

The Greater Yellowstone Coalition, an umbrella group for conservation organizations, questions the viability of the ecosystem's grizzly bears. It contends that the bear population probably will decline and ultimately vanish unless a steady population of as many as 600 bears can be maintained.

In Grand Teton National Park, biologist Steve Cain is seeing bears that left Yellowstone for new territory.

"We do have more bears than we've had probably just in the last four or five years," Cain said. "It's been increasing. And it's largely due to good protection in the Yellowstone population. Getting overflow, essentially."

Although 20 years ago it was unusual to see grizzly tracks in Grand Teton, officials now say at least several bears apparently are living year-round in the northern end of the park not far from Yellowstone's southern border.

Grizzlies, which can reach 750 pounds and stand 8 feet tall on their hind legs, historically roamed from northern Canada to Mexico and from California to eastern Kansas. But, as people moved west, they wiped out the bears' range.

Today, the grizzlies' range is limited to about 30,500 square miles in the lower 48 states. They number 700 to 1,000, with most scattered about extreme northwestern Wyoming and northwestern Montana.

Although the bears were designated a threatened species under the Endangered Species Act in 1975, the 200 or so Yellowstone

But higher grizzly numbers alone are not justification enough to remove the bears' "threatened" status, according to Chris Servheen, a U.S. Fish and Wildlife Service biologist who coordinates the Interagency Grizzly Bear Committee.

That committee was formed in 1974 to conduct research on the grizzlies in the Yellowstone ecosystem. It established criteria to guide the bears' recovery throughout the northern Rocky Mountains.

One of the committee's guiding precepts was "to basically sanitize the ecosystem," Varley said. "Get all the garbage out of it. Get control of other human foods that would attract bears."

As a result, fewer bears died at human hands.

"The bears are better off because they've made the transition to all-natural foods, and they're doing very well at that. And they're having a lot of babies. It just looks very positive," Varley said.

But more bears alone is not enough, Servheen said.

There must be a good distribution of bears in the region and a low annual mortality rate, he said.

"Delisting [as a threatened species] is a ways off," Servheen said. "We have to assure that the habitat will be adequately managed and can be adequately managed without the Endangered Species Act."

Senate debate on ANWR nears; opponents threaten filibuster

By E. MICHAEL MYERS

TIMES WASHINGTON BUREAU

WASHINGTON — A long delayed and controversial bill calling for oil exploration on the coastal plain of the Arctic National Wildlife Refuge will come before the Senate this month, Democratic leaders said Thursday.

Chairman Bennett Johnston, D-La., of the Senate Energy Committee said he has the votes to defeat the strongest parliamentary threat to drilling in ANWR — a filibuster to talk the bill to death.

His chief opponent, Sen. Timothy Wirth, D-Colo., was already stumping on the Senate floor as Johnston ended a news conference Thursday. Wirth pledged to launch a filibuster to remove the ANWR drilling element from the bill outlining a comprehensive national energy policy.

"Drilling in the Arctic Refuge is not good energy policy, not good economic policy, and not good environmental policy," Wirth said.

The Energy Committee approved the bill in May after four months of hearings on proposals to promote greater use of natural gas, nuclear power and coal, and to open the 1.5-million acre coastal plain to oil and gas leasing.

A filibuster can tie up the Senate for weeks with debate and roll-call votes on amendments to block action on the bill.

Johnston needs 60 votes among the 100-member Senate to choke off a filibuster and allow the Senate to act.

Daniel Becker of the Sierra Club said, "We are going to throw every stick of furniture in the way of this environmentally destructive bill."

Sen. Frank Murkowski, R-Alaska, who supports oil exploration in ANWR, said he doubted Wirth had the necessary 41 votes in the Senate to maintain a filibuster.

Oil and gas leasing on the coastal plain of ANWR is easily the most politically charged environmental issue to come before the Senate this year.

Environmentalists call the coastal plain the last undeveloped strip of the arctic, a ecological treasure that will be destroyed if roads, airstrips and pipelines are built.

The Interior Department estimates the coastal plain east of Prudhoe Bay field could yield more than 9 billion barrels of oil. Agency officials say the strip can be developed without harming the environment.

If the Senate passes the bill, the ANWR section faces major opposition and months-long consideration in the House.

Anchorage Daily News October 4, 1991

ANWR battle looms

THE DENVER POST

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Exxon's \$3 billion mistake

COMBINED WITH the \$2 billion that Exxon already has spent on cleaning up Prince William Sound, the \$1 billion it would pay under the latest settlement proposal could make the Alaska oil spill the most expensive single accident in history.

Certainly it outdoes other big pollution cases like the one involving the Rocky Mountain Arsenal, which is costing Shell Oil and the U.S. Army roughly \$1 billion to resolve.

Still, some critics are bound to criticize the Exxon deal as too lenient, since it would subject the giant company to "only" \$125 million in criminal penalties — or more than \$10 for each 40-cent gallon of crude oil that leaked out of the Exxon Valdez on March 24, 1989.

There are several good reasons why this plea bargain should be approved by the federal judge who will be reviewing it in Anchorage next week, however.

First, the agreement would exact up to \$1 billion in civil penalties from Exxon over the next 15 years — without limiting the rights of Alaskan fishermen, landowners and native villagers to sue the firm for further damages on their own. Some 250 such claims are pending in state and federal courts already.

Second, the deal would put an end to the legal wrangling between Exxon and the state and federal governments. As the litigation over the Rocky Mountain Arsenal has shown, prolonged court battles sometimes serve only to enrich the

lawyers for both sides without doing much to benefit the public.

Third, it would formally punish Exxon for criminal violations of the nation's environmental laws — which should complicate its attempts to write off its expenses on corporate tax returns as an ordinary cost of doing business.

Admittedly, the four misdemeanor counts to which Exxon would plead guilty might seem to discount the seriousness of the negligence involved. But at least they would make the corporation as culpable in the accident as the ship's captain, who was convicted of similarly minor charges.

Finally, the agreement would provide not only \$100 million in restitution for restoration work in the sound, but an additional \$12 million for completely unrelated habitat-enhancement projects. This money would go into an Interior Department fund to help restore wetlands in the western United States, Canada and Mexico. The remaining \$13 million in fines would go into the U.S. Treasury.

The wetlands provision is particularly noteworthy, for it represents an innovative way of deterring such wrongdoing. Once polluters realize that they may be forced to pay for environmental improvements above and beyond any fines and penalties for actual damages, they may think twice before ignoring the laws and the safety precautions that were designed to head off such incidents in the first place.

Exxon and the high cost of injustice

PAUL CRAIG ROBERTS

American justice is rapidly going down the tubes, and it is going to be extremely costly to our economy. Accidents are being criminalized, and successful companies are being turned into lootable entities to be plundered by anyone and everyone who can concoct a lawsuit.

The Alaskan and U.S. governments are leading the way. They have socked Exxon with more than \$1 billion in fines and restitution for the Exxon Valdez supertanker oil spill in Alaska's Prince William Sound. That's on top of the \$2 billion Exxon has spent on cleanup, its loss of \$150 million worth of oil and roughly 1,500 private lawsuits seeking damages totaling \$9 billion — a sum five times larger than Alaska's total personal income.

Even this was not enough for environmental fanatics, who seized on Exxon's misfortune as a way of fund-

ing their pet projects. The Audubon Society criticized the huge settlement for failing to "make a dent in Exxon's corporate profits." In other words, Exxon is still standing, so obviously it wasn't punished enough.

Many Americans see the settlement, which must be approved by a federal judge, as a comeuppance for an oil giant. However, there are several aspects of this case that tell us disturbing things about our society.

Exxon's civil liability for damages from the oil spill is clear enough, but the criminal charges are both worrisome and gratuitous, especially as they do not materially affect the size of the financial settlement.

Under our system of law, crime requires intent, but accidents are unintentional. Exxon did not wreck its tanker and spill its valuable oil on purpose, but increasingly Congress and prosecutors are leaving intent out of the definition of environmen-

Once the historic protection that has been provided by the principle that crime requires intent is breached, it will spread into other parts of the law, and no citizen will be safe from government.

tal crimes. Once the historic protection that has been provided by the principle that crime requires intent is breached, it will spread into other parts of the law, and no citizen will be safe from government. If a rich

Paul Craig Roberts, an economist at the Center for Strategic and International Studies, is a columnist for The Washington Times.

and powerful company like Exxon is not safe, neither is the little guy.

The criminal charges against Exxon are also disturbing because of the Justice Department's decision to press them. On their face, they seem silly. Exxon is charged under the Migratory Bird Treaty Act with killing migratory birds without a permit, under the Refuse Act with discharging refuse matter without a permit and under the Clean Water Act for the negligent discharge of a pollutant — laws obviously designed to prevent the dumping of waste and hunting without a license.

No doubt the Justice Department filed these charges in good faith, but it would have been the better part of prosecutorial discretion not to stretch these provisions to include an accidental oil spill. Normally, prosecutors exercise discretion in how they apply the law.

To its credit, the Justice Department did drop its original felony

charges that Exxon had "willfully and knowingly" entrusted its tanker to employees not capable or competent of steering it. The government's argument that Exxon had hired someone it knew would run the supertanker aground made the case sound too absurd.

Exxon has been criticized for endangering our liberties by agreeing to the criminal charges in a plea bargain, thereby establishing a dangerous new legal precedent without testing it before a judge and jury. For Exxon to knuckle under on a case it might have won on its merits demonstrates that the company has no confidence in American judges and juries.

Large "deep-pocket" companies have had no faith in juries since the Texaco-Pennzoil case in which a jury, in one of the most irresponsible acts in history, bankrupted oil giant Texaco on the basis of dubious legal arguments. Today big companies

take for granted that once in a courtroom, they are targeted for expropriation, and they will pay almost anything to settle out of court. In effect, they can no longer rely on the law to protect them from spurious claims.

Jurors — and reporters — seem to think that it is OK to rob deep pockets. However, it is not "the company" that pays or its managers, but the hundreds of thousands of shareholders, few of whom are rich. Exxon stock is included in many pension funds. It is our retirement income that is being used to placate aggressive government lawyers, environmental extremists and plaintiff lawyers filing exaggerated damage claims.

As this new principle of American justice works its way through the Fortune 500, we can all expect to retire broke — unless, of course, we can become beneficiaries of an environmental accident.

THE WALL STREET JOURNAL MONDAY, OCTOBER 7, 1991

* * *
World oil demand is expected to be 2% higher in the current quarter than a year ago, according to an organization of major oil-consuming nations.

(Story on Page A2)

* * *

IG: Audits show V.I. leaders 'haven't done anything'

By FREDRIKA SCHOUTEN
St. Croix Bureau

Records in disarray. Questionable procurement practices. Little financial accountability.

This is what U.S. Inspector General James Richards said he and his team of federal auditors repeatedly uncover when they investigate

the finances of the V.I. government.

Most frustrating, he said, is the lack of reform.

"It is difficult to exact change with the government," Richards said. "We had hope when (Gov. Alexander A.) Farrelly came in. He said he was going to reform things.

But five years later, "the progress hasn't

been what we had hoped it would be," Richards said.

His comments come on the heels of recent federal audit that sharply criticized the territorial government for what Richards called "abysmal" conditions at the territory's prisons.

The audit, illustrated with color photographs of exposed wiring, inoperable and unsanitary bathrooms and hole-ridden rooms, concluded that federal funds for repairs "were not used effectively" and the community's safety was jeopardized by the poor conditions at the prisons.

During a recent two-year period, 26

See AUDITS, page 2

AUDITS: Hess pact,

(Continued from page 1)
escapes were reported.

Many of the conditions were disclosed in a 1986 audit, Richards told The Daily News.

"This has been going on for so long," he said. "It's a pretty strong indictment of the government that they haven't done anything."

Farrelly, through press secretary James O'Bryen, declined comment Thursday on Richards' remarks.

Meanwhile, at least two more financial probes are under way.

The agency is auditing the government's contract with deJongh-

Williams, a St. Thomas-based firm overseeing the territory's capital-improvement programs, Richards said. The projects are funded through \$300 million in bond proceeds and include construction and renovation of schools, roads, recreational facilities, hospitals and a slew of other government buildings.

The Inspector General also is auditing the V.I. government's controversial tax agreement with Hess Oil Virgin Islands Corp.

The auditors generally probe three areas when they investigate the territory's finances: financial accounting, procurement proc-

deJongh-Williams being probed

dures and revenue collection. And the territory is doing poorly in all three, Richards said.

"The financial accounting is so bad, we really can't determine what their financial condition is," he said.

Procurement problems, he said, exist "across the board."

"A lot of procurements are sole source, rigged for one bidder.

"A lot of money goes through the door that way. As an example, I can cite the \$260,000 that went to the District of Columbia," Richards said, referring to a controversial personnel-merit study conducted by D.C. officials.

"I don't think they (V.I. government) got their money's worth from the District of Columbia. I think that was more of a party than a contract."

The study was considered a first step toward revamping the territory's archaic personnel structure. But Washington, D.C., officials and consultants working for that government stayed in luxury hotels, charged tennis fees, clothing, drinks, meals and gifts against the legislative appropriation authorizing the study.

And no new personnel system ever was ever implemented.

SUNDAY, OCTOBER 6, 1991

LOS ANGELES TIMES

COLUMN ONE

Lady Luck Turns Back on Indians

■ When bingo brought prosperity to some tribes a decade ago, others quickly went into the business. Some added cards and slots. Amid regulatory confusion, the result too often has been failure and corruption.

By PAUL LIEBERMAN
TIMES STAFF WRITER

ST. REGIS MOHAWK RESERVATION, N.Y.—The gamble on gambling has not paid off on this patch of Indian country.

Some still dream of a Las Vegas-style resort overlooking the St. Lawrence River, generating jobs and dollars that will bring economic security to a struggling reservation.

So far, however, the reality has been grim: civil war within the Mohawk community, a string of failed casinos and allegations of money-skimming, mob infiltration and bribery of a Bureau of Indian Affairs official.

At Indian Pueblo, Running Is a Religion

THE NEW YORK TIMES, SUNDAY, OCTOBER 6, 1991

Columbus

Pact Bans Oil Exploration in Antarctic

By ALAN RIDING

Special to The New York Times

MADRID, Oct. 4 — Climaxing a long campaign by environmental groups to turn the Antarctic into a "world park," 24 countries, including the United States, signed an agreement today to ban mineral and oil exploration in the continent for at least 50 years.

The agreement, which was hailed as historic by governments and environmental groups alike, also includes new regulations for wildlife protection, waste disposal, marine pollution and continued monitoring of the Antarctic, which covers nearly one-tenth of the world's land surface.

"It's the first time that the international community has formally recognized the finite nature of this planet," said Steve Sawyer, executive director of Greenpeace International. "This is as close to a permanent ban as can be obtained," added James N. Barnes of the Washington-based Friends of the Earth.

'Last Great Wilderness'

Governments seemed equally satisfied. "This is the protection of the last great wilderness," said Michael Heseltine, Britain's Environment Minister. "It's a case for celebration. I'm delighted to be making history."

Tucker Scully, the chief American delegate, said, "I think it is a very good agreement and it's important we move quickly to implement it."

The agreement takes the form of a protocol to the 1959 Antarctic Treaty, which banned nuclear and military activity in the area, suspended competing territorial claims by seven Southern Hemisphere nations and established rules for scientific research.

Although there is no firm evidence that Antarctica contains oil or minerals in commercial quantities, many governments, led by France and Australia, rejected a 1988 convention regulating mining activities on the continent as inadequate and began campaigning for an outright ban.

U.S. Held Up Accord

But today's accord, which will go into effect after ratification by the signing governments, almost came unstuck in Madrid last June when the United States refused to endorse a draft agreement accepted by all other governments on the grounds that a 50-year moratorium was effectively a permanent ban.

Last June's draft said the ban could be lifted after 50 years only with the unanimous approval of all 26 full members of the Antarctic Treaty, while the United States insisted that future economic and environmental circumstances could justify greater flexibility. Since the Antarctic Treaty nations always work through consensus, Washington could hold up the accord.

But a new formula requiring only a two-thirds majority to end the moratorium proved acceptable to the United States and in July President Bush announced that Washington would sign the protocol.

The agreement, which emerged from four negotiating sessions over the past year, was signed at a ceremony at the Spanish Foreign Ministry today by 24 members of the Antarctic Treaty, including the Soviet Union, China, Germany, Canada, Britain and France as well as the United States. Japan and South Korea said they would sign after completing domestic legal procedures.

14 Other Nations Involved

The negotiations also included 14 other signatories of the Antarctic Treaty — countries with environmental interest but no scientific bases in the continent. Of these, seven signed today and all others are expected to do so during the year in which the protocol will be open for signature.

"Not only has the Antarctic become an international park for peace, but it has been considerably promoted for developing scientific research for the benefit of all humanity," Spain's Foreign Minister, Francisco Fernández Ordóñez, said at today's signing.

But, while heartened by the protocol, environmental groups said they would continue to be vigilant in the Antarctic because, in Mr. Sawyer's words, "it is still not safe from continuing human activities."

He said some 25 national scientific bases in the Antarctic have proven to be "environmentally disastrous" — some bases have been abandoned without being dismantled — while an increasing demand for Antarctic fish and growing numbers of tourists represent new threats.

FRIDAY, OCTOBER 4, 1991

LOS ANGELES TIMES

Forestry Bill

■ AB 860, the forestry reform bill currently sitting on Gov. Pete Wilson's desk, fails to achieve—in two essential respects—a necessary balance between forest conservation and continued timber productivity (editorial, "Saving Forests—and Timber Industry Too," Oct. 2).

