

INFLUENCE OF CONGRESS IN SUPPORTING ON ENVIRONMENTAL ISSUE IN RONALD REAGAN ADMINISTRATION

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ABSTRAK

Penelitian ini bertujuan untuk menganalisis pengaruh Kongres Amerika Serikat dalam mempengaruhi kebijakan pemerintahan Ronald Reagan dalam meratifikasi Protokol Montreal. Penelitian ini menggunakan salah satu model yang dikemukakan oleh Graham T. Allison yakni model politik birokratik. Model ini digunakan untuk menganalisis proses politik yang terkait dengan posisi tawar dan kompromi antar aktor yang terlibat yakni pemerintahan Ronald Reagan, Kongres dan DuPont (perusahaan). Untuk memahami bagaimana aktor-aktor tersebut memainkan peran mereka dalam proses politik domestik, peneliti menggunakan penelitian kualitatif dengan cara mengumpulkan data baik berupa buku, jurnal maupun dokumen-dokumen yang lain. Metode eksploratif digunakan untuk mengeksplorasi terkait dasar-dasar argumentatif terkait dengan proses politik yang terjadi antara ketiga aktor tersebut. Hasil penelitian ini menunjukkan Kongres di era pemerintahan Ronald Reagan khususnya di *House of Representatives* lebih didominasi dari Partai Demokrat daripada dari Partai Republik, sementara di Senat sepanjang tahun 1981-1989, Partai Demokrat hanya dominan di tahun 1987-1989. Tiga poin penting dalam penelitian ini adalah bahwa ketiga aktor dalam proses politik tersebut berhasil mendapatkan keuntungan mereka masing-masing. Pertama, DuPont mendapatkan keuntungan berupa penggantian CFC (*Chlorofluorocarbon*) seperti HFC (*Hydrofluorocarbon*), HC (*Hydrocarbon*), and PFC (*Perfluorocarbon*). Kedua, Kongres. Anggota Kongres yang didominasi oleh anggota Partai Demokrat yang menekankan isu lingkungan dapat mewujudkan agenda politiknya dalam hal perlindungan lingkungan. Ketiga, Pemerintahan Ronald Reagan. Pemerintahan Reagan mampu menghemat anggaran \$503 juta sampai \$2,8 miliar untuk penanganan katarak, kanker, menurunnya imunitas tubuh dan masalah lingkungan.

Kata Kunci: *DuPont; Partai Demokrat; Partai Republik dan Kongres; Protokol Montreal; Ronald Reagan.*

ABSTRACT

This research aims to analyze the influence of the United States Congress in influencing the policies of the Ronald Reagan administration in ratifying the Montreal Protocol. This research uses one of the models proposed by Graham T. Allison, a bureaucratic political model. This model is used to analyze the political process associated with the bargaining position and compromise between the actors involved in the governments of Ronald Reagan, Congress and DuPont (the company). To understand how these actors play their role in the domestic political process, researchers use qualitative research by collecting data in the form of books, journals and other documents. Explorative methods are used to explore related argumentative basics related to the political process that occurs between the three actors. The result of this study shows that Congress in the era of the Ronald Reagan administration,

especially in the House of Representatives is more dominated than the Democratic Party than the Republicans, while in the Senate during 1981-1989, the Democratic Party was only dominant in 1987-1989. The important three things in this research that all actors obtained their interests. Firstly, it is DuPont Company. It received benefits from CFC (Chlorofluorocarbon) changing such as HFC (Hydrofluorocarbon), HC (Hydrocarbon), and PFC (Perfluorocarbon). Secondly, it is Congress Agency. It which was dominated by the members of Democratic Party that stressing on environmental issues could reach their political program such as environmental protection. Thirdly, it is the Executive Agency. It gained benefits in saving of budget \$503 million up to \$2,8 billion for treating many diseases such as cortical cataract cancer, decrease of body immunity, and environmental problems.

Keywords: *Democratic Party; DuPont; Montreal Protocol; Ronald Reagan; Republic Party and Congress.*

INTRODUCTION

Ozone is an inorganic molecule which is very useful for human being which lies in both the stratosphere and troposphere (Atherton et al., 1995, p.65). It has chemical formula O_3 located in stratosphere layer (about 90%) which functions as a means of protecting human being in the universe against radiation of ultraviolet sunlight (called UV-B). The UV-B will have a negative impact when it hits to human body because it can cause cancer, cataract, and the decrease of body immunity. If it gets in to trees or animals, then it will damage both trees and animals which can lead to decease. Ozone hole phenomenon was recognized in 1985 for the first time, the basis of which was the research in 1974 by two chemical scientists from University of California, Sherwood Rowland and Mario Molina, said that ozone layer thinning phenomenon which was also called ozone hole was the cause of the reaction generated by chlorine gas from compound CFC (*Chlorofluorocarbon*) (Muller, 2012, p.20). Chemical reaction caused by chlorine gas to this ozone molecule can break 100 thousand ozone mol-

