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THE PRESIDENT HAS SEEN. ~~SECRET~~

THE WHITE HOUSE

WASHINGTON

June 18, 1976

MEMORANDUM FOR THE PRESIDENT

THROUGH: L. WILLIAM SEIDMAN *LWS*

FROM: WILLIAM F. GOROG *wfg*

SUBJECT: Report on Clean Air Amendments

In a decision memorandum submitted for your consideration on May 11, you were presented with background information and decision options concerning the two most significant issues contained in the Clean Air Amendments -- auto emissions standards and prevention of significant deterioration. You were also asked to act on two corollary issues contained in the Senate Amendments -- mandated authorization of Selective Enforcement Audits (SEA) by EPA of actual auto emissions at the assembly line stage and Transportation Control Planning Agencies.

At the time of your consideration of the May 11 memorandum, Senate consideration of the Amendments was scheduled for June 2. House consideration was tentatively set for mid to late May. Due to these legislative considerations, you forwarded an identical letter to Jennings Randolph, Chairman of the Senate Public Works Committee and Harley Staggers, Chairman of the House Interstate and Foreign Commerce Committee in which you outlined your positions and you pointed out the fact that great uncertainty existed regarding economic and energy impact of these amendments.

Subsequently, you met on June 8 with the Minority Members of the Senate Public Works Committee and in a separate meeting

with Russell Train. As a result of the Train meeting, you asked that you be given another decision memorandum dealing with the SEA issue. In addition, you asked that you be advised as to whether or not we could support the House Bill, with amendments to the significant deterioration provisions. Finally, you indicated that Train should advise members of Congress of the need for perfecting amendments to clarify the significant deterioration question.

At present, both Chambers of the Congress plan to consider the Clean Air Amendments on July 19 at the earliest. In light of this delay in Congressional consideration, I am undertaking to clarify the uncertainties that exist within the Administration on the impact of significant deterioration provisions, to prepare a summary of changes needed in both the Senate and the House Amendments and to provide you with another opportunity to examine these issues. As you indicated after the June 8 meeting, the divergence in position between the Senate Minority members and the Administration may in fact be due to unwarranted concern over the Amendments' impact. We have established direct contact with both industry and environmental representatives and have determined that there is good prospect that some issues objected to by OMB and FEA can be resolved.

A comprehensive decision memorandum covering the previously mentioned areas as well as legislative strategy options will be submitted to you on Tuesday, June 29.