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THE WHITE HOUSE

WASHINGTON

May 28, 1976

Dear Mr. Chairman:

Both Houses of the Congress will soon consider amendments to the Clean Air Act of 1970. There are several sections of both the Senate and House amendments, as reported out of the respective committees, that I find disturbing. Specifically, I have serious reservations concerning the amendments dealing with auto emissions standards and prevention of significant deterioration.

In January 1975, I recommended that the Congress modify provisions of the Clean Air Act of 1970 related to automobile emissions. This position in part reflected the fact that auto emissions for 1976 model autos have been reduced by 83% compared to uncontrolled pre-1968 emission levels (with the exception of nitrogen oxides). Further reductions would be increasingly costly to the consumer and would involve decreases in fuel efficiency.

The Senate and House amendments, as presently written, fail to strike the proper balance between energy, environmental and economic needs. Therefore, I am announcing my support for an amendment to be co-sponsored by Congressman John Dingell and Congressman James Broyhill, which reflects the position recommended by Russell Train, Administrator of the U.S. Environmental Protection Agency. This amendment would provide for stability of emissions standards over the next three years, imposing stricter standards for two years thereafter. Furthermore, a recent study by the Environmental Protection Agency, the Department of Transportation and the Federal Energy Administration indicates that the Dingell-Broyhill Amendment, relative to the Senate and House positions, would result in consumer cost savings of billions of dollars and fuel savings of billions of gallons. Resulting air quality differences would be negligible. I believe the Dingell-Broyhill Amendment at this point best balances the critical considerations of energy, economics and environment.

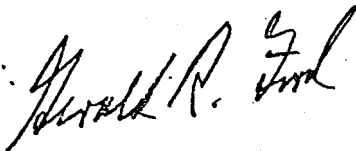


I am also concerned about the potential impact of the sections of the Senate and House Committee Amendments that deal with the prevention of significant deterioration of air quality. In January 1975, I asked the Congress to clarify their intent by eliminating significant deterioration provisions. As the respective Amendments are now written, greater economic uncertainties concerning job creation and capital formation would be created. Additionally, the impact on future energy resource development might well be negative. While I applaud the efforts of your committee in attempting to clarify this difficult issue, the uncertainties of the suggested changes are disturbing. I have asked the Environmental Protection Agency to supply me with the results of impact studies showing the effect of such changes on various industries. I am not satisfied that the very preliminary work of that Agency is sufficient evidence on which to decide this critical issue. We do not have the facts necessary to make proper decisions.


In view of the potentially disastrous effects on unemployment and on energy development, I cannot endorse the changes recommended by the respective House and Senate Committees. Accordingly, I believe the most appropriate course of action would be to amend the Act to preclude application of all significant deterioration provisions until sufficient information concerning final impact can be gathered.

The Nation is making progress towards reaching its environmental goals. As we continue to clean up our air and water, we must be careful not to retard our efforts at energy independence and economic recovery. Given the uncertainties created by the Clean Air Amendments, I will ask the Congress to review these considerations.

Sincerely,



The Honorable Harley O. Staggers
Chairman
Interstate and Foreign
Commerce Committee
House of Representatives
Washington, D.C. 20515



THE WHITE HOUSE
WASHINGTON

May 28, 1976

Charlie
Five

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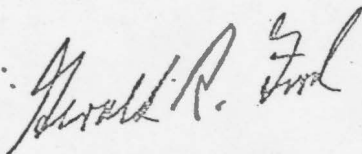


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The Honorable Harley O. Staggers
Chairman
Interstate and Foreign
Commerce Committee
House of Representatives
Washington, D.C. 20515



THE WHITE HOUSE
WASHINGTON

JUN 17 1976

FIVE

June 17, 1976

TO: JIM CANNON
MAX FRIEDERSDORF
BILL GOROG

FROM: GLENN SCHLEEDE

SUBJECT: CLEAN AIR AMENDMENTS

Here are three more additions for your Clean Air Act file:

- . An article from Air and Water Pollution Report which:
 - summarizes the President's meeting with minority members of Senate Public Works Committee.
 - quotes from an alleged draft of a letter from Mr. Train (which letter has not surfaced).
- . A Dear Colleague letter favoring the Moss amendment signed by Senators Tower, Goldwater, Bartlett, Garn, Thurmond and Helms.
- . A letter to Senator Scott in support of the Public Works Committee Bill, signed by Senators Baker, Stafford, Domenici, Buckley and McClure.

cc: Jim Mitchell

bcc: Charlie Leppert



COURT HOLDS U.S. FACILITIES NEED NOT COMPLY WITH STATE AIR, WATER PERMIT RULES

Water Pollution Control Act requires that Federal facilities obtain pollution control permits issued by the states in which they are located. While both laws require compliance with substantive provisions of state air and water laws, Justice Byron White wrote for the majority, neither contains any "clear and unambiguous" statement of Congressional intent to require compliance with procedural rules.

In *Hancock v. Train*, the state of Kentucky sought to require Tennessee Valley Authority, U.S. Army and Atomic Energy Commission facilities to obtain air pollution control permits under Kentucky's state implementation plan. Neither the district court in that case nor the U.S. Court of Appeals for the Sixth Circuit agreed with Kentucky that Section 118 of the Clean Air Act required such permits. In *Alabama v. Seeber*, however, the Fifth Circuit court took the opposite position, prompting the Supreme Court to resolve the conflict.

In *EPA v. State Water Resources Control Board*, both California and Washington argued that Section 313 of FWPCA authorized states with National Pollutant Discharge Elimination System permit programs, approved by Environmental Protection Agency, to require Federal dischargers to obtain state permits. The Ninth Circuit court agreed, and EPA successfully petitioned for Supreme Court review.

Requires 'Clear Congressional Mandate'

Rejecting Kentucky's argument in *Hancock*, White cited "fundamental principles" of law shielding Federal activities from state regulation and insisted that only a "clear Congressional mandate" to contrary could justify such regulation. "We are unable to find in Section 118, on its face or in relation to the Clean Air Act as a whole, or to derive from the legislative history of the amendments, any clear and unambiguous declaration by the Congress that Federal installations may not perform their activities unless a state official issues a permit.

"Nor can Congressional intention to submit Federal activity to state control be implied from the claim that, under Kentucky's EPA-approved implementation plan, it is only through the permit system that compliance schedules and other requirements may be administratively enforced against Federal installations," White said. "Should this nevertheless be the desire of Congress, it need only amend the act to make its intention manifest." White used much the same argument to reverse the Ninth Circuit decision in *EPA v. State WRCB*. Justices Potter Stewart and William Rehnquist dissented in both cases.

President's Meeting

FORD STANDS FAST ON CLEAN AIR POSITION; TRAIN, MUSKIE REGISTER DISSENTING VIEWS

Despite an effort by Senate Public Works Committee Republicans to change his mind, President Ford last week held to his previously announced positions on nondegradation and auto emissions control provisions in Clean Air Act amendments now pending before Congress (A/WPR, June 7, 1976, p. 221), according to sources attending a White House meeting with the Senators, Environmental Protection Agency Administrator Russell Train, Commerce Secretary Elliot Richardson, Federal Energy Administrator Frank Zarb, and Office of Management and Budget Director James Lynn.

Sources told A/WPR that Train was "surprisingly outspoken and aggressive" in his support of the Senate legislation, at least partly because Ford made his views known on the issue without consulting Train. Sources said the EPA chief did win Ford's permission to issue a public dissent, in the form of a personal letter, which was being drafted as A/WPR went to press. "Although I share the desire of the President to avoid adverse impacts on employment and the economy," an early draft of the Train letter states, "I don't believe the Senate and House bills will have adverse effects. They won't stop growth, but ensure that further growth takes place in an environmentally acceptable manner."

As for other Administration officials, sources told A/WPR that Zarb made his "million barrels of oil savings pitch" in opposition to nondegradation provisions; Lynn emphasized costs versus benefits and lost capital investment arguments; and Richardson, after admitting he was not up to speed on the bill, voiced opposition to several provisions. Ford himself, sources said, demonstrated a lack of understanding about the legislation, mentioning the proposed Dingell amendment on auto emissions as if it were part of the current law. He also mentioned a possible veto, one source said, "which shows he doesn't have a grasp of the situation, because if he vetoes it, he's stuck with a worse bill," predicated on the Supreme Court nondegradation decision and EPA regulations.

(Continued on following page)

Note: Use Bill on 6/10/76. See Federal Register.

Clean Air Act Debate Continues (Cont.)

Republican Senators, on the other hand, took the "unyielding stance" that it would be the "height of irresponsibility for Congress not to address the nondegradation issue" after it has already been taken up by the Supreme Court. Sen. James McClure (R-Idaho), in particular, emphasized that amendments such as that offered by Sen. William Scott (R-Vt.) to delete nondegradation provisions altogether "don't stand a snowball's chance in hell" of passage. The Republicans also told Ford that they do not expect to support any amendments which would make the bill more stringent.

On the Democratic side of the aisle, Sen. Edmund S. Muskie (D-Me.) wasted no time in charging that President Ford's Clean Air Act position will lead to uniformly dirty air across the country and increase pollution-related illness. "President Ford stands firmly for environmental degradation," he said, asserting that Ford has "asked the Congress to reverse the course of national clean air policy set in place in 1967 and 1970."

Ford's proposal concerning nondegradation "abandons the resources of clean areas to the whims of polluters," Muskie charged. "By his own admission, the President did not seek the information available on nondegradation before attempting to reach his decision. The President shows no concern about the potential adverse effects on national parks and wilderness areas, damage to water resources and vegetation by acid rain, harm to crops, and damage to other values protected by nondegradation provisions."

Muskie Cites 'Phony Job Scare' Approach

"President Ford's approach implies that, in the absence of conclusive information, environmental damage should be allowed to continue," Muskie said. "The only fair interpretation of this position is that the President is opposed to protecting clean air." Muskie went on to charge that the President "is attempting to use a phony job scare approach to defeat the Senate bill. His information is wrong," Muskie said, citing Council on Environmental Quality's estimate that pollution controls created a million new jobs in 1975 and a Federal Energy Administration study which concluded that the Senate nondegradation provision is "unlikely to inhibit economic development..."

On auto emission control, Muskie said Ford's proposal to postpone required reductions in auto emissions until 1982 "would expose 83-million Americans in the most polluted urban areas to 20% greater auto pollution in the 1980s" than under the Senate bill. And the Senate bill could result in as much as 1.5- to 2-billion gallons of fuel savings over cars which would be produced to the Ford... standards."

Muskie also pointed out that the Ford proposal would merely delay for two years the "moderate cost increase associated with pollution control," and said the delay would result in added medical costs due to the higher level of emissions permitted. "The National Academy of Sciences," he said, "found that the annual benefits [of the auto cleanup timetable] may be in the range of \$2.5- to \$10-billion."

Moss Defends Emphasis on Jobs

Muskie's primary antagonist in the nondegradation debate, Sen. Frank Moss (D-Utah), defended his emphasis on economic issues, charging that supporters of the Public Works bill have unfairly tried to simplify the issues at stake by stating their arguments in terms of "clean air," "pristine areas," and "air purity." Said Moss, "If it were a simple matter of voting for or against clean air, we could all easily vote for it and go home, patting ourselves on the back for a good day's work. Unfortunately, the issues are more complex. They require a sophisticated economic analysis which goes right to the heart of the continuing problems of energy and jobs."

"The economic implications of the committee bill," Moss said, "are clear enough to those of us deeply involved in this matter, but for the average citizen or the casual observer, the issue is clouded. The temptation for the proponents to simplify and call it a simple environmental matter is almost overwhelming, but it is also unfair and misleading."

On the auto emission control issue, American Automobile Association last week added its voice to the chorus supporting the Dingell amendment to phase-in more stringent standards over a six-year period. AAA said the amendment would save consumers \$22.3-billion over the cost of the House Commerce Committee bill's more stringent schedule; and, "when inflation is considered, those savings would rise to \$30-billion." According to AAA's John de Lorenzi, "the amendment would also permit the auto industry to adopt more innovative, less inherently polluting power sources."

United States Senate

WASHINGTON, D.C. 20510

June 4, 1976

Dear Colleague:

Recently the minority Members of the Senate Committee on Public Works sent you a letter urging your support for the nondeterioration provisions (section 6) of S. 3219, the Clean Air bill, scheduled to come to the floor in early June.

Among the reasons advanced for support of section 6 were that it automatically and permanently classifies existing National parks and wilderness areas of 5,000 acres in size as Class I areas in which little or no deterioration of air quality would be permitted. All National parks and wilderness areas established after enactment, regardless of size, would be automatically designated as Class I. In our view, this is a deficiency in the bill. Since one square mile encompasses 640 acres, existing areas as small as nine square miles would be automatically designated as Class I. Potential sources of pollution sixty or more miles away from such areas could be prevented from development if their emissions might violate Class I increments. Therefore, the total area limited by a small Class I area's increment could be more than eleven thousand square miles. Hence, classification of such areas should be considered on a case-by-case basis.