ecules causing the depletion of ozone layer. To respond that problem, hence UNEP (*the United Nations Environmental Programme*) especially Governing Council in 1981 formed a working group which consisted of the experts from government, jurists, and technicians. They then compiled draft called "Convention for the Protection of the Ozone Layer" which then was ratified as "Vienna Convention". On 22 March 1985, Vienna convention was ratified by 184 states as a means to protect health of human being and world environment from the impact of mankind activity which could destroy ozone layer. Last data said that on 13 March 2007, the number of nations which has ratified Vienna Convention was 191 states (Fatkurrohman, 2009, p.65). In this convention, it was deeply discussed the roles, basic principles, and main topics. The roles of Convention consisted of six points. Firstly, it functions as a link to convention secretariat. Secondly, it applied activities related to convention. Thirdly, it plans and coordinates activities related to Convention. Fourthly, it monitors and evaluates activities related to Convention. Fifthly it agrees projects of activities implementing the fund coming either from within and also overseas. Last but not least, it supervises the process of Convention meeting.

Fundamental principles of Vienna Convention covered three things. Firstly, it is the parties must make cooperation each other in systematical observation, research and transfer of information to comprehend the impact of mankind to ozone layer and effects generated from the damage of ozone toward health of mankind and environment. Secondly, it is an implemented administrative and legislative action for the purpose. Thirdly, it is regulations in the convention may not contradict to state rights or other national decision makers as long as it is not against to its responsibility based on the convention. Main topics of Vienna Convention cover three things. Firstly, The parties cooperates in research about substances and various processes destroying ozone layer and

effect generated from the damage to health of man and environment. Secondly, The parties cooperates in formulating and applying orders to observe activities which can harm the health of mankind and environment as a result of the damage of ozone layer and especially forms protocol for that purpose. Thirdly, the parties change information each other of science, socio-economy, commercial and law relating to Convention and cooperates in development, technological transfer and science (Mardiyati, 2007, p.15). Besides those three things, there are some other things that must be known in comprehending Vienna Convention that is about member state, obligation in Convention and benefit of forming international agreement of Vienna Convention. The Category of state or party is a nation which not only signs the Vienna Convention but also ratifies it. According to Burhan Sani, an international agreement will tie if it has been ratified in domestic level of the state, as long as those delegations function only as the knowing party (Tsani, 1990, p.11).

United States (U.S.) has signed Vienna Convention on 22 March 1985, and one year after it ratifies Vienna convention on 7 August 1986. About the issues of obligations for members or parties which have ratified Vienna Convention, which directly has to do with the responsibility of U.S toward Vienna Convention is paying a sum of money to Secretariat, cooperating in taking stages or steps to execute procedures and standards in implementing it in their own countries., adopting boundaries applied internationally and cooperating with other states in arranging activity in each state, especially affecting to ozone layer damage, making research especially related to chemical process and physics having an effect on to ozone layer and mankind health, cooperating in research and information transfer, and the last is executing the rules in Vienna Convention in domestic level of member state or party. To make the results of Convention effective in the case of handling problem on the thinning of ozone layer, therefore it was formed

Montreal Protocol which functioned as executor body of Vienna Convention arranging about substances which could thin down ozone layer ratified on 16 September 1987. After Montreal Protocol entered into force in January 1988 (Hoffman, 2005, p. 15), Protocol Montreal can be interpreted rigidly as detailed effort that must be done by a state or a party in lessening and eliminating substances which can destroy ozone layer. Substances which are believed to be able to destroy ozone layer are grouped into five big groups' enclosures. Enclosure A contains two big groups. Group I consists of CFC-11, CFC-12, CFC-113, CFC-114, and CFC-115. Group II is only Compound Halon. Enclosure B consists of three big groups. Group I consists of CFC; Group II is faction of compound Carbon Tetrachloride (CCl_4), whereas Group III is compound methyl Chloroform or Dichloromethane (CH_2Cl_2). Enclosure C consists of three big groups. Group I consists of compound HCFC, Group II is compound HBFC, and the last group is Bromochloromethane (CH_2BrCl). Enclosure D is a series of products containing the substances in enclosure A. And the last enclosure is enclosure E, containing compound methyl bromide (CH_3Br).

Substances arranged in Montreal Protocol cover CFC and Halon. Those substances can be easily found in AC (Air Conditioning), refrigeration equipment, foams, aerosol, fire extinguisher, solvent and pesticides which are very dangerous for ozone layer and can disturb health of mankind and global environment. Montreal Protocol was ratified by 191 states based on data on 13 March 2007. Montreal Protocol has experienced four times of amendment and once adjustment. Those amendments are Amendment London in 1990, Amendment Copenhagen in 1992, Adjustment Vienna in 1995, and Montreal Amendment in 1997, and the last amendment was Amendment Beijing in 1999. To understand contribution of CFC to destroy ozone layer, we can find the table below. (See table 1: the three main commercial classes of fluorocarbons).

