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DRAFT

THE WHITE HOUSE
WASHINGTON
June 11, 1987

Close Hold

MEMORANDUM FOR THE PRESIDENT

FROM: THE DOMESTIC POLICY COUNCIL
SUBJECT: Stratospheric Ozone

Issue: What guidance should the U.S. delegation follow during the next stages of international negotiation of a stratospheric ozone protocol?

Background

During the 1970's, concerns were expressed by the science community about potentially harmful effects of depletion of the stratospheric ozone layer. It was felt that emissions of certain chemicals were causing this depletion. This led to a 1978 unilateral ban on aerosols in the United States.

Concern for protection of the ozone layer increased after discovery of the Antarctic "hole" in 1985. Some scientists predict that significant ozone depletion will occur unless international action is taken to control the relevant chemicals. They say that depletion of the ozone layer is likely to cause adverse health and environmental effects including increased skin cancer deaths, cataracts, crop damage and aquatic impacts.

In 1985, the United Nations Environment Program sponsored the Vienna Convention for the Protection of the Ozone Layer. The U.S. has been a leader at the three international meetings held over the past seven months to develop a global agreement on the control of the chemicals thought to cause ozone depletion. The next international meeting is scheduled for June 29, 1987.

There is strong domestic pressure for action to protect the ozone layer. Any such action should be on an international level to best prevent ozone depletion and to prevent disadvantaging American industry in world markets. Yet if an international agreement is not reached, both Congress and the courts are likely to impose unilateral domestic requirements which would fail to protect the ozone layer and would disadvantage U.S. industry.

U.S. industry uses the chemicals thought to deplete the ozone layer in the production of refrigerators, air-conditioners, foam-insulation and electronic products. Industrial groups have publicly recognized the need to control these chemicals through an international agreement.

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Discussion

The Domestic Policy Council is recommending that you provide guidance to the U.S. delegation as they enter the final stages of negotiating a protocol. The delegation will meet with the Chairman and a small group in Brussels in late June and early July to discuss country views on the attached Chairman's text. The diplomatic meetings at which the final protocol will be discussed and signed will be in early September, 1987, in Montreal. The protocol must then be ratified by each country. Thus, there will be opportunities for further Administration review.

ISSUE I. GENERAL U.S. POSITION ON INTERNATIONAL PROTOCOL

Ideally, the United States should seek a protocol agreed to by all nations which provides for a true global freeze on covered chemicals. Such an international agreement is not obtainable at this time.

Your decision on the following options will guide the U.S. delegation.

Option 1: Continue negotiations pursuant to State Department Circular 175, with U.S. delegation authorized to use its discretion on all issues, including: chemical coverage; acceptable level of country participation; when and to what extent freeze and further reductions up to 95% should occur; whether reductions should be automatic (subject to reversal by 2/3 vote) or require affirmative vote of majority; whether voting system should give weight to major producing and consuming nations; whether to seek, in addition to freeze, a ban by other nations of non-essential aerosols as the U.S. did in 1978; and whether to seek verification provisions.

Pro:

- o The U.S. position, as reflected in the 175 has been presented in formal negotiating sessions, congressional testimony and public position papers. Thus, diplomatic considerations favor continuing with the existing Circular 175.
- o The Circular 175 provides a general framework, and allows for the delegation to propose flexible, alternative approaches to the specific provisions of a control protocol.

Con:

- o As the negotiations move toward a very important U.S. commitment, the essential elements of a potential protocol from the U.S. perspective should be made more specific.
- o The existing Circular 175 has not been reviewed or approved by the highest levels in the inter-agency process.

Those in favor of this option include the Department of State, Environmental Protection Agency, _____ and _____.

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Option 2: Continue negotiations, but with the U.S. delegation instructed to make every effort to achieve a protocol containing the following provisions:

- (a) Freeze the most ozone-depleting chemicals (CFCs 11, 12, 113, 114 and 115 and Halons 1201 and 1311) at 1986 production level within two years after entry into force.
- (b) Twenty percent reduction by participants following a major international scientific, technological, health and economic review which takes into account the effects of the freeze; and when approved by a majority vote of participants not in material breach of freeze.
- (c) Further reductions more or less than a cumulative 50%, also following a major scientific, technological, health and economic review which takes into account the effects of the freeze and previous reductions; and when approved by a majority vote of participants not in material breach of the protocol.
- (d) Entry into force when sufficient number of countries, determined by formula, sign and ratify.
- (e) To encourage participation by current non-producers (such as developing nations), permit a grace period up to the year 2000.
- (f) Seek other participants' agreement that, in addition to freeze, they will ban use of non-essential aerosols, as United States did in 1978.

Pro:

- o These conditions will help ensure that the U.S. actions are matched by other countries.
- o These conditions have been studied and found to be generally acceptable to the U.S. economic and political communities.

Con:

- o These could be seen as changes in the U.S. position, thus stimulating major new conditions by other countries.
- o Introduction of these could be seen by environmental groups as an attempt to stall the negotiations.

Interior, CEQ and _____ support this option.

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Option 3: Advise the Convention that beyond a freeze the negotiations should be delayed, pending a major study of scientific, technological, economic, health and environmental factors related to depletion of the stratospheric ozone layer.

Pro:

- o This will provide more certainty to the subsequent protocol agreements.
- o This might benefit some industries in that they could continue production of items that would otherwise be banned.

Con:

- o Congress and environmental groups will severely criticize this move, and Congress will likely legislate their own "protocol."
- o We could lose vital credibility with other countries.

The Office of Science and Technology Policy, Department of Commerce and _____ support this option.

ISSUE II. PROTOCOL TRADE SANCTIONS

Option 1: Generally instruct the delegation to negotiate a trade provision which will protect U.S. industry in world markets.

Pro:

- o Gives delegation flexibility to negotiate a trade article.
- o Does not risk committing the Administration publicly to trade sanctions in advance of a negotiated agreement.

Con:

- o Does not provide specific direction to delegation on desirable aspects of a trade article.
- o Does not send strong signal to other countries about the economic value of participating in the negotiations and of complying with a future protocol.

Option 2: Specifically instruct the delegation to attempt to negotiate a protocol which includes a trade provision containing:

- (a) Sanctions against non-parties and parties in material breach of protocol requirements;

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(b) Such sanctions should include banning or limiting imports by parties of:

- (1) controlled chemicals in bulk;
- (2) products containing controlled chemicals;
- (3) products manufactured by using controlled chemicals.

Pro:

- o Encourages participation and compliance in the protocol.
- o Prevents the transfer of commercial benefits from parties to non-parties.

Con:

- o Establishes precedent for use of trade sanctions to enforce environmental regulations.
- o General disfavor of restraints of trade.

Edwin Meese III
Chairman Pro Tempore

Attachment

DECISION:

ISSUE I. GENERAL U.S. POSITION ON INTERNATIONAL PROTOCOL

- _____ Option 1. Continue negotiations pursuant to State Department Circular 175.
- _____ Option 2. Continue negotiation, with U.S. delegation instructed to achieve protocol under terms described above.
- _____ Option 3. Advise Convention that beyond a freeze, further reductions should be delayed.

ISSUE II. PROTOCOL TRADE SANCTIONS

- _____ Option 1. U.S. delegation has flexibility to negotiate best possible agreement.
- _____ Option 2. Instruct delegation to ensure that the protocol contains specific trade provisions consistent with terms cited above.

THE WHITE HOUSE

WASHINGTON

June 12, 1987

MEMORANDUM FOR THE DOMESTIC POLICY COUNCIL

FROM: RALPH C. BLEDSON *Ralph Bledson*
Executive Secretary

SUBJECT: Stratospheric Ozone

As requested at the June 11 Council meeting, a draft of a decision memorandum that will be sent to the President is attached for your review. It was prepared following a meeting of a small group of Council principals appointed by the Chairman Pro Tempore.

You are asked to comment on the accuracy and general format of the memorandum, and provide your department or agency position on the issues for which you have a view. Comments should be returned or telephoned to my office, (Room 200 OEOB -- 456-6640), no later than noon on Monday, June 15, 1987. If you have any questions, please call Vicki Masterman or me at that number.

We will notify you immediately if there is need for a Domestic Policy Council meeting to further discuss this issue. Otherwise, the decision memo will be forwarded to the President.

Attachment

DRAFT

THE WHITE HOUSE

WASHINGTON

June 12, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: THE DOMESTIC POLICY COUNCIL

SUBJECT: Stratospheric Ozone

Issue: What guidance should the U.S. delegation be given for the next stages of international negotiation of an agreement for regulation of chemicals believed capable of future depletion of stratospheric ozone?

Background

During the 1970's, concerns were expressed in the scientific community that continued growth in the use of certain chemicals would result in future depletion of stratospheric ozone, which some scientists predict would cause such adverse health and environmental effects as increased skin cancer deaths, cataracts, crop damage and aquatic impacts. Others, however, believe that some of the scientific assumptions and projections, which extend as far as the year 2165, do not accurately account for future technological and scientific developments that may occur.

Most scientists, however, predict that significant ozone depletion will occur unless international action is taken to control the chemicals at issue, even though there are numerous medical and scientific uncertainties about the potential impacts of such depletion. Ideally, any freeze or reduction in CFCs should be based on reliable scientific evidence that use of CFCs causes depletion of stratospheric ozone. While there are differing views within the Council on the reliability of the scientific evidence available at this time, the irreversibility of CFC accumulations and consequent ozone depletion argues for strong action to secure some form of international agreement this year, with provision for future scientific assessment.