In our view, the preferable course would be to avoid imposition of any policy of nondeterioration pending completion of a thorough study to determine its effects. However, the EPA regulations implementing nondeterioration are already in effect. Although we are not convinced that Congress ever intended that such regulations be implemented under the existing Clean Air Act, they do provide the flexibility necessary to allow their continued effectiveness during the period that a study would be under way.

Among other points advanced in the letter for support of section 6 is that the bill shifts responsibility for protecting air quality to the states from EPA. However, under section 6, the Federal Government has, in effect, a veto power over the granting of any permit for construction of a facility if the Federal Land Manager or the Administrator of EPA merely alleges that emissions from a proposed major emitting facility may cause or contribute to a change in air quality in a Class I area. The burden of proof is on the owner or



operator of such facility to demonstrate that emissions of particulate matter and sulfur dioxide will not violate the infinitesimally small increases in pollution allowed in Class I areas. How the "negative" burden of proof may be met is not explained.

Another reason cited for support of section 6 is that EPA, under the existing Clean Air Act, approves Class I designations proposed by Federal Land Managers. The letter states that, "The Committee bill shifts these responsibilities to the individual states where they belong." However, under the bill, Class I areas are mandatory whereas under the EPA regulations all Class I areas are discretionary. Under the EPA regulations, the state may submit a proposal to redesignate areas as Class I or Class III providing certain procedures are followed. The advantage that the procedure provided in section 6 allows the states is not apparent.

The letter states that nondeterioration affects only new, major industrial sources and that it does not cover shopping centers, residential development or most types of industry. Although the review process to determine whether construction may commence only affects "large industrial sources," construction of other facilities for which a permit is not required will still affect the air quality in the region by "using up" a portion of the available increment. This means that the "next" applicant for a construction permit would have even less of a margin between existing air quality and the limits imposed by the increment.

The letter further states that arbitrary buffer zones are not created around Class I areas. Although buffer zones under section 6 are not mandatory, they are a very real possibility since, as explained above, section 6 requires Federal Land Managers to take affirmative action to prevent the issuance of a permit for any proposed source, regardless of distance from a Class I area, if he determines that the proposed facility may cause or contribute to a change in the air quality in such area.

In summary although we do not necessarily endorse the EPA nondeterioration regulations, vis-a-vis section 6 of S. 3219, it is important to recognize that this proposal is not the well thought out, easily implemented, costless environmental protection measure it is represented to be either by its proponents or in the Committee Report on the bill. Many questions regarding this policy including its relationship to restrictions and development in areas currently not



meeting the national ambient standards are unanswered. Congress should not give its blessing to any such far-reaching policy, the effects of which are largely speculative. We have a responsibility to ensure that the total quality of life of the citizen is not unduly burdened by any single, costly criterion, even the criterion of air cleaner than that required by the national ambient air health standards.

Hence, we have opted to support Senator Moss' amendments to S. 3219 which would delete section 6 and have the National Commission on Air Quality, established under section 37, conduct a thorough and objective study of the whole issue of nondeterioration.

As discussed above, we recognize that this will leave in effect the EPA regulations already promulgated. Although they also have serious defects, we cannot see the logic in possibly compounding such defects by enacting this policy blindly into substantive Federal law. It will be far easier to amend these administrative regulations, if necessary, pending the outcome of the study, than to drag this matter through the Congress again.

We urge your support of the Moss amendments.

Sincerely,

John Tower

Lewy Bartlett

Barry Goldwater

John Lamm

Gene Helms

Strom Thurmond



United States Senate

WASHINGTON, D.C. 20510

April 29, 1976

The Honorable Hugh Scott
United States Senate
Washington, D. C.

Dear Hugh:

On May 4, the Senate is scheduled to begin deliberations on S. 3219, the Clean Air Act Amendments of 1976. For the most part, this bill adjusts various deadlines for improving air quality established by the 1970 Clean Air Act. These include necessary time extensions for the automobile industry, industrial sources, and for cities in achieving the Act's goals.

The Committee's amendments to the Clean Air Act also establish a mechanism to prevent the significant deterioration of air quality in areas of the nation where that quality is cleaner than present federal standards, providing extra protection for national parks and national wilderness areas over 5,000 acres in size. This provision reflects our concern for protecting the clean air resources of the nation from pollution burdens approaching levels identified as hazardous to public welfare and safety.

As the minority members of the Senate Committee on Public Works, we believe the Committee bill represents a significant contribution to focusing the concept of significant deterioration toward a reasonable goal of environmental protection compatible with expected and needed industrial growth.

Because of the controversy and misunderstanding surrounding this significant deterioration provision, we would call the following specific points to your attention:

1) The Committee bill shifts the responsibility for protecting air quality to the States from EPA. Under present law and regulations, EPA has authority to issue construction permits and determine whether a particular major source shall be built in a clean-air area. EPA also approves Class I designations proposed by Federal Land Managers. The Committee bill shifts these responsibilities to the individual States, where they belong.

2) The significant deterioration test affects only new, major industrial sources. It does not cover shopping centers, residential development, or most types of industry. The review process in the committee bill is limited to large industrial facilities, such as power plants and steel mills, whose construction sets the character of an area.

3) Arbitrary "buffer zones" are not created around Class I areas. The extra protection provided in the Committee bill only for national parks and national wilderness areas does not preclude growth in adjacent areas.



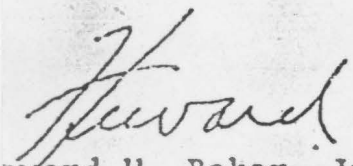
If a proposed source would exceed the Class I pollution increments, it may still be built if the source can show that its emissions will not damage the air quality values of the park or wilderness area. This determination is made on a case-by-case basis. If it can be shown the source would damage the air quality values of a national park, we believe the source should be built elsewhere.

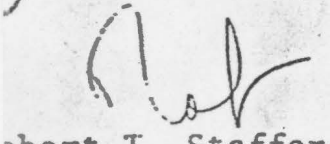
Despite our efforts to develop a flexible, state-oriented procedure, it is argued that the committee language should be deleted in favor of a study. While we agree that the parameters of this significant deterioration program should, as the Committee provided for, remain under continuing review, we feel the amendments seeking to postpone Congressional action on significant deterioration are ill-advised.

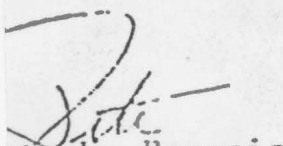
The Committee's amendments are a response to repeated requests from industry environmentalists, and the Executive Branch that Congress clarify the requirement of significant deterioration, now defined in EPA regulations pursuant to the Court's interpretation of the Clean Air Act of 1970. Those regulations, which provide for an EPA-administered permit program and for virtually unlimited Federal Class I designations, have been in effect since December of 1974. These regulations, which would remain in effect under the amendment offered by Senator Moss, have been under litigation since their promulgation. The Committee provision would provide clarity and definition to the concept of significant deterioration and end the lawsuits over administrative authority which will otherwise continue to frustrate decisions regarding construction of major facilities in clean air areas.

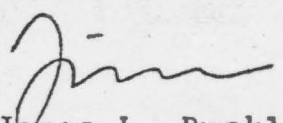
We hope that you will vote as we will to support the Committee position on significant deterioration.

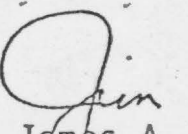
Sincerely,


Edward H. Baker, Jr.


Robert T. Stafford


Pete V. Domenici


James L. Buckley


James A. McClure



[Aug. 1976?]

Office of the Doorkeeper
U.S. House of Representatives
Washington, D.C. 20515

PUBLISHED DAILY FOR THE INFORMATION PURPOSES OF THE DOORKEEPER'S OFFICE

HR 10498 -- CLEAN AIR ACT AMENDMENTS

HR 10498 Clean Air Act Amendments. This bill authorizes the EPA to conduct a R&D program, set national air pollution standards, provide assistance to the states and enforce various regulations. The proposed 1976 amendments would adjust some standards and standard-setting procedures, extend EPA's regulatory authority in some areas and circumscribe it in others, and expand the role and authority of state and municipal governments in carrying out the Act.

The amendments direct EPA to promulgate regulations for several currently unregulated air pollutants and they authorize extensions of compliance deadlines for stationary sources under certain conditions. EPA would also be authorized to assess excess emission fees on non-complying stationary sources. The amendments limit EPA's authority for implementation of various transportation control measures. Deadlines for meeting certain hydrocarbon and nitrogen oxide emission standards for motor vehicles have been changed, as have some of the standards. Cost: \$825 m. over a five year period.

Numerous amendments will be offered to HR 10498 and they will be listed on the next sheet. It should also be kept in mind that there are two areas of the bill which easily lend themselves to contentious debate: Prevention of Significant Deterioration (Sec. 108) and Light-Duty Motor Vehicle Emissions Standards (Sec 203). They are outlined below.

Section 108

In 1972, the Supreme Court upheld a lower court decision which ruled that the Clean Air Act required "prevention of significant deterioration" of air quality in clean areas of the country. Section 108 is designed so that the spirit of the Court's decision is still maintained within a framework that allows states the right of decision-making in determining significant deterioration.

HR 10498 designates only two types of areas to be set aside permanently as clean areas -- mandatory Class I -- that is, not allowing much more pollution there than presently exists. These Class I areas are national parks and national wilderness areas of more than 25,000 acres (1.1% of the Nation's land area). They are mandatory Class I and there are no other areas which this bill requires to be permanently Class I unless the states themselves so decide.

The states themselves can classify all other areas. Most areas start out as Class II allowing substantial pollution increases. States may change a Class II to Class III or elevate a Class II to a Class I. This section does not impose new control requirements on existing sources and does not require pollution roll-backs.

Section 203

In passing the Clean Air Act of 1970, Congress set statutory emission standards for the three main auto-related pollutants (hydrocarbons, carbon monoxide and nitrogen oxides). The deadlines for meeting those standards were the 1975 and 1976 model years. The committee proposal represents a compromise of two positions: no delay in standards versus a five year (or more) moratorium on further new car emission reductions.

Under section 203, statutory emission standards for new automobiles and other light-duty vehicles (requiring a 90% reduction in HC and CO emissions) would be delayed until model year 1980. During model years 1978 and 1979, standards would be frozen at 1975 Federal interim standards. The full 90% reduction would be required for HC and CO in model year 1980. In the case of the NO_x standard, the full 90% reduction would not have to be achieved until model year 1981 at the earliest. Even then, the Administrator would be authorized to suspend the NO_x standard (for model years 1981-84), and set higher interim levels upon a determination that (1) it is not technologically feasible to meet the lower standard within the time permitted, or (2) compliance with the 90% reduction requirement would result in an excessive fuel penalty.



The amendments to HR 10498 have been divided into three areas: miscellaneous amendments, amendments to Section 108, amendments to Section 203, and the Satterfield amendments. Consult the above outlines of Sections 108 and 203 when considering amendments to those sections. Most of the Satterfield amendments strike whole sections of the bill and should they fail, amendments striking subsections of such sections will be offered.

Miscellaneous Amendments

- Hughes - Would allow a Governor to issue an emergency revision of an implementation plan for a stationary source based on employment levels in the area affected. Such a revision could occur when the owner or operator of such a source applies for a revision and approval or disapproval by the Administrator is pending. The Governor's emergency revision would last up to four months as long as emissions from the source will not materially delay the attainment of any national ambient air quality standard for such emissions.
- Krueger - Would require the auto manufacturers and EPA to take cognizance of the fact that since factory air conditioning does not effect the validity of a car's warranty then after market air conditioners won't effect the conditions of the warranty or invalidate the warranty.
- Florio - To limit EPA's authority to use the Clean Air Act to deny sewage treatment grants made under the Water Pollution Control Act.
- Whalen - To delay implementation of Stage II vapor recovery regulations on independent gasoline marketers for 2 years until an economic analysis can be completed by the FTC. Stage II is intended to prevent gasoline vapors from escaping into the atmosphere when automobile gas tanks are filled at service stations.
- Koch - To require the Administrator of EPA to establish acceptable interior carbon monoxide levels for the interior of school buses and other sustained use motor vehicles and for DOT to insure compliance.
- Scheuer - To limit the environmentally degrading pollutants emitted by supersonic aircraft.
- Roncalio/Findley - To require that whenever EPA proposes a regulation that is not related to health, it must make a study of the economic impact of the proposed action on the people and communities affected.
- Miller(Ca) -To improve accountability by the EPA on actions taken to protect the public health and safety during periods of dangerously high pollution so that the appropriate oversight committees of the Congress may examine how efficiently EPA excersizes its authority to take a variety of actions to lessen the severity of pollution during critical periods.
- Moore/Levitas - To permit either the House or Senate to disapprove in whole or in part any rule or regulation change make pursuant to the Clean Air Act, as amended, within 60 legislative days.
- Hechler - A government in the sunshine amendment.
- Rooney/Davis - To give greater authority to states in granting waivers or variances to stationary sources of pollution. It would allow the state or the Administrator, with the Governor's permission, to issue a waiver or variance to an industrial firm building a new major facility or for modification of an existing major facility as long as the firm's other facilities are in compliance with the Act or the schedules and timetables under applicable state laws. Also, this major facility must demonstrate that, as a stationary source, its pollution is infrequent and that it shall provide only an insignificant increase in the area's overall pollution.
- Carter - To strike Section 115. This section authorizes the States or the Administrator to grant a variance which would permit new construction or expansion of facilities in areas exceeding the national ambient air quality standard if it can be shown that the firm constructing such a facility has demonstrated compliance in all its other existing stationary sources.