Table 1:
The three Main Commercial Classes of Fluorocarbons

Fluorocarbon Type	Description	Ozone Depleting Potential (ODP)
CFC	Substance that includes chlorine and has strong characteristics of destroying the Ozone Layer. Examples : CFC13 and CFC12.	0.8-1
HCFC	Substance includes chlorine but it also contains hydrogen, therefore propensity to destroy Ozone layer in considerably weakened. Examples : HCFC12 and HCFC143.	0.01-0.12
HFC	It does not include chlorine and has hydrogen that does not destroy Ozone layer. Examples: HFC13 and HFC125.	0

Source: Dr. Sina Ebnesajjad in Chemical Manufacturing Excellence. <https://chemical-materials.elsevier.com/chemical-manufacturing-excellence/ozone-o3-hole-and-healing-are-we-there-yet/>. Accessed 20 October 2016.

Based on the table above we can know that CFC has strong influence to destroy ozone layer. In this context, in particular in the U.S. domestics, there were tugs of war among certain groups. Disputes of domestic politics between groups in the U.S. showed that many groups in the U.S. wanted the U.S. to ratify Montreal Protocol. Efforts of epistemic community or social group wished the U.S. to ratify Montreal Protocol simply got a real opponent from interest groups which wanted otherwise. They felt annoyed if the U.S. ratified Montréal Protocol. The parties behind the politics process of Montreal Protocol could be identified such as DuPont, Congress members, and executives of the U.S. These actors had interest to Protocol Montreal. According to Charles B. Cushman JR (2006:4) that Congress is the centerpiece of the whole constitutional design. Congress makes the major decisions in the national government designed by the Founders. In the Framers' system, Congress has two roles (representation and lawmaking) that frequently conflict, and two chambers that are designed to react differently to political challenges. Based on this argument, I propose the question how does Congress influence on Ronald Reagan administration ratification on Montreal Protocol?

The purpose of this study is to know influence of U.S Congress in supporting on environmental issues in Ronald Reagan Administration. This paper is expected give a positive contribution related to compliance Reagan administration in environmental issues. This research method uses qualitative method. In

the view of Gary King, Robert D. Keohane and Sidney Verba (1994), qualitative research is a study that uses one or more case studies using in-depth interviews or depth analysis of historical materials against a number of comprehensive events. For sampling technique, researcher use deliberate sampling technique. This technique is used because it is able to obtain complete data with diverse data forms. According to C.R. Kothari (2004), states that deliberate sampling are a special unit that represents a large unit. The data collection of this research is using documentation technique. This technique considers some of the diversity of documents including letters, memoranda, official announcements, agendas, meeting conclusions and written reports. In addition, administrative documents, progress reports and other internal documents (Yin, 2003). There are several papers related to the country's compliance process to the Montreal Protocol in for the levels of substances capable of diluting the ozone layer. The inscriptions are as follows.

Peter M. Haas, "Banning Chlorofluorocarbons: Epistemic Community Effects to Protect Stratospheric Ozone," talks about US compliance in reducing the production levels of ozone-depleting substances, particularly CFCs (Chlorofluorocarbons). In his writing, Haas sees the role of Epistemic Community to encourage US compliance with the Protocol. Hass begins with an epistemic community ecology consisting of atmospheric scientists and policymakers who want to preserve the quality of the environment. Departing from the Rowland and Molina hypothesis linking

the chlorine gas relationship in CFCs capable of destroying ozone molecules thereby causing the phenomenon of the ozone hole.

Edward L. Miles et.al, "Environmental Regime Effectiveness: Confronting Theory with Evidence", alludes to the solution of ozone depletion from the aspect of the role of the Multilateral Fund. Miles, said that multilateral funding could lead developing countries to comply with the Montreal Protocol to reduce consumption, production and import of ODS (Ozone Depletion Substances).

Thomas J. Schoenbaum, "International Relations-The Path Not Taken: Using the International Law to Promote World Peace and Security", alludes to the compliance of a country to the Montreal Protocol in order to reduce the level of CFC (Chlorofluorocarbons) capable of attenuating the ozone layer (ozone layer). Schoenbaum is more concerned with the compliance of a country with the Montreal Protocol as a symbol of the success of the Montreal Protocol.

Better I Spector and I William Zartman, "Getting It Done: Post agreement Negotiation and International Regimes", discusses state compliance in reducing substances that can dilute the ozone layer by using the importance of the post agreement negotiation process in overcoming the ozone depletion problem. Spector says that agreed rules, procedures and targets are likely to be modified by associating them with new information affecting the compliance of a country.

Allen L. Springer, "The International Law of Pollution: Protecting the Global Environment in a World of Sovereign States", discusses the existence of international law in solving the ozone problem. Springer says that international law has a very significant role for the achievement of the desire of each Party to make a gradual reduction of substances that can dilute the ozone layer.

Judith Goldstein, et. al, "International Organization: Legalization and World Politics", states that a country's compliance level against the Montreal Protocol is based more on the legality of the international law. International law is categorized as Hard Law or

Soft Law depending on how strong or weak the level of legalization. Ian H. Rowlands and Malory Greene, "Global Environmental Change and International Relations," focuses on the role of scientists and pressure groups to pressure international countries to reduce CFC levels. According to Rowlands view, the role of epistemic communities and pressure groups is significant in pressuring a country to adhere to the Montreal Protocol in reducing CFC levels. The strength of epistemic communities and pressure groups to suppress the state has a significant impact on reducing CFC levels. This can be seen in countries in Europe such as the Netherlands, France, England, and Germany. At a certain level countries in Europe are relatively more concerned about environmental problems than other countries outside Europe.

