In Memoriam: Russell E. Train

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We recommended a focal point for environmental policy in the White House. That is what we said in 1968 . . . and it is still true.

—Russell Train, Tulane Law School
Mount Vernon Colloquium on Recommendations
for the White House Council on Environmental Quality,
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The environmental movement began at the grassroots level in the l960s with public outcry over oil on the beaches of Santa Barbara, federal highways through urban neighborhoods, brownouts in Pittsburg, and the specter of a Silent Spring, but it also began on the inside with a few visionaries who thought that the issues were pressing and that the government needed to take a proactive role in addressing them. One of them, perhaps the most important of them, was Russell Train.

We might remind ourselves of the context. The press and fledgling environmental groups might have been taking up the cry, but the inside politics of the Nixon Administration were corporate, and highly suspicious of these developments. On Earth Day, April 20, l970, the size and depth of which caught even its organizers by surprise, the Federal Bureau of Investigation was out in force on the Washington Mall taking detailed notes of each speaker, including members of Congress, and opening files on their suspected leftist connections. Two years later the Secretary of the Treasury proposed a rule invalidating environmental groups as public interest organizations entitled to treatment as charities. President Nixon's environmental credentials were so nonapparent that, in support, his wife attested that he turned up the air conditioning on summer days so that they could have a fire in the fireplace. Yet, forty-two years later, assessing the environmental records of U.S. presidents since that time, a group of experts rated President Nixon number one. How did that happen? Part of the reason, of course, is that he read the polls, assiduously. Another part, and a large one, is Russell Train.

For one, Train was the consummate insider. Educated in elite schools in the nation's capital, he served as an Army officer during World War II, then with several congressional committees, then with the

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Treasury Department, and then on the U.S. Tax Court . . . all three branches of government in less than ten years. He was also deeply green in the style of his time, conservation and wildlife, and in fact began running an early environmental NGO in Africa from his tax court chambers (said to have been in his spare time). In l965, he resigned his judicial post to become head of the fledgling Conservation Foundation, which he began to mold into a powerhouse. He helped shape the field of landscape architecture and launch wildlife initiatives on several continents. He also funded a not-widely-known political science professor named Lynton Caldwell who had an idea for making the U.S. government green, an "action-forcing" National Environmental Policy Act (NEPA). It became law.

Train was also a relentless persuader, urging the Nixon Administration to get ahead of this curve, to adopt it as its own, and then to implement it faithfully. He had the credibility, the style, and the patience. On his recommendation, Nixon made a major environmental speech at the outset of his administration, and went on to sign NEPA, whose simple look-before-leaping mandate continues to frustrate mission-oriented federal agencies today. He appointed Train as Chairman of his Council on Environmental Quality (CEQ). Those were delicate years for the Chairman, facing not only suspicion and hostility within the federal family, but armed with little more statutory authority than advising the President. He had no organic power to tell anyone to do anything. Among other initiatives, his Council began innocuously issuing memoranda to line agencies summarizing, and favorably interpreting, recent court decisions obtained by environmental plaintiffs. These memos were not binding, but they came to become relied on by subsequent courts, leading in l976 to a yet more aggressive initiative by the Carter Administration to issue formal CEQ NEPA regulations, binding this time on the entire family. They are also law.

CEQ in motion, Train left the Council to become Administrator of the newly formed Environmental Protection Agency (EPA), armed this time with specific congressional mandates that were both highly aspirational and bewilderingly detailed. His eventual successor, William Ruckelshaus, once quipped that he had two employees at the Agency who understood the Clean Air Act and he forbade them from taking the elevator at the same time. On unchartered ground and creative once again, Train set in motion clean air and clean water programs for the nation that remain the bedrock of the pollution control field.

This said, Train's heart remained with wildlife conservation, which he saw as an international issue and a tragedy in motion. It was

inevitable that he would return to this field, this time as President of the World Wildlife Fund, energizing it with the same quality of initiatives, expectations, and personnel that he had at CEQ and EPA. His personal library abounded with the reports, diaries, books, and memorabilia of the most well-known conservationists and explorers in the history of Africa, including Stanley and Roosevelt. He was a man of many parts, and one of them was deeply intellectual.

Nor did he remain above the fray when particularly acute controversies arose, including the firestorm over the development of a pump-storage power plant on the Hudson River's iconic Storm King Mountain. The struggle erupted in the 1960s and went on for nearly twenty years, neither side giving an inch, until he was finally enlisted to help break the impasse. It took twenty months of hard negotiating. Finally, in December of 1980, at the Roosevelt Hotel in downtown Manhattan, all parties signed the "Hudson River Peace Treaty" in which, among other things, the project was abandoned. Train called it "one of the most satisfying moments" of his career.

In 2008, I had the honor of spending time with Russell Train at a Tulane-sponsored effort to revitalize CEQ within the incoming Administration. His aspect was weary. To him and other participants who had served Republican presidents faithfully and well while advancing environmental programs, the more recent retreats of CEQ and sister agencies hung in the air like smoke from a fire. One can only imagine what he felt subsequently, watching the political party whose very environmental conscience he helped mold and exemplify, turn pathologically hostile to the very use of the word. One hopes that as a scholar he took solace from the longer roll of history, and from his accomplishments on other continents that, oddly, did not face such doctrinaire rejection.

Russell Train was a giant. He sought peace with the earth. He is fully entitled to his own.