Concern over these predictions led Congress to add an ozone protection section to the Clean Air Act in 1977 and to ban aerosols in 1978. Similar actions were taken by other countries. Currently, there is strong judicial and congressional pressure for action to protect the ozone layer. Both the Senate and the House have passed resolutions supporting international negotiations. If an effective international agreement is not reached, Congress and the courts are likely to require unilateral domestic reductions of the chemicals in question. Such unilateral U.S. action would not protect the ozone layer and would likely disadvantage American businesses in world markets.

The U.S. is currently a party to the 1985 Vienna Convention for Protection of the Ozone Layer. Your ratification message to the Senate stated that this Convention addresses stratospheric ozone depletion "primarily by providing for international cooperation in research and exchange of information . . . and could also serve as a framework for negotiation of regulatory measures that might in the future be considered necessary. . . ." The U.S. has been a leader in the three Convention meetings held thus far to develop an international agreement on control of the chemicals in question. The U.S. delegation has been guided by a Circular 175 approved by the State Department. The next meeting is scheduled for June 29, 1987 with plans to conclude the negotiations in Montreal by September.

In a recent cost benefit analysis done by CEA, the potential benefits of taking some actions to protect the ozone layer were found to be much greater than the costs of controlling the relevant chemicals. For example, a freeze plus a 20-percent reduction of emissions of selected chemicals was concluded to be clearly economically justified. Further reductions may also be economically justified under other scenarios considered, although further information and evaluation of these benefits and costs would be needed. The chemicals in question are used in the production of refrigerators, mobile air-conditioners, computers, foam insulation, fire extinguishers, and electronic industry. Some of them also have national defense applications.

Discussion

The most recent negotiations have produced a Chairman's Text for an agreement, which each country has been asked to review prior to the June 29 meetings. The Domestic Policy Council met on May 20 and June 11 to discuss the Chairman's Text, as well as the overall negotiations. The Council agreed that we should continue with negotiations based on the general framework of the Circular 175. Several members felt, however, that the delegation should be given further specific instructions, which are covered in the following issues and options. Your decisions on these are requested.

ISSUE 1 -- FREEZE

Should the delegation seek a freeze at 1986 levels on production/consumption of all seriously ozone-depleting chemicals (CFCs 11, 12, 113, 114, 115; Halons 1201 and 1311), to take effect one or two years after the protocol entry into force (EIF)?

Yes _____

No _____

This proposal is contained in the Chairman's Text and has unanimous support of the Council.

ISSUE 2 -- SCHEDULED 20% REDUCTION

Should the delegation agree to a 20% reduction from 1986 levels of CFCs 11, 12, 113, 114 and 115, two to four years after EIF, following an international review of updated scientific evidence?

The Council supports this option, but it is divided over the following options for how the reductions should be implemented:

_____ Option 1. The 20% reduction should occur regardless of a scientific review.

This proposal is contained in the current Chairman's Text and is supported by.....

_____ Option 2. The 20% reduction should take place following a scientific review, unless 2/3 of the parties vote against.

This option is supported by.....

_____ Option 3. The 20% reduction should take place only if a majority vote in favor, following a scientific review.

This option is supported by.....

ISSUE 3 -- SCHEDULED FURTHER REDUCTIONS

Should the delegation seek further CFC reductions, more or less than 50% cumulative, from 1986 levels? These would occur 8 or more years after EIF?

_____ Option 1. Yes, and such reductions should be specified to occur automatically at designated points in time.

This option is supported by.....

_____ Option 2. Yes, and such reductions should occur only after further scientific reviews, and if a majority of the protocol parties vote in favor.

This is consistent with the Chairman's Text and is supported by

_____ Option 3. Further reductions should not occur unless the parties enter into an additional protocol based on scientific evidence not now available.

This option is supported by.....

ISSUE 4 -- ENTRY INTO FORCE AND PARTICIPATION

Ideally, all nations should participate in the protocol for it to globally address the ozone depletion problem. Recognizing that this is not likely, the Council feels we should nevertheless seek maximum participation.

Should the delegation agree to entry into force of a freeze and any future reductions only when a sufficient number of countries have signed and ratified the protocol?

_____ Option 1. Yes, and this determination should be made by the U.S. delegation.

This option is supported by.....

_____ Option 2. Yes, and determination should be according to a formula that takes into account population, production, consumption and other factors about the parties.

This option is supported by.....

_____ Option 3. No, but reassess U.S. actions after other countries have signed.

This option is supported by.....

ISSUE 5 -- GRACE PERIOD FOR LESSER DEVELOPED COUNTRIES

To encourage their participation, lesser developed nations should be given a grace period up to the year 2000?

_____ Option 1. Yes

This option is supported by.....

_____ Option 2. No

This option is supported by.....

ISSUE 6 -- LONG RANGE OBJECTIVE

Should the delegation seek a statement that the ultimate objective is to substantially eliminate all potential threats to the stratospheric ozone layer from man-made chemicals, as determined by regularly scheduled scientific assessments.

Yes _____

No _____

This proposal has unanimous support of the Council.

ISSUE 7 -- VOTING

Should the delegation seek to negotiate a system of voting that gives due weight to the significant producing and consuming countries?

Yes _____ No _____

This proposal has unanimous support of the Council.

ISSUE 8 -- CREDITS FOR PREVIOUS ACTIONS

Should the delegation seek a system of credits for previous emissions reductions, such as the 1978 U.S. ban of non-essential aerosols.

_____ Option 1. Definitely propose such a system.

This option could provide an advantage to the U.S. in meeting any reduction targets, and is supported by.....

_____ Option 2. Let the delegation decide.

This option is supported by.....

_____ Option 3. Do not propose such a system. In previous negotiations, other countries objected to this proposal, claiming that we are still the largest producer of CFCs.

This option is supported by.....

ISSUE 9 -- MONITORING

Should the delegation seek strong provisions for monitoring and reporting to secure the best possible compliance with the protocol?

Yes _____ No _____

This proposal has unanimous support of the Council.

Edwin Meese III
Chairman Pro Tempore

Attachment

Ad Hoc Working Group of Legal and Technical
Experts for the Preparation of a
Protocol on Chlorofluorocarbons to
the Vienna Convention for the
Protection of the Ozone Layer (Vienna Group)

Third Session
Geneva, 27-30 April 1987

TEXT PREPARED BY A SMALL SUB-WORKING GROUP OF
HEAD OF DELEGATIONS

ARTICLE II: CONTROL MEASURES

1. Each party, under the jurisdiction of which CFC 11, CFC 12, CFC 113, (CFC 114, CFC 115) are produced shall ensure that within (2) years after the entry into force of this Protocol the (combined annual production and imports) (combined adjusted annual production) of these substances do not exceed their 1986 level.
2. Each party, under the jurisdiction of which substances referred to in paragraph 1 are not produced at the time of the entry into force of this Protocol, shall ensure that within (2) years from the entry into force of this Protocol (its combined annual production and imports) (its combined adjusted annual production) do not exceed the levels of imports in 1986.
3. Each party shall ensure, that within (4) years after the entry into force of this Protocol levels of substances referred to in paragraph 1 attained in accordance with paragraphs 1 and 2 will be reduced by 20 per cent.
4. Each party shall ensure that within (6) (a), (8) (b) years after the entry into force of this Protocol, the 1986 levels of substances referred to in paragraphs 1 and 2 will be further reduced (by 30 per cent), (a) (if the majority of the parties so decide, (b) (unless parties by a two-third majority otherwise decide), in the light of assessments referred to in Article III, such decision should be taken not later than (2) (4) years after entry into force.

5. Parties shall decide by (two-third majority) (a majority vote)
- whether substances should be added to or removed from the reduction schedule
 - whether further reductions of 1986 levels should be undertaken (with the objective of eventual elimination of these substances).

These decisions shall be based on the assessments referred to in Article III.

Note: A second paragraph reading as follows has to be added to Article III. Beginning 1990, ^{and} every four years thereafter, the parties shall review the control measures provided for in Article II. At least one year before each of these reviews, the parties shall convene a panel of scientific experts, with composition and terms of reference determined by the parties, to review advances in scientific understanding of modification of the ozone layer, and the potential health, environmental and climatic effects of such modification.

"fyi"

This is the
attachment to the
Ozone Decision memo.

MBR

Ad Hoc Working Group of Legal and Technical
Experts for the Preparation of a
Protocol on Chlorofluorocarbons to
the Vienna Convention for the
Protection of the Ozone Layer (Vienna Group)

Third Session
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1. Each party, under the jurisdiction of which CFC 11, CFC 12, CFC 113, (CFC 114, CFC 115) are produced shall ensure that within (2) years after the entry into force of this Protocol the (combined annual production and imports) (combined adjusted annual production) of these substances do not exceed their 1986 level.
2. Each party, under the jurisdiction of which substances referred to in paragraph 1 are not produced at the time of the entry into force of this Protocol, shall ensure that within (2) years from the entry into force of this Protocol (its combined annual production and imports) (its combined adjusted annual production) do not exceed the levels of imports in 1986.
3. Each party shall ensure, that within (4) years after the entry into force of this Protocol levels of substances referred to in paragraph 1 attained in accordance with paragraphs 1 and 2 will be reduced by 20 per cent.
4. Each party shall ensure that within (6) (a), (8) (b) years after the entry into force of this Protocol, the 1986 levels of substances referred to in paragraphs 1 and 2 will be further reduced (by 30 per cent), (a) (if the majority of the parties so decide, (b) (unless parties by a two-third majority otherwise decide), in the light of assessments referred to in Article III, such decision should be taken not later than (2) (4) years after entry into force.