The problem of the emergence of the ozone hole in 1985 has led countries to try to take steps to restore the position in anticipation of ozone into shape. Step many countries are then applied in a joint statement to protect the ozone layer under the mandate of the Vienna Convention in 1985. For the implementation of the protection of the ozone layer that is farther then in 1987 established a protocol regulating substances that can thin the ozone layer. The US is one of the countries that ratified the Vienna Convention and the Montreal Protocol.

Interest Groups

Interest groups and lobbyists play a significant role in US politics. This is because interest groups and lobbyists are able to influence and shape government agendas and legislation. In 1830, a political interest group was conceived by Alexis de Tocqueville a French political expert who said that political interest groups would be oriented towards social and political activities. In the context of interest groups we recognize the PAC (political action committee), which funding related PAC activities is supported by many interest groups. Political parties are also heavily funded by interest groups used for the costs of political advertising and activities. In the

political context, relationships between interest groups and Congress are very strong because they are related to lobbying and money. The role of interest groups related to the election process of members of Congress is very strong. According to the Center for Responsive Politics released that the cost of a house of representative seats in 1996 was \$ 674,000, while one seat of the senate reached \$ 4.7 billion (Immanuel Ness, 2000, pp.xvii-xiv). The emergence of interest groups in a country, especially in the United States is a significant thing in building a democratic political atmosphere. According to James Madison that diversity of interests in the new republic would prove the best defense against tyranny. (Immanuel Ness, 2000, p.15).

There are several interest groups related to environmental issues such as Environmental Defense Fund (EDF), Friends of the Earth, Greenpeace, Izaak Walton League, League of Conservation Voters (LCV), National Audubon Society and National Wildlife Federation. To find out in detail related to the interest groups then the authors explain one by one. First is EDF has a membership of approximately 300,000 who stood in 1967 with headquarters in New York City. These interest groups focus on water quality and toxic chemicals for the environment. The goal is to prevent by lobbying the related parties. The second is Friends of the Earth exposing it to the fight against technological advances that have the potential to damage the environment. The number of members of this interest group is approximately 35,000 members. The third interest group is Greenpeace. This interest group has 500,000 members in the United States. The purpose of this interest group is toxic materials, stopping over fishing, preserving forest threat and worlds climate. The fourth interest group is the Izaak Walton League. Interest groups were formed on 14th January 1922 with 50,000 members, 37 branches in 32 states. The purpose of this interest group is the prevention of natural damage and stop fishing. The fifth interest group is the League of Conservation Voters. This interest group was founded in 1970

which has 60,000 who have full attention to environmental issues. The sixth interest group is the National Audubon Society. The interest group has more than 550,000 members, 508 branches, and is headquartered in Washington DC. The purpose of this interest group is to protect the protection of bird species that exist in the world. The last interest group is the National Wildlife Federation. This interest group has the slogan "people and nature" has a membership of 4.4 million. The main objective is to protect wildlife for a peaceful, equitable and sustainable future.

Interest group flourishes in the U.S since late 19th century. The interest group is a medium to elect political officials as decision makers. The issued decision is expected to bridge towards the realization of the objective of the interest group. The interest group emerged as a result of the weak role of political parties in voicing the aspirations of the people, which is part of the seedlings come from the separation of powers between the legislature and the executive. In addition to emergence of political decentralization at the local level which arise the groups that express the aspirations of the people and industry in the midst of the diversity of 50 countries hard part is done by the political parties. Massive changing of interest group has taken place for 1960 to 1980. This era was marked by the emergence of the participation of the revolution, namely the emergence of groups of diverse interests, especially from professional circles. In the 1980s the number of interest groups in the United States has reached 15,000. (Fatkurrohman, 2009, pp. 78-79).

According to Patterson there are several reasons that pushed a wave of interest group in this year. Firstly, the guarantee of law to form an interest groups in the category of non-profit to get relief from the government, for example, in the delivery of mail. Secondly, the system of decentralization guilds flourished in state governments to reign in small towns. Small groups are not likely to affect the national government thrive in these areas. Thirdly, the explosion of participation occurs as a result of the increasing number of

people who get a college education and have faster access to information sources. Society is no longer questioned deficiency need to eat and drink. They began to question the quality of life better. In addition, they also realize that political parties such as not having priority to the problems are simple but concrete and require immediate completion.