First, it imposes on timber harvesting arbitrary, prescribed limits that are anathema to sound forestry practice. The governor, conversely, favors science-based forest management in order that unique environmental conditions be considered in forestry decision-making.

Additionally, AB 860 contains insufficient provision for the protection of those communities, particularly along the North Coast, that would suffer severe economic hardship as a result of the new harvesting restrictions. However, responsible conservation does not have to be achieved at the expense of jobs.

The differences that have perpetuated the timber wars can be worked out. The Wilson Administration seeks to build upon the progress of the recent months' negotiations and will continue to work aggressively to achieve responsible forestry reform.

DOUGLAS P. WHEELER
Secretary for Resources
Sacramento

Defending Dolphins

By Homero Aridjis

FOR reasons scientists do not understand, schools of yellowfin tuna swim below dolphin herds in the eastern tropical Pacific. In the late 1950's, fishermen started using huge circular purse-seine nets on the dolphins to catch the tuna below. Since 1959, more than seven million dolphins have died, a slaughter that the U.S. tuna industry initially, and the Mexican and Venezuelan industries subsequently, sought to conceal and legitimate, with no real official protest.

In 1972, the U.S. mandated the gradual reduction and eventual elimination of the killing of dolphins by its tuna fleet. The Marine Mammal Protection Act was later amended to bar imports of tuna caught by nations that exceeded certain limits on dolphin deaths, and late last year a Federal court ordered an embargo on Mexican tuna under the law's provisions.

The Mexican Government challenged this ruling before the General Agreement on Tariffs and Trade, and in August a GATT panel said that sections of the U.S. law that led to the embargo constituted an illegal trade barrier. The ruling says a GATT member-nation has no right to obstruct trade detrimental to the envi-

Homero Aridjis, the author of "1492: The Life and Times of Juan Cabezon of Castile," is president of the Group of 100, an environmental group.

Why won't Mexico take steps to stop the killing?

ronment beyond its borders.

If the full GATT council adopts this ruling, it could virtually invalidate many environmental treaties and conventions. Protection of tropical forests, migratory and endangered species, ocean ecosystems and the ozone layer, as well as control of toxic wastes and chemicals, would become impossible. And the dolphins would continue to be slaughtered.

At a meeting of the GATT General Council set for tomorrow, the Mexican Government, pointing to its recent measures to protect the dolphin, will ask for postponement (but not withdrawal) of the ruling. There is reason to believe that this decision was made in exchange for a promise from American officials to pressure Congress to weaken the Marine Mammal Protection Act. This is a dangerous precedent and one more reason why Congress should insist that environmental issues be an integral part of talks on the U.S.-Mexico free-trade pact.

Defending dolphins in Mexico has been a risky business. I have received death threats and been attacked in the press. Criticizing the slaughter is unpatriotic: the dolphin, after all, has no country, belonging to itself alone and to the earth. But the Mexican tuna

industry is "patriotic," claiming that challenges to it are tantamount to criticizing the Mexican people.

President Carlos Salinas de Gortari recently announced a plan to protect dolphins and other marine species. Yet there are measures in his 10-point plan that raise concern. One stipulates that the Ministry of Fisheries oversee the placement of observers on tuna boats. The observers, however, are not required to limit the dolphin deaths, merely to count them. Another measure calls for a million-dollar research program to develop techniques to "reduce and abate" the dolphin deaths. But a solution already exists: stop the practice of setting nets on dolphins, as Ecuador and Panama have done.

Recently a European Parliament panel passed a resolution that would ban the European Community's import of tuna caught with purse seine nets. If Mexico agreed to phase out the deliberate encirclement of dolphins, it could keep this market and also recover the U.S. market. Killing dolphins has become a losing proposition: the market for tuna caught with purse seine nets has plummeted, partly because of the embargo.

Although a measure of the Mexican Government's plan states its intention of postponing tomorrow's discussion of the GATT ruling favorable to Mexico, tabling the ruling is not enough. Mexico should propose that GATT bylaws be reformed so that all trade decisions take environmental effects into account. Only then can the dolphin — and the global environment — be protected. □

The Civil War

Lauren Cook Burgess is a university administrator in Georgia who spends all her spare time on Civil War history research. She is suing the Interior Department for the right to portray a woman-soldier in National Park Service Living History events.



Photo by Brig Caba The Washington Times

Lauren Cook Burgess says hundreds of women enlisted in the Civil War.

Blattaria of the roach's vanities

WASHINGTON — The U.S. Fish and Wildlife Service announced today that the nation's cockroach population has now dwindled to two, a male and female, that live in the crevices of the Waldorf Astoria Hotel in New York City. The cockroach is now the most endangered species in the United States.

NOTES

Grand Canyon forum

About a dozen experts who either are studying or concerned about the effects Glen Canyon Dam is having on the Grand Canyon's ecosystem will make presentations Oct. 13 at an educational forum on the Canyon's South Rim.

In addition, about 250 hikers are expected to participate in a walk along the South Rim to show support for protection of the canyon.

The program will be sponsored by 15 conservation groups. The program begins at 9 a.m. and lasts through 5 p.m.

For more information, call Jeff Smyth at 893-2425.

THE NEW YORK TIMES, TUESDAY, SEPTEMBER 24, 1991

Q&A

Volcano Dating

Q. How do we know when ancient volcanic eruptions occurred?

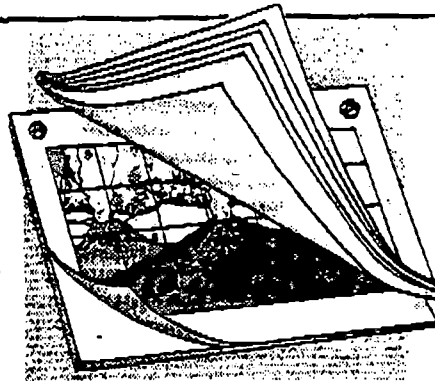
A. Eruptions can be approximately dated by various means, said Susan Russell-Robinson, a geologist who is an information scientist with the United States Geological Survey.

Historical excavations can reveal when a known settlement was covered by lava. For prehistorical eruptions, she said, some large ones near polar regions left a layer of ash trapped in the polar ice, and oxygen isotopes can be used to tell when the ice solidified around it.

However, dating charred wood or any kind of vegetation from close to the eruption site is the most common method, Ms. Russell-Robinson said.

Carbon dating relies on the rate of radioactive decay of one carbon isotope, carbon 14. It is used for eruptions that took place in the last 40,000 years, but more than 200 years ago.

Living things take on carbon from the carbon dioxide in the atmosphere; she explained, and when they die, they cannot take on any more. It is assumed that the percentage of car-



Meg Birnbaum

bon in the atmosphere has remained constant and that the radioactivity of carbon 14 has decayed at a constant rate, approximately by half in 5,700 years.

Charcoal from trees burned in an eruption is nearly pure carbon and so is ideal for tracing the minuscule amounts of carbon 14 present, she said. Tree rings are not useful because it is hard to find a tree close to the site that did not burn, while ash and trees from farther out tend to wash away.

The dates are given in a range of plus or minus 100 years, Ms. Russell-

Robinson said, but it is sometimes possible to determine a more exact date. For example, the eruption at Sunset Crater, Ariz., has been placed at 1066 A.D.

Carbon dating put the year around 1065, she explained, and Indians' oral historical records helped count back to 1066. Pottery that showed an eclipse of the Sun in conjunction with an eruption helped confirm that date.

Six weeks before the eruption of Mount Pinatubo in the Philippines, Ms. Russell-Robinson said, the Geological Survey obtained charcoal samples from the site and used carbon 14 dating to confirm the size and scale of past eruptions and to determine that major eruptions took place about 600 to 800 years apart.

Readers are invited to submit questions about science to Questions, Science Times, The New York Times, 229 West 43d Street, New York, N.Y. 10036. Questions of general interest will be answered in this column, but requests for medical advice cannot be honored and unpublished letters cannot be answered individually.

Congress' 'perks' extend far beyond office operations

By Kim I. Mills
THE ASSOCIATED PRESS

Any member of Congress who doesn't know the meaning of the word "perquisite" can look it up in the free dictionary supplied to each legislator's office.

Big and little extras are a fact of everyday life for lawmakers, who get free garage space on Capitol Hill, discount shopping, one-day mail delivery and American flags at cost.

The 12 members of the Senate and House leadership even have a special kitty of \$141,000 to dip into when their regular perks don't make ends meet.

Besides their annual salaries of \$125,100 per year, House and Senate members receive thousands of dollars in staff and operating allowances for their offices in Washington

and back home. They have the free use of House and Senate gyms, which feature swimming pools, exercise machines, handball and basketball courts and steam rooms.

The Library of Congress gives them leftover books, the U.S. Botanic Garden supplies them with cut flowers and plants and the U.S. Printing Office provides "We the People" calendars gratis.

The dictionaries are among the many freebies to congressional offices listed in an annual publication put out by Congress Watch, a Ralph Nader organization.

If they need maps, members of Congress can call the U.S. Geological Survey and get them — free. The superintendent of buildings will frame photos or posters for their of-

see PERKS, page A11

SATURDAY, OCTOBER 5, 1991

THE NEW YORK TIMES

Special Treatment for Congress

■ **National Park Vacations:** Members have access to five lodges run by the National Park Service in the Grand Tetons, the Shenandoah National Park, Cape Hatteras, Catskill Mountain Park and the Virgin Islands. The lodges are available at low rates for vacation and business use by members of Congress, high-level Government officials, and the National Park Service. They are not open to the public.

PERKS

From page A1

fices. And if they become really attached to their government-supplied office furniture, they can buy it when they leave Congress at the fair market or depreciated value — whichever is greater.

Members may also deduct up to \$3,000 a year from their federal income taxes for the cost of maintaining a home in Washington.

If they want more media coverage back home, members can use the modern House or Senate recording studios to make low-cost radio spots or video press releases that they send directly to stations. And first they can touch up their looks at one of the barber or beauty shops hidden in the basements of Hill office buildings.

Some congressional benefits are the subject of perennial controversy — such as free mailing privileges and fat pensions. But others are taken for granted until some event propels them into the public eye — like the recent disclosures that some House members collectively ran up more than \$300,000 in unpaid tabs at congressional restaurants and bounced more than 8,000 checks in a year at the House bank.

Attention was also focused last week on a members-only ambulance that sat idle in front of the Capitol last Wednesday while an injured staffer waited 48 minutes for a regular ambulance.

And Roll Call, the semiweekly Capitol Hill newspaper that broke the rubber-check story, moved on to another outrage: the practice of fixing parking tickets for House members. (The Senate sergeant at arms recently discontinued ticket-fixing for senators.)

"Why should a member of Congress be allowed to park with impunity in a no-parking zone on a downtown street?" Roll Call asked editorially. "What's the emergency? A rush to get to a luncheon speech?"

The paper also objected to the special parking lot members share with diplomats and Supreme Court justices a few feet from the terminal at National Airport. "Take a cab; get a staffer to drop you off; park with the plebeians," the paper urged.

On Saturday, Congressional Quarterly (actually a weekly) added to the list of Capitol perks, disclosing that 12 congressional leaders have

access to \$141,000 annually in special expense money. The allowances range from \$3,000 a year for the Senate minority conference chairman to \$28,000 for Majority Leader George J. Mitchell of Maine.

Aides and members say the money is used for official purposes such as refreshments at meetings and entertaining dignitaries, but CQ said recipients are not required to make a public accounting of their spending.

Twenty years ago, six congressional leaders had access to a total of \$32,000. Today, the weekly said, 12 members holding 13 leadership positions have access to \$141,000.

Mr. Mitchell's \$28,000 and Senate Minority Leader Robert Dole's \$25,000 allowance include \$15,000 in "representation" money to assist

them in their obligations toward foreign and intergovernmental officials.

But the Senate also allows them to shift this money into the more vaguely defined "expense allowance" account. Congressional Quarterly said that in fiscal 1985-90, \$129,000 was appropriated for the representation allowance but records show only \$4,000 was spent and \$56,000 was transferred to leaders' expense accounts.

CONGRESSIONAL FREEBIES

A partial list of taxpayer-funded freebies and subsidies that senators and representatives have voted themselves.

- Medical and dental care.
- Prescription medicines.
- Travel.
- Meals, liquor and hotel accommodations while traveling.
- Private auto mileage reimbursement.
- Tax service.
- Use of military aircraft for domestic and overseas travel.
- Use of military officers' quarters, clubs, recreational facilities, base exchanges and commissaries at military installations throughout the world.
- Golf, tennis, hunting, fishing, and other recreational privileges for self and family members.
- Use of the U.S. Capitol and congressional office buildings for social occasions, including private parties and wedding receptions.
- Yearly tax deductions for living expenses in Washington.
- Telephone.
- Mail and mailing list service.
- Postage stamps for unofficial mail.
- Parking.
- Printing.
- Newspapers, magazines, books and other publications.
- Computer service.
- Messenger service.
- Library and research privileges for self, family members and staff.
- Subsidized general store, barber, beauty shop and restaurants for self, family members and staff.
- Gymnasium and pool privileges.
- Stationery supplies, film, audio and video equipment and tapes, cameras, and other merchandise for official and personal use.
- Photography service.
- Filming service.
- Use of professional studio for taping TV and radio programs.
- Satellite service for transmitting TV and radio programs to stations in home state.
- Government publications and surplus books from Library of Congress for use as gifts.

Source: Reports of the secretary of the Senate, clerk of the House of Representatives and other government records.

Environment: Record Dose of Solar Radiation

The amount of solar radiation that bore down last year on a lonely research station in Antarctica may be the highest experienced on the frozen continent since Earth developed an ozone shield 1 billion years ago.

John Frederick, an atmospheric physicist at the University of Chicago, reports in the October issue of *Geophysical Research Letters* that 1990 saw the highest levels of biologically damaging ultraviolet ever recorded at Palmer Station on the Antarctic Peninsula.

In 1990, the ozone hole began in September and persisted until December, which is the middle of the summer in the Southern Hemisphere and a time when the sun never sets. Because the hole in the Earth's protective ozone layer was open longer, more of the sun's damaging rays reached the ground and the ocean.



On the worst days, the ultraviolet radiation reaching Palmer Station was twice as bad as in 1989 or 1988, when the measurements began. They were also worse than the levels usually detected over Washington during the most intense summer sun. However, the biological effects on plankton and other creatures in the area is unknown. Researchers have found no evidence of damage yet.

— William Booth

Pollution Reaches Penguin Rookery

THE WALL STREET JOURNAL MONDAY, OCTOBER 7, 1991

INTERNATIONAL

ANTARCTICA MINING IS BANNED

Antarctic Treaty member nations agreed to ban exploration for oil and other minerals on the continent for at least 50 years, which environmentalists hailed as a major victory.

The signing of the landmark agreement in Madrid, Spain, was the result of two years of negotiations. The protocol protects Antarctica's delicate flora and fauna and sets procedures to assess environmental effects of all human activities on the vast continent, which covers 10% of the Earth. It also regulates marine pollution and waste disposal.

Of the 26 treaty members with voting powers, 23 signed the accord; Japan, South Korea and India said they would sign it later. The consultative nations of the 40-member treaty formally committed themselves to sign by Oct. 3, 1992.

The ban will take effect once all 26 voting member nations ratify the document, which could take at least two years. In the U.S., Senate approval is required. The U.S. is one of the 12 initial signatories to the 1959 treaty, which banned military bases and nuclear and conventional weapons tests, and guaranteed continuation of scientific research.

THE WASHINGTON POST

MONDAY, OCTOBER 7, 1991

OBITUARIES

Geologist John Philip Schafer, Retired USGS Staff Member

Student Group Seeks Broader Agenda for Environmental Movement

By KEITH SCHNEIDER

Special to The New York Times

BOULDER, Colo., Oct. 6 — Students from across the country this weekend called for a new agenda for the American environmental movement, one that joins issues of race, class and injustice with the movement's traditional goals of preservation and conservation.

"We're calling for a broader definition of environmentalism," said Jeanette Galanis, a 21-year-old junior at the University of Colorado who helped organize the conference. "A lot of people of color, poor people, rural people, are victims of environmental degradation and have been ignored."

The weekend gathering, which ended today, was organized by the Student Environmental Action Coalition, a three-year-old group based in Chapel Hill, N.C., that has become the largest student-run political organization on American campuses. Leaders of the coalition say about 30,000 students at 1,500 colleges and universities are affiliated with the group.

Environmental Elitism

Roughly 2,200 students made their way to the foothills of the Rockies for the National Student Environmental Conference at the University of Colorado here. It is the first of two national meetings this month that are to focus on what organizers call the elitism of the American environmental movement. The second conference, organized by minority and low-income community leaders around the country, is to begin in Washington on Oct. 24.

At issue is what student leaders here said was the narrow objectives of Government environmental agencies and the major national environmental

groups. They said all of those were dominated by white, middle-class and upper-class men and women, leaders of an earlier generation of students that made the environmental goals of the 1960's and 1970's a part of national policy.

The students said that it was time to expand the list of environmental concerns now that issues like halting air and water pollution, and saving forests

A move to protect communities as well as trees.

and animals have become part of the mainstream.

"Poor housing is an environmental issue," said Randolph Viscio, 24, a national coordinator for the coalition, who graduated earlier this year from Hampshire College in Amherst, Mass. "Fighting for equality in an impoverished community where a company wants to put a toxic waste dump. Building coalitions with labor and minority groups. It's not that these are very new issues. They just haven't been given the attention they deserve."