5. Parties shall decide by (two-third majority) (a majority vote)
- whether substances should be added to or removed from the reduction schedule
 - whether further reductions of 1986 levels should be undertaken (with the objective of eventual elimination of these substances).

These decisions shall be based on the assessments referred to in Article III.

Note: A second paragraph reading as follows has to be added to Article III. Beginning 1990, ^{and} every four years thereafter, the parties shall review the control measures provided for in Article II. At least one year before each of these reviews, the parties shall convene a panel of scientific experts, with composition and terms of reference determined by the parties, to review advances in scientific understanding of modification of the ozone layer, and the potential health, environmental and climatic effects of such modification.

THE WHITE HOUSE

WASHINGTON

June 17, 1987

MEMORANDUM FOR THE DOMESTIC POLICY COUNCIL

FROM:

RALPH C. BLEDSON *Ralph C. Bledson*
Executive Secretary

SUBJECT:

Domestic Policy Council Meeting of June 18

Attached are an agenda and materials for the Domestic Policy Council meeting with the President on Thursday, June 18, 1987 at 2:00 p.m. in the Cabinet Room. The topic to be discussed is Stratospheric Ozone.

The background paper contains a listing of issues pertaining to this topic which were reviewed by the Council on May 20 and June 11. The purpose of the meeting will be to seek the President's guidance for the U.S. delegation to the international negotiations on a protocol for reducing depletion of the stratospheric ozone layer.

Attachment

THE WHITE HOUSE
WASHINGTON

DOMESTIC POLICY COUNCIL

Thursday, June 18, 1987

2:00 p.m.

Cabinet Room

AGENDA

1. Stratospheric Ozone -- Lee M. Thomas
Administrator
Environmental Protection Agency

THE WHITE HOUSE

WASHINGTON

June 17, 1987

MEMORANDUM FOR THE DOMESTIC POLICY COUNCIL

SUBJECT: Stratospheric Ozone

ISSUE: What guidance should the U.S. delegation be given for the next stages of international negotiation of an agreement for regulation of chemicals believed capable of future depletion of stratospheric ozone?

BACKGROUND:

Beginning in the 1970's, concerns were expressed in some parts of the scientific community that continued growth in the use of certain chemicals would result in future depletion of stratospheric ozone. Scientists' models predict this could cause adverse health and environmental effects, including increased skin cancer deaths, cataracts, effects on the immune system, damage to crops and materials and impacts on aquatic life. Other scientists believe that some of these projections, which extend as far as the year 2165, do not accurately account for numerous scientific uncertainties and for future technological, scientific, medical and behavioral changes that may occur. The chemicals in question, chlorofluorocarbons (CFCs) and Halons, are used commercially in refrigerators, building and mobile air-conditioners, foam insulation and fire extinguishers, and by the electronics industry. Some of them have important national defense applications for which there are currently no substitutes.

Based on their models, most scientists now believe that significant ozone depletion is likely to occur by the year 2040 unless global action is taken to control the chemicals at issue, even though there are numerous medical and scientific uncertainties about the potential impacts of such depletion. Ideally, any freeze or reduction in CFCs should be based on reliable scientific evidence that use of CFCs will cause depletion of stratospheric ozone. While there are differing views within the Council on the reliability of the scientific evidence available at this time, the long life of CFC accumulations, and the consequent risk assessments associated with projected ozone depletion argue for strong action to secure an international agreement this year, with provision for future scientific assessment. Since U.S. participation in an international agreement will require domestic regulations, the Domestic Policy Council will address these and potential non-regulatory options as additional policy guidance is needed.

Congressional Interest. Concern over the predicted depletion of ozone led Congress to add an ozone protection section to the Clean Air Act in 1977 and led EPA to ban CFC aerosols in 1978. Some other countries subsequently implemented partial bans of CFC aerosol use. Currently, there is strong congressional pressure for additional action to protect the ozone layer. The Senate has passed a resolution calling for a strong international agreement, and urging an automatic reduction in CFC production of fifty percent. If an effective international agreement is not reached, and we fail to secure firm and concrete commitments from other countries, Congress and the courts may require unilateral domestic reductions of the chemicals in question. Such U.S. action, alone, would not protect the ozone layer and would disadvantage American businesses in world markets.

International Negotiations. The U.S. is a party to the 1985 Vienna Convention for Protection of the Ozone Layer. (Note: Although the Convention is not in effect yet, we expect it will be ratified by a sufficient number of countries.) The President's ratification message to the Senate stated that this Convention addresses stratospheric ozone depletion "primarily by providing for international cooperation in research and exchange of information . . . and could also serve as a framework for negotiation of regulatory measures that might in the future be considered necessary. . . ." The U.S. has received considerable credit by some in Congress for its leadership role in the three negotiating sessions held thus far to develop an international agreement on control of the chemicals in question. However, some are concerned that not all emerging industrialized nations have participated in the negotiations. The U.S. interagency delegation has been guided by a Circular 175 approved under the authority of the Secretary of State, following approval by some agencies at various staff levels. The next negotiating session is scheduled for June 29, 1987 with a plenipotentiary conference scheduled in Montreal in September to sign the agreement.

Cost-Benefit. In a cost benefit analysis relying on EPA estimates of ozone depletion effects on cancer deaths thought 2165, the potential benefits of taking some actions to protect the ozone layer were found to be substantially greater than the costs of controlling the relevant chemicals. Cost benefit analysis suggests that both a freeze and a further 20-percent reduction of the ozone-depleting chemicals are economically justified. Further reductions are also indicated in a majority of cases, depending on information that will be acquired prior to taking such steps.

DISCUSSION: The most recent international negotiations have produced a Chairman's Text for an agreement based on the structure presented by the U.S. Each country has been asked to review this Text prior to the June 29 meetings. The Domestic Policy Council met on May 20 and June 11 to discuss the Chairman's Text, as well as the overall negotiations. The Council agreed that we should continue with negotiations.

ISSUE 1 -- PARTICIPATION AND ENTRY INTO FORCE OF THE PROTOCOL

Ideally, all nations that produce or use ozone-depleting chemicals should participate in the protocol if it is to address globally the ozone depletion problem. Otherwise, production of CFCs by nonparticipants could eventually offset reductions by the participating countries.

Which of the following positions should the U.S. delegation seek with regard to entry into force (EIF) and continuing effect of the protocol?

_____ Option 1. Entry into force of the protocol should occur only when a substantial proportion of producing/consuming countries as determined by the U.S. delegation have signed and ratified it.

*Agrees
6-15 pm
Hodges*

_____ Option 2. Entry into force should occur only when, according to a pre-determined formula, essentially all major producing/consuming countries have signed and ratified the protocol.

_____ Option 3. Entry into force should occur when the specific minimum number of countries required by the Convention have signed and ratified the protocol, regardless of their production or consumption.

ISSUE 2 -- GRACE PERIOD FOR LESSER DEVELOPED COUNTRIES

To encourage participation by all countries, should lesser developed nations be given a limited grace period up to the year 2000, to allow some increases in their domestic consumption? This has been the U.S. position.

Yes _____

No _____

ISSUE 3 -- VOTING

Should the U.S. delegation seek to negotiate a system of voting for protocol decisions that gives due weight to the significant producing and consuming countries?

Yes _____

No _____

ISSUE 4 -- MONITORING AND ENFORCEMENT

Should the U.S. delegation seek strong provisions for monitoring, reporting, and enforcement to secure the best possible compliance with the protocol?

Yes _____

No _____

ISSUE 5 -- CREDITS FOR PREVIOUS ACTION

Should the delegation seek a system of credits for emissions reduction for the 1978 U.S. ban of non-essential aerosols? In previous negotiations, other countries rejected this proposal, claiming that the U.S. is still the largest consumer of CFCs.

_____ Option 1. Yes.

This would assure the consideration of previous actions taken to deal with ozone depletion.

_____ Option 2. No.

- State is conv. need this would
* This could stalemate the negotiations, and stimulate unnecessary proposals from other parties.

ISSUE 6 -- FREEZE

Should the U.S. delegation seek a freeze at 1986 levels on production/consumption of all seriously ozone-depleting chemicals (CFCs 11, 12, 113, 114, 115; Halons 1201 and 1311), to take effect one or two years after the protocol entry into force? This proposal is consistent with the Chairman's Text.

Yes _____

No _____

2 PA disagree
A freeze will achieve a majority of the health and environmental benefits derived from retention of the ozone layer. It will also spur industry to develop substitutes for ozone-depleting chemicals. Halons are not presently mentioned in the Chairman's Text, but it is intended that they will be included. The earliest expected entry into force (EIF) date is 1988.

ISSUE 7 -- SCHEDULED 20% REDUCTION

Should the U.S. delegation seek a 20% reduction from 1986 levels of CFCs 11, 12, 113, 114 and 115, 4 years after EIF, about 1992, following the 1990 international review of scientific evidence?

_____ Option 1. The 20% reduction should take place automatically, unless reversed by a 2/3 vote of the parties.

This is consistent with the Chairman's Text and the Circular 175. CFC 113 has national defense applications for which there are currently no available substitutes.

_____ Option 2. The 20% reduction should take place only if a majority of the parties vote in favor following the 1990 scientific review.

_____ Option 3. Further reductions should not be scheduled at this time. We may later decide to seek these in light of future scientific evidence.

ISSUE 8 -- SECOND PHASE REDUCTION

Should the U.S. delegation seek a second-phase CFC reduction of an additional 30% from 1986 levels, consistent with the Chairman's Text? This would occur about 8 years after EIF (about 1996).

