

# POLICY BRIEF

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## The Bush Record on the Environment

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It may come as a surprise to many that the Republican Party was historically at the forefront of promoting legislation to protect the environment. Republican President Theodore Roosevelt created the Forest Bureau (now the U.S. Forest Service) and placed 16 million acres of Western forest under federal protection. President Richard Nixon passed a series of environmental laws, including the National Environmental Policy Act that created the Environmental Protection Agency. More recently, however, the Republican Party has lost ground, and its credibility as an environmental advocate has been seriously questioned. In fact, many Americans today believe Republican President George W. Bush is the worst environmental president in history.<sup>1</sup> But, the question arises, is his environmental record as bad as some critics suggest? While his environmental record consists of a few high points, the majority of his policies have had overwhelmingly negative implications for the environment. Given his record, can Bush implement thoughtful environmental policies that will help restore faith between the two sides of the environmental debate, after a highly divisive re-election campaign?

### The Historical Debate

Before delving into Bush's environmental record for his first term, it is useful to review the United States' long-standing and bitter debate over environmental issues. Nearly every American supports some level of governmental environmental protection, but each individual espouses different strategies for achieving these environmental objectives. The two main camps, often referred to as environmentalists and wise use advocates, are split along party lines. Environmentalists most often align themselves with the political left while Wise Use advocates usually affiliate with the political right. These two groups have defined the key environmental issues debated in the United States today.

### *Environmentalists*

Environmentalists include wilderness preservation groups, such as the Sierra Club; outdoor recreation enthusiasts; some religious/spiritual communities; and those that believe that nature is a public good that cannot be owned.

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Environmentalists believe government oversight is necessary to ensure the preservation of wildlife and habitat and to provide a clean, healthy environment for humans. They lament that the current political system creates incentives for elected officials to cater to business interests instead of making decisions based purely on the greater public good. Environmentalists believe government officials and business owners are "in bed together" and, if left unsupervised, will wantonly disregard environmental needs.

According to environmentalists, those suffering the most from this system are without voices – animals, plants, ecosystems and the average American citizen. They maintain that low-income and minority communities are especially likely to bear the brunt of environmental pollution because they lack the resources to tip the political balance in their favor. In order to give voice to these groups, environmentalists believe citizens and public interest groups must constantly monitor industry and government actions and advocate for the policies that are in the public's best interests.

#### *Wise Use Advocates*

Wise use advocates tend to consist of business leaders, Western landowners and those in natural resource extraction industries. Wise use advocates believe environmental protection is important but should not infringe on individual and state rights. This group believes the best and only way to save the environment is by improving all Americans' standards of living and promoting technology to reduce the negative impacts caused by current processes. According to this camp, existing environmental regulations are too inefficient and expensive and do not provide adequate environmental results.

These government interventions cost jobs and make American companies less competitive than foreign firms. As a result, wise use advocates argue, environmental regulations cause net harm by increasing consumer costs and reducing incomes that could be used for other health-related activities.

Wise use advocates blame the media, scientists and environmentalists for forming an unholy trinity that attracts fame and fortune by promoting environmental doomsday scenarios. They claim that scientists who predict catastrophes receive government funding to study these issues further. Environmental groups use these doomsday predictions to perpetuate their cause and call for increased donations. The media also profit from bad news -- it sells. Wise use advocates maintain that when environmental regulations are based on such tainted science, American citizens and the environment always come out as the losers.

#### *Political Implications*

Essentially, environmentalists and wise use advocates disagree on how to value the environment. Environmentalists believe it is important to preserve nature for its inherent value, whereas wise use advocates believe nature should be preserved only when it does not inflict economic burdens on humans. Most Americans strongly support the environmentalists' ideology, but generally prefer outcomes that are more in line with the wise use camp. Politically, it is best to mediate between the two camps. Although extremists from both camps condemn such a "weak" approach, the most successful environmental regulations have environmentalist objectives that are implemented using some of the practical strategies advocated by the wise use

camp.

The divisive political struggle between wise use advocates and environmentalists has obstructed the development and implementation of environmental policies at every level of government. Regardless of the environmental decision, one camp is sure to launch a challenge via grassroots campaigns, pressure from large business campaign donors or lawsuits. The time and expense incurred during this process has real impacts for both the environmental and the human communities, which could reap immediate benefits from cleaner air and water. Actual environmental progress depends on how effectively the president manages this highly politicized debate and works to identify the best policies and strategies offered by each side, instead of following one path for purely political reasons.

