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Press Release - Muskie Urges Adequate Money for New Environmental Protection Agency

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FOR RELEASE

IMMEDIATELY
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MUSKIE URGES ADEQUATE MONEY FOR NEW ENVIRONMENTAL PROTECTION AGENCY

Senator Edmund S. Muskie (D-Maine) warned today that without the commitment of sufficient money and staff, the new Environmental Protection Agency "will be merely another example of unfilled promises."

Mr. Muskie testified in support of the President's environmental reorganization plan before the Senate Subcommittee on Government Organization today. He told the Subcommittee the plan is "a good one" and could "mark an important commitment to environmental quality."

The Senator, who is chairman of the Subcommittee on Air and Water Pollution, expressed concern, however, with that portion of the President's message which said the reorganization will result in "expenditure reductions."

"We should not expect expenditures for these already under-funded, under-manned programs to decrease," Senator Muskie said, adding that "the manpower shortage is especially serious at the National Air Pollution Control Administration." NAPCA employs only half the manpower once projected for it.

The Senator suggested that "the committee should request from the Administration accurate estimates of projected funding and manpower for the new agency over the next three years."

Several important environmental programs are not included in the plan, Senator Muskie said, citing especially noise pollution control and some sewer construction grant programs.

Last December, Senator Muskie suggested creation of an independent watchdog agency to protect the environment. He said today that his legislation, introduced in the Senate April 6, and the President's plan have the same goal: "removing environmental regulatory authority from promotional agencies."

He added that the current plan "concentrating environmental protection programs in one independent agency should give our environmental quality efforts a measure of stability and coordination they have never known." (The full text of Senator Muskie's remarks follows.)

STATEMENT BY THE HONORABLE EDMUND S. MUSKIE ON REORGANIZATION PLAN #3,
CREATING THE ENVIRONMENTAL PROTECTION AGENCY, BEFORE THE
SUBCOMMITTEE ON GOVERNMENT ORGANIZATION, SENATE
COMMITTEE ON GOVERNMENT OPERATIONS, JULY 28, 1970

Mr. Chairman, as Chairman of the Senate Subcommittee on Air and Water Pollution, I appreciate the opportunity to testify today in favor of the President's Reorganization Plan #3, creating the Environmental Protection Agency.

The President has proposed to do by reorganization what I had proposed to do by legislation. Last December I proposed the creation of an independent watchdog agency to protect the environment, and on April 6 of this year I introduced a bill (S. 3677) to create the environmental quality administration.

Removing environmental regulatory authority from promotional agencies was the goal of my proposal, and it is the primary importance of the President's reorganization plan. At the same time, concentrating environmental protection programs in one independent agency should give our environmental quality efforts a measure of stability and coordination they have never known.

Few Federal programs and executive agencies have undergone the constant change in a relatively short period of the time that has marked our environmental efforts. Few Federal "Wars" are being fought with as much room for administrative improvement. Without a thorough reorganization -- of the kind that the President and I have proposed -- the pursuit of environmental quality will never achieve preeminence in the Federal government.

Even more important than the question of preeminence and organizational stability is the narrow focus of environmental protection without which no program will ever be successful. If the control of pollution is assigned to those responsible for the promotion of polluting activities at the same time, we compromise our goal of environmental protection. This is what happens now in the Department of Interior, in the Department of Transportation, in the Atomic Energy Commission and in several other agencies.

To meet these two criteria, organizational stability and autonomous environmental regulation, some have suggested the creation of a Department of Natural Resources or a Department of Conservation.

Whatever the merits of such a department to serve other purposes, such a move for these purposes would be a mistake for several important reasons.

First, it would ignore the fact that our environmental protection problem involves competition in the use of resources -- a competition which exists in any department which must develop resources for public uses.

The agency which sets environmental quality standards must have only one goal: protection of this and future generations against changes in the natural environment which adversely affect the quality of life.

Second, we must recognize that environmental protection is not the same as conservation, although sound conservation practices should enhance the environment.

Finally, the traditional concerns of conservation activities have been too closely identified with the protection of natural resources separated from the population centers. Our primary concern must be man where he lives and the interrelationship between the natural environment and his manmade environments.

An independent agency, charged with the responsibility for developing and implementing Federal environmental quality standards, supporting basic research on problems of environmental quality, and providing technical and construction assistance to state, interstate and local agencies would reflect the national commitment we need if we are to avoid ecological disaster.