The coalition's expanded agenda was supported by most of those at the meeting. "It's the only way to go to build a movement," said Leslie Alsheimer, a senior from James Madison University in Harrisonburg, Va., who drove with

two other students for 20 hours to get here. "All of these issues are connected."

But some doubted the strategy, saying that it was important not to forget the traditional goals of the environmental movement. One group walked out of the conference today and said they were going to a nearby forest to protest the cutting of old-growth trees.

The primary topic this weekend was goals.

"We wanted a movement that can make a difference, and the only way we can achieve success is to make it inclusive and broad-based," said Miya Yoshitani, a 21-year-old senior at the University of Illinois and the coalition's national coordinator. "Is it right that some students are more willing to drive two hours to save a forest than to drive five minutes to help people in a poor community?"

But Christopher Fox, a student at Yale University and one of the coalition's leaders, said: "There's a danger in becoming too radical too fast. We have pure ideals, but there's a risk of using tactics that alienate our base, which is white, middle- and upper-class students."

Social Issues

Traditional environmental issues were not ignored. Along the halls of the university's events center, the conference headquarters, were posters calling for an end to production of nuclear weapons, an appeal to save the wolf and calls for help in establishing new energy policies.

But issues of social justice dominated the conference. A popular T-shirt for sale declared, "Columbus didn't discover America. He invaded it." Picking

up on the theme, students aimed sharp criticism at what they called the "rich" national environmental groups for spending too little time on environmental issues that affect urban and rural communities, in the United States and overseas.

Some of the national groups, among them the National Wildlife Federation, have hired black and Hispanic employees to work in with minorities and at historically black colleges. Monica Spann, a 1991 graduate of Howard University in Washington and the cultural

diversity coordinator for the National Wildlife Federation, taught a workshop on Saturday that focused on environmental issues that affect minorities.

But students noted that none of the top executives of the national environmental groups attended this weekend's conference, and that the representation of these groups at booths and workshops was thin.

Several of the most prominent black and Hispanic environmental leaders came as speakers. Among them was Pat Bryant, the founder and director of the Gulf Coast Tenant's Leadership Association, a New Orleans environmental group that has been working to

defend black communities in the South against chemical pollution. Richard Moore, the head of the SouthWest Organizing Project, an environmental group in New Mexico that works with Hispanic groups, also addressed the conference.

In an interview, Mr. Bryant said: "The bottom line is that if the national groups do not begin to deal with solutions to our problems, they will not be needed. All of the places where there is energy, vitality and movement in environmentalism, they are not there."



DEPARTMENT of the INTERIOR

news release

U.S. GEOLOGICAL SURVEY

Rebecca Phipps (703) 648-4460

For release: October 8, 1991

USGS WORKS TO BRING EARTH AND COMPUTER SCIENCE TO HISTORICALLY BLACK COLLEGES

Careers advanced, curricula designed and computers used by Historically Black Colleges and Universities (HBCU's) as part of the Department of the Interior partnership program are described in a new report by the U.S. Geological Survey, Department of the Interior.

The report details the activities of the U.S. Geological Survey (USGS) in the Interior Department's HBCU program, which provides educational research and development opportunities to Historically Black Colleges and Universities in the United States.

"The USGS has been one of the most active participants in the Department's HBCU program," said Secretary of the Interior Manuel Lujan. "The report documents the work that has been done at several different locations. These efforts clearly involve a major investment of time and money."

The HBCU program seeks to "advance the development of human potential, to strengthen the capacity of historically black colleges and universities to provide quality education and to increase opportunities to participate in and benefit from federal programs," according to Executive Order 12677, signed by President Bush, April 28, 1989.

The Interior Department's HBCU program seeks greater involvement by historically black schools in DOI-sponsored programs in each of its bureaus.

As a federal scientific research organization, USGS has focused on educating potential employees and developing earth-science and computer science curricula in the program. The program has also included grants and cooperative agreements to HBCU schools, employment of HBCU students, visits to HBCU schools and presentation of seminars.

(more)

Much of the USGS effort has been focused at Langston University, Langston, Okla., and Hampton University, Hampton, Va. Other HBCU's that have participated in the program in recent years include Texas Southern University, Houston, Tex.; Howard University, Washington, D.C.; Delaware State College, Dover, Del.; Florida A&M, Tallahassee, Fla.; Jackson State University, Jackson, Miss.; Coahoma Community College, Clarksdale, Miss.; Elizabeth City State University, Elizabeth City, N.C.; Central State University, Wilberforce, Ohio; North Carolina Central University, Durham, N.C.; Virginia State University, Petersburg, Va.; and Grambling State University, Grambling, La.

One of the practical outcomes of the USGS program with Langston University is the preparation of a number of students who have readily entered the work force in some aspect of computer science.

Since the program began, at least ten students have been employed part-time in the USGS office in Oklahoma City, and others have participated in a cooperative work-study program with the USGS or gone on to graduate programs. Four students have worked during the summer months as interns at the USGS headquarters in Reston, Va.

Copies of the 19-page report, titled "Cooperative Activities of the U.S. Geological Survey with Historically Black Colleges and Universities, Fiscal Years 1983-90," and published as Open-File Report 91-93, may be obtained for \$3.50 from the U.S. Geological Survey, Books and Open-File Reports, Federal Center, Box 25425, Denver, Colo., 80225, telephone 303-236-7476. Checks or money orders must be payable to "Department of the Interior-USGS."

As the nation's largest earth science, water science and civilian mapping agency, the U.S. Geological Survey conducts a wide-range of environmental research and data-gathering efforts in cooperation with more than 1,000 agencies in all 50 states and several dozen foreign countries.

* * * USGS * * *

(Note to Editors: Highlights of the USGS HBCU program are attached. A limited supply of copies of the report are available to news media by calling or writing the U.S. Geological Survey, Public Affairs Office, 119 National Center, Reston, Va. 22092, telephone 703-648-4460.)



NEWS SUMMARY

U.S. Department of the Interior

Office of Public Affairs

TUESDAY, OCTOBER 8, 1991

THE WASHINGTON POST

TUESDAY, OCTOBER 8, 1991

Personalities

Catch of the Day

Rep. Richard Schulze was the winner Saturday of the first Congressional Fishing Contest, with a largemouth bass weighing in at a whopping 1.95 pounds. For that, the Pennsylvania Republican was presented a \$10,000 award by Hearst Magazines, which he is to donate to an environmental or recreational program in his home district. The contest, sponsored by the Department of Interior's Bureau of Land Management, is meant to highlight the need for increased recreational facilities around the country.

—Compiled from staff and wire reports
by Eric Brace

About TOWN

Glittering for a good cause at Meridian

Right: Secretary of the Interior Manuel Lujan and wife Jean with Rev. James Watkins and Rev. Greg Butts



The receiving line at Friday's Meridian House Ball. From left: Protocol Insurance Co. President and Mrs. Hollins Riley; Meridian House President Walter Cutler with wife Didi; James Watkins greets Reneo Kraft, and ball chairman Sheila Watkins



Left: Supreme Court Justice Antonin Scalia and wife Maureen with former Navy Secretary Edward Hidalgo and wife Belinda

New Mexico To Sue DOE Over Administrative WIPP Land Withdrawal

BY MARY O'DRISCOLL

The state of New Mexico will sue the Department of Energy over its plans to start shipping low-level radioactive waste from Idaho to the Waste Isolation Pilot Project near Carlsbad. The lawsuit, expected to be filed this week in Washington, D.C., is the state's response to DOE's announcement last week that it will bypass Congress and use the administrative land withdrawal process to allow work at WIPP to begin.

A spokeswoman for state Attorney General Tom Udall (D) said that attorneys in the office were expected to work over the weekend to prepare the lawsuit, and they plan to file the suit early

this week. "It is the AG's position that it is an illegal move" by DOE to go ahead with the process, she said. Gov. Bruce King (D) supports the lawsuit, she added.

Late last Thursday, Energy Secretary James Watkins asked Interior Secretary Manuel Lujan—himself a New Mexican—to sign an administrative withdrawal of the land above the WIPP facility, since Congress has not acted on legislation to authorize the process. Assistant Interior Secretary David O'Neal, who oversees the Bureau of Land Management, signed the letter Friday. WIPP is a series of salt caverns 2,000 feet below the desert

(Continued on next page)

New Mexico Plans WIPP Lawsuit *(Continued from page one)*

floor—on BLM land—in Eddy County, N.M. The land had to be formally withdrawn from public use before DOE can begin disposal experiments with low-level radioactive waste from military installations around the country.

DOE has been seeking legislative withdrawal for the process, but Congress has refused to grant it—essentially because the New Mexico delegation could not agree on the terms. This past spring, Watkins announced he would pursue the administrative withdrawal unless the House Interior Com-

mittee acted on the legislation. The committee then invoked a legislative veto over Watkins' plans, and shortly afterward approved a controversial bill approving the land withdrawal. But the process stopped because no other committees with jurisdiction over the process acted on the legislation.

Thursday's announcement came after lengthy negotiations between Watkins and New Mexico Sens. Pete Domenici (R) and Jeff Bingaman (D) over the amount of waste to be used in the experiments. The senators had introduced legislation in

August, which called for one-half of 1 percent of the nation's waste—roughly 4,300 barrels—to be used in the experiments. But DOE, relying on an Environmental Protection Agency statement in which the agency said it would support giving DOE the flexibility to put 1 percent of the waste in WIPP, pressed for the higher figure. The senators opposed it because there was no scientific justification for the increase.

Negotiations broke down about mid-week, and DOE's insistence on the matter threatened to kill the bill, observers

said. Domenici announced on Thursday that he would support DOE's position only if it could be scientifically justified, if the National Academy of Sciences, EPA and New Mexico could evaluate the plans and if EPA finds the plans necessary.

Domenici and Bingaman and the rest of the New Mexico congressional delegation oppose the administrative withdrawal, preferring instead a legislative withdrawal that includes protections for the state through EPA oversight, health and safety protection and funding for road improvements.

ALBUQUERQUE JOURNAL

(T.M. PEPPERDAY, Publisher 1926-1956 R.P. PICKRELL, Editor 1926-1964;
(C. THOMPSON LANG, Publisher 1956-1971)

T.H. LANG, Publisher

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Gerald J. Crawford, Editor

Kent Walz, Asst. Editor

Sunday, October 6, 1991

Editorials

Operation Desert WIPP

The Department of Energy's peremptory strike in obtaining a quick administrative withdrawal of the Waste Isolation Pilot Plant Thursday, potentially clearing the way for the shipment of the first waste this week, seemed to catch New Mexico officials by surprise. Energy Secretary James Watkins made his move after negotiations with the New Mexico delegation on a land withdrawal bill bogged down.

There is no question that the move shifts the momentum of the situation in favor of WIPP. There is little question that the move erodes some of New Mexico's bargaining position in seeking federal funding for road and safety improvements.

But Watkins' move *does not* signal that the battle over WIPP is over. It signals instead that Watkins intends to get on with the in-site testing DOE wants, to determine the site's long-term suitability, and to help develop Environmental Protection Agency rules to govern such long-term storage of nuclear waste.

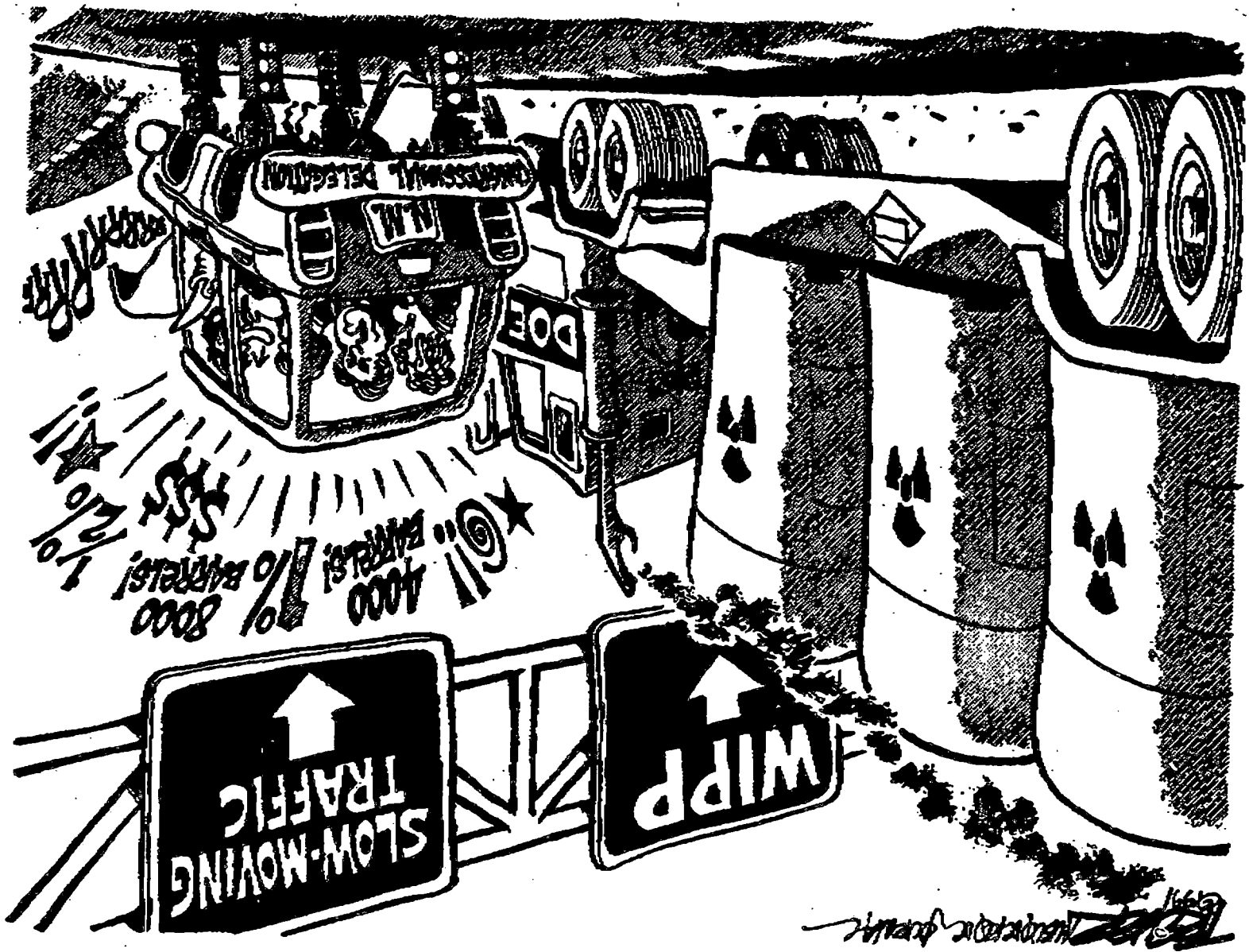
Anticipating New Mexico Attorney General Tom Udall's announced lawsuit against the movement of waste, Watkins said DOE had \$20 million in economic aid and \$42 million for road improvements that would be held up if a lawsuit were passed. If that sounds like blackmail, it is only the other side of the long months of congressional withdrawal negotiations — with New Mexico demanding hundreds of millions of dollars for bypasses ad infinitum as the state's price for acquiescing to WIPP live testing.

Given the dynamic nature of the negotiations at the point Watkins pulled the plug, it is disappointing that he didn't give Sen. Pete Domenici, R-N.M., and Sen. Jeff Bingaman, D-N.M., a little more time.

But for the moment, the main thing the administrative withdrawal accomplishes is to put the clock on the side of WIPP, instead of the other way.

The Udall lawsuit may prove necessary — but New Mexico could lose as much as it could gain with this toss of the legal dice.

Domenici wants to keep negotiating. The rest of the delegation should rally around to see what they can hammer out and take to Congress before their bargaining clout evaporates completely.



Saturday Morning, October 5, 1991

NEW MEXICO'S
LEADING
NEWSPAPER

ALBUQUERQUE JOURNAL

King Lukewarm to WIPP Lawsuit

By John Yaeger
And Susan Landon

JOURNAL STAFF WRITERS

SANTA FE — Gov. Bruce King Friday only mildly endorsed Attorney General Tom Udall's vow to fight in court the opening of the Waste Isolation Pilot Plant, suggesting instead that out-of-court compromises can still be reached.

At a news conference Friday, King urged New Mexico's congressional delegation and the Department of Energy to renew negotiations over how to conduct the test phase of the nuclear waste plant near Carlsbad.

On Friday, practically no one on any side of the struggle over WIPP was happy with Energy Secretary James Watkins' and the Interior Department's decision to bypass Congress and open the billion-dollar underground waste-storage site.

Watkins made the move late Thursday after the breakdown of three weeks of closed-door sessions with Sen. Pete Domenici, R-N.M., and Sen. Jeff Bingaman, D-N.M.

Environmentalists were outraged at Watkins' decision, saying he is endangering the health and safety of the state's citizens.

Supporters of WIPP said New Mexico's congressional delegation missed an important chance to pass

legislation that could have brought millions of dollars to the state.

One of the few to say he was pleased with Watkins' decision was Idaho Gov. Cecil Andrus, who has been trying to stop shipment of high-level nuclear waste from Colorado into his own state.

"The governor yesterday told the local media he views it as a positive step on a long road," Scott Peyron, Andrus' press secretary, said Friday about Watkins' move.

The first shipment of nuclear waste to WIPP is to come from Idaho National Engineering Laboratory, and could start from Idaho as early as Thursday.