### **Bush's Environmental Record**

President Bush's stated environmental attitudes and beliefs place him squarely in the wise use camp. Bush supports market-based policies and voluntary mechanisms to achieve pollution reduction goals. He criticizes the traditional top-down, command-and-control approach to environmental regulation. Instead, he advocates decentralization and argues that the environment would benefit by empowering states with the flexibility and resources to implement federal standards. Bush also stresses the need to work with industry instead of relying on lawsuits to force specific outcomes; he advocates encouraging public-private partnerships to define local environmental goals and implement community-based strategies.

Environmentalists agree that some of Bush's strategies may result in ecological benefits, but they suspect the president is simply framing pro-business

policies under an environmentally friendly rubric. An analysis of Bush's environmental policies shows that environmentalists have good reason to worry: most of Bush's environmental actions result in business and industry rewards with questionable environmental benefits.

### *Legislative Accomplishments*

Despite environmentalists' skepticism, the Bush administration has succeeded in enacting a few unmistakably beneficial environmental policies. Three of the brightest stars of Bush's environmental accomplishments are rules regarding off-road vehicles, brownfields and Corporate Average Fuel Efficiency (CAFE) standards.

President Bush's most applauded environmental policy is the Off-Road Diesel Rule. The law applies to vehicles and equipment used for construction, agriculture and industrial purposes. The new standards will dramatically reduce particulate matter, nitrogen oxides and sulfur emissions by 2014. The EPA estimates that by 2030, these regulations will annually prevent 12,000 premature deaths, 8,900 hospitalizations and 1 million workdays lost.<sup>2</sup> Environmentalists praise this regulation but some wise use advocates claim it inflicts excessive costs without providing equivalent health benefits.

In 2002, the administration signed the Small Business Liability Relief and Brownfields Revitalization Act. This law intends to increase the redevelopment brownfields, or abandoned industrial properties that are contaminated by pollution. In its efforts to hold polluters strictly accountable, the previous brownfields law also penalized current owners, adjacent property owners and small businesses for preexisting contaminants. The new bipartisan law provides liability protection for innocent landowners and authorizes increased

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funding for state and local brownfield programs. Both environmentalists and wise use advocates support this legislation because it eliminates disincentives that prohibit businesses from buying and redeveloping polluted properties.

The Bush administration increased light truck Corporate Average Fuel Economy (CAFE) standards in 2003. The new CAFE standards will raise the average miles per gallon of light trucks 1.5 mpg by 2007. Environmentalists applaud at the fact that this regulation closes a loophole that exempted trucks between 8,500 and 10,000 pounds. However, they disapprove of the incentive the law provides for auto manufacturers to create heavier vehicles that do not fall under the more stringent CAFE limits. Wise use advocates are concerned the new standards will hurt the automotive industry. In addition, they question that this law will actually reduce air pollution since the vehicles' increased gas mileage will encourage owners to drive greater distances.

#### *Legislative Shortcomings*

The regulations discussed above show that Bush has supported environmental policies that achieve environmental objectives while imposing restrictions on business and industry. All three regulations met stringent environmental objectives. Unfortunately, the majority of Bush's policies do not have such clear environmental benefits. Bush's attempts at implementing wise use strategies such as market-based, collaborative and voluntary approaches have had uncertain results regarding their environmental effectiveness. Four of the most debated regulations are those concerning air pollution, global warming, hydrogen fuel research and forest health.

The Clear Skies Initiative is one of the

Bush administration's most controversial environmental proposals of the president's first term. Clear Skies amends the Clean Air Act by implementing a maximum limit on sulfur dioxide, nitrogen oxides and mercury emissions from coal-fueled power plants. Facilities that pollute less than their limit can sell their pollution credits to other facilities. By setting limits for all three pollutants at the same time, the administration believes it will reduce business costs by eliminating the legislative uncertainties that make businesses wary of investing in expensive pollution-reduction technology.

Clear Skies has the support of the energy industry because it gives companies the flexibility to determine the best way for each facility to achieve the pollution limits. Environmentalists also support this aspect of the law, but are concerned that it only targets power plants. Clear Skies does not address emissions from other types of facilities, nor does it reduce overall carbon dioxide emissions. Environmentalists also point out that the Clear Skies Initiative does not allow states to set more stringent emissions limits, and this seriously undermines the wise use strategy of staunchly supporting states' rights.

Another air quality debate has involved the Kyoto Protocol. The Bush administration refused to sign the international treaty to reduce carbon dioxide emissions. Instead, the administration stated more research is necessary and funded additional studies to see if human-created carbon dioxide is indeed causing global warming. Bush also offered an "emissions intensity" proposal that supports voluntary measures to reduce carbon dioxide emissions by 18 percent over the next 10 years. Under this plan, the United States will curb the growth of carbon

dioxide emissions, but will allow total carbon dioxide emissions to increase by approximately 10 percent of current levels.