_____ Option 1. Yes, and this should occur automatically, unless reversed by a 2/3 vote of parties, following scientific review.

_____ Option 2. Yes, and this should occur only if a majority of the protocol parties vote in favor, following scientific reviews.

_____ Option 3. Further reductions should not be scheduled at this time. We may later decide to seek these in light of scientific evidence not now available about the results of a freeze and any other reduction. This would curtail future reductions, and require a new protocol.

ISSUE 9 -- LONG RANGE OBJECTIVE

Should the U.S. delegation support the ultimate objective of protecting the ozone layer by eventual elimination of realistic threats from man-made chemicals, and support actions determined to be necessary based on regularly scheduled scientific assessments.

Yes _____ No _____

CEQ believes the ultimate objective is development of substitute non-ozone-depleting chemicals.

ISSUE 10 -- TRADE PROVISIONS

The international negotiations have focused on a trade provision 1) to insure that countries are not able to profit from not participating in the international agreement, and 2) to insure that U.S. industry is not disadvantaged in any way through participation.

What should be the nature of any trade article sought for the protocol by the U.S. delegation?

_____ Option 1. Seek a provision which will best protect U.S. industry in world markets, by authorizing trade restrictions against CFC-related imports from countries which do not join or comply with the protocol provisions.

_____ Option 2. Do not seek a trade article for the protocol.

R. Bledsoe

THE WHITE HOUSE

WASHINGTON

June 17, 1987

MEMORANDUM FOR DONALD P. HODEL

FROM: RALPH C. BLEDSOE 
SUBJECT: Ninety-Fifth Meeting of Domestic Policy Council

The Domestic Policy Council will hold its ninety-fifth meeting on Thursday, June 18, 1987 at 2:00 p.m. in the Cabinet Room. The subject for discussion is Stratospheric Ozone.

Stratospheric Ozone

- o The purpose of the meeting is to recommend that the President provide guidance to the U.S. delegation for the final stages of international negotiations on a protocol for regulating chemicals that are believed to be causing depletion of the stratospheric ozone layer. This was discussed by the DPC on May 20 and June 11.
- o Lee Thomas will give a brief presentation to the Council. (10-minutes)
- o Following his presentation, you might provide an overview for the President of the entire issue. And you might wish to guide the discussion through each of the issues contained in the attached paper, which the President received.
- o You are probably familiar with which agencies will likely speak out on each of the issues.
- o The President knows that he will not need to make a decision at the meeting, but that his guidance will be needed prior to the delegation's departure on June 29.

Attachment

copies: Nancy Risque ✓
Steve Galebach

TALKING POINTS ON STRATOSPHERIC OZONE

1. **NEGOTIATING POSITION:** The U.S. negotiating team needs to have sufficient flexibility in its negotiating position. There is strong interaction between the components of the protocol, and a strong position on all issues should be maintained so that trade-offs among components can be made.
2. **SUBSTANTIAL RISKS:** The health and environmental risks from ozone depletion would be substantial. Agreement exists that large increases in skin cancer cases and deaths would occur. Available evidence also points to suppression of the immune response system, increases in cataracts, damage to crops and aquatic systems, increases in ground level ozone (smog) and damage to outdoor plastics.
3. **BENEFITS EXCEED COSTS:** Even though many of the potential damages cannot be quantified, under almost all scenarios the potential benefits of controls of up to 50% far outweigh the costs.
4. **NEED FOR INCENTIVES FOR SUBSTITUTES:** Recycling, conservation, and product substitutes are available to achieve a 20% reduction in CFC use at relatively low cost. To provide an adequate incentive for the development of chemical substitutes, reductions of 50% would be necessary. The timeframe proposed in the Chair's text for an automatic 50% reduction (eight years after entry into force) is consistent with industries' concerns for an adequate transition period.
5. **SCIENTIFIC UNCERTAINTY:** While scientific uncertainties remain, recent evidence suggests more, not less reason for concern and that our estimates of risk are too low. Because of the long lifetime of CFCs, the costs and disruption to industry would be far greater if we delay taking effective action now and must do it with a smaller lead time later.
6. **LEGAL RISKS - DOMESTIC ACTION:** If a protocol does not require a 50% automatic reduction, based on the public record developed to date, EPA may, under the Clean Air Act, be required to go beyond 50% domestically -- an outcome that should be avoided.
7. **CONGRESSIONAL RISKS:** The Senate and the House have made it clear that they support a strong international protocol. The Senate resolution (passed by 80-2) calls for an automatic 50% reduction, while the House resolution (Dingell's resolution) calls for the "virtual elimination" of CFCs.
8. **DIPLOMATIC EMBARRASSMENT:** U.S. diplomatic leadership has been the driving force in the progress of the negotiations to date. A major turnabout would make future international negotiations more difficult and would particularly anger those countries seeking more stringent controls (e.g., Canada, Norway, West Germany, etc.).

The earlier U.S. position calling for credit for the U.S. unilateral aerosol ban came under attack by other countries who correctly pointed out that the U.S. was largely responsible for the problem as it had been and continues to be the largest producer of CFCs. Only when the U.S. moved to the existing negotiating framework has international progress been made.

THE WHITE HOUSE

WASHINGTON

June 17, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: THE DOMESTIC POLICY COUNCIL

SUBJECT: Stratospheric Ozone

Issue: What guidance should the U.S. delegation be given for the next stages of international negotiation of an agreement for regulation of chemicals believed capable of future depletion of stratospheric ozone?

Background: Since 1985, the U.S. has been a leader in international negotiations on the above issue. Representatives of several of the parties to the negotiations will next meet on June 29 to discuss a Chairman's Text, which contains recommended provisions for a protocol. A plenipotentiary conference is scheduled for September in Montreal for signing of a protocol agreement. The Domestic Policy Council met in May and June to discuss the issue, and has determined that your guidance is needed for the U.S. delegation as they enter the final stages of the negotiations.

While some feel that the scientific evidence is not sufficient to warrant a major U.S. commitment at this time, politically and internationally the negotiations have raised expectations to where the Council believes it is wise to continue in the negotiations, but to seek the best possible U.S. position on the major issues.

The following issues are those for which the Council will recommend you provide guidance:

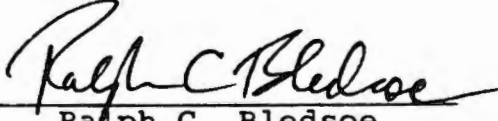
1. Participation and Entry Into Force of the Protocol. Ideally, all nations should participate in the protocol. However, since this does not appear practicable, the U.S. delegation should be given guidance on whether to seek that a) a sufficient number, b) essentially all, or c) only the minimum number of countries sign and ratify the protocol before it would enter into force. CEA, State, USTR, EPA, DOD and HHS support a); and Interior, Commerce and OSTP support b).
2. Grace Period for Lesser Developed Countries. The Council recommends that you instruct the U.S. delegation to support a limited grace period, up to the year 2000, for increased domestic consumption in lesser developed countries. This should encourage participation by more countries.

3. Voting. The Council recommends that you direct the delegation to negotiate a system of voting on protocol decisions that gives due weight to significant producing and consuming countries.
4. Monitoring and Enforcement. The Council recommends that you instruct the U.S. delegation to seek strong provisions for monitoring, reporting, and enforcement in the protocol, including verification if possible. This would help secure the best possible compliance.
5. Credits for Previous Action. The Council is split on whether the U.S. delegation should seek a system of credits for the previous emissions reduction, resulting from the 1978 U.S. ban of non-essential aerosols. Interior and OSTP think we should, while State, EPA, Justice, CEA, HHS, Energy, USTR, and CEQ feel we should not raise this issue again. Previously, this proposal resulted in objections by other countries, and almost caused a stalemate.
6. Freeze of Ozone-Depleting Chemicals. The Council recommends that, consistent with the Chairman's Text, you instruct the U.S. delegation to seek a freeze, at 1986 levels, of all ozone-depleting chemicals. This would take effect 1-2 years after entry into force (EIF). EIF is estimated to be 1988 at the earliest.
7. A Scheduled 20% Reduction. The Council supports the U.S. delegation being instructed to seek a 20% reduction of ozone-depleting chemicals emissions, two to four years after the EIF and following the 1990 scientific review. However, there is not agreement on how this should occur. EPA, State, Justice, HHS, Energy, DOD and USTR support an automatic reduction unless reversed by a vote of the parties, while CEQ and Interior support the reduction following a majority vote by the parties. OSTP feels that the current scientific evidence does not warrant scheduling a 20% reduction at this time. Commerce and DOD object to inclusion of three of the specific chemicals, on the basis that they are important for national security products and substitutes are not currently available.
8. Second-Phase Reductions. There is Council disagreement on what instructions you should give the U.S. delegation regarding negotiation of emissions reductions beyond the 20% reduction. There is general consensus that the U.S. should seek second-phase reductions that make the cumulative reductions more or less than 50% of 1986 levels, and that these would begin 8 or more years after EIF (about 1996). EPA and State would like these second-phase reductions to occur automatically at specified points in time, unless reversed by a vote of the parties. Interior, HHS, Energy,

DOD, CEA, CEQ, and USTR would prefer that such reductions should only occur if a majority of the parties vote in favor, following scheduled scientific review. Commerce and OSTP feel that no second-phase reductions are warranted, and that we should only seek these in light of future scientific evidence and under a new protocol.