Also pleased were workers at the WIPP site southeast of Carlsbad.

"My first reaction was that I couldn't believe it," Fred Ashford, manager of mining operations at WIPP, told The Associated Press. "Finally, there was a pot at

MORE: See KING on PAGE A3

King Lukewarm to WIPP Suit

CONTINUED FROM PAGE A1

the end of the rainbow. It's been a long, long road and a lot of hard work."

Ashford, who said he has worked at WIPP since December 1981, told The Associated Press that most of the 900 workers at the site seemed excited at the prospect that shipments could begin as early as next week.

"I was hoping that we could solve the problem," King told reporters Friday. "I still feel that we have an opportunity to do that if we move along."

"If not, and we go to court, well, we'll be using the expertise that we have in that office," King said of the Attorney General's Office.

"I am asking all sides on this issue to reconsider their positions to see whether we can reach a productive course of congressional action," King said in a statement released by his office.

The statement also noted that the expected first shipment would be symbolic and "not enough to conduct any meaningful experiments."

King's statement highlighted an apparent difference between the governor and Udall on how to deal with this week's announcement.

For example, King and Environment Secretary Judith Espinosa were reluctant to publicly and formally deny the Energy Department permission to store waste in the underground salt beds.

Udall said Friday such a statement would greatly bolster the state's chances of getting a court order halting WIPP shipments.

The differences also were evident in answers from King and Udall in separate appearances before reporters.

King declined to say whether he would block the state's borders, possibly with State Police officers, to WIPP shipments. "I'm not one to make headline-catching statements," King said.

But Udall appeared riled by Watkins' move Thursday to take control of the WIPP land and tell the state that the first shipment would come in a week.

"The secretary has laid out a challenge to us," Udall said. "It seems to me this is the time for a fight. . . . I read this as an ultimatum."

King, when asked whether DOE had so-called interim status permission to begin storing waste, said only that the decision would be made "under the direction and excellent guidance" of Espinosa.

Espinosa, though a spokesman, declined to comment because of the pending litigation.

Four lawyers in Udall's office were preparing to work through the weekend on the lawsuit and request

for a court order preventing WIPP shipments.

Udall said he is leaning toward filing the lawsuit in U.S. District Court in Washington, D.C., because the state's congressional delegation could more easily join the suit or monitor it. Such a lawsuit would be filed Monday or Tuesday, he said.

Meanwhile, spokesmen for environmental groups said Friday they were prepared to file their own lawsuits to stop shipments of waste along New Mexico roads — shipments they said would endanger thousands of the state's residents.

Some also raised the possibility that individual protesters might try to block the waste shipments.

A group of hospital and health-care workers was also considering a lawsuit. Hospital and rescue personnel along WIPP routes are not ready to deal with radioactive contamination if there were a WIPP truck accident, said Carol Oppenheimer, Santa Fe attorney for District 1199 of the National Union of Hospital and Health Care Employees.

Don Hancock of the Southwest Research and Information Center said five groups are "actively considering litigation" to stop the shipments — his own, Concerned Citizens for Nuclear Safety of New Mexico, the Natural Resources Defense Council, the Environmental Defense Fund and Office of the Attorney General in Texas. Texas is worried about possible groundwater contamination.

"I think the secretary of the Department of Energy is behaving like an outlaw," Hancock said. "He takes upon himself the legislative function of Congress, which he has no right or authority to do."

On the pro-WIPP side, supporters said Congress should have been able to work out a legislative transfer of title to the site.

"What this inaction is potentially going to do is cost New Mexico \$600 million," said state Sen. Louis Whitlock, D-Carlsbad, referring to the money DOE would have been required to pay the state in the bill. "We think DOE has been more than patient."

He objected to Udall using state money to fight DOE in court. "Mr. Udall will end up with egg all over his face," Whitlock said.

Calling himself "a little disappointed" at the failure of the congressional withdrawal attempt, state Rep. Robert Light, D-Carlsbad, said, "Most people here are ready for the facility to open; they are comfortable with it. It's in our back yard, not Santa Fe's."

Meanwhile, the director of the Environmental Evaluation Group — New Mexico's scientific watchdog group for WIPP — questioned whether the facility is ready to start accepting waste shipments.

"We're very disappointed in the administrative land

withdrawal, because it does not provide comparable protection to the public health and safety that congressional legislation would have provided," said EEG director Robert Neill.

He said his group would prefer that DOE shore up the room where test waste will be stored before the waste is placed at WIPP. Bolts, mesh wire and other structural safeguards need to be installed, he said. In one WIPP room that had the same dimensions as the test room, a huge slab of the roof caved in, Neill said.

Neill was also concerned that under the administrative withdrawal, DOE will decide whether WIPP meets Environmental Protection Agency standards — in other words, that DOE will certify itself. "In the congressional legislation, EPA would determine whether the facility meets the standards," he said.

The Domenici-Bingaman bill required that any experiments be reviewed by the Environmental Evaluation Group, the Environmental Protection Agency, National Academy of Science and New Mexico Environment Department. Under administrative withdrawal, that detailed review is not required, Neill said.

Negotiations with Watkins broke down when Bingaman insisted that no more than one-half of 1 percent of WIPP's total volume be used for radioactive tests. The DOE wanted 1 percent.

Neill said to date DOE has described only experiments that would use one-half of 1 percent of the volume.

A WIPP PRIMER

Here are some of the questions and answers about controversies surrounding the Waste Isolation Pilot Plant.

What is land withdrawal?

Before WIPP can receive nuclear waste, the 10,000 acres at the site near Carlsbad must be "withdrawn" from public use and transferred from the Interior Department to the Energy Department.

Why does New Mexico want Congress to approve land withdrawal?

Only legislation can make binding financial health and safety guarantees to the state. The state wanted \$250 million for lost mineral royalties and construction money for road bypasses leading to WIPP. It also wants \$600 million for the life of the project. State officials also hope a bill would spell out numerous health and safety provisions, such as a limit on the initial amount of waste to be brought to WIPP and a clearly defined oversight role for the state.

What is DOE promising now that it has taken over the WIPP site?

DOE is now only guaranteeing \$20 million in economic impact aid — money the state gets because the federal project is here — and \$42 million for road improvements, payable on the first shipment of waste. DOE says it is not obligated to pay any more than that. DOE also pledges oversight of tests by independent scientists; a limit on waste used for tests that is twice what the state proposes; and increased efforts to train emergency response crews along WIPP routes.

Why do people say what DOE has done is illegal?

Many critics and state officials contend a land transfer without Congress' approval violates several federal environmental laws. They fear that such a move would allow WIPP to operate without numerous safeguards.

Why do people disagree about the amount of waste to be brought for testing?

Many critics and some state officials say no waste should go to WIPP until it meets the Environmental Protection Agency's long-term disposal standards. WIPP officials want to do tests that they say will show the plant can meet those standards. Several years ago, DOE sought to fill up as much as 15 percent of the plant's total volume during the test phase. After critics said such an amount was too much, DOE scaled back its plans. Last year EPA allowed up to 1 percent to be brought in, granting DOE a variance from federal hazardous waste laws. WIPP scientists have planned the experiments based on half a percent.

Is WIPP safe?

Energy Department officials insist they can operate WIPP safely. Others outside the agency, however, say the only reliable measurement of determining safety is the EPA's standards. Energy officials promise to meet the standards before WIPP is used to permanently dispose of waste.

Watkins' Move Bitter

By Richard Parker

JOURNAL WASHINGTON BUREAU

WASHINGTON — The decision by Energy Secretary James Watkins to take over the Waste Isolation Pilot Plant site Thursday marked a bitter defeat for New Mexico's congressional delegation, which for four years has tried to keep the plant closed or open it on its own strict terms.

Since 1987, when Republican Rep. Joe Skeen introduced a House measure that would withdraw the WIPP site

ANALYSIS

from the public domain for use by the Energy Department, New Mexico's five members of Congress have been involved in a protracted, divisive debate over how and when to open WIPP.

Democratic Rep. Bill Richardson has fought the project furiously for the better part of his career in Congress. Democrats were pitted against Republicans — and recently, the whole delegation was pitted against the Energy Department.

Pill for Delegation

But Watkins' decision to take over the land through an administrative withdrawal — which gives New Mexico no long-term guarantees of health, safety or economic aid from the federal government — was the result of overwhelming pressure to open the plant over the opposition of just five members of Congress from New Mexico.

The failure of the delegation's efforts could cost New Mexico \$600 million in federal money, according to Watkins. He has pledged to deliver,

along with the first shipment of nuclear waste, \$20 million in economic aid and \$42 in road improvement funds but no more. And if the state sees the Energy Department, it won't even get that, he said.

"I have a responsibility not only to the taxpayers but other states," Watkins said.

Governors and lawmakers in Idaho and Colorado have urged the federal government to remove nuclear waste

MORE: See WATKINS' on PAGE A3

Watkins' Move A Bitter Defeat For Delegation

CONTINUED FROM PAGE A1

from their states. And while members of Congress from New Mexico have objected to an administrative withdrawal — Richardson and Sen. Jeff Bingaman say they will join a lawsuit to stop waste shipments — the rest of Congress seems unwilling to deal with WIPP.

In the House, action on a bill to transfer the WIPP site from the Interior Department has stalled with just one of three necessary committees voting on legislation. Key members of the remaining panels "have very little interest in placing this high on their priority schedule," Watkins said.

He said the lack of political will in the House to vote on WIPP — a nationally obscure and technically difficult issue — and the deadlock in the Senate left the plant's fate to the Energy Department.

In more than three weeks of closed-door negotiations, the chairman of the Senate Energy Committee, Louisiana Democrat Bennett Johnston, has consistently favored opening WIPP under whatever conditions the Energy Department wanted, in order to relieve the pressure of the country's building nuclear waste surplus. That has left only New Mexico's two senators, particularly Bingaman, trying to argue that WIPP should open only with explicit guarantees to the state, including a cap limiting radioactive experiments to 40,000 barrels of transuranic waste.

In less than a week, that proposed limit, long sought by the New Mexico delegation, proved to be the final stumbling block in negotiations between the department and the delegation.

But Bingaman insisted on the waste cap, mainly so waste could be easily retrieved if experiments went wrong.

And in the final days that insistence angered Watkins and led to a new split in the state's previously united front.

Watkins said negotiators agreed to double the amount of waste, up to 80,000 barrels, during closed-door negotiations in late September — and that Bingaman had suddenly upended the agreement.

"All we had to have was an acceptable bill," Watkins said late Thursday. "It's unfair to ask me to keep going and going."

But Bingaman said he has always insisted on such a limit.

"I thought we ought to reflect in our legislation what the experts advised us," Bingaman said.

Last Tuesday, the issue proved to be the flash point for a bitter confrontation between Bingaman and Watkins in a telephone conference. Bingaman insisted on the limit and Watkins angrily responded that he needed more waste for the experiments — so loudly, according to Energy Department officials, that he could be heard in the corridor outside his office.

It was not the first time that tempers flared during the three weeks of talks. At one point Sen. Pete Domenici threatened to eject a group of senior Energy Department officials from his office because he'd grown so angry, according to a congressional aide who attended.

But it was the cap on amount of waste — which will be used for five to seven years of experiments — that also split the previously united front of New Mexico's senators. Domenici said this week that he began signaling to Watkins that he, unlike Bingaman, would compromise on the issue.

By Thursday, Domenici did just that, abandoning the common position with Bingaman to try to forge a separate peace on the issue and to stave off an administrative withdrawal of the WIPP site.

"It wasn't an easy decision," Domenici said at the time. "But frankly, I believe that one last effort should be made. I showed my offer to Sen. Bingaman and I don't think there's any ill feeling between Sen. Bingaman and myself."

Conservation group rips Bush on parks

BUSH AND THE NATIONAL PARKS

Overall grade: D

■ New parks — **D.** Panel credited President Bush with increasing funds available for acquisition of parks but said he has opposed new parks and his "America the Beautiful" program is shallow.

■ Protection of wildlife — **D-plus.** The panel cited the debate over the northern spotted owl as proof Bush has tried to weaken the Endangered Species Act, but praised him for adding 107,600 acres of wetlands to Everglades National Park.

■ Park protection — **D.** The Bush administration has challenged concessionaires in the parks but failed to resolve crowds or seriously address conflicts between parks and adjacent developers.

■ Alaska national parks — **D.** The panel objected to Bush's handling of the Valdez oil spill and criticized his support for oil exploration on the Arctic National Wildlife Refuge.

■ Historic preservation — **D-minus.** The panel commended Interior Secretary Manuel Lujan for his com-

mitment to preservation.

■ Budget requests — **C-minus.** Bush scored high for proposing the first appropriations request over \$1 billion, but that wasn't big enough to counter a \$2 billion funding of projects, the panel said.

■ Leadership — **D-plus.** Reviews on Lujan were mixed; National Park Service director James Ridenour got poor reviews.

■ Clear air, global warming and acid rain — **D-minus.** Bush's energy policy was rated as weak.

Writer gives president, his programs a 'D' for 'deceitful, dangerous' on eve of forum at Vail

By Katie Karwin
Rocky Mountain News Staff Writer

President Bush, who vowed to be the "environmental president," has failed to protect America's national parks, a conservation group charged Sunday.

The National Parks and Conservation Association assembled a panel of park experts who gave Bush a "D" on his commitment to the parks.

"I rate Bush, his appointees, and their collective programs as a 'D' — for deceitful and dangerous," said Michael Frome, an environmental writer and member of the panel.

The charges came on the eve of an international conference on parks that begins in Vail today. Bush's top park appointees — Interior Secretary Manuel Lujan and

parks director James Ridenour — are among officials scheduled to attend the four-day conference.

The panel is comprised of environmental activists, writers, former national park officials and professors. It faulted Bush for what it termed shallow programs: He's a master at Grand Canyon photo opportunities, the panel said, but falls far short on commitment to parks.

The panel rated Bush on eight major areas including dedication to new parks and the Alaska parks, protection of wildlife, park lands, and battlefields, funding of parks and political appointments.

"Had Mr. Bush (not) raised expectations so much with his 1988 campaign oratory, he probably would deserve higher grades," wrote Robert Cahn, a Pulitzer Prize-winning reporter who has

written extensively on national parks.

Industry groups called the report predictable in its failure to include diverse panelists.

"Their goals are essentially non-development," said Bill Schilling, director of the Wyoming Heritage Society, a pro-business, pro-development group.

Wyoming boasts the nation's first national park, Yellowstone,

which together with Grand Teton National Park forms the cornerstone of a \$2 billion tourist industry in the state.

"They aren't balancing nature with other features of the economy," Schilling said.

He and some other opponents also give Bush low marks because, they say, he's caved in to environmentalists.

Among the key topics to be discussed at this week's conference are resource stewardship, park use and enjoyment, organizational renewal and environmental leadership.

The symposium is co-sponsored by the World Wildlife Fund, Harvard's Kennedy School of Government and the National Park Service. Henry L. Diamond, former New York state commissioner for environmental conservation, will host it.

Some critics say poor planning has failed to bring together key parks leaders. Parks employees,

See BUSH on 17

Conference called 'last best chance' at solutions

BUSH from 10

eager to resolve perpetual problems such as low pay and crowding, have called the congress "the last best chance" to resolve such issues. A failure to make major strides at this conference could be a black eye for the park service, observers say.

About 350 of the participants are Park Service "field level" employees, according to Len Hooper who is coordinating the effort from the Park Service's regional office in Lakewood.

"We don't have that many supervisors going," Hooper said.

Because so few "outsiders" had signed up to attend the conference, at \$295 per person, the Park Service advertised for participants. About 200 people registered in the last two weeks. In addition to park officials, Environmental Protection Agency chief William Reilly and Education Secretary Lamar Alexander are expected to attend.

Diamond said the conference will result in advice to Ridenour. Among possible recommendations:

■ Minimize development of visitor facilities within park boundaries, while offering technical assistance to gateway communities to ensure compatible development.

■ Undertake a systemwide analysis of visitor-use impacts on park resources including documentation of crowding conditions, and undertake a program of trails where techniques for minimizing visitor impacts can be applied and compared.

■ Establish a task force to improve the public involvement process within the agency, develop and expand social science programs, and act to increase the resources available to serve park users.

Staff writer Gary Gerhardt contributed to this report.

Denver Post

10-5-91

Wirth bill hits San Luis water plan

By Patrick O'Driscoll
Denver Post Staff Writer

Sen. Tim Wirth, D-Colo., jumped into Colorado's hottest water war yesterday, introducing a bill that could hinder a Denver water developer's plan to export billions of gallons of groundwater from the San Luis Valley.

Wirth's "San Luis Valley Water Resources Protection Act of 1991" would withhold federal permits for taking water from the southern Colorado valley if a project would "adversely affect" the federal Closed Basin water project, interstate water agreements on the Rio Grande, wildlife habitat or the Great Sand Dunes National Monument.

The bill speaks only of "any permit for any project" without mentioning names. But it clearly targets the American Water Development Inc. Baca Project, which would sink about 100 deep wells and pipe the

water to municipal customers on the Front Range.

"Every Westerner knows that water truly is our lifeblood and nowhere is that more true than in the San Luis Valley," Wirth said in a news release late yesterday afternoon. "We should insure that water, the key to the valley's prosperity now and in the future, be protected."

AWDI spokesman Jim Monaghan said last night, "I'm certainly not alarmed by it. I'm not a lawyer, but at first blush, (Wirth's bill) seems to me designed to hold us to what we claim the project is to be, anyway." The legislation isn't likely to affect AWDI's pending water-rights applications since U.S. law doesn't supersede the state constitution on water.