Schraeder - To provide for more effective emission controls at high altitudes. Dealers in these areas are allowed to adjust emission controls for some emissions as long as this adjustment does not increase the levels of other emissions above federal standards. Also, auto manufacturers are given 6 months to provide instructions to dealers concerning a model's adjustments.

Amendments to Section 108

Maguire - Would strengthen the committee's provision by eliminating the Class III (most polluted) category of air degradation, extend federal classification of mandatory Class I areas to national monuments, national recreation areas and national preserves, and give the Administrator of EPA the authority to disapprove air quality plans which arbitrarily and capriciously disregard relevant environmental, social or economic considerations.

Chappell - Delete Section 108 and replace it with a new section establishing a National Commission on Air Quality directed to complete within two years an examination of the Prevention of Significant Deterioration issue.

Broyhill - Same as the Chappell but would require the Commission to complete their study within one year.

Levitas - Three amendments to clarify the State's role in implementing Section 108: 1) To give the Governor of a State the authority to approve designation or redesignation of an area after consultation with the appropriate elements of the State legislature; 2) Allow State's to redesignate areas in the event the State fails to submit a plan which meets the requirements of the section; and 3) To give the State equal authority with the EPA Administrator to waive the one-year requirement for continuous air quality monitoring in the case of new or modified major stationary sources, prior to their obtaining a construction permit.

Carter - To restore the 100% level for primary ambient air quality standards set by the Administrator to insure an adequate margin of safety in the more polluted areas. The bill currently reduces the primary standards by 10% to 90% of the level set by EPA.

Levitas - To strike the sectional jobs protection criterion of Section 108 which maintains that one of the purposes of this section is to also protect certain areas of the country from losing industry to other areas.

Amendments to Section 203

Waxman - To require compliance with the full statutory standards (a 90% reduction of the three major tailpipe pollutants from their previously uncontrolled levels) in 1981 and, in the interim, the implementation on a nationwide basis of the 1976 and 1977 California standards.

Dingell/Broyhill - Would allow cars manufactured during model years 1978 and 1979 to remain at the level of 1977 automobile emission standards. The 1980 and 1981 model years would be required to adopt the California emission standards and beginning in 1982, CO and HC emissions would have to be in compliance with the statutory standards of 90% reduction. In 1982 and after, the Administrator would promulgate levels for NO_x emissions which he determines to be technologically practicable for the auto model year to which they apply.

Satterfield Amendments

To strike Sec. 101 which provides for the phase-in of regulations for pollutants that were previously unregulated (vinyl chloride, cadmium, arsenic, polycyclic organic matter, and NO₂). He would instead allow the Administrator to determine whether these substances should be regulated.

Would require that information submitted to the Administrator for the purpose of obtaining an extension of compliance be subject to the restrictions regarding trade secrets or other confidential data.

Would strike the provision of Sec. 121 prohibiting an extension of compliance period for emission limitations if the owner or operator of a source has the capital to improve or increase the productive capacity of the source.

Strike Sec. 105 (Excess Emission Fee) which requires the assessment of a fee for those sources which applied for a compliance date extension, when the circumstances which necessitated the extension were not beyond the source's control.

Reduce the number of standards a coal conversion facility must meet to obtain a compliance date extension.

With regards to stratospheric and ozone protection, the Administrator (after his two year study) is required to find "affects" rather than "anticipated affects" and "substantial risk of endangering" before promulgating regulations for substances believed to affect these areas of the atmosphere.

A substitute for Section 155 requiring that regulations promulgated under this act shall take effect only after approval by concurrent resolution by both Houses. As the bill stands, Section 155 provides for the standard 60 day period for a disapproval by either House.

Strike Section 108 (Prevention of Significant Deterioration) and substitute a reiteration of the Supreme Court decision plus a limitation that nothing in this Act is to be construed as to provide more stringent standards than the primary and secondary ambient air quality standards promulgated under the original Act.

Note: Should his substitute Section 108 fail, Mr. Satterfield will offer a series of six amendments to mollify the more stringent provisions of Section 108.

Strike Section 111 which requires standards of performance for new stationary sources to be based upon the level of pollution limitation that could be achieved by the best technological system of continuous emissions reduction.

Note: Should this amendment fail attempts will be made to strike different portions of this section.

Would amend Section 201 to allow a State to revoke or suspend any provisions of this section which call for the Administrator of EPA to prescribe limitations on controlling indirect sources of pollution (ie shopping centers, highways, etc.).

To mandate that none of the provisions of the limitations on controlling indirect sources shall be used to promote land-use planning.

Would strike Section 202 which authorizes the Administrator to extend the compliance deadlines for implementation of various transportation control measures which, under current law, are required to become effective not later than June 30, 1977. Mr. Satterfield's substitute would free states from implementing such a measure, allow them to revoke or suspend present control measures, but not preclude the use of such measures if adopted and submitted by the state.

Strike Section 204 which requires the Administrator to promulgate emission standards for model years 1978-1984 new heavy-duty trucks, buses, and motorcycles based on use of the best technology which has been adequately demonstrated and substitute a new section requiring the Administrator to temper his determinations with appropriate consideration to the cost of applying such technology.

Would allow states to revoke, suspend or revise any implementation plan under section 210 requiring annual inspection of light-duty vehicles which are registered to persons in an air quality control region where transportation control measures apply as of June 30, 1975 (29 cities). This would be an inspection concerning the efficacy of a vehicle's pollution control devices.

Strike Section 211. This section provides that the costs of vapor recovery systems (mandated in the 1970 Act) would be borne by the owner of the storage tanks and pumps, not by the franchised retailer. This section also prohibits the owner of the tanks and pumps from transferring the costs of vapor recovery to the retailer in the lease.

Strike Section 302. The Clean Air Act requires air pollution control plans to be devised and implemented primarily at the State level. Section 302 requires a consultation process to be established within each State to adequately involve local governments and regional agencies in the State's decision-making.

Strike Section 303. If a State fails to adopt and implement an approved plan to meet national air quality standards, Section 303 would authorize the Administrator to delegate concurrent enforcement authority to local government in the case of a plan promulgated by the Administrator.

Would delete that portion of Section 308 which authorizes the Administrator to issue emergency orders where public health cannot be adequately protected solely by initiating a suit for injunctive relief in a case where the state and local authorities have not appropriately acted to abate sources of pollution that endanger the public health.

Strike Section 309 which would add a new Section 126 to the Clean Air Act. The new provision incorporates five key elements to establish an effective mechanism for prevention, control, and abatement of interstate air pollution.

Strike Section 311 which authorizes attorneys appointed by the Administrator to represent the Agency in civil litigation under this Act.

Strike Section 317. This section requires that the owner or operator of a source who proposes to use methods or measures to control emissions must agree not to make employees bear any of the costs of periodic shutdowns or production curtailments which may result from use of such methods or measures.

An additional title: Title IV -- Standby Presidential Authority. This new title would give the President the authority to suspend requirements, standards, or applications of certain provisions of this Act if he finds that by exercising such authority, he would ameliorate a situation where shortages in the availability of energy are having serious adverse effects on national security. Such action shall be effective for three years and be subject to Congressional veto by either House.



Republican Policy Committee

NEWS

U.S. HOUSE OF REPRESENTATIVES

1616 LONGWORTH BUILDING

WASHINGTON, D.C. 20515

202/225-6168

94th Congress
Second SessionAugust 2, 1976
Statement #19
H.R. 10498

CLEAN AIR ACT AMENDMENTS

Our nation's environmental policy should be carefully balanced with employment, economic and energy considerations. Serving all these needs simultaneously is a difficult but necessary feat. The Committee on Interstate and Foreign Commerce failed to walk this tightrope and reported a bill amending the Clean Air Act that will severely limit the economic development required to create new jobs. The Republican Policy Committee believes numerous amendments and changes are needed to adjust the measure's single-minded environmental orientation so that the zeal for clean air will not threaten other legitimate and important national concerns.

"Significant deterioration"

The Committee bill confirms the 1973 Supreme Court ruling that Congress intended the Clean Air Act to prohibit "Significant deterioration" of air that was already cleaner than the national ambient air quality standards. The Republican Policy Committee disagrees that Congress ever intended to prevent needed economic growth, development, industry and jobs in parts of the country where the air quality is now well within limits designed to protect public health. We strongly oppose language in this bill enacting this unwise and unnecessary policy at this time of economic and energy uncertainty. We favor an amendment postponing action on this proposal until its total impact can be fully analyzed and a reasonable course of future action can be planned.

Implementation of the committee bill's nondegradation principle would wreak economic havoc by restricting development of strip mining, the manufacture of synthetic fuels, and the construction of oil refineries, metal smelters, paper mills and power plants and factories in most areas of the country. By limiting utilities' use

of our abundant coal resources, nondegradation would force increased dependence on foreign oil. Electric costs would increase substantially. Unemployment rates would cease to improve. The significant deterioration prohibition amounts to a thinly disguised federal land use policy based on a single criterion: air quality. It would trespass on States' authority to plan for development within their boundaries and would saddle them with excessively burdensome procedural red tape. If adopted, it would mean different air quality standards from area to area, region to region, and state to state.

Preventing necessary economic and industrial development from damaging our health and environment is an important goal, but until better evidence than has been produced thus far can be developed to show what levels are appropriate to balance these competing concerns, we should postpone adoption of the nondegradation policy.

Auto emissions

The Republican Policy Committee urges Members to vote for the amendment to be offered by Representatives Dingell and Broyhill (R-N.C.) which would chart sensible and steady progress toward reduced auto emissions without jeopardizing economic recovery. This approach, which reflects the positions of Environmental Protection Agency Director Russell Train, would replace the overly stringent standards and schedule imposed by the Committee bill.

Detailed scientific analysis by several government agencies of the requirements of the Committee bill show that it would achieve virtually the same level of clean air by 1980 as the Dingell-Broyhill approach. But in the meanwhile, the extreme measures of the Committee bill would waste billions of gallons of fuel; produce only a negligible improvement in air quality and health benefits over the Dingell-Broyhill approach; would force the use of catalytic converters instead of other possibly cleaner, cheaper and more efficient technologies; would cost consumers billions of dollars in higher auto purchase and maintenance expenses; would risk dislocation of the auto industry which is only now recovering from the impact of the Arab oil embargo and the possible loss of jobs directly or indirectly related to the auto industry.

Common sense indicates that if the same level of clean air can be attained

without risking these negative effects, that should be the approach the nation should follow. We therefore favor the Dingell-Broyhill amendment.

Other concerns:

Nonattainment: Under present law, air quality regions identified as not having attained national ambient air quality standards are not allowed any new or expanded sources of the particular pollutant in question. This policy is already curbing plant construction and expansion and accompanying job creation. We do not believe the Committee bill goes far enough in removing the potential of this policy for economic stagnation and increased unemployment in affected regions.

Excess emission fees: We urge deletion of the "Catch-22" which authorizes extension of the date by which a stationary source must be in compliance with clean air standards but then permits that source to be penalized up to \$5000 per day while it is not in compliance. If there are sound reasons for extending the compliance date, operators should not be penalized in the meanwhile; if there are not sound reasons, the date should not be extended.

New source standards of performance: We object to Sec. 111 which amends present law to require that all new "major sources" of emissions (such as power plants, factories) employ an extremely costly technology to control emissions even though such devices are of questionable reliability and enormously expensive. There is no meaningful justification for mandating the costly and wasteful use of this technology in cases where air quality standards can be attained and maintained by the use of low sulfur fuels alone.

Clean air is important to our nation. More than just a matter of aesthetics, its health effects range from burning eyes and headaches to serious heart and lung conditions and possibly cancer. Air pollution's economic costs, including lost work time and corrosion, are enormous.

Since the 1970 Clean Air Act went into effect, sulfur dioxide concentrations in the ambient air have dropped 26 percent, particulates are down 15 percent, and auto emissions are down by 33 percent. We have been making progress toward our goal.

The Republican Policy Committee believes, however, that H.R. 10498, the Committee bill, sets schedules and requirements for air cleanup that are too drastic for the future in light of other recognized national priorities. The 94th Congress has purported to be greatly concerned about unemployment, but it will increase unemployment drastically by passing this bill. Without modification, this "no growth" bill will doom us to economic stagnation.

THE WHITE HOUSE
WASHINGTON

AUG 10 1976

August 10, 1976

MEMORANDUM FOR CHARLIE LEPPERT
FROM: COLEMAN ANDREWS *TCA*
SUBJECT: Republican Positions on the Dingell-
Broyhill Amendment to the Clean Air
Act Amendments

Attached is a list of House Republicans who are uncommitted or uncertain on the Dingell-Broyhill Amendment. We need to firm up support within this group, and would appreciate your efforts in this direction.

Please give me whatever feedback you receive concerning the positions of the individuals on the list.