Interest groups cannot simply be removed from the trip's political system of the US government. Its role is often dominated against of policies taken by the U.S government so that interest group so powerful in the U.S political landscape. In political context, US domestic policy making process involving three group namely bureaucracy, congress and interest groups know as iron triangle. The interest group has a strategic role in this iron triangle in particular to realize its interests. The interest groups will approach the congress especially the policy making. In addition, interest groups will also use public hearing with the congress to streamline their end. The same steps will also be taken by interest groups in the realization of interests with political lobbying with the executive. This is important because the executive is the implementer of development policy approved by the party congress. In this case, we can take a sample of DuPont. DuPont is the largest US companies that produce CFCs capable of depleting the ozone layer giving rise to various diseases in the U.S. This condition eventually provoked a strong reaction from various circles of environmentalists in the United States to force the DuPont to stop producing CFCs. Lobbying conducted by DuPont to congressional and executive produce solutions that provide space for DuPont to continue production of theta is by using alternative substances from the CFC HFC, HC and PFC. (Fatkurrohman, 2009, p. 80)

Types of Interest Group in the US

Typology of interest group is generally divided into two major categories namely economic and non-economic interest groups. In this regards, we focus in economic interest group only. Scholars argue that businesses

play an important role in the politics of the U.S in growth of U.S economy. Moreover, in political context, the business power has really big influence in the political context cannot be separated from the strong association between company and funds owned by a group of business interests. Examples of business interest groups that have a high bargaining power of the U.S government is the National Association of Manufacturers and U.S Chamber of Commerce who became a spokesman of the entire business community.

Labor interest groups have grown since the end of the 19th century, but its role is crucial for the government's policy toward U.S in 1930. In the 1950s, interest groups of workers experiencing its heyday very unusual with membership numbers reach 35% of the entire workforce. However, in the period of the 1960s, members of trade unions began to decline in number which is now only 15% of the total number of workers. This condition has weakened indirectly in the political power wielded by the trade unions in line with the decline in membership numbers and the strength of its economy. The decline in working class membership in the United States is caused by an emerging shift in the economic system that is based on the production of switches to service providers. However, this trade union will become a political force that is taken into account as general elections held by Congress or Executive.

Professional associations in the U.S are really diverse, starting the association of doctors to the lawyers. The doctor association has affiliate under the American Medical Association institutions and association of lawyers under American Bar Association. The two groups devote their attention to the interests, values, and collective status of their profession. Each job in the U.S generated associations at the national level such in particular housing policy. To respond to the housing policy emerged National Association of Housing and Redevelopment Officials, National Council of State Housing Agencies, and the Council of Large Public Housing Authorities.

The second interest group emerged in the 1960s in the U.S was dominated by groups of non-economic background departing from consumers, taxpayers, service users, and the basic rights of the nation. Interest groups that fall into this type are environmental groups, government interest groups and think tanks. Environmental groups are generally small which take advantage of some of the media in monitoring environmental damage such as National Wildlife Federation, Friends of the Earth, and the Citizens for Clean Air. The second group is a group of government interest. The group is seeking the welfare at the state level by way of thrusting development programs to Congress. These groups include the association of state governors and state legislators. Governors group under the institution called the National Governors' Association, while the legislators under the agency National Conferences of State Legislatures. The last group in the types of non-economic interest groups is group of study center. Research center (think tanks), originally aiming to address challenges in the world needs science and neutral is very far away from political practices. However, in the 1970s, this study centers began to waver and get in on the need to support the political aspirations of a political party through the advice and scientific publication such as the American Enterprise Institute, Cato Institute and the Heritage Foundation.

Influence of Interest Group

Interest group has played a very big role for the trip and the political policies of the US government. It is apparent from the number of interest groups that emerged from the various sectors of life. The number of interest groups in the US has provided a phenomenon that decisions taken by the Congress party and the government will never be separated from the intervention as well as the enormous influence of interest groups. In the decision-making process, both at the level of Congress and the bureaucracy cannot be separated away from the influence of interest groups. The strong relationship between

interest groups, legislative, and bureaucracy in the United States was later coined the term sub-government. In the form of sub-government, interest groups will provide a very significant role in the legislative and executive level. At the legislative level, interest groups will be lobbied at the level of commission or sub-commission for the Congress.

In general, Congressman elected cannot be removed from district where he/she came from. The strong role of interest group raised congressional candidates to this effect at the level of remuneration in congressional hearings. In a forum that is designed to listen to the aspirations of these outsiders, interest groups filed the interests to be realized. The same thing is done by groups of interest in affecting the bureaucracy (the executive) as the implementing legislation has been passed by the party congress. In this case, the interest groups will always communicate with the environmental protection agency if the interest group is a company involved in the production of substances that are considered as pollution of the atmosphere such as DuPont.

DuPont is a U.S large company which produces CFC which according to environmental experts thinned the ozone layer in the South Pole. Stigma is then brought DuPont anticipatory measures in the form of lobbying in Congress and bureaucratic level. In the congressional level, the DuPont lobbied Congress with very satisfactory results, namely the provision of a solution to a substance CFCs (*Chlorofluorocarbons*) and HFC (*Hidrofluorocarbon*), HC (*hydrocarbon*), and PFC (*Perfluorocarbon*). While at the level of bureaucracy, DuPont established intensive communication with the EPA (Environmental Protection Agency), an independent agency as a regulator of environmental protection, to regulate the phase-out of substances depleting the ozone layer that is not too burdensome for the company DuPont.