Wirth said Congress "should tell water developers" that federal agencies won't issue permits, rights-of-way or help in any way unless AWDI can convince the Secretary of Interior that damage won't happen.

Water fight's tab placed at \$885,000

No end to dispute in sight

By Matt O'Connell

Denver Post Environment Writer

Endangered Species Act challenges to the Animas-La Plata water project already have cost taxpayers at least \$255,000 — with no end to the controversy in sight.

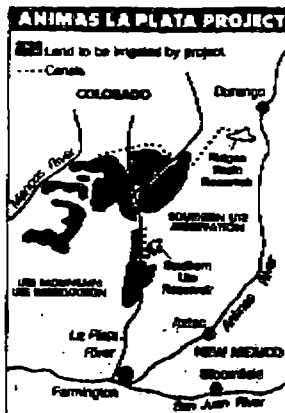
Supporters of Animas-La Plata, a series of reservoirs and irrigation canals proposed for southwest Colorado and northwest New Mexico, have spent more than \$25,000 on lawyers, lobbyists, consultants and staff in an attempt to solve the sprawling project's major environmental problems.

And the U.S. Fish and Wildlife Service, which announced plans in May 1990 to kill the project because it threatened the habitat of the endangered Colorado squawfish, has spent an estimated

\$260,000 on staff salaries to help up its decision.

These numbers don't include Animas-La Plata expenditures by four Indian tribes, which also have spent considerable sums either supporting or fighting environmental compromises aimed at building the project. The tribes refused to comment on their spending, which does not include federal money but likely totals tens of thousands of dollars.

Fish and Wildlife Service administrators say they regret the extra costs. However, they say the higher price in some cases was caused by the refusal of some project backers to properly consider environmental consequences.



The Denver Post

MONEY SPENT ON ANIMAS-LA PLATA

Here's how much some Animas-La Plata interest groups have spent since the U.S. Fish and Wildlife Service invoked the Endangered Species Act and threatened to kill the project:

- U.S. Fish and Wildlife Service — 1,900 staff days. Estimated value, \$290,000.
- U.S. Bureau of Reclamation — One year of work by two full-time employees, plus travel. Estimated value, \$70,000.
- Southwestern Water Conservation District — \$427,127 on lawyers, lobbyists and consultants.
- Animas-La Plata Water Conservancy District — \$51,100 on lawyers, lobbyists and travel.
- San Juan (N.M.) Water Commission — \$78,586 on lawyers and travel.

WATER from Page 1C

They said the Endangered Species Act challenges ultimately will result in a better project. Animas-La Plata now carries a \$611 million price tag.

"I think this shows the process can work," said Bob Jacobsen, assistant Denver regional director for the service. "Unfortunately, in the case of Animas-La Plata, all parties weren't looking to do good things for the critters. They just wanted to get the project built. But now people are trying to protect the fish and build the project."

Pressure to change law

However, project backers said the experience has convinced them that the Endangered Species Act needs to be changed.

"Someday, somehow, there's got to be some kind of a relief valve on the agency that administers the Endangered Species Act," said John Murphy, president of the Animas-La Plata Water Conservancy District. "I have always been a strong advocate of taking care of the environment. But this agency could gridlock the entire economy of this country."

As proposed, Animas-La Plata would irrigate 80,000 acres of cropland, supply drinking water to Durango, and provide water to the Southern Ute, Ute Mountain Ute and Navajo tribes. It calls for construction of two reservoirs, 240 miles of pipelines and canals, seven pumping plants and 34 miles of electrical transmission lines.

The price has skyrocketed 418 percent since the initial estimate in 1970. Federal taxpayers now are scheduled to pay \$395.3 million of the \$611.3 million price.

Groundbreaking was scheduled for the summer of 1990, but it was canceled after the Fish and Wildlife Service found a small population of endangered squawfish living downstream of the project.

Colorado squawfish, which grow up to 6 feet long, were designated as endangered species in 1967. Once the dominant predator of the Colorado River system, squawfish populations were decimated by the construction of dams and poisoning by government wildlife agencies. In the 1960s, many wildlife agencies considered squawfish to be "trash fish" that crowded out bass, pike and other species valued by anglers.

Major lobbying effort

The Fish and Wildlife Service proposed to kill Animas-La Plata in May 1990 unless somebody found a way to reduce the project's environmental damage to squawfish habitat. That triggered the major legal and political lobbying effort to reverse the agency's decision.

Earlier this year, federal biologists and dam builders cut a deal that would allow construction of Animas-La Plata, but then the Navajo tribe voiced opposition. The

Navajos are upset because the compromise plan would use water from the existing Navajo Reservoir to offset environmental damage by Animas-La Plata.

Utah officials also are concerned because the compromise might hurt their state's ability to build extra water projects downstream.

Animas-La Plata interest groups — including Fish and Wildlife, the U.S. Bureau of Reclamation, the states of Colorado, New Mexico and Utah, and the Southern Ute, Ute Mountain Ute, Navajo and Jicarilla Apache tribes — now are trying to reach some agreement.

Law firm big recipient

All of these proposals and counterproposals were made in dozens of meetings attended by lawyers and consultants.

The company that has received the most money from the Animas-La Plata impasse is the Durango law firm of Maynes, Bradford and Shipp, which has been paid \$245,709 in legal fees from the Southwestern Water Conservation District, a major Animas-La Plata customer.

Southwestern District money comes from local property taxes. Another major recipient is the

Denver lobbying firm of Kogovsek and Associates, headed by former Congressman Ray Kogovsek. That firm has received \$80,561 to lobby for the Southwestern water district, as well as undisclosed sums from the Southern Ute and Ute Mountain Ute tribes.

"A lobbying effort is needed just to keep the project in front of various congressional committees and the administration," Kogovsek said.

'Act much too stringent'

He said he now believes the Endangered Species Act "should be changed. I don't want to remove any of the species listed at the present time, but I think the act is much too stringent. It's very difficult to balance the human needs versus the needs of endangered animal species."

The Southwestern district also reported spending \$39,816 on Leonard Rice Associates, a hydrology firm, \$33,342 on BIO/West, biologists, and \$15,778 on Tom Pitts, a water consultant.

"If there's one thing I've learned from all this, it's that we shouldn't allow things to reach the level where they're conflicts," said Max Stodolski of the U.S. Bureau of Reclamation in Durango. "They should be issues to be resolved."

Where is owl's wisdom?

THE CONTEST between man's economic interests and Nature is going to get meaner, more bitter, and ever more litigious unless the Government completes what it began 18 years ago with the Endangered Species Act.

The act's scheduled renewal next year is a good time for trying to resolve economic displacement that preserving a species and its habitat can cause. The latest bitter contest is in Oregon, home to the Northern spotted owl, an endangered species dependent on old-growth forests for survival.

Federal policy consistently has favored the timber industry, to conservation's detriment. The Government built roads and encouraged clear-cutting in public forests. The Government subsidized the timber industry and neglected its own responsibility to protect publicly owned resources.

The bill for that neglect has come due. The U.S. Fish and Wildlife Service has declared a sizable chunk of the owl's habitat off-limits to logging. Loggers claim that the limits will jeopardize their livelihoods — a classic confrontation between preservationists and industry. But poor business prac-

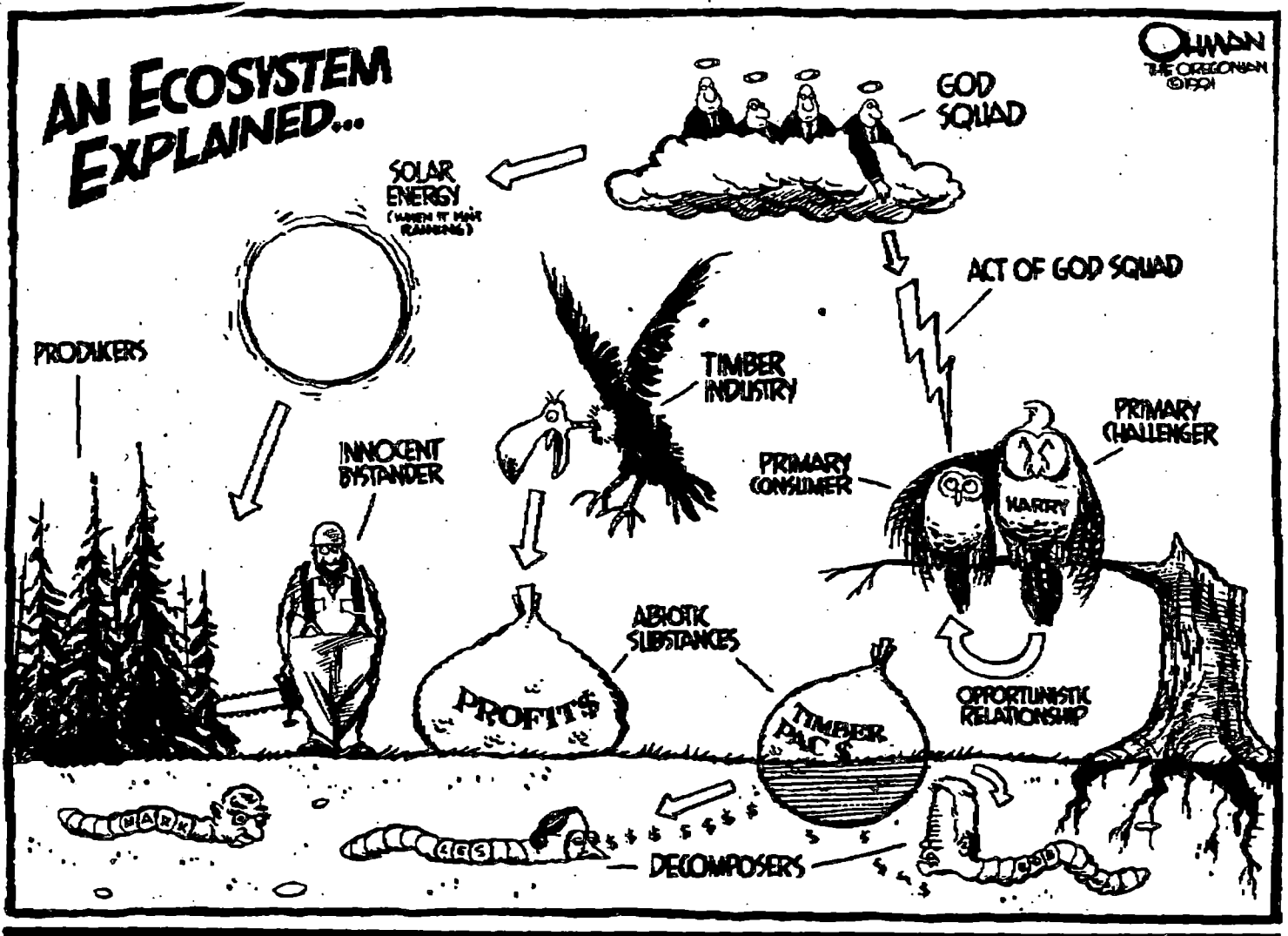
IN BALANCING JOBS, NATURE

tices have more to do with the timber industry's decline, as do temporary factors such as the current home-construction bust.

Interior Secretary Manuel Lujan has called for a meeting of the Endangered Species Committee, a group of Cabinet officers, Interior officials, and a citizen from the affected state appointed by the President. Sometime in the next four months, the committee will consider loosening the Fish and Wildlife Service's planned restrictions on logging in spotted-owl territory.

There is room for loggers and native species such as the spotted owl in America's forests. Start with better management practices by Federal regulators. The logging restrictions should not be weakened. The owl and the old-growth forests deserve preservation.

But so do workers. Congress ought to add provisions in the Endangered Species Act for job-retraining when habitat-saving rules heavily impair local industry.



"Columbia Gorge Fire Could Burn For Week---
Blaze Also Burning In Habitat Of Spotted Owl"
(Oregonian - 10-7-91)

"Oregon Plans To Ignore New Wetlands Guidelines"
(Oregonian - 10-5-91)

SCIENCE & SOCIETY

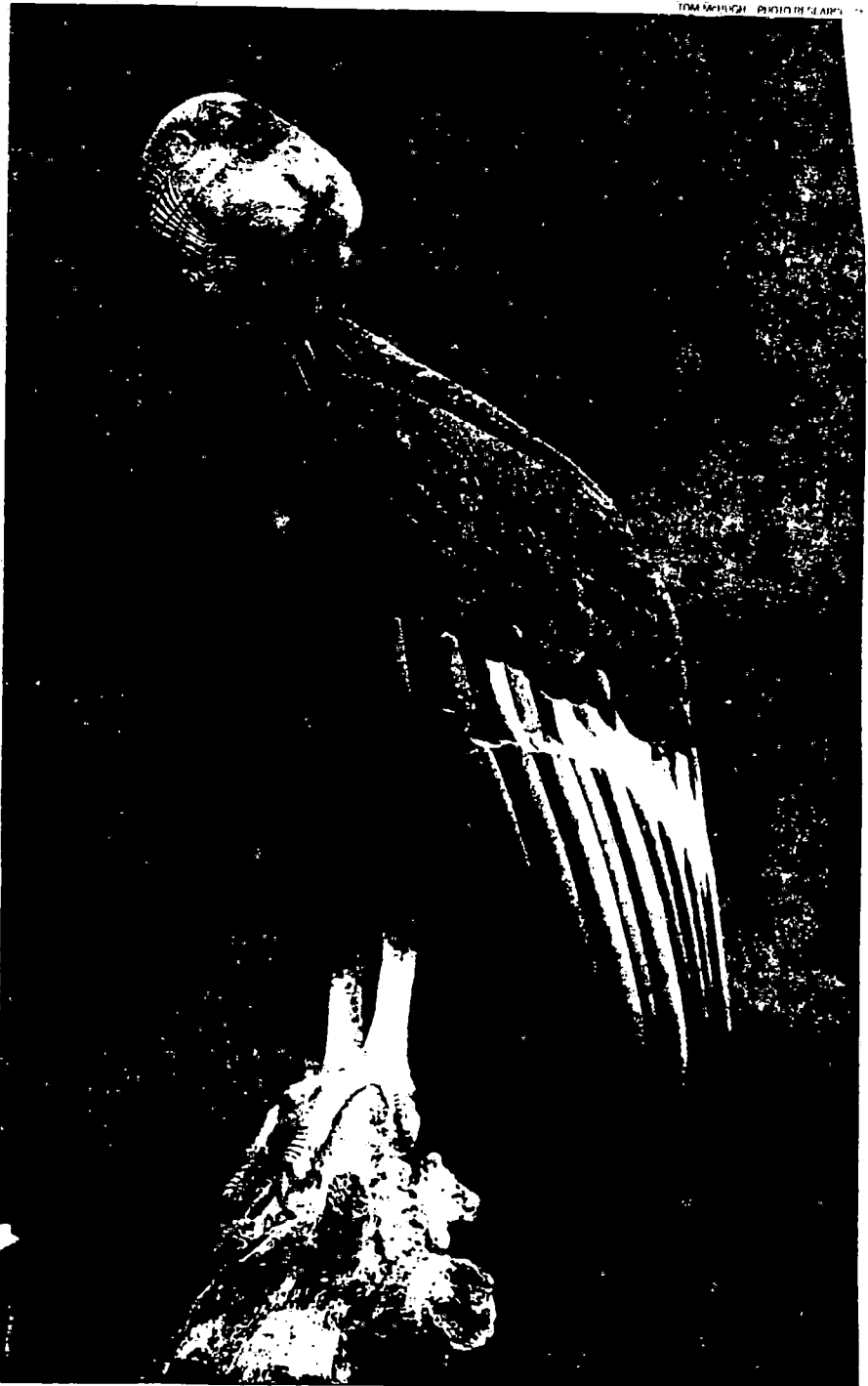
Back from the abyss

Scientists might save the California condor. But is it worth the price?

Michael Wallace hasn't been sleeping well recently. In the early hours of the morning, the curator of birds at the Los Angeles Zoo awakes and worries about four young condors in his care. This week, as part of a bold effort to restore the endangered California condor to the wild, the fledglings will be helicoptered from the zoo to Ventura County's Sespe Condor Sanctuary. "I keep trying to anticipate what they will need by putting myself in their minds," says Wallace.

His nighttime obsessions may soon pay off. By January, the huge vulture, which has teetered on the brink of extinction for 50 years, may again soar over America. This new lease on life will come just five years after the last wild bird was trapped for captive breeding. From the start, the battle to save the condor has been controversial. Some critics have maintained that the birds should be allowed to die with dignity, rather than slipped into a high-tech nether world of incubators and radio transmitters. Others have claimed that zoos are interested in breeding condors only to put them on display. But underlying these skirmishes is a widening debate about the value of the increasingly expensive reintroduction programs for such animals as the condor, the Florida panther and the golden lion tamarin. Re-establishing condors in the wild, for instance, will cost at least \$1.5 million a year for decades. When many species are threatened by habitat destruction, and money for protecting land is scarce, can the country truly afford the luxury of resurrecting condors?

Not a pretty sight. By any measure, a grounded condor is one of the uglier creatures in nature's aviary. The scavenger has scaly claws the size of a man's hand, a wrinkled head and a hooked beak well suited for ripping apart carcasses. But with its 10-foot wingspan, a condor in flight inspires an almost mystical awe. The vulture dates back to the last Ice Age, when it soared throughout much of North America, feasting on the rotting flesh of mastodons and saber-toothed cats. When the climate warmed 10,000



Ancient vulture. The California condor once fed on mastodons during the Ice Age.