Uncommitted or Need for Update - Republicans

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Bell, Alphonzo
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Talcott, Burt L.
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Wydler, John W.

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Devine, Samuel L.

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Jarman, John

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Heinz III, H. John
Schneebeli, Herman T.
Shuster, Bud

WASHINGTON

Pritchard, Joel

WISCONSIN

Steiger, William A.

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WISCONSIN

Steiger, William A.

THE WHITE HOUSE
WASHINGTON

AUG 26 1976

August 26, 1976

MEMORANDUM FOR

MAX FRIEDERSDORF

FROM:

BILL GOROG *WBC*

SUBJECT:

Vote Count on the Dingell-Broyhill Amendment to the Clean Air Act Amendments

Attached is the most recent vote count on the Dingell-Broyhill Amendment. Consideration of the Clean Air Act Amendments in the House is set for next Tuesday, however, action may be moved up to Monday.

Also attached is the list of uncommitted congressmen on the Dingell-Broyhill Amendment. I have underlined the Republicans, and I think we should push hard to get these individuals to vote for the Amendment. If Dingell is to be in a strong position in conference, he needs to win by 75-100 votes.

If I can be of any help on this, please call me with marching orders.

✓ cc: Charlie Leppert



August 25, 1976

This information on the House Clear Air Contact Program is updated as of August 24, 1976. The feedback totals with regards to the Dingell-Broyhill (Train) Amendment show: (a) 193 For, (b) 108 Against, and (c) 130 Uncommitted. These figures are not absolute and public use is discouraged.



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Young, Don (R)

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Dodd, Christopher J. (D)
Giaimo, Robert N. (D)

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~~Kelly, Richard (R)~~
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Fascell, Dante B. (D)
Gibbons, Sam (D)
Haley, James A. (D)
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Matsunaga, Spark M. (D)

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Hall, Tim L. (D)
Metcalf, Ralph H. (D)
Price, Melvin (D)
Shipley, George E. (D)
Yates, Sidney R. (D)

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~~Eilberg, Joshua (D)~~
Flood, Daniel J. (D)
Gaydos, Joseph M. (D)
Morgan, Thomas E. (D)
~~Murtha, John P. (D)~~
Nix, Robert N.C. (D)
Yatron, Gus (D)
Piponhead, William S. (D)

SOUTH CAROLINA

Derrick, Butler (D)

TEXAS

~~Hall, Samuel (D)~~
Kreuger, Robert (D)



UTAH

McKay, K. Gunn (D)

VIRGINIA

Fisher, Joseph L. (D)
Harris, Herbert E. (D)

WASHINGTON

Pritchard, Joel (R)
Foley, Thomas S. (D)
Hicks, Floyd V. (D)
McCormack, Mike (D)

WEST VIRGINIA

Mollohan, Robert H. (D)

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Steiger, William A. (R)
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THE WHITE HOUSE

WASHINGTON

AUG 26 1976

August 26, 1976

MEMORANDUM FOR

MAX FRIEDERSDORF

FROM:

BILL GOROG *WFC*

SUBJECT:

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Schneebeli, Herman T. (R)
Shuster, Bud (R)
~~Dent, John H. (D)~~
~~Eilberg, Joshua (D)~~
Flood, Daniel J. (D)
Gaydos, Joseph M. (D)
Morgan, Thomas E. (D)
~~Murtha, John P. (D)~~
Nix, Robert N.C. (D)
Yatron, Gus (D)
Neenhead, William S. (D)

SOUTH CAROLINA

Derrick, Butler (D)

TEXAS

~~Hall, Samuel (D)~~
Kreuger, Robert (D)

UTAH

McKay, K. Gunn (D)

VIRGINIA

Fisher, Joseph L. (D)
Harris, Herbert E. (D)

WASHINGTON

Pritchard, Joel (R)
Foley, Thomas S. (D)
Hicks, Floyd V. (D)
McCormack, Mike (D)

WEST VIRGINIA

Mollohan, Robert H. (D)

WISCONSIN

Steiger, William A. (R)
Zablocki, Clement J. (D)

J.S. - *sub*
201 for *tree*

File

THE WHITE HOUSE
WASHINGTON

September 2, 1976

MEMORANDUM FOR: CHARLES LEPPERT, JR.

FROM: TOM LOEFFLER
PAT ROWLAND

SUBJECT: Members' Positions on
Synthetic Fuels and Strip
Mining Rule Requests -- To be
Considered by Rules Committee
September 8, 1976

Will you support the rule requested by Chairman Teague
for consideration of synthetic fuel legislation?

$\frac{LY}{1}$	$\frac{Y}{5}$	$\frac{N}{2}$	$\frac{NR}{2}$	- Madden <i>TL</i>	No
				+ Delaney <i>TL</i>	+ Yes
				- Sisk <i>TL</i>	Out of Town
				+ Young (Tex.) <i>TL</i>	Yes
				+ Pepper <i>PR</i>	Undecided, will talk to Chairman Teague
$\frac{O/T}{4}$	$\frac{U/D}{2}$			- Matsunaga <i>TL</i>	Out of town
				- Murphy (Ill.) <i>PR</i>	Out of town
				+ Long (La.) <i>TL</i>	Inclined to support rule requested
				? Moakley <i>PR</i>	Open mind
				- Young (Ga.) <i>TL</i>	No

+ Anderson <i>TL</i>	Yes
+ Latta <i>TL</i>	Yes (will arrive at Rules Committee at approximately 11 a.m. on 9/8)
- Clawson <i>PR</i>	Out of town
+ Lott <i>TL</i>	Yes (will arrive at Rules Committee at approximately 11:45 a.m. on 9/8)

Bolling <i>PR</i>	Yet to be contacted
Quillen <i>PR</i>	Yet to be contacted



File

Will you support the rule requested by the Interior Committee for consideration of strip mining legislation -- to be considered Wednesday, 9/8/76?

$\frac{4}{2}$ $\frac{N}{4}$ $\frac{4}{1}$ $\frac{LN}{2}$

Sisk ^{PR} Out of town
Young (Tex.) ^{PR} Leaning no
Murphy (Ill.) ^{PR} Out of town
Long (La.) ^{PR} Inclined to oppose rule requested
Moakley ^{PR} No

^{PR}
+
^{PR}
+
-

$\frac{O/R}{4}$ $\frac{U/D}{-}$ $\frac{NR}{1}$

Anderson ^{CL} No
Latta ^{PR} No
Clawson ^{PR} Out of town
Lott ^{PR} No

+
^{PR}
^{PR}
+

Quillen ^{PR} Yet to be contacted +
Delaney ^{PR} Yet to be contacted +

HADDEN ^{PR}
PEPPER ^{PR} - YES
BOLLING ^{PR}
YOUNG (Ca.) ^{PR} - YES
HATSUMAGA ^{PR} - O/R

-



SEP 2 1976

THE WHITE HOUSE
WASHINGTON

September 2, 1976

TO: CHARLIE LEPPERT
FROM: GLENN SCHLEEDE

Attached is the latest assessment
of the Rules Committee vote on
the syn fuels bill.

$\frac{4}{8} - \frac{N}{4} - \frac{0/1}{3}$



9/2/76

RULES COMMITTEE MEMBERSSYN FUELS BILL

- 1 - Solidly for the bill
5 - Solidly against the bill

NAMECATEGORYDEMOCRAT

MADDEN	4-5
DELANEY	2-3
BOLLING	1
SISK	1
YOUNG	1
PEPPER	1
MATSUNAGA	4-5*
MURPHY	1*
LONG	1-2
MOAKLEY	4-5
YOUNG	4-5

REPUBLICAN

QUILLEN	1
ANDERSON	1
LATTA	2
CLAWSON	1**
LOTT	1

* - will not be there

** - may not be there but should be encouraged to
be there

Five

ST JOE MINERALS CORPORATION

WASHINGTON OFFICE

FROM _____ DATE Sept. 2, 1976

TO _____

Attached is a list of Congressman who, on the basis of previous records, might vote for the Chappell Amendment but are recorded, at this time, as against or undecided. I shall be calling you about this list very shortly.

The third page lists names who are less likely to be for Chappell, but *who* might be persuaded.

J
Charles Carlisle

Dear Coleman,

As we discussed.

Paul

☐ NO REPLY NECESSARY



9/2/76

TARGET LIST

NAME		STATE	PRESENT RATING
Young, Don	(R)	Alaska	5
Rhodes, John	(R)	Arizona, 1st	3
Ketchum, William	(R)	California, 18th	3
Johnson, Harold	(D)	" 1st	3
Pettis, Shirley	(R)	" 37th	3
Burgener, Clair	(R)	" 43rd	3
Evans, Frank	(D)	Colorado, 3rd	3
Fuqua, Don	(D)	Florida, 2nd	5
Bafalis, L. A.	(R)	" 10th	3
Burke, J. Herbert	(R)	" 12th	3
Young, Bill	(R)	" 6th	3
Shipley, George	(D)	Illinois, 22nd	3
McClory, Robert	(R)	" 13th	3
Anderson, John	(R)	" 16th	5
Levitas, Elliott	(D)	Georgia, 4th	5
Passman, Otto	(D)	Louisiana, 5th	3
Broomfield, William	(R)	Michigan, 19th	3
Hutchinson, Edward	(R)	" 4th	3
Quie, Albert H.	(R)	Minnesota, 1st	3
Randall, William	(D)	Missouri, 4th	3
Smith, Virginia	(R)	Nebraska, 3rd	3
Forsythe, Edwin	(R)	New Jersey, 6th	4
Lujan, Manuel	(R)	New Mexico, 1st	5
Stratton, Sam	(D)	New York, 28th	5

9/2/76

NAME		STATE		PRESENT RATING
Jones, Walter	(D)	North Carolina	1st	3
Fountain, L. H.	(D)	"	2nd	4
Taylor, Roy	(D)	"	11th	3
Latta, Delbert	(R)	Ohio	5th	3
Wylie, Chalmers	(R)	"	15th	5
Stanton, J. William	(R)	"	11th	3
Miller, Clarence	(R)	"	10th	3
Steed, Tom	(D)	Oklahoma	4th	3
Duncan, Robert	(D)	Oregon	3rd	3
Biester, Edward	(R)	Pennsylvania	8th	3
Murtha, John	(D)	"	12th	3
Schneebeli, Herman	(R)	"	17th	3
Derrick, Butler	(D)	South Carolina	3rd	3
Mann, James	(D)	"	4th	3
Evins, Joe	(D)	Tennessee	4th	3
Pickle, J. J.	(D)	Texas	10th	3
Kazen, Abraham	(D)	"	23rd	3
McKay, Gunn	(D)	Utah	1st	3
Pritchard, Joel	(R)	Washington	1st	3
Meeds, Lloyd	(D)	"	2nd	3
Foley, Thomas	(D)	"	5th	3
Hicks, Floyd	(D)	"	6th	5
Mollohan, Robert	(D)	West Virginia	1st	3
Zablocki, Clement	(D)	Wisconsin	4th	3

9/2/76

ALSO POSSIBLE

NAME		STATE	PRESENT RATING
Bell, Alphonso	(R)	California, 27th	3
Lloyd, Jim	(D)	" 35th	3
McCloskey, Paul	(R)	" 12th	3
Wilson, Charles	(D)	" 31st	3
McKinney, Stewart	(R)	Connecticut, 4th	3
Cohen, William	(R)	Maine, 2nd	3
Lent, Norman	(R)	New York, 4th	5
Pressler, Larry	(R)	South Dakota, 1st	3
Kasten, Robert	(R)	Wisconsin, 9th	3

THE WHITE HOUSE
WASHINGTON

Five

September 9, 1976

TO: CHARLIE LEPPERT

FROM: BILL GOROG *WKG*

In line with our discussion this morning, attached is a list of uncommitted or opposed Congressmen on the Chappell Amendment to the Clean Air Act Amendments.

SEP 8 1976



THE WHITE HOUSE

WASHINGTON

September 14, 1976

MEMORANDUM FOR:

JACK MARSH

THRU:

MAX FRIEDERSDORF

FROM:

CHARLES LEPPERT, JR. *CLJ*

SUBJECT:

Clean Air Act Amendments

I talked to Rep. Elford Cederberg (R. - Mich.) this afternoon and he indicated that it didn't look like any of the Michigan GOP delegation would fly to Ann Arbor with the President on September 15th because of the votes on amendments to the Clean Air Act. Cederberg said most Members felt it more important to be here to vote on those amendments unless something was arranged to put off the votes until Thursday, September 16.

I asked if the Michigan GOP Members considered flying up commercially or by charter around 5 p.m., September 15, if the votes on the clear air bill were over and that this was mentioned to me by Esch's office. Cederberg said he would have to see what they can work out.



THE WHITE HOUSE

WASHINGTON

September 14, 1976

SEP 14 1976

MEMORANDUM FOR:

DICK CHENEY
JIM CAVANAUGH
MAX FRIEDERSDORF
✓ CHARLIE LEPPERT

FROM:

JACK MARSH

Congressman John Dingell told me last night when the President goes to Michigan he may be taking with him 8 to 9 Republican votes that would be favorable insofar as he is concerned on the Clean Air matter.