The U.S Congress

The Congress is a legislative branch of the federal government which has two institutions namely the senate and the house of

representation. The Senate is elected from each of the two states (*senators*). The House of Representatives is based on the population of each state. Congress has some services supports its work to implement democratic values in the U.S. Firstly, the Congressional Budget Office (CBO) analyzes the president's annual budget and reviews major programs including Social Security, the Department of Defense, and even the Navy's Shipbuilding Plan. The CBO has played an important role in resolving the financial crisis in 2008. The CBO has a staff of approximately 230 people, especially economic experts and public policy analysts. Secondly, The General Accounting Office (GAO) advising Congress on wasteful government spending, especially on duplication and more efficient areas such as countries may no longer need the Strategic Petroleum Reserve. The GAO also identifies outright high-risk agencies and programs such as the For example, the Department of Veterans Affairs expands rapidly which can be inefficient and duplicated. Thirdly, The Joint Economic Committee (JEC) is a permanent committee with 10 Senators and 10 Representatives. JEC gives advice to Congress on economic issues and holds polls to educate members on economic issues.

The United States Constitution gives Congress the power to legislate and each house can write, debate, and pass bills. But it does not become law for both houses agree on the final wording, and it is signed by the president. There are two types of draft laws namely public bills deal with general questions and private bills with individual matters. Public bills become Public Laws, or Acts, if approved by Congress and signed by the president. An example is the Affordable Care Act. Private bills deal with individual matters related to claims against the federal government, immigration and naturalization cases, and land titles. These bills become private laws if approved and signed (<https://www.thebalance.com/u-s-congress-definition-duties-effect-on-economy-3305980>). Currently, profile of the membership of the 115 The Congress (2017-2018) as of July 11

2018. Statistical information is included on selected characteristics of Members, including data on party affiliation, average age, occupation, and education, length of congressional service, religious affiliation, gender, ethnicity, foreign births, and military service. But in this paper, I just explain related to party affiliation from member of House of Representatives. In the House of Representatives, there are 238 Republicans (including 1 Delegate and the Resident Commissioner of Puerto Rico), 197 Democrats (including Delegates), and 6 vacant seats. The Senate has 51 Republicans, 47 Democrats, and 2 Independents, who both caucus with the Democrats. (<https://fas.org/sgp/crs/misc/R44762.pdf>)

Rowland and Molina Findings

Research result Rowland and Molina in 1974 became "early warning" for the countries in the world for more intense preserve the ozone layer from harmful substances. Rowland and Molina hypothesis related to the chlorine gas contained in CFC compounds with the depletion of the ozone layer is a hard blow for countries that produce CFCs. The condition of the ozone layer depletion is finally getting tremendous attention from the international community. Many countries then had the initiative to create an international treaty that specifically concerned about the problem of ozone layer. So on March 22, 1985 established an international agreement which is then referred to as the Vienna Convention for the Protection of the Ozone Layer.

The Vienna Convention is an international treaty that aims to protect human health and the environment from the impact of human activities that damage the ozone layer. The Vienna Convention, initially only a few countries that are interested in doing ratification. But, along with the insistence and finally interest factor the number of members of the Vienna Convention now has 191 state parties. It is an international treaty that is still too general to regulate the issue of the ozone layer in the stratosphere. For more specific implementation of the state's parties

agree to declare the Montreal Protocol on Substances that Deplete the Ozone Layer. It was declared on September 16, 1987, ratified by 191 States Parties on March 13, 2007. The Montreal Protocol aims to protect the ozone layer by taking steps very carefully to control total global emissions that damage the ozone layer. Substances depleting the ozone layer such as CFC, Halons, Carbon Tetrachloride, Methyl Chloroform, Hydrochlorofluorocarbons, Methyl Bromide and Bromochloromethane.

The Montreal Protocol is an international treaty that regulates the substances depleting the ozone layer; especially CFCs could be relatively successful. It appears the reduction in the number of levels of CFC in the world. Here the author tries to give data as to global CFC production originating from Du Pont and UNEP (*United Nations Environment Program*) from 1980 to 1993. (See table 2: *global CFC production*)

Table 2:
Global CFC Production (Kiloton)

Year	Total CFC
1980	880
1981	890
1982	870
1983	950
1984	1050
1985	1090
1986	1130
1987	1250
1988	1260
1989	1150
1990	820
1991	720
1992	630
1993	510

Source: <http://www.unep.ch/ozone/index.shtml>

Ratification political process on Montreal Protocol happened in domestic level of the U.S. involved many actors, causing the happening of bargaining process. Actors in the process of Montreal Protocol ratification were very numerous. The problem of ozone layer depletion became the concern of inter-

national world through international forum in Vienna Austria in 1985. Afterwards, talking regarding ozone was continued with more detailed explanation concerning substances which could thin ozone layer in Montreal Protocol in 1987. Therefore, in domestic level of the U.S. occurred the pros and cons regarding the necessary for the U.S. as a nation contributing 35 % CFC all over world to ratify Montreal Protocol.