■ SCIENCE & SOCIETY

years ago and those large mammals gradually became extinct, condors retreated to the Pacific Coast, where they relied on beached whales and seals for food.

The condor population probably was stable in the early 19th century, when Lewis and Clark encountered the vultures along the Columbia River. But the birds were no match for the flood of settlers that soon followed. Condors were decimated by frontier marksmen and ranchers who set out strychnine-laced carcasses to control predators. Lead poisoning has also taken its toll: Condors scavenge the animals and piles of entrails left by hunters, which are often contaminated by lead bullet fragments.

By the early 1980s, there were only 15 wild condors left, and only five breeding pairs. Biologists still hoped to preserve the birds in the wild by restocking the population with captive-reared birds. But suddenly disaster struck the wild condors. Between November 1984 and April 1985, nine of the 15 remaining birds vanished. As a result, the California Condor Recovery Team, a scientific body charged with formulating a recovery plan, recommended to the U.S. Fish and Wildlife Service that the rest of the birds be trapped and brought into captivity. The vultures were then taken to the San Diego Wild Animal Park and the L.A. Zoo.

Against the odds. Even Wallace, who has devoted the past 15 years of his life to preserving condors, occasionally wonders about what he is doing. "It's kind of stupid in a way that we haven't given up yet," he says. Virtually every phase of breeding the vultures and preparing them for reintroduction has proved enormously complicated. For instance, in the early 1980s the team began snatching newly laid eggs from nests to spur parents to lay a second egg—a strategy known as "double clutching." They assumed that incubating the pale-green eggs would be straightforward. But soon they discovered that the chicks had trouble escaping from the shells and had to be rescued by tweezer-wielding keepers. Eventually the team realized that the normally delicate lining of the shell was stiffening and sticking to the incubated chicks. The keepers solved the problem by raising the humidity during hatching.

Caring for the young birds while preventing them from bonding with humans has also proved to be a major challenge. After one young male showed no sexual interest in his mate and attempted to mount his keeper, the team began feeding the chicks from behind one-way mirrors, using condor puppets.

During the last three years, the recovery team has conducted four trial runs in the sanctuary with Andean condors, a cousin of the California condor that, while endangered in South America, has

drops for their first flights, trudging up hills through dense underbrush if necessary. With their great wings, condors are designed for soaring, not a lot of flapping, explains Robert Mesta, coordinator for the U.S. Fish and Wildlife Service's Condor Recovery Program. When learning to fly, they need steady updrafts, like those rising from the broad canyon beneath the new site.

Even after the young condors have mastered the winds, the recovery team's job will not be over. The world beyond

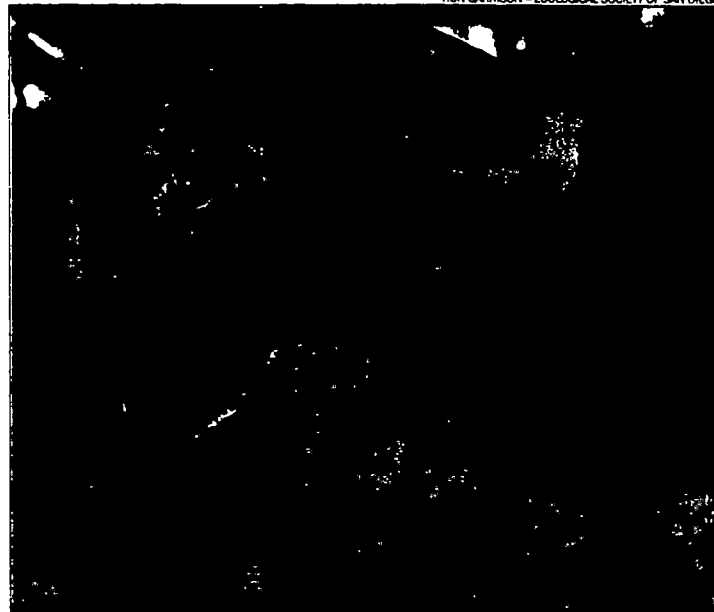
the 55,000-acre sanctuary is just as dangerous as it was five years ago when the last wild bird was wrestled into a Sky Kennel. As a result, behavior modification will be used to teach the condors to stay inside the protected area. Each bird will be fitted with a radio transmitter, and if it strays too far, team members will chase it and rough it up a little with yells and light blows. "The idea is to give it minor psychological trauma so that it won't return to the spot," says Mesta. The birds will also be fed still-born calves from dairies to ensure that their diet stays lead-free.

Critics of the condor program argue that instead of spending millions

returning the bird to what is only a semiwild state, condors should be maintained in zoos and the leftover money spent on protecting land that is particularly rich in plant and animal species. But the Environmental Defense Fund's David Wilcove insists, "That's not the way it works. We are not given the option of taking condor money and using it to buy rain forest in Ecuador." Furthermore, he contends, reintroducing high-profile species proves to the American public that we can save species if we put our minds to it. Habitat preserved for the condor also benefits other, humbler creatures, he argues.

Indeed, the Sespe Sanctuary's rugged hills and surreal sandstone escarpments teem with life, from the noisy, iridescent scrub jay to the elegant red-tailed hawk and bizarre velvet ant. "There's no sense in being a purist in an impure world," says Mesta. "As true wilderness disappears, increasingly we will manage ecosystems the way we manage our households." ■

BY BETSY CARPENTER



Puppet parent. Chicks born in captivity need help bonding.

bred prolifically in American zoos. But even before the first release, there were problems. One bird died en route to the sanctuary. After release, a second died when she collided with a power line. A third proved too tame—she frequented a local oil-drilling operation and had to be recaptured and returned to the zoo.

The new release site is located deep in the chaparral-covered hills of the sanctuary, well away from power lines and drilling rigs. It is well fortified: The big plywood box that the fledglings will call home for the next couple months is protected by an electrified hurricane fence and an armed guard. Though black bears didn't actually kill any of the young Andean condors, the posts supporting an earlier, elevated release box are scarred by the sharp claws of more than one ursine intruder.

What's more, the new encampment is perched on the edge of a sandstone cliff. Previous sites were located well away from cliffs, which were thought to pose a hazard to the fledglings. But during trial runs, the team discovered that the Andean youngsters actually sought out steep

RON GARRISON - ZOOLOGICAL SOCIETY OF SAN DIEGO

Undoing the Mistakes of Past

State needs a water policy of future, not 1940s

The Interior Department is blithely planning to put 20% of California's water out of reach to thirsty urban areas until 29 years into the next century, according to a recent report by the General Accounting Office.

The GAO recommends a moratorium on new contracts in the federal Central Valley Project, which supplies most of California's irrigation water, until Washington thinks more carefully about this policy. Does renewing old water contracts make sense in a time when California cities are rapidly growing and face a possible sixth year of drought? In our view it doesn't.

Federal rules already forbid sales of water to farms or cities that are outside the boundaries of the Central Valley, which means that surplus water can't be sold south of the Tehachapis.

Simply extending old water contracts—some of which were signed in 1949—as though nothing has changed in 40 years will also extend damage to vast areas of cropland. It would leave unchanged an intolerable situation in which wildlife habitat in the valley chronically lacks water.

Congress should respond at once, not only for the sake of wildlife in the San Joaquin Valley but to help ensure the future of the entire state.

Interior officials argue that a 1956 law gives them no choice in whether to renew contracts. They also read the law as saying the Interior Department cannot make significant changes in contract terms. So it's up to Congress to intervene.

Congress should pass two important bills. One, spon-

sored by Sen. Bill Bradley (D-N.J.), would change the rules for the federal water system in California—the largest such project in the nation—so that its water could be bought and sold as a commodity under state law.

The other is by Rep. George Miller (D-Martinez) to require farmers to take either federal water subsidies or federal crop subsidies, but not both. The GAO report said that in the mid-1980s nearly half of the federal water delivered at subsidized prices was used to grow crops sold, in turn, at subsidized prices.

Federal rules make buying and selling of Central Valley water far more difficult than do California rules. Although the state's policies need fine-tuning to create a true market for water, they were good enough to allow Gov. Pete Wilson to create a state water bank earlier this year as a drought emergency measure.

At the federal level, Interior already has signed about a dozen contracts that commit it to sell cheap water to irrigation districts for another 40 years, the report says. Over the next five years, it could sign another 50 or more unless the law is changed.

California agriculture must stop living in the past and let the people of California allocate nearly 8 million acre-feet of water with a process that fits the state's present-day needs. The bills that would do that both sit in the U.S. Senate's Energy and Natural Resources Committee.

Bradley should put them to a vote without delay. And California's Republican Sen. John Seymour should drop his misguided opposition to the bills and help them along.

NATURE WATCH

Bearing Down

Few sights on the West Coast are so hideous as stretches of clear-cut timberland on the Olympic Peninsula. Yet the irony is that among those obscene stumps grow wild fruits that support a larger population of black bear than could live off the few naturally occurring meadows and marshes.

Predators, we are often told, are among the most endangered of species. However, recently, some of our protected predatory species have been benefiting from better-enforced laws and, in unforeseen ways, are making a new home even in ravaged landscapes.

A friend recently canceled a family hike in Glacier National Park after hearing that the grizzlies were back and in force.

The Glacier grizzlies, never predictable, are now both surprisingly numerous and increasingly un intimidated by the appearance of humans in their territory.

Glacier National Park is scarcely a ravaged landscape, of course, but coyotes, coyote dogs, wolves, wolf dogs and even cougars have returned to far less likely regions across the country.

Mankind, needless to say, has the capacity to deal any large mammalian species an exterminating blow.

Kenya recently decreed the slaughter of 15,000 elephants (of a world population of only 75,000) because the animals were intruding on farmland.

And yet it can be encouraging for mankind, the ultimate predator, to see that given anything like a fighting chance, some of our fellow predators are quite capable of putting up a good fight for survival.

States Increasingly Betting On Gambling for Revenue

By Edward Walsh
Washington Post Staff Writer

DUBUQUE, Iowa—Seven years ago, citizens of this aging Mississippi River town placed a \$6.5 million bet on the future. Desperate to revive a local economy that seemed permanently mired in recession, they approved a municipal bond issue of that amount and used the money to go into a business about which most of them knew nothing—gambling.

Today, this place that is home to one of the leading symbols of midwestern probity, the "little old lady from Dubuque," is a hotbed of legal, state-supported gambling. Twice a day, from April through mid-

November, bettors line up at parimutuel windows at Dubuque Greyhound Park, built on an island in the river here with proceeds from the bond issue.

Twice daily, gamblers also board the Dubuque Casino Belle, the town's new riverboat, for a cruise that sometimes takes them past the dog track as they busy themselves at 500 slot machines and 26 blackjack, roulette and other gaming tables. Ashore are dozens of other places offering a chance to gamble through the Iowa state lottery.

Dubuque is not the only unlikely location for a smaller, less glitzy version of Las Vegas. In the last several years, legalized gambling

See GAMBLING, A4, Col. 1

GAMBLING, From A1

has exploded nationally as state governments looked for ways to raise revenue without raising taxes and local communities sought new devices to encourage tourism and economic development.

Gambling has boomed so strongly that many officials said it is at or near the saturation point in some places. In Iowa, which has more forms of legalized gambling than Nevada, there is ominous early evidence of a downturn in gambling revenue because of competition from other states that have jumped into the wagering business and from intrastate competition among Iowa's various gambling enterprises.

Despite the increased competition and objections of gambling critics who charge that the states are encouraging an activity that will haunt them with heavy social costs, the growth in state-sponsored gambling is expected to continue through the 1990s.

"It's grasping at straws," said Steven D. Gold, director of the Center for the Study of the States in Albany, N.Y. "The pursuit of economic recovery through legalized gambling is not a fruitful path. But you can't stop them. It's the path of least resistance."

Nowhere has the growth in gambling been more dramatic than in the midwest. Terri La Fleur, a senior editor of *Gaming & Wagering Business* magazine, said the region has become "the gambling industry's laboratory for new products like video lottery terminals and riverboat gambling."

"There has also been phenomenal growth in the parimutuel wagering industry, with Minnesota and Illinois legalizing off-track betting and Wisconsin starting dog racing," La Fleur said. "The midwestern states' taste for gambling has been sweetened by deficit-plagued budgets, a softening of the public attitude about betting and vigorous promotion campaigns."

Riverboat gambling began on the Mississippi on April 1 with five boats. Iowa had a monopoly on Mississippi riverboat gambling until last month, when the first Illinois riverboat was launched from Alton near St. Louis.

The riverboat competition will only become fiercer. Eventually, Illinois expects to have riverboat gambling at 10 sites on the Mississippi, Illinois, Fox and Ohio rivers. Louisiana and Mississippi have authorized riverboat gambling and expect to be in operation soon, and the issue is on the Missouri ballot in November. Recently, the Casino Belle hosted members of the Minnesota State Senate considering whether their state should join the floating casino business.

But the riverboats are only part of a pattern that La Fleur, writing in the August issue of *Gaming & Wagering Business*, said will make the 1990s "the decade of casino gambling's advance across the United States."

In 1989, South Dakota, another unlikely midwestern location, began that advance by legalizing casino gambling in Deadwood, an old mining town. The Deadwood idea of tying gambling to locations that evoke the aura of the rough-and-tumble 19th century American frontier has spread to Colorado, where casino operations began late last month in three run-down mining towns.

Meanwhile, casino gambling is spreading rapidly on Indian reservations under a law enacted by Congress in 1988. The Indian Gaming Regulatory Act requires states that permit gambling to negotiate agreements, known as compacts, with Native American tribes, giving them permission to operate the same kind of gaming ventures on

reservations. The tribes, which have sovereign status, do not pay federal, state or local taxes on gambling profits.

The Indian gaming law is a prime example of how momentum for more gambling builds on itself. As competition intensifies among states for extra revenue, tourism and economic development, many have authorized new forms of gambling. But when states go into the casino business, as South Dakota did in Deadwood and Iowa did with riverboats, they make their state's tribes eligible to do the same, creating competitors within their borders. The spread of gambling on the reservations also has been spurred by court rulings saying even states that permit only occasional "Las Vegas Night" casino gambling for charity must allow local tribes to go into the casino business.

According to Michael Cox, general counsel of the National Indian Gaming Commission in Washington, about 20 gambling compacts have been reached between tribes and state governments.

Underpinning this vast expansion in legalized gambling is the lottery, a relatively new, once controversial but now widely accepted agency of state government. The first one began in 1964 in New Hampshire, which prides itself on being the only state with neither sales nor income tax, and the idea spread slowly. But as the country encountered the economic shocks of the 1970s, states increasingly turned to lotteries as relatively painless ways to raise revenue.

In the 20 years between 1970 and 1990, the number of state lotteries including that in the District of Columbia increased from three to 33 while annual lottery sales skyrocketed from \$49 million to more than \$20 billion. William S. Bergman, executive director of the North American Association of State and Provincial Lotteries, predicted that, by the end of the century, the only states without lotteries will be Mormon-dominated Utah and Nevada, where a lottery would only undercut state revenue from other gambling.

The astonishing growth of lotteries also changed attitudes, helping to pave the way for the riverboats, dog tracks, off-track betting parlors and other forms of gambling becoming commonplace.

"If any one entity turned American values around on gaming, it was the state lotteries," said Bruce W. Wentworth, general manager of Dubuque Greyhound Park and an experienced gaming industry executive. "The lotteries used the three big 'E's—education, environment and economic development—to tell people this is good, you should do it. The lotteries also have advertising budgets that we would kill for."

Twenty years ago, even bingo was illegal in Iowa, although the prohibition was disregarded widely in church basements. Bingo was legalized in the 1970s, but the state's plunge into gambling did not begin in earnest until 1984 when the legislature authorized parimutuel betting to spur tourism and local economic development.

Gov. Terry E. Branstad (R) vetoed lottery bills in 1983 and 1984, but with public support for a lottery growing and thousands of Iowans crossing Mississippi River bridges to buy Illinois lottery tickets, he signed a lottery measure in 1985. Four years later, the legislature authorized riverboat gambling.

As the state became more deeply involved in gambling during the 1980s, it also displayed ambivalence. The law creating the lottery, for example, also established a Gamblers Assistance Fund providing grants to social-welfare agencies for treatment of compulsive gamblers. The riverboat legislation imposed bet limits of \$5 and total losses of no more than \$200 per

person per cruise in an attempt to make Iowa casino gambling wholesome "family entertainment." Illinois riverboats, which have no limits, are expected to attract the high rollers.

"We'll get the family people, the people who just want a taste of it," said Kathy Quartana, assistant director of the Iowa Racing and Gaming Commission. "Illinois is going to have all the headaches."

There is nothing ambivalent about Dubuque's attitude toward gambling. The bond issue used to build the dog track was approved by 71 percent of the voters. A 1989 referendum to authorize a riverboat casino received 66 percent voter approval.

The economic impact is "like a dream come true," said Marilee Harrmann, director of the Dubuque Convention & Visitors Bureau. The dog track alone helped to increase the number of city visitors from 200,000 in 1984, the year before it opened, to 1 million in 1989, according to bureau estimates.

The success of Dubuque Greyhound Park was recognized officially this spring when the 20-year municipal bonds, paid off in less than seven years, were burned in a ceremony at the track's finish line. Meanwhile, the Casino Belle, like all Iowa riverboats, has exceeded attendance and wagering projections during the first six months of operation and been the catalyst for mil-

lions of dollars in public and private improvements in the riverfront docking area.