Dingell has suggested the possibility of a call to Carl Albert to defer votes on key issues until Thursday.

Dingell feels we should have a comfortable margin to win on the major issue tomorrow but he is concerned that a loss of 8 or 9 votes might significantly erode this margin.

I suggest you talk with Charlie about this and get his assessment. Then we should discuss Dingell's request on a call to Carl Albert.



9/14/76

UNCOMMITTED

ALASKA

Young, Don (R)

CALIFORNIA

Clawson, Del (R)

Talcott, Burt L. (R)

COLORADO

Evans, Frank E. (D)

CONNECTICUT

McKinney, Stewart B. (R)

Sarasin, Ronald A. (R)

Cotter, William R. (D)

Dodd, Christopher J. (D)

Giaimo, Robert N. (D)

FLORIDA

Bennett, Charles E. (D)

Fascell, Dante B. (D)

Pepper, Claude (D)

GEORGIA

Brinkley, Jack (D)

ILLINOIS

Anderson, John B. (R)

Erlenborn, John N. (R)

Collins, Cardiss (D)

Hall, Tim L. (D)

Metcalf, Ralph H. (D)

Shipley, George E. (D)

INDIANA

Jacobs Jr., Andrew (D)

Hayes, Philip H. (D)

IOWA

Bedell, Berkley (D)

Blouin, Michael T. (D)

MARYLAND

Long, Clarence D. (D)

Mitchell, Parren J. (D)

Sarbanes, Paul S. (D)

MASSACHUSETTS

Conte, Silvio O. (R)

Burke, James A. (D)

O'Neill Jr., Thomas P. (D)

MISSOURI

Burlison, Bill D. (D)

Hungate, William L. (D)

Sullivan, Leonor K. (D)

MONTANA

Melcher, John (D)

NEVADA

Santini, Jim (D)

NEW JERSEY

Hughes, William J. (D)

NEW MEXICO

Runnels, Harold (D)

NEW YORK

Gilman, Benjamin A. (R)

Addabbo, Joseph P. (D)

Biaggi, Mario (D)

Bingham, Jonathan B. (D)

Chisholm, Shirley (D)

Delaney, James J. (D)

Nowak, Henry J. (D)

OHIO

Mottl, Ronald M. (D)

OKLAHOMA

Albert, Carl (D)

OREGON

AuCoin, Les (D)

Duncan, Robert (D)

Ullman, Al (D)

PENNSYLVANIA

Coughlin, Lawrence (R)

Eilberg, Joshna (D)

Moorhead, William S. (D)

SOUTH CAROLINA

Derrick, Butler (D)

VIRGINIA

Harris, Herbert E. (D)

WASHINGTON

Pritchard, Joel (R)

Foley, Thomas S. (D)

WEST VIRGINIA

Mollohan, Robert H. (D)



FORALABAMA

Buchanan, John H. (R)
 Dickinson, William L. (R)
 Edwards, Jack (R)
 Bevill, Tom (R)
 Flowers, Walter (R)
 Jones, Robert E. (R)
 Nichols, Bill (D)

ARIZONA

Rhodes, John J. (R)
 Steiger, Sam (R)
 Conlan, John B. (R)

ARKANSAS

Hammerschmidt, John Paul (R)
 Alexander, Bill (D)
 Mills, Wilbur D. (D)
 Thornton, Ray (D)

CALIFORNIA

Bell, Alphonzo (R)
 Burgener, Clair (R)
 Clausen, Don H. (R)
 Goldwater Jr., Barry M. (R)
 Ketchum, William M. (R)
 Lagomarsino, Robt. J. (R)
 Moorhead, Carlos (R)
 Pettis, Shirley N. (R)
 Rousselot, John H. (R)
 Wilson, Bob (R)
 Johnson, Harold T. (D)
 Lloyd, Jim (D)
 McFall, John (D)
 Sisk, B.F. (D)

COLORADO

Armstrong, William L. (R)
 Johnson, James (R)

FLORIDA

Bafalis, L.A. (Skip) (R)
 Burke, Herbert (R)
 Frey, Louis (R)
 Kelly, Richard (R)
 Chappell Jr., Bill (D)
 Fuqua, Don (D)
 Haley, James (D)
 Sikes, Robert (D)

GEORGIA

Flynt Jr., John J. (D)
 Ginn, Bo (D)
 Landrum, Phil (D)
 Levitas, Elliott (D)
 Mathis, Dawson (D)
 McDonald, Larry (D)
 Stevens Jr., Robert G. (D)
 Stuckey Jr., W.S. (D)

IDAHO

Hansen, George (R)
 Symms, Steven D. (R)

ILLINOIS

Crane, Philip M. (R)
 Derwinski, Ed. (R)
 Findley, Paul (R)
 Hyde, Henry J. (R)
 Madigan, Edward R. (R)
 Michel, Robert H. (R)
 O'Brien, George M. (R)
 Railsback, Ton (R)
 Annunzio, Frank (D)
 Fary, John (D)
 Murphy, Morgan F. (D)
 Rostenkowski, Dan (D)

INDIANA

Hillis, Elwood (R)
 Myers, John T. (R)
 Evans, David W. (D)
 Madden, Ray (D)
 Sharp, Philip R. (D)

IOWA

Grassley, Charles (R)
 Smith, Neal (D)

KANSAS

Sebelius, Keith G. (R)
 Shriver, Garner (R)
 Skubitz, Joe (R)
 Winn Jr., Larry (R)

KENTUCKY

Carter, Tim Lee (R)
 Snyder, Gene (R)
 Breckinridge, John (D)

Hubbard Jr., Carroll (D)
 Natcher, William H. (D)
 Perkins, Carl D. (D)

LOUISIANA

Moore, W. Henson (R)
 Treen, David C. (R)
 Boggs, Lindy D)
 Breaux, John B. (D)
 Hebert, F. Edward (D)
 Long, Gillis W. (D)
 Passman, Otto E. (D)
 Waggoner Jr., Joe D. (D)

MAINE

Emery, David F. (R)

MARYLAND

Bauman, Robert E. (R)
 Holt, Marjorie (R)
 Byron, Goodloe E. (D)

MASSACHUSETTS

Heckler, Margaret M. (R)
 Boland, Edward P. (D)

MICHIGAN

Broomfield, William S. (R)
 Brown, Garry (R)
 Cederberg, Elford A. (R)
 Esch, Marvin L. (R)
 Hutchinson, Edward (R)
 Ruppe, Philip E. (R)
 Vander Jagt, Guy (R)
 Blanchard, James L. (D)
 Carr, Bob (D)
 Diggs Jr., Charles C. (D)
 Dingell, John D. (D)
 Ford, William D. (D)
 Nedzi, Lucien N. (D)
 O'Hara, James G. (D)
 Riegle Jr., Donald W. (D)
 Traxler, Bob (D)

MINNESOTA

Frenzel, Bill (R)
 Hagedorn, Tom (R)
 Oberstar, James L. (D)

MISSISSIPPI

Cochran, Thad (R)
 Lott, Trent (R)
 Bowen, David R. (D)
 Montgomery, G.V. Sonny (D)
 Whitten, Jamie L. (D)

MISSOURI

Randall, William (D)
 Taylor, Gene (R)
 Ichord, Richard H. (D)

NEBRASKA

McCollister, John Y. (R)
 Smith, Virginia (R)
 Thone, Charles (R)

NEW HAMPSHIRE

D' Amours, Norman (D)
 Cleveland, James C. (R)

NEW MEXICO

Lujan Jr., Manuel (R)

NEW YORK

Conable, Barber B. (R)
 Horton, Frank (R)
 Kemp, Jack F. (R)
 McEwen, Robert C. (R)
 Mitchell, Donald J. (R)
 Peyser, Peter A. (R)
 Walsh, William F. (R)
 Wydler, John (R)
 Hanley, James M. (D)
 LaFalce, John J. (D)
 Murphy, John M. (D)
 Pike, Otis G. (D)
 Stratton, Samuel S. (D)

NORTH CAROLINA

Broyhill, James T. (R)
 Martin, James G. (R)
 Andrews, Ike (D)
 Fountain, L.H. (D)
 Hefner, W. G. (D)
 Henderson, David N. (D)
 Jones, Walter B. (D)
 Rose, Charles (D)
 Taylor, Roy A. (D)

NORTH DAKOTA

Andrews, Mark (R)

OHIO

Ashbrook, John M. (R)
 Brown, Clarence J. (R)
 Clancy, Donald (R)
 Devine, Samuel (R)
 Gradison Jr., Willis D. (R)
 Guyer, Tennyson (R)
 Harsha, William H. (R)
 Kindness, Thomas N. (R)
 Latta, Delbert L. (R)
 Miller, Clarence E. (R)
 Regula, Ralph S. (R)
 Stanton, William J. (R)
 Wylie, Chalmers (R)
 Ashley, Thomas L. (D)
 Stanton, James V. (D)

OKLAHOMA

Jarman, John (R)
 English, Glenn (D)
 Jones, James R. (D)
 Risenhoover, Theodore M. (D)
 Steed, Tom (D)

PENNSYLVANIA

Eshleman, Edwin D. (R)
 Goodling, William F. (R)
 Heinz III, H. John (R)
 Johnson, Albert W. (R)
 McDade, Joseph M. (R)
 Myers, Gary A. (R)
 Schneebeli, Herman (R)
 Schulze, Richard T. (R)
 Dent, John (D)
 Flood, Daniel (D)
 Gaydos, Joseph (D)
 Moorhead, Thomas (D)
 Murtha, John (D)
 Nix, Robert (D)
 Rooney, Fred B. (D)
 Vigorito, Joseph P. (D)
 Yatron, Gus (D)

SOUTH CAROLINA

Spence, Floyd (R)
 Davis, Mendel (D)
 Holland, Kenneth (D)
 Jenrette, John (D)
 Mann, James (D)

SOUTH DAKOTA

Abdnor, James (R)
 Pressler, Larry (R)

TENNESSEE

Beard, Robin (R)
 Duncan, John (R)
 Quillen, James (R)
 Allen, Clifford (D)
 Evins, Joe (D)
 Ford, Harold (D)
 Jones, Ed (D)
 Lloyd, Marilyn (D)

TEXAS

Archer, Bill (R)
 Collins, James (R)
 Paul, Ronald (R)
 Steelman, Alan (R)
 Brooks, Jack (D)
 Burleson, Omar (D)
 de la Garza, E. (D)
 Gonzalez, Henry (D)
 Hall, Samuel (D)
 Hightower, Jack (D)
 Kazen, Abraham (D)
 Kreuger, Robert (D)
 Mahon, George (D)
 Milford, Dale (D)
 Pickle, J.J. (D)
 Poage, W.R. (D)
 Roberts, Ray (D)
 Teague, Olin (D)
 White, Richard (D)
 Wilson, Charles (D)
 Wright, James (D)
 Young, John (D)

VIRGINIA

Butler, M. Caldwell (R)
 Daniel Jr., Robert W. (R)
 Robinson, J. Kenneth (R)
 Wampler, William C. (R)
 Whitehurst, G. William (R)
 Daniel, Dan (D)
 Downing, Thomas N. (D)

WEST VIRGINIA

Slack, John M. (D)

WISCONSIN

Kasten Jr., Robert W. (R)
 Steiger, William (R)

Baldus, Alvin (D)
Zablocki, Clement (D)

WYOMING

Roncalio, Teno (D)

WASHINGTON

Hicks, Floyd (D)

AGAINSTARIZONA

Udall, Morris K. (D)

CALIFORNIA

McCloskey Jr., Paul N. (R)
Wiggins, Charles (R)
Anderson, Glenn M. (D)
Brown, George E. (D)
Burke, Yvonne Brathwaite (D)
Burton, John L. (D)
Burton, Phillip (D)
Corman, James C. (D)
Danielson, George (D)
Dellums, Ronald V. (D)
Edwards, Don (D)
Hannaford, Mark W. (D)
Hawkins, Augustus F. (D)
Krebs, John (D)
Leggett, Robert L. (D)
Miller, George (D)
Mineta, Norman Y. (D)
Moss, John E. (D)
Patterson, Jerry M. (D)
Rees, Thomas M. (D)
Roybal, Edward R. (D)
Ryan, Leo (D)
Stark, Fortney H. (Pete) (D)
VanDeerlin, Lionel (D)
Waxman, Henry A. (D)
Wilson, Charles H. (D)

COLORADO

Schroeder, Patricia (D)
Wirth, Timothy E. (D)

CONNECTICUT

Moffett, Anthony Toby (D)

DELAWARE

duPont, Pierre S. (R)

FLORIDA

Young, C.W. Bill (R)
Gibbons, Sam (D)
Lehman, William (D)
Rogers, Paul G. (D)

GEORGIA

Young, Andrew (D)

HAWAII

Matsunaga, Spark M. (D)

ILLINOIS

McClory, Robert (R)
Mikva, Abner J. (D)
Price, Melvin (D)
Russo, Martin A. (D)
Simon, Paul (D)
Yates, Signey (D)

INDIANA

Brademas, John (D)
Fithian, Floyd J. (D)
Hamilton, Lee (D)
Roush, J. Edward (D)

IOWA

Harkin, Tom (D)
Mezvinisky, Edward (D)