The President's reorganization plan meets these criteria. It transfers to the new agency the research, standards-setting, and grant-making authorities of the Federal Water Quality Administration and The National Air Pollution Control Administration. It includes in the new agency many of the other important environmental regulatory functions now scattered among The Atomic Energy Commission and other Federal agencies. At the same time, it excludes from the EPA any responsibilities for resource development or promotion. The single mission of the EPA will be the protection of the environment.

At the same time, there are several aspects of the President's plan which concern me. I hope that Administration witnesses will discuss these questions in detail.

First, there are important environmental protection programs that are not included in this reorganization.

Noise pollution control does not belong in the Department of Transportation. It should have been transferred to EPA in the plan.

The fragmentation of sewer construction grant programs confuses many communities and impedes effective coordination of water pollution control programs. Although the grant program administered by the Federal Water Quality Administration has been placed in this new agency, the programs of the Departments of Housing and Urban Development and Agriculture have not. Further transfers might be appropriate in this area.

NAPCA and FWQA have been criticized for their failure to monitor air and water quality adequately. These capabilities presently exist in the geological survey and the Environmental Science Service Administration, and we should consider transferring them to the new agency.

The second focus of my concern with the reorganization plan is the ability of the new agency to evaluate health matters quickly and to act on those evaluations. The National Institute for Environmental Health Services was not transferred to the new agency.

There needs to be assurance that the new agency will have the capacity to identify potential environmental health problems. Had the FWQA used the capacity of the Bureau of Water Hygiene, earlier identification of the present mercury crisis might have resulted. The committee should be assured that the EPA will have the environmental health personnel to set the adequate standards for radiation and pesticides which are needed immediately.

My final concern with the President's plan is reflected in the message that accompanied transmission of the plan to Congress. The message states that the EPA should result in more efficient operation of the government. It goes on to say: "It is not practical, however, to itemize or aggregate the exact expenditure reductions which will result from this action."

We should not expect expenditures for these already under-funded, under-manned programs to decrease.

The manpower shortage is especially serious at the National Air Pollution Control Administration. At the time of enactment of the Air Quality Act of 1967, the projected need for NAPCA manpower was for 1,900 in fiscal 1970. Instead, they are staffed about half that strength. The current employment is 961. The budget request for only 117 additional positions for NAPCA in the next fiscal year is clearly not adequate.

To demonstrate the effects of this shortage, one need only look at the progress on the first vital procedural step under the Air Quality Act. Of the 57 air quality regions which should have been designated in 1969, only 28 were designated. The Agency has only eight workers doing this essential work. A report prepared by NAPCA, but not released, shows that an additional 2,000 workers will be required by 1974 to implement the provisions of the Act.

A look at the funding history of NAPCA gives a good idea why there are manpower problems. In fiscal 1968, \$109 million was authorized, but only \$64 million was appropriated. In 1969, the authorization was \$185 million, but the appropriation was only \$89 million. And in fiscal 1970, \$179 million was authorized but only \$109 million appropriated.

The picture in water pollution control is not a great deal brighter. In fiscal years 1966 through 1969, the Federal Water Pollution Control Administration (now known as the Federal Water Quality Administration) remained from 1,000 to 600 positions below its authorized manpower, partly as a result of ceiling levels set by the Bureau of the Budget. The Agency now is within about 125 of its authorized level, but that is because the authorization has been cut back from 2,800 to 2,400. A 1969 study by The General Accounting Office showed that as a result of manpower shortages, there was insufficient technical assistance to the states and in some cases a hindering of the research effort and insufficient supervision of construction grants. Some additional positions have been added to the construction grant program as a result of additional appropriations for that program for fiscal 1970, but much improvement still is needed. We should not be cutting back authorized manpower when we should be greatly strengthening our water pollution control efforts.

The committee should request from the Administration accurate estimates of projected funding and manpower for the new agency over the next three years. The Congress should make clear its commitment to fund and staff the EPA. Without that commitment, EPA will be merely another example of unfilled promises.

I hope that the Administration witnesses who appear in the next two days will respond to the questions that I have raised.

On balance, the President's plan is a good one. If it is augmented by the additional transfers I have suggested and if it is administered and funded properly, the EPA would mark an important commitment to environmental quality.

These are big "ifs," but they represent the opportunity EPA would create. We could translate our concern into effective action, our financial commitments into results and our determination into strong enforcement. EPA will give us this chance, and I urge the Congress to approve the reorganization plan.