But the good times, or at least the easy good times, may be nearing an end. Illinois' entry into the riverboat-casino business and Missouri's likely entry soon is expected to increase competition all along the Mississippi. "The [Iowa] piece of the pie is going to be much smaller," said Jim Kurtz, media director for the Casino Belle.

On the other side of the state, plans for a riverboat casino in the Missouri River off Sioux City have been delayed because of concern about competition from a proposed Indian reservation casino nearby.

Dubuque Greyhound Park, one of three dog tracks in the state, is feeling the effects of competition from five dog tracks that opened in Wisconsin last year. The track's "handle," or total wagering, was about \$65 million during each of its first three years of operation. But last year, it dropped to \$41 million and this year is projected to sink to \$30 million.

Even the Iowa lottery is hurting. Lottery sales peaked at \$173 million in fiscal 1989 but are expected to be only \$145 million this fiscal year, which began July 1.

One reason is competition from South Dakota, where introduction in 1989 of video lottery—electronic terminals on which customers play blackjack and poker—has been a

huge success. In an attempt to reverse this trend, the Iowa Lottery Commission authorized an experiment in video lottery in 11 western Iowa counties but dropped the idea when Branstad and legislative leaders objected.

"The governor feels that the people of Iowa think we have enough gambling at this point," said Dick Vohs, a spokesman for Branstad.

Other states are attempting to respond to increased competition. Minnesota lottery officials recently announced plans for an experiment with a play-at-home lottery system using Nintendo video-game equipment hooked to the lottery's computer system.

Gambling critics such as Valerie Lorenz, director of the National Center for Pathological Gambling in Baltimore, said declining gambling revenues may force state governments to see that they have been pursuing "extremely poor and short-sighted public policy" in encouraging an activity "clearly addictive for some people."

But Gold of the Center for the Study of the States said state-sponsored gambling, although it will not solve any state's fiscal problems, still will be a politically attractive alternative to higher taxes.

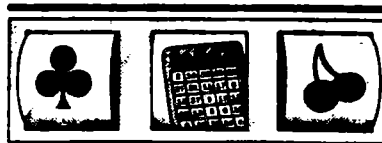
"I don't think you can turn the clock back," he said. "I think it's going to continue to spread. As more and more states do it, it takes less and less courage to do the same."

LA TIMES Oct. 9, 1991

How the Mafia Targeted Tribe's Gambling Business

■ **Crime:** The mob dropped bid to infiltrate games near San Diego, but wiretaps suggest ties to other reservations.

By PAUL LIEBERMAN
TIMES STAFF WRITER



THE INDIANS' GAMBLE

*Tribal Economies Are Banking on a
Billion-Dollar Betting Industry*

■ Second in a five-part series.

MMS Advances Chukchi Sea Lease Sale Set for Mid-'94

WASHINGTON — The Interior Department's Minerals Management Service has issued a notice of intent to prepare an environmental impact statement for Chukchi Sea lease sale 148, tentatively scheduled for mid-1994.

"We're asking potential bidders to indicate areas of leasing interest in the Chukchi Sea, and we're soliciting comments from all interested parties on possible environmental effects and use conflicts in the area," said Al Power, MMS Alaska regional director.

The call for information and notice of intent covers approximately 25.5 million acres or approximately 4,699 blocks. The area is located about 3.5 to 200 miles off Alaska's arctic coast in water depths ranging from 98 to 263 feet.

There are 350 active leases in the Chukchi Sea, issued as a result of sale 109 held in May 1988. Industry has drilled four wells on these leases, of which three are permanently plugged and abandoned and one is tem-

porarily abandoned.

Comments regarding the environmental and socio-economic impacts of the proposed mid-1994 lease sale can be sent to MMS, Alaska OCS Region, Regional Supervisor of Leasing and Environment, 949 East 36th Ave., Anchorage, Alaska 99508-4302.

USA TODAY • TUESDAY, OCTOBER 8, 1991

NEW JERSEY

BREILLE — State may use federal Coastal Zone Management Act to keep federal government from leasing oil-drilling sites off coast, Gov. Florio said. Florio wrote U.S. Dept. of Interior officials saying drilling was economically and environmentally unsound. ...

WYOMING

CHEYENNE — Crow Indian tribe is challenging state Game and Fish Dept.'s authority to enforce hunting regulations against tribe. Crows say 1851 and 1868 treaties give them right to hunt unoccupied lands. Case stems from arrest of Crow for killing elk. ...
GREYBULL — Dinosaur fossil found in September is en route to Montana State University to be cleaned and studied.

NEVADA

LAS VEGAS — State Tax Commission voted to refund to Indian leaders all state gasoline taxes paid by resident Indians on their reservations. Cited: It offers tribes another self-supporting resource. ...

OREGON

... CASCADES — Forest fire burned out of control on 169 acres near Bonneville Dam. Traffic was delayed on I-84 while helicopters dipped buckets in Columbia River to battle blaze. Origin of fire was unknown.

Florino plans to use federal law against oil drilling

BRIELLE, N.J. (UPI) — Gov. Jim Florino said Monday he will use the federal Coastal Zone Management Act against the federal government in an attempt to bar offshore drilling off New Jersey.

Florino testified at a hearing sponsored by the state Department of Environmental Protection and Energy on the Bush administration's proposal to open 1.3 million acres of the Atlantic Ocean off New Jersey to oil exploration. State officials decided to hold the hearing because the federal government did not include New Jersey in its own hearings.

New provisions in Coastal Zone Management Act require the federal government to certify that oil drilling and other activities in coastal waters are consistent with environmental protection efforts, Florino said. That allows the state to argue that drilling would be harmful to water quality.

The governor also said that offshore drilling only encourages continued reliance on oil.

"Even if oil were found, it's estimated there would be only enough for 13 days of U.S. consumption," he said.

Florino released a letter to Interior Secretary Manuel Lujan that registers his objections to offshore drilling.

The governor said the drilling "courts environmental disaster."

"In New Jersey, our shore is our life, and a clean, safe ocean is our life blood," he said. "We can't stand by and watch it be threatened. We have fought hard to protect our beaches and ocean waters from environmental threats."

In his letter, the governor also said that many of the 228 blocks off the coast of New Jersey that are included in proposals for leasing in 1994 and 1997 were part of an earlier proposal that was dropped because oil companies were not interested.

The public comment period on the oil drilling plans ends Oct. 29.

THE FEDERAL PAGE

Panetta's Deficit Solution: Cut Military by 40%, Pare 8 Cabinet Depts.

By Eric Pianin
Washington Post Staff Writer

Less than a year after the White House and Congress signed a five-year budget agreement, House Budget Committee Chairman Leon E. Panetta (D-Calif.) yesterday unveiled a set of deficit-reduction proposals, including a 40 percent cut in military spending and the elimination of eight of 14 Cabinet departments by the end of the decade.

Panetta's proposal, offered at a time of growing frustration and dissatisfaction with the budget agreement, is the opening round in what is likely to be a protracted debate over reshaping the federal government's long-term spending and debt-reduction policies. Democratic and Republican members of the Budget Committee plan to meet in private today to begin preliminary talks.

The plan calls for additional spending cuts and tax increases totaling \$1.3 trillion between now and the year 2001, while authorizing spending increases totaling \$370 billion in targeted areas of education, health care and economic growth.

Congress resisted tampering with the budget agreement in approving spending bills for the fiscal year that began last week, but congressional Democrats and the Office of Management and Budget have begun staking out positions in anticipation of reopening the agreement next year.

Office of Management and Budget Director Richard G. Darman said over the weekend that the administration would insist on a reduction of the capital gains tax and more emphasis on deficit reduction and economic growth as part of any new agreement. However, White House spokesman Marlin Fitzwa-



THE WASHINGTON POST

ter said yesterday the administration has no plans to reopen the budget agreement.

Panetta said it would be reckless to begin tinkering with the budget agreement until Congress completes a comprehensive review of the budget situation, in light of the

Not So Sweet in Sugar Land

Florida growers vs. the myth of the Everglades

Alligators, airboats, endless acres of saw grass swaying gently in the breeze: these are the images of Florida's Everglades. The reality is very different. Diversion of water for farms and cities has left parts of the 2.2 million-acre wetland high and dry. On the east, Miami's urban sprawl is pushing back the marsh. And from the north march invading columns of greenish brown cattails, a symptom of the water pollution that has made Everglades National Park among the nation's most endangered. Last Friday a federal judge in Miami opened hearings over who should pay to fix it—a battle that could threaten the future of Florida's influential sugar industry.

Sugar cane is a big, if controversial, business in south Florida. Since 1930, when the U.S. Sugar Corp. opened its first plantation near Lake Okeechobee, more than 500,000 acres have come under cane. Sixty years of state and federal programs to build dikes and drain swamps left a nutrient-rich muck ideally suited to the crop. Profits are almost guaranteed: a federal support program props up the domestic price of sugar, while quotas hold down imports from Latin America, the Caribbean and the Philippines. Labor is cheap, too: U.S. immigra-



JOHN SEVERSON—SILVER IMAGE

Bitter aftertaste: Phosphate-laden water flows into a canal near Lake Okeechobee

tion law lets cane growers bring in low-paid Jamaicans for the backbreaking seasonal work of cane cutting—and keeps the workers from changing jobs once they arrive. Astute networking helps the growers keep those privileges. U.S. Sugar Corp., the largest grower, plays up its ties to the Charles Stewart Mott Foundation, a high-profile charity. The Cuban-born Fanjul brothers, Spanish citizens who control 190,000 acres of Florida cane land, are prominent in the Florida business community and hobnob with prominent politicians in Washington.

But as south Florida grows, Big Sugar's clout is waning. The proof came in July, when state officials outraged the industry by admitting federal civil charges that Florida had failed to protect the Everglades against phosphate runoff from cane fields. Their solution—reclaiming 35,000 acres of

marshland to filter used farm water—will cost \$300 million. The growers would pay part of that bill and would have to eliminate almost all phosphate runoff by 2002.

The industry wants the court to block the agreement, arguing that phosphate is only a small contributor to the Everglades' ills. Sugar growers use little fertilizer, they point out; most of the phosphate washing into the marshes occurs naturally in the south Florida soil. Says George Wedgeworth, president of the Sugar Cane Growers Cooperative in Belle Glade, "There's not one piece of scientific work that shows that what we are doing is detrimental to the Everglades." The real problem, sugar lobbyists argue, is the state's mismanagement of water supplies throughout southern and central Florida. Environmentalists counter that the industry is trying to postpone the day of reckoning. "The sugar industry gets a financial reward for delaying implementation of the cleanup process," asserts Michael Soukup, a biologist at Everglades National Park.

In the end, the sugar industry will have to bend to keep from forfeiting its support in Congress. "If you are a recipient of federal subsidies, there is some responsibility that goes along with them," says Rep. George Miller, chairman of the House Interior Committee. But the final price will likely be one the growers can afford. State officials know full well that if cane is pushed out, many sugar plantations will be turned into subdivisions—and that would be even worse for the Everglades.

MARC LEVINSON with
PETER KATEL in Belle Glade

TUESDAY, OCTOBER 8, 1991

THE NEW YORK TIMES

The Gradual Greening of Mount St. Helens

A study finds that 83
of 256 plant species
are back in the area.

In Ruin of Everglades, Many Share the Blame

To the Editor:

Robert H. Buker and Donald W. Carson, two sugar industry executives, are more than a little disingenuous when they assert in "Everglades Endgame" (Op-Ed, Sept. 23) that agriculture is being made the scapegoat for South Florida's environmental problems.

First, some history: In 1947 two hurricanes flooded five million acres in the region and spurred water managers and the Army Corps of Engineers to replumb and expand the system of canals. The result is generally recognized as an engineering marvel and ecological disaster.

But it was a hurricane in September 1928 that killed more than 1,800 people, most of them farm workers in what is now the Everglades Agricultural Area. Flood tides crashed through a primitive levee on the south side of the lake, seeking their traditional course, just as the Indians had predicted they would when white men started tinkering with the Everglades. Following the storm, engineers began work on the Hoover Dike, completed in 1938, which dams the flow of water from Lake Okeechobee into the Everglades.

The point is that the impetus to drain the Everglades came from politicians and land developers eager to create farms. And the sheet flow of water out of Lake Okeechobee was blocked to make South Florida safe for agriculture, not people. Today, through direct and indirect subsidies the Federal Government props up the South Florida sugar industry while also paying millions of dollars to restore and preserve what remains of the Everglades ecosystem, which agricultural practices continue to harm.

It may be argued that the salvation of the Everglades will come only when subsidies are ended, the Everglades Agricultural Area reflooded and many of the canals that lace the region broken through. (These drastic steps would also mean withdrawal from some human suburbs.) Short of that, water managers must try to imitate the natural flow of water, something they have been unable to do because in the dry season people

as well as plants demand water.

The 700,000-acre Everglades Agricultural Area, which occupies the region where Everglades water was deepest, the sawgrass tallest and the muck richest, is an environmental disaster, not a minor player in South Florida's ecological ruin. Much of the rich muck that made the Everglades desirable has subsided, vanished, and the rest may be gone in 20 years.

While the authors observe that exotic plants like melaleuca, casuarina (Australian pine) and Brazilian pepper are consuming hundreds of thousands of acres and supplanting native species, they fail to say that the nutrient-enriched water of the agricultural district has led to an explosion of cattails in adjacent areas. These plants drive out native vegetation and have created a major ecological problem. The authors also do not say that Federal, state and local officials are trying to remove the exotics.

Most politicians, farmers and residents of South Florida forget that everyone — the farmer, the tourist, the resident and the policy maker — have contributed to the ruin of the



Thomas Kerr

Everglades and the degradation of a fragile ecosystem. The region will be revitalized only when we recognize our responsibility for nurturing nature and make the sacrifices necessary to meet that responsibility.

Though limited, the proposed set-

tlement between Florida and the Federal Government is a step in the right direction.

MARK DERR

Dorset, Vt., Sept. 24, 1991

The writer is author of "Some Kind of Paradise" (New York, 1989), a social and environmental history of Florida.

Farming's Damage

To the Editor:

In "Everglades Endgame" (Op-Ed, Sept. 23), the Florida sugar industry, after two decades of denying that its water pollution harms the Everglades, contests the cleanup by pointing to the yet greater problems of water shortage.

The greatest problems of the Everglades do result from the manipulation of the natural flow of water through a Government system of pumps and canals. But the distortions of this system primarily benefit sugar and vegetable farming.

The farming area occupies the northern, and formerly deepest, quarter of the historic Everglades, shutting off the flow of water south from Lake Okeechobee. Because this area was normally under water, farming it requires massive and rapid drainage in the summer rainy season. This drainage floods and pollutes part of the Everglades and wastes water to the ocean.

In the dry winter, the system pumps water back into the agricultural area for irrigation — as much as 800,000 acre feet in the dry season of a dry year. The entire urban area from West Palm Beach through Miami then uses but 300,000 acre feet of water from the Everglades system. No water is left for Everglades National Park at these times.

The sugar industry vehemently resists efforts to reform this system. Its answer to the pollution would deepen water shortages by pumping polluted water into the ground or out to sea instead of cleaning up. Everglades alligators do not need crocodile tears, but more, and clearer, water.

TIMOTHY D. SEARCHINGER

Staff Attorney

Environmental Defense Fund

New York, Sept. 24, 1991

collapse of the Soviet Union as a military threat and the United States' growing economic and social needs.

"I do not believe we ought to simply proceed to revise the budget agreement in a vacuum," Panetta said in releasing his proposal.

House Minority Leader Robert H. Michel (R-Ill.) said Republicans would cooperate in the Budget Committee talks, but said that he strongly favored sticking with the ceilings on domestic, defense and foreign aid spending imposed by the current budget agreement.

"I never have any problem with policymakers looking into the future, but it's very difficult for us to figure out what the hell will happen next week or next month, let alone 10 years from now," Michel said.

The long-term budget review, which was authorized by House Speaker Thomas S. Foley (D-

Wash.), has added urgency because of Congressional Budget Office projections that the deficit will rise, dip and then skyrocket between now and the year 2001. Absent further action by Congress, the overall national debt will soar to \$5.1 trillion within 10 years, or more than 50 percent of the gross national product, the CBO said.

While Foley and other Democratic House leaders have given the House Budget Committee their blessing to begin the long-term review this week, the leadership has not endorsed any of Panetta's specific proposals.

Panetta's three-pronged proposal would streamline federal government by consolidating activities; retarget domestic spending priorities, and order deeper cuts in military spending than the 25 percent mandated in the current budget agreement.

Under the government consol-

idation proposal, the 14 Cabinet departments would be reduced to six: the departments of Human Resources, Defense, Natural Resources, Economic Policy, State and Justice. Panetta acknowledged that his idea would encounter stiff opposition from the administration and special interest groups anxious to protect their turf, but said the government cannot justify the 33 percent growth in the cost of federal government operations since 1981 or the confusing overlapping jurisdictions.

In reordering priorities over the next decade, Panetta has proposed earmarking an additional \$100 billion to \$120 billion for education; \$75 billion to \$90 billion more to enact a self-financed national health care program and to reduce infant mortality, and an additional \$130 billions to \$160 billion for job training, a national energy-security plan and construction of housing, roads and bridges.