KANSAS

Keys, Martha (D)

KENTUCKY

Mazzoli, Romano L. (D)

MAINE

Cohen, William S. (R)

MARYLAND

Gude, Gilbert (R)
Spellman, Gladys Noon (D)

MASSACHUSETTS

Drinan, Robert (D)
Early, Joseph (D)
Harrington, Michael (D)
Moakley, Joe (D)
Studds, Gerry (D)
Tsongas, Paul E. (D)

MICHIGAN

Brodhead, William M. (D)
 Conyers Jr., John (D)
 Vander Veen, Richard F. (D)

MINNESOTA

Quie, Albert H. (R)
 Bergland, Bob (D)
 Fraser, Donald M. (D)
 Karth, Joseph E. (D)
 Nolan, Richard (D)

MISSOURI

Bolling, Richard (D)
 Clay, William (D)
 Symington, James W. (D)

MONTANA

Baucus, Max S. (D)

NEW JERSEY

Fenwick, Millicent (R)
 Forsythe, Ed (R)
 Rinaldo, Matthew J. (R)
 Daniels, Dominick V. (D)
 Florio, James J. (D)
 Helstoski, Henry (D)
 Howard, James (D)
 Maguire, Andrew (D)
 Meyner, Helen S. (D)
 Minish, Joseph G. (D)
 Patten, Edward J. (D)
 Rodino, Peter W. (D)
 Roe, Robert A. (D)
 Thompson, Frank (D)

NEW YORK

Fish Jr., Hamilton (R)
 Lent, Norman F. (R)
 Abzug, Bella S. (D)
 Ambro, Jerome A. (D)
 Badillo, Herman (D)
 Downey, Thomas (D)
 Holtzman, Eliz. (D)
 Koch, Edward I. (D)
 Lundine, Stanley N. (D)
 McHugh, Matthew F. (D)
 Ottinger, Richard L. (D)
 Pattison, Edward W. (D)
 Rangel, Charles B. (D)
 Richmond, Fred (D)

Rosenthal, Benjamin S. (D)
 Scheuer, James H. (D)
 Solarz, Stephen J. (D)
 Wolff, Lester L. (D)
 Zeferetti, Leo (D)

NORTH CAROLINA

Neal, Stephen L. (D)
 Preyer, Richardson (D)

OHIO

Mosher, Charles A. (R)
 Whalen Jr., Charles W. (R)
 Carney, Charles J. (D)
 Seiberling, John F. (D)
 Stokes, Louis (D)
 Vanik, Charles A. (D)

OREGON

Weaver, James. (D)

PENNSYLVANIA

Biestler Jr., Edward G. (R)
 Shuster, Bud (F)
 Edgar, Robert W. (D)
 Green, William J. (D)
 Moorhead, William S. (D)

RHODE ISLAND

Beard, Edward P. (D)
 St. Germain, Fernand J. (D)

TEXAS

Eckhardt, Bob (D)
 Jordan, Barbara (D)

UTAH

Howe, Allan T. (D)
 McKay, Gunn (D)

VERMONT

Jeffords, James M. (R)

VIRGINIA

Fisher, Joseph (D)

WASHINGTON

Adams, Brock (D)

Bonker, Don (D)
Meeds, Lloyd (D)
McCormack, Mike (D)

WEST VIRGINIA

Hechler, Ken (D)
Staggers, Harley O. (D)

WISCONSIN

Aspin, Les (D)
Cornell, Robert J. (D)
Kastenmeier, Robert W. (D)
Obey, David R. (D)
Reuss, Henry S. (D)

UNCOMMITTEDALASKA

Young, Don (R)

CALIFORNIA

Clawson, Del (R)

Talcott, Burt L. (R)

COLORADO

Evans, Frank E. (D)

CONNECTICUT

McKinney, Stewart B. (R)

Sarasin, Ronald A. (R)

Cotter, William R. (D)

Dodd, Christopher J. (D)

Giaimo, Robert N. (D)

FLORIDA

Bennett, Charles E. (D)

Fascell, Dante B. (D)

Pepper, Claude (D)

GEORGIA

Brinkley, Jack (D)

ILLINOIS

Anderson, John B. (R)

Erlenborn, John N. (R)

Collins, Cardiss (D)

Hall, Tim L. (D)

Metcalf, Ralph H. (D)

Shipley, George E. (D)

INDIANA

Jacobs Jr., Andrew (D)

Hayes, Philip H. (D)

IOWA

Bedell, Berkley (D)

Blouin, Michael T. (D)

MARYLAND

Long, Clarence D. (D)

Mitchell, Parren J. (D)

Sarbanes, Paul S. (D)

MASSACHUSETTS

Conte, Silvio O. (R)

Burke, James A. (D)

O'Neill Jr., Thomas P. (D)

MISSOURI

Burlison, Bill D. (D)

Hungate, William L. (D)

Sullivan, Leonor K. (D)

MONTANA

Melcher, John (D)

NEVADA

Santini, Jim (D)

NEW JERSEY

Hughes, William J. (D)

NEW MEXICO

Runnels, Harold (D)

NEW YORK

Gilman, Benjamin A. (R)

Addabbo, Joseph P. (D)

Biaggi, Mario (D)

Bingham, Jonathan B. (D)

Chisholm, Shirley (D)

Delaney, James J. (D)

Nowak, Henry J. (D)

OHIO

Mottl, Ronald M. (D)

OKLAHOMA

Albert, Carl (D)

OREGON

AuCoin, Les (D)

Duncan, Robert (D)

Ullman, Al (D)

PENNSYLVANIA

Coughlin, Lawrence (R)

Eilberg, Joshna (D)

Moorhead, William S. (D)

SOUTH CAROLINA

Derrick, Butler (D)

VIRGINIA

Harris, Herbert E. (D)

WASHINGTON

Pritchard, Joel (R) ✓
Foley, Thomas S. (D)

WEST VIRGINIA

Mollohan, Robert H. (D)



FORALABAMA

Buchanan, John H. (R)
 Dickinson, William L. (R)
 Edwards, Jack (R)
 Bevill, Tom (R)
 Flowers, Walter (R)
 Jones, Robert E. (R)
 Nichols, Bill (D)

ARIZONA

Rhodes, John J. (R)
 Steiger, Sam (R)
 Conlan, John B. (R)

ARKANSAS

Hammerschmidt, John Paul (R)
 Alexander, Bill (D)
 Mills, Wilbur D. (D)
 Thornton, Ray (D)

CALIFORNIA

Bell, Alphonzo (R)
 Burgener, Clair (R)
 Clausen, Don H. (R)
 Goldwater Jr., Barry M. (R)
 Ketchum, William M. (R)
 Lagomarsino, Robt. J. (R)
 Moorhead, Carlos (R)
 Pettis, Shirley N. (R)
 Rousselot, John H. (R)
 Wilson, Bob (R)
 Johnson, Harold T. (D)
 Lloyd, Jim (D)
 McFall, John (D)
 Sisk, B.F. (D)

COLORADO

Armstrong, William L. (R)
 Johnson, James (R)

FLORIDA

Bafalis, L.A. (Skip) (R)
 Burke, Herbert (R)
 Frey, Louis (R)
 Kelly, Richard (R)
 Chappell Jr., Bill (D)
 Fuqua, Don (D)
 Haley, James (D)
 Sikes, Robert (D)

GEORGIA

Flynt Jr., John J. (D)
 Ginn, Bo (D)
 Landrum, Phil (D)
 Levitas, Elliott (D)
 Mathis, Dawson (D)
 McDonald, Larry (D)
 Stevens Jr., Robert G. (D)
 Stuckey Jr., W.S. (D)

IDAHO

Hansen, George (R)
 Symms, Steven D. (R)

ILLINOIS

Crane, Philip M. (R)
 Derwinski, Ed. (R)
 Findley, Paul (R)
 Hyde, Henry J. (R)
 Madigan, Edward R. (R)
 Michel, Robert H. (R)
 O'Brien, George M. (R)
 Railsback, Ton (R)
 Annunzio, Frank (D)
 Fary, John (D)
 Murphy, Morgan F. (D)
 Rostenkowski, Dan (D)

INDIANA

Hillis, Elwood (R)
 Myers, John T. (R)
 Evans, David W. (D)
 Madden, Ray (D)
 Sharp, Philip R. (D)

IOWA

Grassley, Charles (R)
 Smith, Neal (D)

KANSAS

Sebelius, Keith G. (R)
 Shriver, Garner (R)
 Skubitz, Joe (R)
 Winn Jr., Larry (R)

KENTUCKY

Carter, Tim Lee (R)
 Snyder, Gene (R)
 Breckinridge, John (D)

Hubbard Jr., Carroll (D)
Natcher, William H. (D)
Perkins, Carl D. (D)

LOUISIANA

Moore, W. Henson (R)
Treen, David C. (R)
Boggs, Lindy D)
Breauux, John B. (D)
Hebert, F. Edward (D)
Long, Gillis W. (D)
Passman, Otto E. (D)
Waggoner Jr., Joe D. (D)

MAINE

Emery, David F. (R)

MARYLAND

Bauman, Robert E. (R)
Holt, Marjorie (R)
Byron, Goodloe E. (D)

MASSACHUSETTS

Heckler, Margaret M. (R)
Boland, Edward P. (D)

MICHIGAN

Broomfield, William S. (R)
Brown, Garry (R)
Cederberg, Elford A. (R)
Esch, Marvin L. (R)
Hutchinson, Edward (R)
Ruppe, Philip E. (R)
Vander Jagt, Guy (R)
Blanchard, James L. (D)
Carr, Bob (D)
Diggs Jr., Charles C. (D)
Dingell, John D. (D)
Ford, William D. (D)
Nedzi, Lucien N. (D)
O'Hara, James G. (D)
Riegle Jr., Donald W. (D)
Traxler, Bob (D)

MINNESOTA

Frenzel, Bill (R)
Hagedorn, Tom (R)
Oberstar, James L. (D)

MISSISSIPPI

Cochran, Thad (R)
Lott, Trent (R)
Bowen, David R. (D)
Montgomery, G.V. Sonny (D)
Whitten, Jamie L. (D)

MISSOURI

Randall, William (D)
Taylor, Gene (R)
Ichord, Richard H. (D)

NEBRASKA

McCollister, John Y. (R)
Smith, Virginia (R)
Thone, Charles (R)

NEW HAMPSHIRE

D' Amours, Norman (D)
Cleveland, James C. (R)

NEW MEXICO

Lujan Jr., Manuel (R)

NEW YORK

Conable, Barber B. (R)
Horton, Frank (R)
Kemp, Jack F. (R)
McEwen, Robert C. (R)
Mitchell, Donald J. (R)
Peyser, Peter A. (R)
Walsh, William F. (R)
Wydler, John (R)
Hanley, James M. (D)
LaFalce, John J. (D)
Murphy, John M. (D)
Pike, Otis G. (D)
Stratton, Samuel S. (D)

NORTH CAROLINA

Broyhill, James T. (R)
Martin, James G. (R)
Andrews, Ike (D)
Fountain, L.H. (D)
Hefner, W. G. (D)
Henderson, David N. (D)
Jones, Walter B. (D)
Rose, Charles (D)
Taylor, Roy A. (D)

NORTH DAKOTA

Andrews, Mark (R)

OHIO

Ashbrook, John M. (R)
 Brown, Clarence J. (R)
 Clancy, Donald (R)
 Devine, Samuel (R)
 Gradison Jr., Willis D. (R)
 Guyer, Tennyson (R)
 Harsha, William H. (R)
 Kindness, Thomas N. (R)
 Latta, Delbert L. (R)
 Miller, Clarence E. (R)
 Regula, Ralph S. (R)
 Stanton, William J. (R)
 Wylie, Chalmers (R)
 Ashley, Thomas L. (D)
 Stanton, James V. (D)

OKLAHOMA

Jarman, John (R)
 English, Glenn (D)
 Jones, James R. (D)
 Risenhoover, Theodore M. (D)
 Steed, Tom (D)

PENNSYLVANIA

Eshleman, Edwin D. (R)
 Goodling, William F. (R)
 Heinz III, H. John (R)
 Johnson, Albert W. (R)
 McDade, Joseph M. (R)
 Myers, Gary A. (R)
 Schneebeil, Herman (R)
 Schulze, Richard T. (R)
 Dent, John (D)
 Flood, Daniel (D)
 Gaydos, Joseph (D)
 Moorhead, Thomas (D)
 Murtha, John (D)
 Nix, Robert (D)
 Rooney, Fred B. (D)
 Vigorito, Joseph P. (D)
 Yatron, Gus (D)

SOUTH CAROLINA

Spence, Floyd (R)
 Davis, Mendel (D)
 Holland, Kenneth (D)
 Jenrette, John (D)
 Mann, James (D)

SOUTH DAKOTA

Abdnor, James (R)
 Pressler, Larry (R)

TENNESSEE

Beard, Robin (R)
 Duncan, John (R)
 Quillen, James (R)
 Allen, Clifford (D)
 Evins, Joe (D)
 Ford, Harold (D)
 Jones, Ed (D)
 Lloyd, Marilyn (D)