This proposal has come under intense international attack. Environmentalists here and abroad point out that because the United States is the world's largest source of carbon dioxide emissions, it should take responsibility for its role in addressing global warming. Many American wise use advocates also deride Bush's plan, but for the opposite reason. They do not believe there is sufficient scientific evidence to prove that the increase in global temperature trends can be attributed to human causes. They accuse Bush of

Environmentalists also note that because forest compositions differ, there is little evidence that shows a universal thinning policy will be effective for every area. Although the president claims to support the wise use policy of incorporating local input into environmental decision-making, this legislation promotes one strategy for all the different U.S. forests. Another legislative concern is that Bush wants this law to reduce the "red tape" that allows lengthy litigation to suspend some thinning activities. The environmentalists' concern is that this removes citizens' rights to appeal decisions that are made concerning the areas around their homes.

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succumbing to international pressure and claim that even reduced measures will negatively impact the U.S. economy.

Healthy Forests recruits timber companies to thin brush and small trees (7 inches in diameter or less) to minimize the occurrence of large-scale forest fires on federal lands. The administration plans to pay for this thinning by allowing timber companies to simultaneously cut larger trees within these same federal lands. Since these lands were previously unavailable for commercial logging and have long been coveted by lumber companies, environmentalists suspect this legislation has less to do with environment than with helping timber companies access trees on federal lands.

#### *Implementation Strategies*

When examining Bush's environmental record, one must also consider how the Bush administration implements and enforces existing environmental laws. The administration's record shows a systematic lack of commitment to enforcing existing environmental regulations. Currently, the EPA has the lowest number of enforcement personnel compared to recent years.<sup>3</sup> In addition, violation notices have been reduced by 58 percent and administrative fines have been reduced by 28 percent.<sup>4</sup>

The administration also consistently reduces funding for programs it does not support. For example, Bush refused to renew an environmental tax on oil and

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chemical companies that financed Superfund, a program instituted to clean up uncontrolled hazardous waste sites. As a result of this decision, Superfund went bankrupt in 2003.

An examination of the individuals chosen to execute the administration's environmental policies also provides important insights into Bush's environmental strategies. Bush's cabinet holds a greater proportion of CEOs than that of any other administration. Many are from industries such as energy, natural resources extraction and manufacturing. He has also appointed many former industry advocates and lobbyists to other key positions. These individuals are now charged with monitoring and regulating the industries in which they earned their personal fortunes.

Although environmentalists acknowledge that these former industry insiders have an understanding of key environmental issues, they are greatly concerned that they will not conduct their duties in the public's best interest. Many of these government officials continue to meet regularly with their previous employers, often hiding behind closed-door meetings to craft one-sided policies. The administration has successfully blocked out voices of opposition. For example, EPA Administrator Christine Todd Whitman resigned after her moderate views were consistently rejected by the Bush administration. Environmental groups also claim they have little access to top government officials and neither their opinions nor their studies are given adequate consideration when decisions are made.

Gayle Norton, Secretary of the Interior, exemplifies how the Bush administration handles environmental enforcement. Norton is a wise use environmental

advocate with a 20-year history of opposing federal environmental regulations such as the Endangered Species Act, which she is now responsible for enforcing. As Secretary of the Interior, Norton oversees important environmental agencies such as the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the Office of Surface Mining. She is responsible for national parks, national wildlife refuges and the public rangeland. The oversight of public lands is an issue of great concern for environmentalists. Whereas some other environmental regulations may be re-examined and revised over time, once public wilderness lands are opened up for development, they suffer long-term damage that cannot be easily undone.

Although Norton has sworn to uphold the nation's environmental laws, her record shows that she is not fulfilling these obligations. Under Norton's guidance, the administration has not voluntarily listed a single new endangered species, despite a growing list of eligible candidates. Environmentalists charge that currently listed wildlife species are losing critical living space because Norton refuses to fight lawsuits by those who wish to develop these protected habitats.

Norton's use of science has also come under scrutiny. She released a report supporting oil drilling in the Arctic National Wildlife Refuge (ANWR) that stated conclusions contrary to the scientific studies produced by the U.S. Fish and Wildlife Service. When questioned, Norton claimed the inconsistencies were unintentional typing errors.<sup>5</sup> Norton also failed to distribute a Fish and Wildlife Study that criticized an Army Corps of Engineers proposal to relax wetlands protections. Norton is not alone in using science only

when it suits her objectives. Many government scientists say they have been intimidated into producing results that support administration objectives. The Union of Concerned Scientists wrote a letter to the administration that condemned its methods of choosing and interpreting scientific data.