AP DAYBOOK, WASHINGTON, TUESDAY, OCT. 8

MOON. WETLANDS - Joe Larson, professor and director of the Environmental Institute, University of Massachusetts at Amherst, and chairman of the National Wetlands Technical Council, Jay Hair, president of the National Wildlife Federation, Elizabeth Raisbeck, senior vice president, National Audubon Society, news conference to criticize President Bush's plan on wetlands.

Location: National Press Club

Contact: Lynn Bowersox, 202-797-6853; Susan DeVico, 212-546-9200

Audit Criticizes Government's Handling Of Mine Reclamation Debt

By KATHERINE RIZZO

WASHINGTON (AP) — Government inspectors on Monday criticized the federal agency in charge of making sure coal companies pay for environmental damage for wiping \$96.8 million in debt off the books.

The Interior Department's inspector general said the Office of Surface Mining wrote off debt without the approval of the department solicitor.

"Surface Mining did not have the authority to terminate this debt," the audit report said.

"Generosity is a virtue, but this is ridiculous," said Rep. Nick Rahall, chairman of the House mining subcommittee.

The debt has accumulated since 1978, when the government began assessing civil penalties against coal mine operators that failed to clean up land and water they contaminate while mining.

Harry M. Snyder, who heads the Office of Surface Mining, took issue with the inspector general's interpretation of what happened. He said mining companies aren't off the hook when the government writes off their debts as uncollectable.

"Debt write-off does not mean debt forgiveness or debt amnesty," Snyder said in a written statement. "If the debtor ever applies for a new coal mine permit, the application is blocked until the debt is settled."

Snyder said his agency hasn't closed the books on that \$96.8 million, even though it was not mentioned in a required financial report to the Treasury Department. He said the agency is awaiting final rulings on whether the debts dating from 1978 to 1983 are uncollectable.

The audit did not name the companies that have defaulted on their debts and the Office of Surface Mining as a matter of policy does not release the names of mines that have not paid abandoned mine reclamation fees.

Snyder agreed with another criticism against his agency.

The inspector general's office said the Office of Surface Mining was responsible for \$2.5 million worth of property and equipment which now could not be located.

The report blamed that on the system used to keep track of what the agency owns.

Rahall said the missing property was evidence the agency is "having difficulties managing itself, let alone implementing the federal surface mining act."

"I am certainly going to inquire as to what type of property and equipment the OSM has misplaced," Rahall said. "In the meantime, perhaps Harry Snyder should begin bolting down all the desks and chairs at the agency."

The inspector general's office said a detailed report on the missing property had been completed but not yet made public.

AP-DS-10-07-91 2141EOT



Fowl play at Pan Am.

Deep in the cargo hold of a Pan Am jet, there's a dark secret.

Pan Am is part of an international industry that ships hundreds of thousands of wild birds to the U.S. each year. But these frequent flyers don't fly first class.

These parrots, parakeets and other exotic birds are captured in the rainforest, trucked through the jungle and then loaded onto Pan Am for a one-way ticket to a U.S. pet store. Crammed into crates inside the cargo bay, many of them never make it through the trip.

They're Dying to Fly Pan Am

Every year about 8 million birds are taken from the wild for the world pet trade. Many die in airplanes like Pan Am's on the last leg of their journey, but millions more die before they ever get to the airport.

In fact, for every wild bird sold, four die during capture or transport from the jungle. After years of trapping, the bird trade has put entire species at risk. 30% of Latin American parrots, for example, are now threatened with extinction.

Today, Pan Am is the only major U.S. airline that still transports wild birds into this country. Every other major carrier has agreed to environmentalists' requests to stop accepting birds for international trade. But as long as airlines like Pan Am continue to ship wild birds, even more species will be threatened.

Help Stop the Wild Bird Trade

Defenders of Wildlife needs your help to stop the wild bird trade. We don't have to import wild birds for pets. 85% of the birds sold in U.S. pet stores are already bred in captivity, and nearly all species can be bred here in America.

Help us let Pan Am know that we want them to join the other major U.S. airlines in refusing to ship wild birds. Send us the coupon from this page and we'll tell Pan Am to keep the wild birds in the rainforest, not the cargo bay.

Yes I want to help stop Pan Am from shipping wild birds into the U.S.

Please send Pan Am a petition in my name urging them to stop transporting wild birds into the U.S.

I want to help Defenders of Wildlife do more to protect wild birds.

Enclosed is a check for \$ _____

Name _____

Address _____

Phone _____

Mail to:
Defenders of Wildlife
1244 Nineteenth Street, NW
Washington, DC 20036

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Defenders of Wildlife is a 44-year old conservation organization with 80,000 members and supporters. Committed to the preservation of wildlife, Defenders of Wildlife has long advocated the protection of endangered species and conservation of global diversity.

Chicago Tribune, Friday, October 4, 1991

Museum allies, U.S. get time to negotiate

By Andrew Fegelman

Tensions between federal authorities and supporters of Trailside Museum in River Forest over the fate of dozens of birds the government wanted to seize have eased and both sides said talks were under way to resolve the controversy.

As a result, U.S. District Judge James Alesia extended a court order Wednesday giving the U.S. Fish and Wildlife Service, the Cook County Forest Preserve District and a citizens group time to negotiate.

Alesia first granted a restraining order last week forbidding the federal agency from removing or destroying any of the birds. He acted at the request of the Forest Preserve District, which runs the nature center, and Citizens for Trailside after federal authorities attempted to remove the birds.

The order was to expire next Monday. Alesia has now extended it to Oct. 25, but will hold a hearing Oct. 21 to determine whether any progress has been made toward resolving the dispute.

Michael Marick, an attorney representing the citizens group, said the discussions have focused on whether Trailside should be granted an education permit that would allow it to keep the birds for longer than 90 days—the limit for keeping birds under the permits generally awarded to bird rehabilitators.

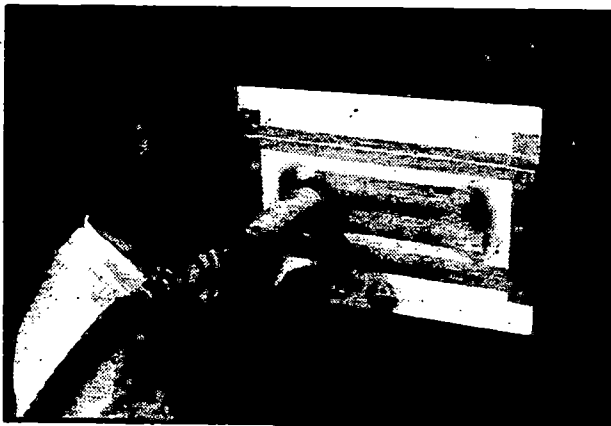
Officials with the wildlife agency have said they tried to remove birds last week because Trailside was violating the rehabilitation limit.

Trailside accepts injured animals and birds with the intention of rehabilitating and then releasing them, but the federal government has maintained some of the birds could not survive in the wild and should be euthanized.

Grizzly Bear Mauls 2 Hikers

GLACIER NATIONAL PARK, Mont., Oct. 7 (AP) — A man and a woman who were hiking Sunday on Trout Lake Trail here were mauled by a grizzly bear, the authorities said today. After the attack, the hikers, Dale Johnson, 31 years old, and Rhonda Anderson, 27, managed to walk four miles to their car and drove for help. They were reported in stable condition with numerous puncture wounds at a hospital in Kalispell. Park officials closed trails in the area near the attack.

USA TODAY · TUESDAY, OCTOBER 8, 1991



By Tim Dillon, USA TODAY

OVERDUE HONOR: Engraver Jim Lee sandblasts Richard Tortorice's name onto the Vietnam Veterans Memorial.

8 more names added to Vietnam War memorial

WASHINGTON — Eight names of war dead Monday were etched into the Vietnam Veterans Memorial, bringing the number of dead and missing listed there to 58,183.

Officials also changed 49 men listed as missing in action to killed in action. A cross by their names will be changed to a diamond.

Monday marked the sixth time names have

been added since the memorial's 1982 dedication.

The honor for Richard J. Tortorice came 24 years after he was wounded, 14 years after he died.

"They didn't consider him to be a death in the war, which was very frustrating," said his sister, Bonita Polkinghorn, of San Ramon, Calif., who watched the etching.

— Andrea Stone

LETTERS

Who says forests gone?

U.S. forests are not "almost gone," and the editorial arguments you offered Thursday to stop timber harvesting are specious and uninformed.

One-third of our country is covered with forests. Four million acres are old-growth forests of the Pacific Northwest that will never be harvested.

What's more, we're so good at growing trees that our annual forest growth exceeds harvest by 37%. That's the information we give other countries and why they look to the USA for global-warming answers.

Mark Rey
American Forest Res. Alliance
Washington, D.C.

Don't buy loggers' line

I want to thank you for your editorial about the owls. You haven't fallen for the loggers' view that they are going to lose their jobs. If all the trees are cut down, they are not going to have their jobs anyway. We need to save the last of our forests. They want us to think they are so stupid they can't find another job. And that's not the way it is.

Shari Goodman
Santa Anna, Calif.

The Washington Times

TUESDAY, OCTOBER 8, 1991



A tearful addition

Rhee Thomas-Fryer and her husband, Robert Fryer, watch as the name of her brother, Douglas Thomas Jr., is added to the Vietnam Veterans Memorial yesterday. The Park Service planned to add the names of eight servicemen whose remains had not been identified by the military.

Protecting perks with their silence

I don't know why everyone is so surprised at recent reports concerning congressional check bouncers.

Congress has been overdrawing its account with the people of this country for years, confidently expecting taxpayers to cover for them. So 134 of them decided to do the same thing with their personal checkbooks. They wrote thousands of bad checks, some for several thousand dollars. No penalties were assessed; no fees or interest paid. It was just another little congressional perk.

I'll wager that many of us have, at some time or another, received an insufficient funds notice from our bank. Maybe we were caught by an error in our addition, or a check that didn't clear quite as quickly as we expected. Whatever the explanation, the bank didn't care. They charged a penalty, and so, in many cases, did the recipient.

The notice was a shocker, that left in its wake a strong feeling of guilt and inadequacy, at least until the matter was cleared up.

Of course, there are people who write bad checks purposely, with no intention of covering them, and for as long as they can get away with it. Until now we called them criminals. In future we will probably call them "the honorable" such and so, and treat them with the respect due their high offices.

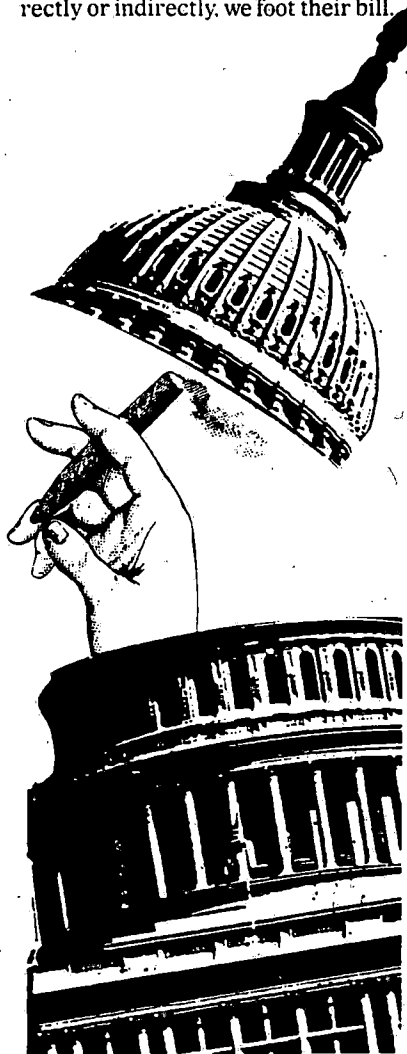
On second thought, we won't be able to call the congressional offenders by name because House Speaker Tom Foley refuses to make public the names of the check bouncers. House Republican leader Robert Michel appears to be in agreement with this approach.

We shouldn't be surprised. Last year when the House members raised their salaries against the wishes of their constituents, the party leaders agreed to a conspiracy to protect members from adverse voter reaction. This is more of the same.

Perhaps this bipartisan complicity arises from the fact that illicit check writing is just the tip of the iceberg of congressional privileges. Washington wags say there are similar unpaid balances at the congressional restaurants.

Sometime back, I'm told, some of Ralph Nader's people tried to get a full accounting of the formal and informal perks people in Congress enjoy. They got nowhere.

I would say it's high time for a full investigation. The public has the right to know about every perk and privilege hiding out in the corridors of congressional power. After all, directly or indirectly, we foot their bill.



Truth to tell, the bill goes into the billions.

Why? Because the rubber check mentality extends to the appropriations process, where individual congressmen and senators treat federal outlays like their personal patronage accounts, getting and spending taxpayers' money with no thought except for the special interests who fatten their campaign war chests.

Take Sen. Robert Byrd, West Virginia Democrat, as but one example. Using his position as chairman of the Senate Appropriations Committee, he managed to get \$137.3 million (out of a fiscal 1991 national budget of \$418 billion) for highway demonstration projects in West Virginia. His other pork barrel trophies include a \$60 million wildlife habitat and training center that will house a gymnasium and an indoor swimming pool (the wildlife in West Virginia need a good workout), the transfer of the FBI identification center to West Virginia at a cost of \$185 million, restoration of a private theater complex in Huntington at a cost to us of \$4.5 million, and an estimated 47 percent of the fiscal 1992 national highway demonstration project funds.

Just as Mr. Foley covers for the House's bad check specialists, so the leadership and other members of the Senate refuse to stand against Mr. Byrd's egregious raids on the public treasury. Indeed, the Democratic leadership did him special honor last April when Majority Leader George Mitchell unveiled bronze plaques designating the leadership's offices the "Robert C. Byrd Rooms."

So in Washington, there is honor among thieves, for theft is what it amounts to when public funds are used without compelling public interest justification. People who care about the future of representative, democratic self-government in America should be deeply concerned by this spectacle.

When officials create for themselves special enclaves of privilege, when they comply with a conspiracy of silence and obfuscation to hide and protect their privileges, when they abuse public confidence to strengthen their narrow political or personal interests at the public's expense, they have crossed the Rubicon that separates the sincere representatives of our interests from those who wish simply to dominate and bleed us dry.

Alan L. Keyes is a nationally syndicated columnist.

EDITORIALS

The green planet

First you throw in some man-made chemicals, cause a greenhouse effect and melt the polar icecaps. Then you poke around in the genes of some plants, let them suck in the carbon dioxide and puff out oxygen. Finally, you send in the animals to spruce up the joint and build your factories and freeways. Then you have a planet worth living on.

Such is the recipe, not for turning Yellowstone National Park into Tysons Corner, but for making the planet Mars inhabitable for human beings, at least as the New York Times described it last week in its Science section. The idea is called "terraforming," long a staple of science fiction and now graduated to the status of science theory. Sooner or later the notion may actually take its degree as science fact.

But maybe later rather than sooner. The scientists interviewed by the Times on the practical feasibility of turning the Red Planet into a reasonable facsimile of Earth say, sure, it's certainly possible and won't take too long. How long? Well, reports the Times, "The process might take 100,000 years or more, experts estimate." By that time, of course, the Congress will have long since gone Republican, and private companies will be the ones going to Mars, but in the meantime the mere possibility of applying cosmetic surgery to an entire planet is a testimony to how far human beings have come since Bronze Age hunters got stuck in the glaciers.

How possible it really is, let alone how appealing, remains open to question. Other experts claim that maybe 100,000 years is too long an estimate, and maybe it will take only a few centuries. "Many of the great cathedrals took three or more hundred years to build," says Mel Averner of NASA. "Mars terraforming might be something like that. It's not an impossible time scale." Then, too, the human colonies that would migrate to Mars would have to wear "special breathing gear" for much of that time, and, Mr. Averner adds, "it's very, very cold there, but it's not that much colder than the Antarctic, where people live now."

It sure sounds swell. Instead of booking passage to Cancun, maybe you should try the Martian ice caps next summer. Nor would you have to wear space suits

to get your special breathing gear. Biophysicist Robert Haynes says that if NASA can find out if Mars can sustain a carbon-dioxide atmosphere and then plant some microorganisms, astronauts "could wear scuba gear instead of space suits." Well, there you are. If you were going to Cancun, you'd probably wear scuba gear anyway, so why not try Mars?

Anyway, the water on Mars is probably a lot healthier than in Cancun, or at least it would be if Mars had much water, which it probably doesn't. Few people today believe there are really any canals on Mars, but there might be ancient water channels, and the Times published a picture of one. But even if there are ancient water channels and even if there were canals on Mars, there still isn't much water. There is some water in the polar ice caps, however, which is why they have to be melted. Whether that's enough to go around is yet another question, though.

One way of melting the Martian ice caps is by giant mirrors in space to heat them up. Another proposal the Times mentions is to spread soot all over the ice caps so they would retain sunlight. Pish-tosh to this smoke and mirrors. Let's get serious: One proposed ice-cap-melter is napalm. Yes! Napalm has been scientifically proved to melt ice caps in a jiff, and it may be necessary to melt the ice caps in order to save them.

Western technology probably can terraform Mars and make it habitable to man, though whether it can do the same for this planet is another question. The main problem, however, is whether doing so would be enough to entice many human beings into going there. Put another way, you can lead an Earthling to ice caps, but you can't make him drink.

When the Vikings discovered Iceland, they made the mistake of calling it that, and very few people (even Vikings) ever wanted to go there. So when they discovered Greenland later, they called it something much more attractive and got lots of colonists. Maybe, after the Martian ice caps have been melted and the scuba gear is assembled, we could just change the name of the place to something nicer than that of the Roman god of war. Cancun, maybe?