TEXAS

Archer, Bill (R)
 Collins, James (R)
 Paul, Ronald (R)
 Steelman, Alan (R)
 Brooks, Jack (D)
 Burleson, Omar (D)
 de la Garza, E. (D)
 Gonzalez, Henry (D)
 Hall, Samuel (D)
 Hightower, Jack (D)
 Kazen, Abraham (D)
 Kreuger, Robert (D)
 Mahon, George (D)
 Milford, Dale (D)
 Pickle, J.J. (D)
 Poage, W.R. (D)
 Roberts, Ray (D)
 Teague, Olin (D)
 White, Richard (D)
 Wilson, Charles (D)
 Wright, James (D)
 Young, John (D)

VIRGINIA

Butler, M. Caldwell (R)
 Daniel Jr., Robert W. (R)
 Robinson, J. Kenneth (R)
 Wampler, William C. (R)
 Whitehurst, G. William (R)
 Daniel, Dan (D)
 Downing, Thomas N. (D)

WEST VIRGINIA

Slack, John M. (D)

WISCONSIN

Kasten Jr., Robert W. (R)
 Steiger, William (R)

Baldus, Alvin (D)
Zablocki, Clement (D)

WYOMING

Roncalio, Teno (D)

WASHINGTON

Hicks, Floyd (D)

AGAINSTARIZONA

Udall, Morris K. (D)

CALIFORNIA

McCloskey Jr., Paul N. (R)
 Wiggins, Charles (R)
 Anderson, Glenn M. (D)
 Brown, George E. (D)
 Burke, Yvonne Brathwaite (D)
 Burton, John L. (D)
 Burton, Phillip (D)
 Corman, James C. (D)
 Danielson, George (D)
 Dellums, Ronald V. (D)
 Edwards, Don (D)
 Hannaford, Mark W. (D)
 Hawkins, Augustus F. (D)
 Krebs, John (D)
 Leggett, Robert L. (D)
 Miller, George (D)
 Mineta, Norman Y. (D)
 Moss, John E. (D)
 Patterson, Jerry M. (D)
 Rees, Thomas M. (D)
 Roybal, Edward R. (D)
 Ryan, Leo (D)
 Stark, Fortney H. (Pete) (D)
 VanDeerlin, Lionel (D)
 Waxman, Henry A. (D)
 Wilson, Charles H. (D)

COLORADO

Schroeder, Patricia (D)
 Wirth, Timothy E. (D)

CONNECTICUT

Moffett, Anthony Toby (D)

DELAWARE

duPont, Pierre S. (R)

FLORIDA

Young, C.W. Bill (R)
 Gibbons, Sam (D)
 Lehman, William (D)
 Rogers, Paul G. (D)

GEORGIA

Young, Andrew (D)

HAWAII

Matsunaga, Spark M. (D)

ILLINOIS

McClory, Robert (R)
 Mikva, Abner J. (D)
 Price, Melvin (D)
 Russo, Martin A. (D)
 Simon, Paul (D)
 Yates, Signey (D)

INDIANA

Brademas, John (D)
 Fithian, Floyd J. (D)
 Hamilton, Lee (D)
 Roush, J. Edward (D)

IOWA

Harkin, Tom (D)
 Mezvinsky, Edward (D)

KANSAS

Keys, Martha (D)

KENTUCKY

Mazzoli, Romano L. (D)

MAINE

Cohen, William S. (R)

MARYLAND

Gude, Gilbert (R)
 Spellman, Gladys Noon (D)

MASSACHUSETTS

Drinan, Robert (D)
 Early, Joseph (D)
 Harrington, Michael (D)
 Moakley, Joe (D)
 Studds, Gerry (D)
 Tsongas, Paul E. (D)

MICHIGAN

Brodhead, William M. (D)
 Conyers Jr., John (D)
 Vander Veen, Richard F. (D)

MINNESOTA

Quie, Albert H. (R)
 Bergland, Bob (D)
 Fraser, Donald M. (D)
 Karth, Joseph E. (D)
 Nolan, Richard (D)

MISSOURI

Bolling, Richard (D)
 Clay, William (D)
 Symington, James W. (D)

MONTANA

Baucus, Max S. (D)

NEW JERSEY

Fenwick, Millicent (R)
 Forsythe, Ed (R)
 Rinaldo, Matthew J. (R)
 Daniels, Dominick V. (D)
 Florio, James J. (D)
 Helstoski, Henry (D)
 Howard, James (D)
 Maguire, Andrew (D)
 Meyner, Helen S. (D)
 Minish, Joseph G. (D)
 Patten, Edward J. (D)
 Rodino, Peter W. (D)
 Roe, Robert A. (D)
 Thompson, Frank (D)

NEW YORK

Fish Jr., Hamilton (R)
 Lent, Norman F. (R)
 Abzug, Bella S. (D)
 Ambro, Jerome A. (D)
 Badillo, Herman (D)
 Downey, Thomas (D)
 Holtzman, Eliz. (D)
 Koch, Edward I. (D)
 Lundine, Stanley N. (D)
 McHugh, Matthew F. (D)
 Ottinger, Richard L. (D)
 Pattison, Edward W. (D)
 Rangel, Charles B. (D)
 Richmond, Fred (D)

Rosenthal, Benjamin S. (D)
 Scheuer, James H. (D)
 Solarz, Stephen J. (D)
 Wolff, Lester L. (D)
 Zeferetti, Leo (D)

NORTH CAROLINA

Neal, Stephen L. (D)
 Preyer, Richardson (D)

OHIO

Mosher, Charles A. (R)
 Whalen Jr., Charles W. (R)
 Carney, Charles J. (D)
 Seiberling, John F. (D)
 Stokes, Louis (D)
 Vanik, Charles A. (D)

OREGON

Weaver, James. (D)

PENNSYLVANIA

Biester Jr., Edward G. (R)
 Shuster, Bud (F)
 Edgar, Robert W. (D)
 Green, William J. (D)
 Moorhead, William S. (D)

RHODE ISLAND

Beard, Edward P. (D)
 St. Germain, Fernand J. (D)

TEXAS

Eckhardt, Bob (D)
 Jordan, Barbara (D)

UTAH

Howe, Allan T. (D)
 McKay, Gunn (D)

VERMONT

Jeffords, James M. (R)

VIRGINIA

Fisher, Joseph (D)

WASHINGTON

Adams, Brock (D)

Bonker, Don (D)
Meeds, Lloyd (D)
McCormack, Mike (D)

WEST VIRGINIA

Hechler, Ken (D)
Staggers, Harley O. (D)

WISCONSIN

Aspin, Les (D)
Cornell, Robert J. (D)
Kastenmeier, Robert W. (D)
Obey, David R. (D)
Reuss, Henry S. (D)

ROLL NO. 731

File

H R 18498A16

RECORDED VOTE

CLOSED 15 SEPT 1976 2:08 PM

AUTHOR(S): DINGELL

ON AGREEING TO THE AMENDMENT SEEKS TO FREEZE THE PRESENT AUTO EMISSION STANDARDS THROUGH 1979; FOR YEARS 1980-81 STANDARDS WOULD DROP TO CURRENT CALIFORNIA STANDARDS; IN 1982 THE FULL 90% REDUCTION WOULD BE REQUIRED FOR CARBON MONOXIDE AND HYDROCARBONS, WHILE NITROGEN OXIDE STANDARDS WOULD BE ESTABLISHED BY EPA.

	AYES	NOES	PRES	NV
DEMOCRATIC	117	142		26
REPUBLICAN	107	27	1	10
OTHER				
TOTAL	224	169	1	36



ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

ALABAMA				
BEVILL	YEA		BUCHANAN	YEA
FLOWERS	YEA		DICKINSON	YEA
JONES (AL)	NAY		EDWARDS (AL)	YEA
NICHOLS	YEA			
ALASKA				
			YOUNG (AK)	PRES
ARIZONA				
UDALL	NAY		CONLAN	YEA
			RHODES	YEA
			STEIGER (AZ)	YEA
ARKANSAS				
ALEXANDER	YEA		HAMMERSCHMIDT	YEA
HILLS	NAY			
THORNTON	YEA			
CALIFORNIA				
ANDERSON (CA)	NAY		BELL	YEA
BROWN (CA)	NAY		BURGENER	YEA
BURKE (CA)	NAY		CLAUSEN, DON H.	YEA
BURTON, JOHN	NAY		CLAUSON, DEL	YEA
BURTON, PHILLIP	NAY		GOLDWATER	YEA
CORMAN	NAY		HINSHAW	NV
DANIELSON	NAY		KETCHUM	YEA
DELLUMS	NAY		LAGOMARSINO	YEA
EDWARDS (CA)	NAY		MC CLOSKEY	NAY
HANNAFORD	NAY		MOORHEAD (CA)	YEA
HAWKINS	NAY		PETTIS	NAY
JOHNSON (CA)	NAY		ROUSSELOT	YEA
KREBS	NAY		TALCOTT	YEA
LEGGETT	NAY		WIGGINS	YEA
LLOYD (CA)	YEA		WILSON, BOB	YEA
MC FALL	NAY			
MILLER (CA)	NAY			
MINETA	NAY			
MOSS	NAY			
PATTERSON (CA)	NAY			
REES	NAY			
ROYBAL	NAY			
RYAN	NAY			
SISK	YEA			
STARK	NAY			
VAN DEERLIN	NAY			
WAXMAN	NAY			
WILSON, C. H.	NAY			
COLORADO				
EVANS (CO)	NV		ARMSTRONG	YEA
SCHROEDER	NAY		JOHNSON (CO)	YEA
WIRTH	NAY			



ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

CONNECTICUT

COTTER	NAY
DODD	NAY
GIAMMO	NAY
MOFFETT	NAY

MC KINNEY	NAY
SARASIN	NAY

DELAWARE

DU PONT	NAY
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FLORIDA

BENNETT	NAY
CHAPPELL	YEA
FASCELL	NAY
FURQUA	YEA
GIBBONS	NAY
HALEY	YEA
LEHMAN	NAY
PEPPER	NAY
ROGERS	NAY
SIKES	YEA

BAFALIS	YEA
BURKE (FL)	NAY
FREY	YEA
KELLY	YEA
YOUNG (FL)	YEA

GEORGIA

BRINKLEY	YEA
FLYNT	YEA
GINN	YEA
LANDRUM	YEA
LEVITAS	YEA
MATHIS	YEA
MC DONALD	YEA
STEPHENS	YEA
STUCKEY	YEA
YOUNG (GA)	NV

HAWAII

MATSUNAGA	NV
MINK	NAY

IDAHO

HANSEN	NV
SYMMS	YEA



ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

ILLINOIS

ANNUNZIO	YEA
COLLINS (IL)	NY
FARY	YEA
HALL (IL)	YEA
METCALFE	NAY
NIKYA	NAY
MURPHY (IL)	YEA
PRICE	NAY
ROSTENKOWSKI	YEA
RUSSO	NAY
SHIPLEY	YEA
SIMON	NAY
YATES	NAY

ANDERSON (IL)	NAY
CRANE	YEA
DERWINSKI	YEA
ERLEBORN	YEA
FINDLEY	YEA
HYDE	YEA
MADIGAN	YEA
MC CLORY	NAY
NICHEL	YEA
O'BRIEN	YEA
RAILSBACK	NAY

INDIANA

BRADENAS	NAY
EVANS (IN)	YEA
FITHIAN	NAY
HAMILTON	NAY
HAYES (IN)	YEA
JACOBS	YEA
MADDEN	NAY
ROUSH	NAY
SHARP	YEA

HILLIS	YEA
MYERS (IN)	YEA

IOWA

BEDELL	NAY
BLOUIN	NAY
HARKIN	NAY
MEZVINSKY	NAY
SMITH (IA)	NAY

GRASSLEY	YEA
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KANSAS

KEYS	NAY
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SEBELIUS	YEA
SHRIVER	YEA
SKUBITZ	YEA
WINN	YEA

KENTUCKY

BRECKINRIDGE	NAY
HUBBARD	YEA
MAZZOLI	YEA
NATCHER	YEA
PERKINS	NAY

CARTER	NY
SNYDER	YEA

LOUISIANA

BODGS	YEA
BREAUX	YEA
HEBERT	NY
LONG (LA)	YEA
PASSMAN	YEA
WAGGONER	YEA

MOORE	YEA
TREEN	YEA



ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

MAINE

COHEN	NAY
EMERY	NAY

MARYLAND

BYRON	YEA
LONG (MD)	NAY
MITCHELL (MD)	NAY
SARBANES	NAY
SPELLMAN	NAY

BAUMAN	YEA
GUDE	NAY
HOLT	YEA

MASSACHUSETTS

BOLAND	NAY
BURKE (MA)	YEA
DRINAN	NAY
EARLY	NAY
HARRINGTON	NAY
MOAKLEY	NAY
O'NEILL	NV
STUDDS	NAY
TSONGAS	NAY

CONTE	NAY
HECKLER (MA)	NAY

MICHIGAN

BLANCHARD	YEA
BRODHEAD	NAY
CARR	YEA
CONYERS	NAY
DIGGS	YEA
DINGELL	YEA
FORD (MI)	YEA
NEDZI	YEA
O'HARA	YEA
RIEGLE	YEA
TRAXLER	YEA
VANDER VEEN	NAY