9. Long Range Objective. The Council recommends that you instruct the U.S. delegation that, consistent with the Chairman's Text, the ultimate objective is to achieve eventual elimination of realistic threats to the stratospheric ozone layer from man-made chemicals, as determined necessary by regularly scheduled scientific assessments. CEQ believes the real ultimate objective is development of substitute non-ozone-depleting chemicals.
10. Trade Provisions. The final issue is what instruction should be given the U.S. delegation regarding trade provisions. USTR, State, EPA and others recommend that you direct the delegation to ensure that a provision is included in the protocol authorizing trade restrictions against CFC and related imports from countries which do not join or comply with the protocol.

A decision memorandum will be forwarded to you following the Council meeting on June 18.


Ralph C. Bledsoe
Executive Secretary
Domestic Policy Council

ISSUE 8 -- SECOND PHASE REDUCTION

Should the U.S. delegation seek a second-phase CFC reduction of an additional 30% from 1986 levels, consistent with the Chairman's Text? This would occur about 8 years after EIF (about 1996).

- EPA Option 1. Yes, and this should occur automatically, unless reversed by a 2/3 vote of parties, following scientific review.
- _____ Option 2. Yes, and this should occur only if a majority of the protocol parties vote in favor, following scientific reviews.
- _____ Option 3. Further reductions should not be scheduled at this time. We may later decide to seek these in light of scientific evidence not now available about the results of a freeze and any other reduction. This would curtail future reductions, and require a new protocol.

ISSUE 9 -- LONG RANGE OBJECTIVE

Should the U.S. delegation support the ultimate objective of protecting the ozone layer by eventual elimination of realistic threats from man-made chemicals, and support actions determined to be necessary based on regularly scheduled scientific assessments.

Yes EPA No _____

CEQ believes the ultimate objective is development of substitute non-ozone-depleting chemicals.

ISSUE 10 -- TRADE PROVISIONS

The international negotiations have focused on a trade provision 1) to insure that countries are not able to profit from not participating in the international agreement, and 2) to insure that U.S. industry is not disadvantaged in any way through participation.

What should be the nature of any trade article sought for the protocol by the U.S. delegation?

- EPA Option 1. Seek a provision which will best protect U.S. industry in world markets, by authorizing trade restrictions against CFC-related imports from countries which do not join or comply with the protocol provisions.
- _____ Option 2. Do not seek a trade article for the protocol.

R. Bledsoe

ISSUE 1 -- PARTICIPATION AND ENTRY INTO FORCE OF THE PROTOCOL

Ideally, all nations that produce or use ozone-depleting chemicals should participate in the protocol if it is to address globally the ozone depletion problem. Otherwise, production of CFCs by nonparticipants could eventually offset reductions by the participating countries.

Which of the following positions should the U.S. delegation seek with regard to entry into force (EIF) and continuing effect of the protocol?

- EPA Option 1. Entry into force of the protocol should occur only when a substantial proportion of producing/consuming countries as determined by the U.S. delegation have signed and ratified it.
- _____ Option 2. Entry into force should occur only when, according to a pre-determined formula, essentially all major producing/consuming countries have signed and ratified the protocol.
- _____ Option 3. Entry into force should occur when the specific minimum number of countries required by the Convention have signed and ratified the protocol, regardless of their production or consumption.

ISSUE 2 -- GRACE PERIOD FOR LESSER DEVELOPED COUNTRIES

To encourage participation by all countries, should lesser developed nations be given a limited grace period up to the year 2000, to allow some increases in their domestic consumption? This has been the U.S. position.

Yes EPA No _____

ISSUE 3 -- VOTING

Should the U.S. delegation seek to negotiate a system of voting for protocol decisions that gives due weight to the significant producing and consuming countries?

Yes EPA No _____

ISSUE 4 -- MONITORING AND ENFORCEMENT

Should the U.S. delegation seek strong provisions for monitoring, reporting, and enforcement to secure the best possible compliance with the protocol?

Yes EPA No _____

✓ ISSUE 5 -- CREDITS FOR PREVIOUS ACTION

Should the delegation seek a system of credits for emissions reduction for the 1978 U.S. ban of non-essential aerosols? In previous negotiations, other countries rejected this proposal, claiming that the U.S. is still the largest consumer of CFCs.

_____ Option 1. Yes.

This would assure the consideration of previous actions taken to deal with ozone depletion.

EPA

_____ Option 2. No. *because*

This could stalemate the negotiations, and stimulate unnecessary proposals from other parties.

ISSUE 6 -- FREEZE

Should the U.S. delegation seek a freeze at 1986 levels on production/consumption of all seriously ozone-depleting chemicals (CFCs 11, 12, 113, 114, 115; Halons 1201 and 1311), to take effect one or two years after the protocol entry into force? This proposal is consistent with the Chairman's Text.

Yes EPA

No _____

[A freeze will achieve a majority of the health and environmental benefits derived from retention of the ozone layer. It will also spur industry to develop substitutes for ozone-depleting chemicals. Halons are not presently mentioned in the Chairman's Text, but it is intended that they will be included. The earliest expected entry into force (EIF) date is 1988.]

EPA
disagree

ISSUE 7 -- SCHEDULED 20% REDUCTION

Should the U.S. delegation seek a 20% reduction from 1986 levels of CFCs 11, 12, 113, 114 and 115, 4 years after EIF, about 1992, following the 1990 international review of scientific evidence?

EPA

_____ Option 1. The 20% reduction should take place automatically, unless reversed by a 2/3 vote of the parties.

This is consistent with the Chairman's Text and the Circular 175. CFC 113 has national defense applications for which there are currently no available substitutes.]

Dis.

_____ Option 2. The 20% reduction should take place only if a majority of the parties vote in favor following the 1990 scientific review.

_____ Option 3. Further reductions should not be scheduled at this time. We may later decide to seek these in light of future scientific evidence.

THE WHITE HOUSE

WASHINGTON

DOMESTIC POLICY COUNCIL

Thursday, June 18, 1987

2:00 p.m.

Cabinet Room

AGENDA

1. Stratospheric Ozone -- Lee M. Thomas
Administrator
Environmental Protection Agency

Domestic Policy Council Meeting

June 18, 1987

PARTICIPANTS

The President

The Vice President

Secretary Hodel
Secretary Baker
Secretary Lyng
Secretary Bowen
Secretary Pierce
Secretary Herrington
Senator Baker
Administrator Thomas
Deputy Secretary Whitehead
 (Representing Secretary Shultz)
Deputy Secretary Taft
 (Representing Secretary Weinberger)
Deputy Attorney General Burns
 (Representing Attorney General Meese)
Deputy Director Wright
 (Representing Director Miller)
Ambassador Woods
 (Representing Ambassador Yeutter)

T. Kenneth Cribb, Jr., Assistant to the President for Domestic Affairs

Nancy J. Risque, Assistant to the President and Cabinet Secretary

Gary L. Bauer, Assistant to the President for Policy Development

Ralph C. Bledsoe, Executive Secretary

Additional Attendees

William L. Ball, Assistant to the President for Legislative Affairs

Rhett B. Dawson, Assistant to the President for Operations

Frank J. Donatelli, Assistant to the President for Intergovernmental Affairs

Kenneth M. Duberstein, Deputy Chief of Staff

Marlin Fitzwater, Assistant to the President and Principal Deputy Press Secretary

Danny L. Crippen, Assistant to the President

Grant Greene, Executive Secretary, National Security Council

Beryl Sprinkel, Chairman, Council of Economic Advisers

Thomas P. Rona, Deputy Director of the Office of Science and Technology Policy

Jacqueline Schafer, Member, Council on Environmental Quality

C. Boyden Gray, Counsellor to the Vice President

Bruce Smart, Under Secretary for International Trade, Department of Commerce

Wendell Willkie, General Counsel, Department of Education

Steve Galebach, Senior Special Assistant to the Attorney General

Becky Norton Dunlop, Deputy Chief Operating Officer, Department of the Interior

NR

THE WHITE HOUSE

WASHINGTON

June 18, 1987

MEMORANDUM FOR THE PRESIDENT

FROM: THE DOMESTIC POLICY COUNCIL

SUBJECT: Stratospheric Ozone

ISSUE: What guidance should the U.S. delegation be given for the next stages of international negotiation of an agreement for regulation of chemicals believed capable of future depletion of stratospheric ozone?

BACKGROUND:

Beginning in the 1970's, concerns were expressed in some parts of the scientific community that continued growth in the use of certain chemicals would result in future depletion of stratospheric ozone. Scientists' models predict this could cause adverse health and environmental effects, including increased skin cancer deaths, cataracts, effects on the immune system, damage to crops and materials and impacts on aquatic life. Other scientists believe that some of these projections, which extend as far as the year 2165, do not accurately account for numerous scientific uncertainties and for future technological, scientific, medical and behavioral changes that may occur. The chemicals in question, chlorofluorocarbons (CFCs) and Halons, are used commercially in refrigerators, building and mobile air-conditioners, foam insulation and fire extinguishers, and by the electronics industry. Some of them have important national defense applications for which there are currently no substitutes.

Based on their models, most scientists now believe that significant ozone depletion is likely to occur by the year 2040 unless global action is taken to control the chemicals at issue, even though there are numerous medical and scientific uncertainties about the potential impacts of such depletion. Ideally, any freeze or reduction in CFCs should be based on reliable scientific evidence that use of CFCs will cause depletion of stratospheric ozone. While there are differing views within the Council on the reliability of the scientific evidence available at this time, the long life of CFC accumulations, and the consequent risk assessments associated with projected ozone depletion argue for strong action to secure an international agreement this year, with provision for future scientific assessment. Since U.S. participation in an international agreement will require domestic regulations, the Domestic Policy Council will address these and potential non-regulatory options as additional policy guidance is needed.