A review of Bush's policies and enforcement strategies indicate that Bush's wise use beliefs interfere with sound environmental policy and enforcement. Whereas a few of Bush's environmental laws offer some environmental benefits, the behind-the-scenes implementation strategies seem to favor industry and key Republican stakeholders instead of the public good. The most damning evidence against this administration is that no group, conservative or otherwise, supports Bush's strategies purely for their environmental benefits. Most defenders instead applaud Bush's effectiveness in removing barriers against industries, without regard for the lack of new mechanisms to achieve equivalent or superior environmental results.

### Recommendations

In order for Bush to regain widespread public confidence in his environmental policies during his second term, he must first overcome the environmentalists' deep-seated distrust of his administration's intentions and strategies. To ease this distrust, the administration will need to increase the transparency of its decision-making processes, engage in honest debates regarding scientific evidence, and promote democratic processes by encouraging involvement of all interested parties.

In general, in order for President Bush to improve his environmental record in the coming term, he should:

- Support public-private collaboration and local input — even when results oppose the administration's desired outcomes.
- Defend states' rights to create tougher environmental laws.
- Balance the number of ex-industry officials in key government positions by including individuals with environmentalist backgrounds.
- Work with other leaders within long-established international frameworks, such as the Kyoto Protocol, which have the substance and scope to deal effectively with global environmental issues.

Although the Bush administration may point to instances where it has supported the above policies, it is clear they have not been undertaken on a consistent basis. By committing himself to these policies, President Bush will show that his actions support the democratic ideals that formed the basis of his re-election campaign.

### Conclusion

This review of the President Bush's first term illustrates how wise use policies influence his environmental legislation and enforcement strategies. Bush has reinforced the political partisanship of the environmentalist/wise use debate by

consistently upholding wise use positions without adequate consideration of the other camp. This partisanship has exacerbated the political atmosphere in which warfare between the groups has swollen net costs by increasing the time it takes to develop much-needed new regulations, as well as increasing litigation once policies and regulations are finally developed. By continuing on this path, Bush ensures that his policies will have long-lasting negative impacts not only on perceptions of his environmental legacy, but also on the Republican Party's credibility on environmental issues.

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<sup>1</sup> Robert F. Kennedy Jr. "Crimes Against Nature." *Rolling Stone*. November 18, 2003. [www.rollingstone.com](http://www.rollingstone.com).

<sup>2</sup> "Nonroad Diesel Equipment: Basic Information." U.S. Environmental Protection Agency. <http://www.epa.gov/nonroad-diesel/basicinfo.htm>

<sup>3</sup> Robert S. Devine. *Bush Versus the Environment* (New York: Anchor. 2004). p. 114.

<sup>4</sup> Robert Perks. "Rewriting the Rules: The Bush Administration's Assault on the Environment." Natural Resources Defence Council. April 2004. p.3. <http://www.nrdc.org/legislation/rollbacks/rr2004.pdf>.

<sup>5</sup>Michael Grunwald. "Departmental Differences Show Over ANWR Drilling Interior's Norton Rebuffs Wildlife Service in Senate Testimony." *The Washington Post*. October 19, 2001.

The Institute for Social Policy and Understanding (ISPU) is an independent and nonprofit organization committed to solving critical social problems in the United States through education, research, training, and policy analysis. ISPU provides cutting-edge analysis and policy solutions through publications, public events, media commentary, and community outreach. Major areas of focus include domestic politics, social policy, the economy, health, education, the environment, and foreign policy. Since our inception in 2002, ISPU's research has worked to increase understanding of key public policy issues and how they impact various communities in the United States.

US society is far from being monolithic, whether culturally, socially or politically. It is therefore imperative that the thoughts and insights of each aspect of this heterogeneity play a contributory role in the discourse and debate of issues that affect all Americans. ISPU was established and premised on this idea – that each community must address, debate, and contribute to the pressing issues facing our nation. It is our hope that this effort will give voice to creative new ideas and provide an alternative perspective to the current policy-making echelons of the political, academic and public-relations arenas of the United States.

ISPU firmly believes that optimal analysis and treatment of social issues mandates a comprehensive study from several different and diverse backgrounds. As social challenges become more complex and interwoven, ISPU is unique in its ability to bring this new approach to the human and social problems facing our country. Through this unique approach, ISPU will produce scholarly publications, incorporating new voices and adding diversity to the realm of ideas. Our multidisciplinary work in partnership with universities and other research institutes serves to build understanding and create programs that effect lasting social change.

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