

Environmental Disasters Reduce the Likelihood of Pro-Green Votes by Members of Congress

Conventional wisdom holds that environmental disasters lead Congress to toughen regulatory standards. But a new UCLA study has found that members of Congress were less likely to take pro-green positions on legislation in the wake of such disasters than at other times during the same calendar year.

The reason? Legislation following these environmental "shocks" is typically written by those with strong pro-environment voting records who propose more radical legislation. Such legislation tends to overreach, leading moderates and more conservative lawmakers to vote against the bills.

"Environmental disasters polarize the Congress; they're not uniting Congress," said Matthew E. Kahn, a professor at the UCLA Institute of the Environment and author of the study. "Environmental disasters give environmentalists the upper hand by changing the parameters of debate. In the aftermath of a shock such as the Exxon Valdez oil spill, the news media provide extensive coverage, members of Congress know that voters expect them to 'do something' and environmentalists are aware that they may be able to enact 'greener' legislation. The polluter faces a nasty public relations problem and must decide how to lobby the Congress and the people to minimize the extra regulation it faces due to the event.

"The result," Kahn said, "is often legislation that goes too far and turns off those who had taken the pro-environment position on other legislation in the same year."

The research appears in the August edition of the peer-reviewed *Journal of Risk and Uncertainty*.

Kahn, an environmental economist who writes frequently about the costs and benefits of environmental regulation, analyzed the voting records of U.S. representatives on 380 pieces of environmental legislation between 1973 and 2002. He utilized League of Conservation Voters records to identify significant legislation and determine whether a yes or no vote was considered pro-environment. He then compared those votes with the representatives' votes on 15 bills proposed in the direct aftermath of the following five well-known environmental disasters:

- Love Canal: In 1978, President Jimmy Carter declared a state of emergency near an industrial and chemical waste landfill in New York after residents complained of high cancer rates, birth defects and other health problems and state officials found elevated levels of contaminants in the air and soil.
- Three Mile Island: The partial meltdown of a reactor at a Pennsylvania nuclear power plant on March 28, 1979, was the most serious accident in U.S. commercial nuclear power plant history, although there were no deaths or injuries among plant workers or residents of neighboring communities.
- Bhopal, India: A Union Carbide pesticide factory plant sprang a leak on Dec. 3, 1984, releasing thousands of gallons of highly toxic gas that killed more than 2,000 people.
- Chernobyl: On April 25–26, 1986, the world's worst nuclear power accident, at a plant 80 miles north of Kiev in what is now Ukraine, killed more than 30 and forced the evacuation of some 135,000 people within a 20-mile radius.
- Exxon Valdez: On March 24, 1989, a tanker spilled nearly 11 million gallons of oil into Alaska's Prince

William Sound.

All five events received extensive coverage in the media, and Congress significantly increased the number of hearings to consider regulatory legislation — key elements of a catalytic environmental "shock" that shapes public debate.

"I found that the average representative reduced his or her pro-environment voting propensity on catalytic bills relative to his or her pro-environment voting record in the same calendar year on non-catalytic bills," said Kahn, who holds a joint appointment in the UCLA Department of Economics.

Kahn emphasized that the environmental shocks did not lead to reduced regulation, only to a reduction in the propensity of individuals to vote the pro-environment position on the key bills identified by the League of Conservation Voters.

Love Canal was associated with the greatest increase in pro-environment votes and the greatest increase in regulatory activity, while the other four events led to relatively minor expansion of regulatory programs. The difference may be explained by the sheer number of hazardous waste sites in the United States and the ineffectiveness of fines or other incentives to prevent contamination that had already occurred. This situation prompted the post-Love Canal creation of the massive Superfund program, which required the U.S. Environmental Protection Agency to rank sites for cleanup.

In contrast, Chernobyl had little impact on the U.S. Nuclear Regulatory Commission, perhaps due to the limited number of nuclear power plants in this country.

"These five cases highlight that regulatory growth is least likely to take place after shocks when there are relatively few polluters who need to be regulated — such as power plants — or when existing profit-maximizing firms such as oil companies and manufacturing plants can be encouraged to alter their behavior based on credible fines or fear of social sanction," Kahn said.

The research, said Kahn, also has significant implications regarding the potential effect of well-publicized non-environmental shocks, such as the Sept. 11 terrorist attacks, the recent bridge collapse in Minneapolis and consumer product recalls. He urged further research.

"If more ambitious risk regulation is voted on in the aftermath of shocks, does it raise the likelihood of more socially inefficient regulation being adopted as passions flare?" Kahn asked. "Alternatively, do such shocks raise the likelihood of socially beneficial regulations being enacted because they helped diffused interest groups to work together against the tightly organized polluters?"

Source: UCLA

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