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 Kempthorne for EPA Director?

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Battle Brews Over E.P.A. Post as Top Contenders Emerge  
 By KATHARINE Q. SEELYE  
 New York Times

WASHINGTON, June 11 \* The White House is narrowing its search for a successor to Christie Whitman as administrator of the Environmental Protection Agency, people close to the process said today, as Democrats prepare for a bruising nomination fight.

Front-runners include Gov. Dirk Kempthorne of Idaho, a Republican, and Tom Skinner, the agency's Midwest regional administrator.

Two people who were originally seen as likely prospects \* Linda Fisher, deputy administrator of the agency, and David Struhs, secretary of the Florida Department of Environmental Protection under Gov. Jeb Bush, the president's brother \* have apparently been set aside, officials said.

The White House has not announced a timetable for picking a replacement for Mrs. Whitman, who said last month that she would step down on June 27. If no replacement is named by then, Ms. Fisher would become acting administrator. Under the Vacancies Act of 1998, President Bush has 210 days to nominate a successor, which means he must nominate someone by the end of January 2004. It seems likely that he would want to get the confirmation hearings out of the way before the 2004 campaign heats up.

Whoever is nominated, environmental groups have vowed to use the nominee to criticize the administration's environmental record, as will the many Democratic presidential candidates in the Senate.

Democrats are already considering tactics to use against the nomination. A Democratic Senate aide said today that Democrats on the environmental committee first reviewing the nomination could boycott the committee, denying the members a quorum. That could force Republicans to bypass the committee and go straight to the Senate floor, but the nominee could then be met by a Democratic filibuster. "Every day closer to the election, the more political it becomes," the aide said.

Governor Kempthorne would be a particular lightning rod for groups that see him as actively anti-environmental. But his antiregulatory instincts would find a sympathetic home in this administration. His availability, however, is uncertain. He was re-elected governor in November but has already said he will not seek re-election in 2006. He could not be reached for comment.

Mr. Skinner has a lower profile. He was chief of the Illinois environmental agency and is now director of the E.P.A. regional office in Chicago overseeing Illinois, Ohio, Indiana, Michigan, Wisconsin and Minnesota. He is regarded as a loyal team player who does not have his own agenda.

Another candidate who appears still in the running is Josephine Cooper, president of the Alliance of Automobile Manufacturers and a former executive at the American Forest and Paper Association. She worked for the Environment and Public Works Committee under former Senator Howard H. Baker Jr., Republican of Tennessee, and has close ties to Vice President Dick Cheney.

Ms. Fisher had been perceived as a strong candidate, in part because she had already been

confirmed by the Senate, in May 2001. She has worked at the agency since 1983, taking a break from 1995 to 2000 to serve as a lobbyist and fund-raiser for the Monsanto Company.

Some environmental groups said she would be acceptable to them, but they would still make an issue of her role as the No. 2 official in an agency that they have criticized for two years. Still, officials said that she was viewed as too close to the agency's bureaucracy and that she did not excite her interviewers at the White House. Ms. Fisher said through a spokeswoman that she would not comment.

The stock of another potentially strong candidate, Mr. Struhs, also appears to have waned. Conservatives have raised questions about Mr. Struhs, a brother-in-law of Andrew H. Card Jr., President Bush's chief of staff, particularly over his record as commissioner of the Massachusetts environmental agency.

Mr. Struhs is on vacation, but his spokeswoman, Deena Wells, said he had said that "he has the best environmental job here in Florida and will stay on as long as Gov. Bush wishes him to."