There are some interest groups which opposed efforts to ratify on Montreal Protocol as ratification on Montreal Protocol was assumed would bother their interest. Meanwhile David B Truman defines concept of interest group as a group based on one or more positions based on certain claim to other groups to build, takes care of, or enlarges forms of actions which are expressed through share attitude (Charles V. Hamilton; 1993). Based on Truman's opinion, then we can categorize interest groups related to ozone layer depletion such as Allied-Signal Inc., Atochem North America, EI. DuPont de Nemours co, Hoechst Celanese Corporation, ICI Americas Inc., Kali-Chemise Corporation, Larches Chemicals, National Refrigerants Inc, Refricentro Inc, and Sumitomo Corporation of America.

One of the most important interest group (company) which contended ratification effort of the U.S. government was DuPont. DuPont is the biggest producer of CFC and substances thinning down other ozone layer, which played the key role of the success of Montreal Protocol. DuPont is a big company located in Brandywine River, Wilmington, Delaware, U.S. which was built on 19 July 1802 by a French immigrant called Eleuthere Irenee du Pont de Nemours. E I du Pont de Nemours & Cobalt initially produced black powder, textile, and polymer. Then in 1930s, DuPont introduced CFC to international world through its products such as refrigerator, Air Conditioner, developer of spume, aerosol impeller, metal solvent, and so forth.

Based on hypothesis of two chemical scientists, Sherwood Rowland and Mario Molina, from *University of California* in 1974

said that CFC was substance thinning down ozone layer above Continent of Antarctica (South Pole) and the discovery of ozone hole in Antarctica in 1985 by Joseph Farman and his colleague. Besides that, according to WHO (*World Health Organization*), ozone layer depletion can cause various health problems such as skin cancer, damage to the eye and the immune system (Kovats et al. 2000). To respond Rowland and Molina research, then DuPont made research which spent proximately \$30 million to show that CFC compound did not correlate with ozone layer depletion. The main reason of DuPont that CFC density was weightier than air density. Therefore it was impossible if chlorine gas (Cl₂) of CFC could destroy ozone layer on Stratosphere. The similar argument also was expressed by NASA (*The National Aeronautics and Space Administration*) that ozone depletion was caused by a number of chemicals which naturally came to atmosphere. To protect its production, many companies relating to the problems of substances which could thin down ozone layer, especially DuPont, formed a kind of *think thank* which was later named as *front groups* to create public opinion and to do a series of political lobbies to the government that CFC did not endanger ozone layer and health of human being. To succeed its mission, this *think thank* had spent millions of dollar to gain what it dreamed (Gillespie 2006). Many *fronts groups* in the U.S.

in particular DuPont has main aim to keep its production and market in order to company exists. DuPont threatened economically campaigned continually through videos to the journalists, made the research supporting its interests and did politics lobbies by forming many *front groups* till there were ten types. DuPont developed information that CFC did not harm human health and global environment. DuPont which has share market about 25% in the world in 1980 and achieved profit \$600 million in 1987 strongly opposed relations among chlorine, human health and environmental matters.

The next actor is Congress. The congress is a legislative body owned by the U.S. consisting of two chambers namely House of Representatives and Senate. There are 100 senators in the U.S. which represents 50 states. Senator is selected directly *popular vote* and election of senator is done every two years periodically. The representative of the chief of Senate was called *pro tempore*. In the first term of Ronald Reagan's administration, chairman of Senate was given to Republic Party which also Reagan's party. This position was first time during last 24 years in political dynamics in the U.S. Whereas Democratic Party dominated House of Representatives for Reagan's administration (Shull 1999). To describe clear picture related to the composition of Congress, we can see table below. (See table 3: party balance in the U.S Congress in 1979-1999).

Table 3.
Party Balance in the U.S Congress in 1979-1999

Year	Congress	Senate		House	
		D	R	D	R
1979-1981	96 th	58	41	277	158
1981-1983	97 th	46	53	243	192
1983-1985	98 th	46	54	268	167
1985-1987	99 th	47	53	253	182
1987-1989	100 th	55	45	258	177
1989-1991	101 st	55	45	260	175
1991-1993	102 nd	56	44	267	167
1993-1995	103 rd	57	43	258	175
1995-1997	104 th	47	53	203	231
1997-1999	105 th	45	55	207	227

Source: Fatkurrohman, Pemanasan Global dan Lobang Ozon: Bencana Masa Depan, Media Wacana, Yogyakarta, 2009, p. 107.

According to *Article II of Constitution* Senate has the right to give advice and approval to governmental proposal about treaties which also involve international agreement. Whereas member of House of Representatives is selected periodically every two years by the U.S. public and there are 435 members. In the era of Reagan, House of Representatives members was dominated by members of Democrat Party. About problem of ozone layer depletion relating to DuPont, as the company holding share market of 25 % worldwide in 1980 and has total earnings of 600 million dollars in 1987, hence, in 1974, DuPont promised to stop producing ODS (*Ozone Depletion Substances*) through advertisement in printed on medias and made testimony in front of Congress. Then on 4 March 1988, Senator Max Baucus (D-Mont), David Durenberger (R-Minn), and Robert T. Stafford (R-Vt), officially wrote a letter to DuPont, for their capacities as the chief of subcommittee of Congress handling on hazardous waste and poisonous substances requested DuPont to stop producing CFC and substances which could thin down ozone layer.