BROONFIELD	YEA
BROWN (MI)	YEA
CEDERBERG	YEA
ESCH	NV
HUTCHINSON	YEA
RUPPE	YEA
VANDER JAGT	NV

MINNESOTA

BERGLAND	NV
FRASER	NAY
KARTH	NV
NOLAN	NV
OBERSTAR	YEA

FRENZEL	YEA
HAGEDORN	YEA
QUIE	NAY

MISSISSIPPI

BOWEN	NV
MONTGOMERY	YEA
WHITTEN	YEA

COCHRAN	YEA
LOTT	YEA



ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

MISSOURI

BOLLING	NAY
BURLISON (MO)	YEA
CLAY	NAY
HUNGATE	YEA
ICHORD	YEA
RANDALL	YEA
SULLIVAN	NAY
SYMINGTON	NAY

TAYLOR (MO)

YEA

MONTANA

BAUCUS	NAY
MELCHER	YEA

NEBRASKA

MC COLLISTER	NV
SMITH (NB)	YEA
THONE	YEA

NEVADA

SANTINI	NAY
---------	-----

NEW HAMPSHIRE

D'AMOURS	NAY
----------	-----

CLEVELAND

YEA

NEW JERSEY

DANIELS (NJ)	NAY
FLORIO	NAY
HELSTOSKI	NV
HOWARD	NAY
HUGHES	NAY
MAGUIRE	NAY
MEYNER	NAY
MINISH	NAY
PATTEN (NJ)	NAY
RODINO	NAY
ROE	NAY
THOMPSON	NAY

FENWICK	NAY
FORSYTHE	NAY
RINALDO	NV

NEW MEXICO

RUNNELS	YEA
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LUJAN

YEA



ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

NEW YORK

ABZUG	NAY
ADDABBO	NAY
AMBRO	NAY
BADILLO	NAY
BIAGGI	NV
BINGHAM	NAY
CHISHOLM	NV
DELANEY	YEA
DOWNEY (NY)	NV
HANLEY	YEA
HOLTZMAN	NAY
KOCH	NAY
LAFALCE	NV
LUNDINE	NAY
MC HUGH	NAY
MURPHY (NY)	YEA
NOWAK	YEA
OTTINGER	NAY
PATTISON (NY)	NAY
PIKE	YEA
RANGEL	NAY
RICHMOND	NAY
ROSENTHAL	NAY
SCHEUER	NAY
SOLARZ	NAY
STRATTON	YEA
WOLFF	NAY
ZEFERETTI	NV

CONABLE	YEA
FISH	NAY
GILMAN	NAY
HORTON	YEA
KEMP	YEA
LENT	NAY
MC EWEN	YEA
MITCHELL (NY)	YEA
PEYSER	NV
WALSH	YEA
WYDLER	NAY

NORTH CAROLINA

ANDREWS (NC)	YEA
FOUNTAIN	YEA
HEFNER	YEA
HENDERSON	YEA
JONES (NC)	YEA
NEAL	NV
PREYER	NAY
ROSE	YEA
TAYLOR (NC)	YEA

BROYHILL	YEA
MARTIN	YEA

NORTH DAKOTA

ANDREWS (ND)	YEA
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ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

OHIO

ASHLEY	YEA
CARNEY	NAY
HOTTI	NAY
SEIBERLING	NAY
STANTON, JAMES V.	NAY
STOKES	NAY
VANIK	NAY

ASHBROOK	YEA
BROWN (OH)	YEA
CLANCY	YEA
DEVINE	YEA
GRADISON	YEA
GUYER	YEA
HARSHA	YEA
KINDNESS	YEA
LATTA	YEA
MILLER (OH)	YEA
MOSHER	NAY
REGULA	YEA
STANTON, J. WILLIAM	YEA
WHALEN	NAY
WYLIE	YEA

OKLAHOMA

ALBERT	
ENGLISH	YEA
JONES (OK)	YEA
RISENHOOVER	NV
STEED	YEA

JARMAN	YEA
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OREGON

AUCOIN	NV
DUNCAN (OR)	YEA
ULLMAN	YEA
WEAVER	NAY

PENNSYLVANIA

DENT	YEA
EDGAR	NAY
EILBERG	NAY
FLOOD	YEA
GAYDOS	NAY
GREEN	NV
HOORHEAD (PA)	NAY
MORGAN	NV
MURTHA	YEA
NIX	NAY
ROONEY	YEA
VIGORITO	YEA
YATRON	YEA

BIESTER	NAY
COUGHLIN	NAY
ESHLEMAN	YEA
GOODLING	YEA
HEINZ	NV
JOHNSON (PA)	YEA
MC DADE	YEA
MYERS (PA)	YEA
SCHNEEBELI	YEA
SCHULZE	YEA
SHUSTER	YEA

RHODE ISLAND

BEARD (RI)	NV
ST GERMAIN	NAY



ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

SOUTH CAROLINA

DAVIS	YEA
DERRICK	NAY
HOLLAND	YEA
JENRETTE	YEA
MANN	YEA

SPENCE	YEA
--------	-----

SOUTH DAKOTA

ABDNOR	YEA
PRESSLER	YEA

TENNESSEE

ALLEN	NV
EVINS (TN)	YEA
FORD (TN)	NV
JONES (TN)	YEA
LLOYD (TN)	YEA

BEARD (TN)	YEA
DUNCAN (TN)	YEA
QUILLEN	YEA

TEXAS

BROOKS	YEA
BURLESON (TX)	YEA
DE LA GARZA	YEA
ECKHARDT	NAY
GONZALEZ	NAY
HALL (TX)	YEA
HIGHTOWER	YEA
JORDAN	NAY
KAZEN	YEA
KRUEGER	YEA
NAHON	YEA
MILFORD	YEA
PICKLE	YEA
POAGE	YEA
ROBERTS	YEA
TEAGUE	YEA
WHITE	YEA
WILSON (TX)	YEA
WRIGHT	YEA
YOUNG (TX)	YEA

ARCHER	YEA
COLLINS (TX)	YEA
PAUL	YEA
STEELMAN	NV

UTAH

HOME	NV
MC KAY	YEA



VERMONT

JEFFORDS	NAY
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VIRGINIA

DANIEL, DAN	YEA
DOWNING (VA)	YEA
FISHER	NAY
HARRIS	NAY
SATTERFIELD	YEA

EUTLER	YEA
DANIEL, R. W.	YEA
ROBINSON	YEA
WAMPLER	YEA
WHITEHURST	YEA

ROLL NO. 731

DEMOCRATIC

OTHER

REPUBLICAN

WASHINGTON

ADAMS	NAY
BONKER	NAY
FOLEY	NAY
HICKS	NAY
MC CORMACK	YEA
NEEDS	NAY

FRITCHARD

NAY

WEST VIRGINIA

HECHLER (WV)	NAY
MOLLOHAN	NAY
SLACK	YEA
STAGGERS	NV

WISCONSIN

ASPIN	YEA
BALDUS	YEA
CORNELL	NAY
KASTENMEIER	NAY
OBEY	NAY
REUSS	NAY
ZABLOCKI	YEA

KASTEN
STEIGER (WI)

YEA
YEA

WYOMING

RONCALIO	YEA
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* * * * * E N D O F R E P O R T * * * * *

REPUBLICAN CLERK'S
REFERENCE COPY

JOE BARTLETT
H-220, U. S. CAPITOL



SEP 15 1976

FIVE

THE WHITE HOUSE
WASHINGTON

Chas Leppert -

Denzell - Brayhill cannot

FOR - 236

AGAINST - 138

UNDECIDEN - 54



Clean Air

September 20, 1976

Dear John:

Thank you for your letter of September 17 enclosing the proposed revision to Section 11 of S. 3219.

I have referred your letter to the appropriate staff for substantive review. If we can support this proposal, I will be in touch with you.

With kind regards,

Sincerely,

Charles Leppert, Jr.
Deputy Assistant
to the President

Mr. John R. Sweeney
Assistant Manager
Bethlehem Steel Corporation
1000 - 16th Street, N. W.
Washington, D. C. 20036

CL/jm

393-4720



THE WHITE HOUSE

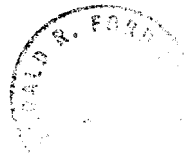
WASHINGTON

September 20, 1976

MEMORANDUM FOR: BILL GOROG
THRU: MAX FRIEDERSDORF
FROM: CHARLES LEPPERT, JR. *CLJ.*
SUBJECT: Clean Air Act Amendments

Attached is a proposal on "non-attainment" which I spoke to you about as a possible compromise in the conference on the Clean Air bill. Note that Senator Randolph has agreed to offer this proposal in conference.

Any guidance?



Janet:

Acknowledge
Brenn's letter &
tell him that we
have referred it to
proper staff (substantive
review). If we can support
the proposal finally
we'll touch with
him. Chris.

Bethlehem Steel Corporation

SOLAR BUILDING
1000 16TH STREET N. W.

WASHINGTON, D. C. 20036

W. E. WICKERT, JR.
MANAGER
J. R. SWEENEY
ASSISTANT MANAGER

SEP 20 1976



September 17, 1976

Mr. Charles Leppert, Jr.
Special Assistant for Legislative Affairs
Washington, D.C.

Dear Charlie:

Attached is the proposed revision to Section 11 of S. 3219.

The revision would alter the present provision by allowing the construction of new as well as the expansion of existing facilities in non-attainment areas. It would also allow the construction of either new or the expansion of existing facilities if the region could show a net reduction as opposed to the present language which would only allow expansion if the site of this proposed expansion could show a net reduction. This second provision is designed to take care of either new facilities, where no reduction is possible, or existing facilities that are already so tightly controlled that the owner or operator would have few if any allowable increments to trade, in order to expand.

Senator Randolph has agreed to raise this proposal in Conference. We are trying to enlist additional support; if you concur with this approach, any assistance would be greatly appreciated.

Very truly yours,

John R. Sweeney

Sec. 11. Section 113 of the Clean Air Act is amended by adding the following new subsection:

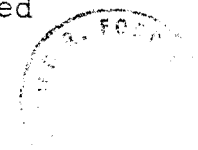
"(g) (1) No major emitting facility shall be constructed or modified in any air quality control region or portion thereof in which any national ambient air quality standard is exceeded, if such facility will emit air pollutants subject to such standard so as to prevent the attainment or maintenance of such standard, except that a facility [proposed for construction or modification at an existing site or plant owned or controlled by the owner or operator of such facility] may be constructed or modified in such region if the owner or operator demonstrates to the satisfaction of the State that (A) the proposed facility will comply with the best available control technology (as defined in section 110(g)(6)(A) of this Act) applicable to such proposed facility before the proposed facility begins operation, (B) all existing sources owned or controlled by the owner or operator of the proposed facility in the same air quality control region as the proposed facility either are in compliance with all applicable emission limitations or are in compliance with an approved schedule and timetable for compliance under a provision of an applicable implementation plan under section 110 of this Act or an enforcement order issued under section 113(d) of this Act, (C) the total cumulative emissions from the existing sources within the region of [at] the proposed facility location and the proposed facilities will at no time increase, [(D) the total allowable emissions from all existing and proposed sources at the proposed facility location will be sufficiently less than the total allowable emissions from the existing sources under the implementation plan or an approved schedule and timetable for compliance applicable prior to the request to construct or modify so as to represent reasonable further progress toward attainment of the applicable national ambient air quality standard, taking into account progress already made.]

"(2) After [January 1, 1979]*, only a proposed facility where all existing sources owned or controlled by the owner or operator of the proposed facility in the same air quality control region as the proposed facility are in compliance with all emission limitations under an applicable implementation plan under section 110 of this Act shall be eligible for an exception under paragraph (1) of this subsection.

"(3) The provisions of this subsection shall [not] be available [where] when a State has [not] made [any] appropriate revisions in the applicable implementation plan to establish the necessary procedures to implement the requirements of this subsection [include the emission limitations established for sources at the proposed facility location under paragraph (1)(D) of this subsection]".

* Date to be inserted to coincide with the Conference Agreement on the final compliance date for stationary sources.

NOTE: Language in brackets is to be deleted; language underlined is to be added.



10

THE WHITE HOUSE

WASHINGTON

September 20, 1976

MEMORANDUM FOR:

BILL GOROG

THRU:

MAX FRIEDERSDORF *MB*

FROM:

CHARLES LEPPERT, JR. *CLJ*

SUBJECT:

Clean Air Act Amendments

Attached is a proposal on "non-attainment" which I spoke to you about as a possible compromise in the conference on the Clean Air bill. Note that Senator Randolph has agreed to offer this proposal in conference.

Any guidance?

*This is acceptable —
mkt.*

SEP 20 1976



Bethlehem Steel Corporation

SOLAR BUILDING
1000 16TH STREET N. W.

W. E. WICKERT, JR.
MANAGER
J. R. SWEENEY
ASSISTANT MANAGER

WASHINGTON, D. C. 20036

SEP 20 1976



September 17, 1976

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Special Assistant for Legislative Affairs
Washington, D.C.

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