Congressional Interest. Concern over the predicted depletion of ozone led Congress to add an ozone protection section to the Clean Air Act in 1977 and led EPA to ban CFC aerosols in 1978. Some other countries subsequently implemented partial bans of CFC aerosol use. Currently, there is strong congressional pressure for additional action to protect the ozone layer. The Senate has passed a resolution calling for a strong international agreement, and urging an automatic reduction in CFC production of fifty percent. If an effective international agreement is not reached, and we fail to secure firm and concrete commitments from other countries, Congress and the courts may require unilateral domestic reductions of the chemicals in question. Such U.S. action, alone, would not protect the ozone layer and would disadvantage American businesses in world markets.

International Negotiations. The U.S. is a party to the 1985 Vienna Convention for Protection of the Ozone Layer. (Note: Although the Convention is not in effect yet, we expect it will be ratified by a sufficient number of countries.) Your ratification message to the Senate stated that this Convention addresses stratospheric ozone depletion "primarily by providing for international cooperation in research and exchange of information . . . and could also serve as a framework for negotiation of regulatory measures that might in the future be considered necessary. . . ." The U.S. has received considerable credit by some in Congress for its leadership role in the three negotiating sessions held thus far to develop an international agreement on control of the chemicals in question. However, some are concerned that not all emerging industrialized nations have participated in the negotiations. The U.S. interagency delegation has been guided by a Circular 175 approved under the authority of the Secretary of State, following approval by some agencies at various staff levels. The next negotiating session is scheduled for June 29, 1987 with a plenipotentiary conference scheduled in Montreal in September to sign the agreement.

Cost-Benefit ^{NEA} In a cost benefit analysis relying on EPA estimates of ozone depletion effects on cancer deaths through 2165, the potential benefits of taking some actions to protect the ozone layer were found to be substantially greater than the costs of controlling the relevant chemicals. Cost benefit analysis suggests that both a freeze and a further 20-percent reduction of the ozone-depleting chemicals are economically justified. Further reductions are also indicated in a majority of cases, depending on information that will be acquired prior to taking such steps.

DISCUSSION: The most recent international negotiations have produced a Chairman's Text for an agreement based on the structure presented by the U.S. Each country has been asked to review this Text prior to the June 29 meetings. The Domestic Policy Council met on May 20 and June 11 to discuss the Chairman's Text, as well as the overall negotiations. The Council agreed that we should continue with negotiations; however, your further guidance on the following issues and options is requested.

ISSUE 1 -- PARTICIPATION AND ENTRY INTO FORCE OF THE PROTOCOL

Ideally, all nations that produce or use ozone-depleting chemicals should participate in the protocol if it is to address globally the ozone depletion problem. Otherwise, production of CFCs by nonparticipants could eventually offset reductions by the participating countries. The Council believes we should seek maximum participation.

Which of the following positions should the U.S. delegation seek with regard to entry into force (EIF) and continuing effect of the protocol?

_____ Option 1. Entry into force of the protocol should occur only when a substantial proportion of producing/consuming countries as determined by the U.S. delegation have signed and ratified it.

This option is supported by State, EPA, DOD, DOE and HHS.

_____ Option 2. Entry into force should occur only when a substantial proportion of producing countries, as determined by an established formula, have signed and ratified it.

This option is supported by Interior, Commerce, Justice, CEQ and OSTP.

✓ ISSUE 2 -- GRACE PERIOD FOR LESSER DEVELOPED COUNTRIES

To encourage participation by all countries, should lesser developed nations be given a limited grace period up to the year 2000, to allow some increases in their domestic consumption? This has been the U.S. position and is unanimously supported by the Council.

Yes ✓

No _____

✓ ISSUE 3 -- VOTING

Should the U.S. delegation seek to negotiate a system of voting for protocol decisions that gives due weight to the significant producing and consuming countries? This proposal has unanimous support of the Council.

Yes ✓

No _____

ISSUE 4 -- MONITORING AND ENFORCEMENT

Should the U.S. delegation seek strong provisions for monitoring, reporting, and enforcement to secure the best possible compliance with the protocol? This proposal has unanimous support of the Council.

Yes

No

ISSUE 5 -- CREDITS FOR PREVIOUS ACTION

Should the delegation seek a system of credits for emissions reduction, resulting from the 1978 U.S. ban of non-essential aerosols? In previous negotiations, other countries rejected this proposal, claiming that the U.S. is still the largest consumer of CFCs.

 Option 1. Yes.

This would assure the consideration of previous actions taken to deal with ozone depletion and is supported by Interior, CEQ and OSTP.

 Option 2. No.

State is convinced that seeking credits would stalemate the negotiations, and will stimulate unnecessary proposals from other parties. This option is supported by State, EPA, Justice, HHS, DOE and USTR.

ISSUE 6 -- FREEZE

Should the U.S. delegation seek a freeze at 1986 levels on production/consumption of all seriously ozone-depleting chemicals (CFCs 11, 12, 113, 114, 115; Halons 1201 and 1311), to take effect one or two years after the protocol entry into force? This proposal is consistent with the Chairman's Text and has unanimous support of the Council.

Yes

No

*PA
majority*
A freeze will achieve a majority of the health and environmental benefits derived from retention of the ozone layer. Interior, Commerce, OSTP and CEQ feel that it will also spur industry to develop substitutes for ozone-depleting chemicals. Halons are not presently mentioned in the Chairman's Text, but it is intended that they will be included. The earliest expected entry into force (EIF) date is 1988.

ISSUE 7 -- SCHEDULED 20% REDUCTION

Should the U.S. delegation seek a 20% reduction from 1986 levels of CFCs 11, 12, 113, 114 and 115, four years after EIF, about 1992, following the 1990 international review of updated scientific evidence? The Council supports this action, but is divided over options for how the reductions should be implemented:

_____ Option 1. The 20% reduction should take place automatically, unless reversed by a 2/3 vote of the parties.

This is consistent with the Chairman's Text and the Circular 175. It is supported by EPA, State, Justice, CEQ, HHS, DOE and USTR. Commerce and DOD support this option for all chemicals except CFC 113; 113 has national defense applications for which there are currently no available substitutes.

_____ Option 2. The 20% reduction should take place only if a majority of the parties vote in favor following the 1990 scientific review.

This option is supported by Interior.

_____ Option 3. Further reductions should not be scheduled at this time. We may later decide to seek these in light of future scientific evidence.

This option is supported by OSTP.

ISSUE 8 -- SECOND PHASE REDUCTION

Should the U.S. delegation seek a second-phase CFC reduction of an additional 30% from 1986 levels, consistent with the Chairman's Text? This would occur about 8 years after EIF (about 1996).

_____ Option 1. Yes, and this should occur automatically, unless reversed by a 2/3 vote of parties, following scientific review.

This is supported by EPA and State.

_____ Option 2. Yes, and this should occur only if a majority of the protocol parties vote in favor, following scientific reviews.

HHS, Justice, DOE, DOD, CEQ and USTR support this.

_____ Option 3. Further reductions should not be scheduled at this time. We may later decide to seek these in light of scientific evidence not now available about the results of a freeze and any other reduction.

This would curtail future reductions, and require a new protocol. Commerce, Interior and OSTP support this.

ISSUE 9 -- LONG RANGE OBJECTIVE

Should the U.S. delegation support the ultimate objective of protecting the ozone layer by eventual elimination of realistic threats from man-made chemicals, and support actions determined to be necessary based on regularly scheduled scientific assessments. This proposal is consistent with the Chairman's Text and the U.S. delegation's previous position, and has unanimous support of the Council members.

Yes  _____

No _____

ISSUE 10 -- TRADE PROVISIONS

The international negotiations have focused on a trade provision 1) to insure that countries are not able to profit from not participating in the international agreement, and 2) to insure that U.S. industry is not disadvantaged in any way through participation.

What should be the nature of any trade article sought for the protocol by the U.S. delegation?

_____ Option 1. Seek a provision that will best protect U.S. industry in world markets, by authorizing trade restrictions against CFC-related imports from countries that do not join or comply with the protocol provisions.

This option is supported by Justice, Interior, OSTP, EPA, DOE, USTR, HHS and State. Note: Commerce is against the use of trade restrictions unless there is no other way to protect U.S. industry.

_____ Option 2. Do not seek a trade article for the protocol.


Ralph C. Bledsoe
Executive Secretary
Domestic Policy Council

Attachment: Chairman's Text

Ad Hoc Working Group of Legal and Technical
Experts for the Preparation of a
Protocol on Chlorofluorocarbons to
the Vienna Convention for the
Protection of the Ozone Layer (Vienna Group)

Third Session
Geneva, 27-30 April 1987

TEXT PREPARED BY A SMALL SUB-WORKING GROUP OF
HEAD OF DELEGATIONS

ARTICLE II: CONTROL MEASURES

1. Each party, under the jurisdiction of which CFC 11, CFC 12, CFC 113, (CFC 114, CFC 115) are produced shall ensure that within (2) years after the entry into force of this Protocol the (combined annual production and imports) (combined adjusted annual production) of these substances do not exceed their 1986 level.
2. Each party, under the jurisdiction of which substances referred to in paragraph 1 are not produced at the time of the entry into force of this Protocol, shall ensure that within (2) years from the entry into force of this Protocol (its combined annual production and imports) (its combined adjusted annual production) do not exceed the levels of imports in 1986.
3. Each party shall ensure, that within (4) years after the entry into force of this Protocol levels of substances referred to in paragraph 1 attained in accordance with paragraphs 1 and 2 will be reduced by 20 per cent.
4. Each party shall ensure that within (6) (a), (8) (b) years after the entry into force of this Protocol, the 1986 levels of substances referred to in paragraphs 1 and 2 will be further reduced (by 30 per cent), (a) (if the majority of the parties so decide, (b) (unless parties by a two-third majority otherwise decide), in the light of assessments referred to in Article III, such decision should be taken not later than (2) (4) years after entry into force.