The U.S Congress which has the members of 535 people in the era of Ronald Reagan was dominated by Democrat Party always got a pressure from environment scientists, and international institution such as UNEP and the U.S. domestic institution such as EPA (*Environment Protection Agency*) and OES (*The U.S. State Department's Bureau of Oceans and International Environmental and Scientific Affairs*) gave scientific data about the damage of ozone caused by high CFC rate produced by DuPont. Besides, the role of NASA (*National Aeronautics and Space Administration*) reported that ozone hole in Antarctic Continent reaches 29.9 million square kilometers on September 9, 2000. While from the side of Executive, Ronald Reagan of Republic Party, according to some notes of politics history of The U.S. government that it was less sensitive to the environmental matter and Reagan was less interested to discuss ozone problem. But because of the hard work of OMB (*Office of Management and Budget*), a special institute

under Executive which previously also got the presentation from UNEP, NASA, EPA, and OES about the danger and ozone layer depletion. Eventually, the OMB made calculation of cost and benefit to ratify Montreal Protocol. It concluded that ratifying on Montreal Protocol was more profitable if seen from state budget side than it did not ratify it. Finally, this decision got approval from the members of Congress. At the end, Ronald Reagan signed Montreal Protocol on April 21, 1988. He said that the Montreal Protocol as "*a monumental achievement of science and diplomacy* (Benedick 2008). To support the implementation of ratification of Montreal Protocol, Congress made the legislation about applying high tax to export, import, and consumption CFC which was named as *Omnibus Budget Reconciliation Act*, issued on 21 November 1989.

Political process on ratification of this Protocol caused bargaining process between DuPont, Congress, and Executive. As a result, in the bargaining process, DuPont was allowed to keep producing, but with a note that DuPont had to change the CFC into HFC (*Hydro fluorocarbons*), HC (*Hydrocarbon*), and PFC (*Perfluorocarbon*). DuPont received those substitution substances because the substances were relatively cheaper than CFC (Guus Velders 2007). The Congress got the advantage from that ratification because its politics agenda that was to protect environment was satisfactorily fulfilled. While the government of Ronald Reagan got advantage by economizing fund around \$503 million up to \$2,8 billion handling the case of cortical cataract, 5 million cancer patients and other 70 thousand died, and problem of sea biota (Reilley 2007). The depletion of ozone layer is up to 5%-20% increased the number of diseases such as cortical cataract 1.3%-6.9% or 167.000 up to 830.000 every year and the cost for treating per person reached \$3.370. Finally DuPont reduced step by step CFC and had no longer produced CFC in 1995 (see table 4: ozone depletion substances phase out). With its sensitivity to the problem of environment, DuPont got a medal in 2003 from *Business*

Week, as company leading the substitution of CFC with category *National Medal of Technology*. And *Business Week* and *Climate Group* placed DuPont as number 1 in "The Top Green Companies" in 2005.

To implementation ratification of Montreal Protocol, the U.S. the government through EPA (*Environmental Protection Agency*). EPA is an independent institution. It is not a government department. There are 14 departments in the U.S. EPA was formed by Congress in 1970 which functioned to coordinate the government rule and to protect environment. To solve the depletion of ozone layer, EPA issued regulations about the ban of using CFC; one of those regulations was 43 FR 11301 and 43 FR 11318, dated on 17 March 1987. It made the regulation of phase out reduction which must be obeyed by all parties relating to production, export, and import of CFC. Those regulations covered minimal amount of CFC, special notes and requirements of report four times in one year, makes mechanism to export, import, and production, and gave incentive to a company which could be compliance and gave fine of \$25.000 per kilogram for producing, importing that violates the rules and regulations of Clean Air (CAA) (Seitz et al. 2007). The success of the U.S. in complying with the content of Montreal Protocol in the case of reducing CFC step by step and obeying other substances categorized as ozone layer depletion could not be released by the multi advantages. The advantages achieved by the U.S. government including economizing state budget and the existence of substitution substances for CFC which was cheaper and safe to global environment.

CONCLUSION

The success of the Ronald Reagan administration in implementing the contents of the Montreal Protocol particularly in terms of pressing DuPont parties is a major achievement in US history. The process of bargaining happens to produce something that is a relief not only for the Ronald Reagan administration, but also for DuPont and Congress.

With the result of a long and winding bargaining process that then leads to a gradual decline in the production of CFC DuPont, the forward CFC can actually be reduced to the point of zero. It is certainly a lesson for other countries that if governments, firms and parliaments are able to work together well, then the issues related to the environment, especially the depletion of the ozone layer could be solved well. The big role of Reagan administration in Montreal Protocol is not only for implementing its interest but also for protecting world from danger of ozone depletion. The Reagan administration gave an example to other countries to care in the environmental issue and go hand in hand to implement obligation on Montreal Protocol.

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