5. Parties shall decide by (two-third majority) (a majority vote)
- whether substances should be added to or removed from the reduction schedule
 - whether further reductions of 1986 levels should be undertaken (with the objective of eventual elimination of these substances).

These decisions shall be based on the assessments referred to in Article III.

Note: A second paragraph reading as follows has to be added to Article III. Beginning 1990, ^{and} every four years thereafter, the parties shall review the control measures provided for in Article II. At least one year before each of these reviews, the parties shall convene a panel of scientific experts, with composition and terms of reference determined by the parties, to review advances in scientific understanding ~~of~~ modification of the ozone layer, and the potential health, environmental and climatic effects of such modification.

State Department

A Wrangle Over Ozone Policy

By PHILIP SHABECOFF

Special to The New York Times

WASHINGTON, June 22 — Conflict-of-interest cases usually involve accusations that a Government official has used the powers of office improperly for financial self-interest. But, an ethics charge concerning policy on ozone with no question of financial gain involved?

Such a dispute has arisen in the Reagan Administration concerning the role of Richard E. Benedick, the Deputy Assistant Secretary of State, in international negotiations aimed at concluding a treaty to limit the production of chlorofluorocarbons, or CFC's, the chemicals that are widely believed to be destroying the ozone in the earth's stratosphere. The ozone layer protects the earth from ultraviolet radiation from the sun that can cause skin cancer, damage crops and cause a variety of other health and environmental problems.

The dispute arises from Mr. Benedick's temporary posting by the State Department, starting later this year, as a resident scholar with the Conservation Foundation, an environmentalist organization.

According to Administration sources, officials in the Commerce Department have asked that Mr. Benedick be required to file with the State Department's ethics office a statement that his appointment to the environmental group does not conflict with his official duties in the ozone negotiations.

The Environmental Protection Agency has supported the State Department in the position adopted by the American delegation at meetings in Geneva and Vienna for cutbacks in the production of chlorofluorocarbons. But the Commerce Department, Interior Department and other agencies oppose it.

Interior Secretary Donald P. Hodel said his department had not asked for a conflict-of-interest review of Mr. Benedick. But, he said: "What would you write if our chief negotiator were



The New York Times

Richard E. Benedick

leaving to take a position with a CFC-producing company? It is a self-answering question."

Mr. Benedick himself said the State Department's ethics office had looked into the issue and would soon issue a statement that there was no conflict of interest in his being assigned to temporary duty with the Conservation Foundation. He said the environmental group was not an advocacy group but a "think tank" that does no lobbying on policy issues and had not sought to influence the ozone negotiations in any way.

"It is like a Defense Department official being detailed to the Rand Corporation for a year to do some thinking about defense issues," he said, adding that the temporary assignment was a normal rotation for a Foreign Service officer and had been planned long before the ozone negotiations were "in the works."

Meanwhile, the conservative publication Human Events published an article last week contending that the

United States, led by Mr. Benedick, had pursued "a radical negotiating program for international controls on CFC's."

Environmentalists, who are pushing for the strongest possible treaty to limit the chemicals depleting the ozone layer, seemed bemused at the charges that Mr. Benedick was pursuing a radical program.

"He is a very cautious guy," said David D. Doniger, a lawyer with the Natural Resources Defense Council. Mr. Doniger, who has been an observer at several of the negotiating sessions in Europe, said Mr. Benedick had pushed for the official United States position but had taken a "conservative" approach to the talks.

Mr. Benedick said he had "tried in the conduct of negotiations and in the conduct of discussions with the outside industrial and environmental communities to steer a reasonable middle course and to avoid any exaggeration or overstatement of the case."

Largely because of United States leadership, countries producing CFC's tentatively agreed earlier this year to freeze production and then start rolling it back so as to halt the deterioration of the ozone layer. The tentative pact calls for an initial 20 percent rollback and then an additional 30 percent within five years.

Administration opponents of the official United States position on the ozone layer took their case to President Reagan last week. The President has not yet announced whether he will seek a change in that position.

Supporters of a strong pact, such as Mr. Doniger of the Natural Resources Defense Council, believe that trade restrictions on countries that refuse to join an anti-CFC protocol would be a sufficient deterrent. He and other environmentalists are convinced that opposition to the proposed protocol within the Administration springs from a visceral antipathy to any governmental interference in the marketplace.

1. List of CFC producers, in order of production %
2. List of CFC consumers, in order of consumption
3. List of countries negotiating
4. Confirm under Will Tapp DoD position re. 20%+CFC 113s

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Scanlon, "both measures can be expected to result in a transfer of many ATVs from experienced to inexperienced riders, something we know greatly increases risk. In fact, our own data lead to the conclusion that, if one-third (200,000) of the adult-size ATVs presently being used by children were turned in (as part of the recall) and then resold (as the commission majority has voted), there could be as many as 50 additional deaths and 16,000 extra injuries.

"Similarly, if one-third (500,000) of all the three-wheeled ATVs are turned in pursuant to a recall and later resold, as voted, our data suggest that an additional 100 deaths and 40,000 injuries could be expected."

Scanlon expressed the belief that increased warnings of the safety risks, together with mandatory provision of rider training, would, "if promptly implemented, be sufficient to bring about a significant reduction" in ATV accidents.

"But if the commission wanted to go further," he added, "other alternatives would have made more sense than" the proposed recalls. "For instance, stopping the sale of adult-sized ATVs (over 125 cc's) to children could prevent up to 100 deaths and 30,000 injuries per year at little or no cost. Moreover, there is ample precedent for such a step, such as laws preventing young children from riding motorcycles while allowing some of them to ride mopeds.

"In short," said Scanlon, "the recall proposals which the commission has voted are an inappropriate remedy to the risks posed by ATVs. There were, and are, better ways to promote safer use of ATVs which I hope the commission will pursue to the fullest possible extent."

But, at this point, the determination of whether those "better ways" are actually pursued may well have more to do with what the Justice Department decides concerning the proposed lawsuit than with anything the three CPSC members decide.

President Must Decide

State Department Pushes Radical Ozone Treaty

Environmentalists were again on the warpath—and the media and their cartoonists were having a field-day—over remarks reportedly made by Secretary of the Interior Donald Hodel while arguing that the U.S. should not go along with an international agreement to halt the depletion of the ozone layer—a depletion that many argue has led to an increase in the incidence of skin cancer. The agreement—which the State Department had hoped to sneak through almost unnoticed—was based on limiting and eventually all but eliminating the production and use of chlorofluorocarbons (CFCs) and halogens, chemicals considered responsible for the deterioration of ozone in the atmosphere.

The *Washington Post* and others reported that at a Cabinet meeting Hodel said that, instead of signing this agreement, the Administration should offer as an alternative the recommendation that people wear "hats, sunglasses and sun-screening lotion" if they were concerned about the risks of skin cancer.

Shortly after this story appeared, representative from various environmental groups, wearing hats, sun-block lotions and dark glasses called on Hodel to resign.

In fact, Hodel made no such recommendation to replace international efforts to protect the ozone layer with a program of "personal protection."

"I want to get this on the record," Hodel told HUMAN EVENTS. "I did not argue that sunglasses and hats and lotions were the solutions [to the ozone problem]. I don't think it came out in the meeting in that way at all.

"There was discussion during the meeting; we were concerned about human health. We know



HODEL

that at a period of time when we don't think the ozone layer was being depleted by CFCs that we've seen a 750 per cent increase in skin cancer. That suggests people have changed their behaviors and gone into the sun more... people desiring a good tan, for example.

"Even if we enter into an agreement on CFCs, we have an ongoing commitment to join with the American Cancer Society to warn people of the hazards of exposure to ultraviolet light. It is really two separate issues. This was not offered as an alternative to an international agreement."

A major aspect of this whole controversy, as Hodel noted, is the supposed link between ozone depletion and the rise in the incidence of skin cancer. Ozone is a gas in the stratosphere that acts as a filter for harmful ultraviolet (UV) rays from the sun and overexposure to UV rays is a major cause of skin cancer.

Although it has never been actually proved, the use of CFCs and also a class of chemicals called halogens is thought by some scientists to be related to the depletion of ozone in the atmosphere. These chemicals are in wide use in a variety of everyday applications: aerosols (banned unilaterally in the U.S. in 1978 and by a mere handful of countries subsequently); air conditioning; fire extinguishers, cleaning solvents (such as those used in dry cleaning); foam insulation and foam cushions, among others. They also have wide application in industry, especially the automobile industry, and in the military.

Inside Washington

If the use of CFCs continues unabated, the argument goes, there will be a depletion of ozone, more UV rays reaching earth and an increase in the incidence of skin cancer. This theory, however, relates to projected *future* increases in the incidence of skin cancer. There is, at present, no scientific evidence linking the current increases in the incidence of skin cancer to depletions in the ozone layer.

Indeed, in a letter to Rep. John Dingell (D.-Mich.), chairman of the House Committee on Energy and Commerce, Dr. Margaret Kripke of the University of Texas System Cancer Center, one of the country's leading cancer research institutes, said:

"Speaking of the increasing incidence of skin cancer...there is at present *no evidence* that a decrease in the ozone layer is responsible for the recent increase in the incidence of skin cancers. There have been several erroneous statements in the press recently, linking the increases in skin cancer to ozone depletion. It is important to note that... (common skin cancers) develop over a period of decades... decreases in global ozone are too recent to account for the rising incidence of skin cancer over the past 20 years. The implication... that increased UV radiation has resulted from decreased stratospheric ozone has no scientific basis at the present time."

Given that the present increase in the incidence of skin cancers cannot be attributed to ozone depletion, Hodel's suggestion that, apart from any agreement limiting CFCs, people be educated on how to protect themselves from excessive exposure to sunlight is eminently sensible, just as education has reduced cigarette smoking.

It is clear that Hodel's remarks were leaked out of context and mangled in the media in order to draw attention away from the very serious reservations he expressed about the way the State Department and the Environmental Protection Agency have gone about negotiating the agreement to limit CFCs.

The controversial protocols to reduce and eventually eliminate CFCs grew out of the 1985 Vienna Convention for the Protection of the Ozone Layer. In his message to the Senate supporting ratification of the convention, President Reagan said it addresses an important environmental issue "primarily by providing for international cooperation in research and exchange of information. It could also serve as a framework for the negotiations of possible protocols containing harmonized regulatory measures that might in the future be considered necessary to protect this critical global resource."

But officials at the State Department, led by chief negotiator Richard Benedick, and at the Environmental Protection Agency, have used that highly tentative language to push their own radical negotiating program for international controls on CFCs, and they have done so largely out of sight of the Administration.

Such out-of-sight maneuverings are hardly new for Mr. Benedick. As HUMAN EVENTS readers might recall, back in July 1985, on the eve of an international conference on population control in

Mexico City, Benedick, then head of State's Office on Population Affairs, organized opposition to the official White House policy of withholding all funds for international organizations that encourage abortion as a means of population control.

Furious at not being chosen a member of the U.S. delegation to Mexico City, Benedick arranged a transfer out of the Population Office into State's Environmental Health and Natural Resources desk, where he proceeded to work quietly on the CFC agreement.

Now that more light has been shed on his activities, however, Benedick disclaims any desire to keep the protocol maneuverings hush-hush. "Our negotiating position was authorized last November," Benedick told the *Washington Post* May 29, "and it's hard to imagine that people weren't aware of it." In a follow-up story the next day, the *Post* claimed that State's negotiating position "was cleared throughout the government."

But that's not what senior government officials have told HUMAN EVENTS. According to them, the proposed U.S. negotiating position, calling for "up to a 95 per cent reduction in CFCs," was not brought to the attention of the Working Group of the Domestic Policy Council—let alone the entire government—until February of this year. Even Benedick has now admitted he was "misquoted" in the May 29 *Post* story.



DINGELL

Given the enormous impact any agreement on CFCs is likely to have, Hodel argued that the Cabinet should have been kept fully abreast of the negotiations and be able to evaluate all options so that the President would not be "boxed in."

In fact, after Hodel and others sounded some preliminary cautionary notes at a DPC meeting three weeks ago, Secretary of State George Shultz, reportedly at the urging of Benedick and his boss, John Negroponte, wrote Attorney General Meese that the Geneva negotiations on CFCs should be withdrawn from discussion by the DPC. The Attorney General, the day after receiving that letter, wrote Shultz to make it clear that the CFC negotiations would remain a topic for discussion by the full DPC, and State and EPA would not be allowed to circumvent normal Cabinet procedures on a matter of such importance.

THIS WEEK'S NEWS FROM

Inside Washington



Nor is Hodel alone in these concerns. Rep. Dingell, who is sponsoring a resolution supporting the international efforts under way to resolve the ozone problem, has also raised doubts as to the way the State Department and EPA have handled the negotiations.

At a hearing on the Geneva talks, Dingell said, "My support for a protocol is not without limits. Indeed, I am deeply concerned that our chief negotiator, Ambassador Richard Benedick, and his EPA staff support, are negotiating almost on a 'seat-of-the-pants' basis.' I am concerned they lack adequate technical and policy support within the Administration and that they may be bowing too far toward those seeking very stringent reductions now."

"Seat-of-the-pants" is an apt description. The November document laying out the State Department's negotiating position admits that "given the

complex chemistry and dynamics of the atmosphere, scientific uncertainties currently prevent a conclusive determination of safe levels of emissions [of CFCs]." This assessment is repeated in the document. Yet despite this admission, State and EPA have gone ahead with negotiations aimed at drastic reductions in emission levels.

Recent scientific studies also cast doubt on the relation of CFC emissions to the so-called "Arctic hole." Environmentalists and others pushing for stringent regulations of CFCs point to the annual appearance, observed since 1979, of a "hole" in the ozone layer over the South Pole. This hole, which appears for a few months and then disappears, is actually a reduced concentration of ozone, which some believe is caused by CFCs.

But a recent report by the American Geophysical Society provides compelling evidence that the hole

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may have nothing to do with CFC emissions. Rather, it may be caused naturally, by the periodic bombardment of the Earth's atmosphere by high-energy electrons originating from the sun and/or Jupiter.

It is clear that continued study and caution are necessary in moving toward an international protocol on reducing CFCs. But these have been noticeably lacking on the part of our negotiating team.

Since January, Dingell has asked EPA and the State Department to provide his committee with an adequate analysis supporting the negotiating position laid out in State's November document. According to the Michigan Democrat, he has yet to receive it.

In a March letter to EPA head Lee Thomas, Dingell writes: "Despite the fact that the law requires EPA to 'take into account the feasibility and costs of achieving' control by regulation, there is no evidence that these factors are even being addressed in the process. There is no discussion of the problems of conversion to the user industries, including the financial implications and timing of any capital changes for relatively small business."

Many big businesses that manufacture CFCs would probably have the financial and other resources to adjust to restrictions in CFC production. If necessary, some could simply move their CFC producing operations overseas, to a country that is not a party to the Geneva protocols.

But what of small business and individual users? For example, CFCs are necessary for air-conditioning. While this may seem a luxury for many, air-conditioning is vital during the hot summer months for the elderly and those with health problems. Air filtration and purification systems which are necessary for hospitals and those suffering respiratory diseases also require CFCs. CFCs are also used in producing foam for insulation, which is necessary for energy conservation. How would environmental groups balance their demands for decreases in CFCs with increases in energy conservation?

Although Benedick and Co., negotiating for the U.S., want a 95 per cent CFC reduction, the protocol now apparently will call for a freeze, then an initial a 20 per cent reduction, to be followed by a 30 per cent reduction in CFCs from 1986 levels.

The United States, however, has already banned the use of non-essential aerosols; most other countries involved in the negotiations, including most of the European Economic Community, have not. Those countries could achieve a large part of their 20 per cent reduction merely by doing what the U.S. has already done—banning non-essential aerosols. But that might mean the U.S. would have to turn to uses more important than deodorants and hairsprays to achieve its reductions.

None of these concerns, among many others, including possible trade restrictions and sanctions against those countries which continue to produce CFCs outside the agreement, are being adequately addressed by our negotiators. Despite this, they want the Administration to sign the protocol this September in Montreal.

Secretary Hodel has also questioned the scope of the protocols. Only some 31 countries have entered the negotiations, including the U.S., members of the European Economic Community, the Soviet Union (but excluding all other Warsaw Pact countries), the Nordic countries and Japan. A few countries from the Third World were represented, but by and large the bulk of the Third World did

not participate. India and China, which are making important strides in developing their industrial bases were not represented.

"We need to be sure," Hodel told HUMAN EVENTS, "that enough countries, covering enough of the production and consumption of CFCs, agree to sign the agreement. You've got to have broad enough agreement that it's going to make a difference. We shouldn't unilaterally do this, because that won't solve the CFC problem. It will only cause an economic hit to the United States. Secondly, it has to include all five CFCs and the two halogens—all seven of the offending chemicals. Some of our allies were considering two, some three, but only a handful, including ourselves, were thinking in terms of all seven chemicals."

The inclusion of as many countries as possible in the protocols is vital to the success of any international program to reduce CFCs. As much of the Third World, especially Asia and Africa, begin to develop their industry, it is only to be expected they will increase their production of CFCs. The protocol will in large part be undermined if there are no provisions to guarantee that these countries will eventually be brought under similar restrictions. At present, there are no such provisions beyond a vague recognition of the problem.

"At least, the President ought to be able," Hodel said, "to weigh the difference between a proposal that would tie the United States into any agreement with a limited number of countries in which they may agree only to deal with a limited amount of chemicals, on the one hand, and an agreement, on the other, that would have sufficiently broad coverage and a sufficient number of chemicals and be mutually verifiable. In the event that requirement postpones the signing date, so be it."

The State Department and the EPA, apparently, did not want to give the President that option. But given the lack of hard scientific evidence on the long-term effects of CFCs on the ozone layer, there is at present no need for the President to commit the U.S. to any massive, mandated, global regulatory program of CFC reductions, nor even to a freeze in 1990. Such a freeze, as envisioned in the current protocols, would be at 1986 levels; given the four-year time lapse, the freeze would necessarily turn into a reduction.

Currently, a team of international scientists, headed by NASA, is undertaking extensive research and review of the ozone problem. Their report is not due until 1990.

Until that time, any action to freeze or reduce CFCs would be premature. The President should resist pressure from the State Department and EPA to sign such an agreement now. Instead, he should leave it to his successor to decide in 1990, when the results of the scientific review are available, whether any reductions are needed.

Meanwhile, environmentalists might consider joining Hodel in educating the American people to the dangers of skin cancer that exist now and cannot be traced to the deterioration of ozone.