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JC = FYI

THE WHITE HOUSE

WASHINGTON

July 28, 1976

MEMORANDUM FOR RICHARD B. CHENEY
FROM: WILLIAM F. GOROG *wfg*
SUBJECT: Summary of Developments Affecting the
Clean Air Act Amendments

At noon today, Coleman Andrews spoke to Max Friedersdorf in my absence concerning developments related to the Clean Air Act Amendments. It was apparent at that time that supporters of the Moss, Randolph, and Bill Scott Amendments had failed to reach any agreement concerning further consideration of the stationary source sections of the Clean Air Act Amendments, and that an irresolvable impasse existed. Based on this situation, Senator Muskie had approached Senator Baker with the suggestion that the Senate move to consider only the auto emissions section of the Clean Air Act Amendments, and it was reported that Baker had rebuffed Muskie's proposal.

Max spoke with Baker at noon and determined that the situation described above was in fact correct. He added that such a move would be dependent upon the unanimous consent of the Senate, and that Senators Buckley and Stafford were unlikely to support a move to drop consideration of the non-auto issues contemplated in the Senate Bill.

Max then called me out of the EPB meeting with the President to apprise me of the situation. I returned to the EPB meeting and informed that group of the existing situation, noting that such a move would effectively kill consideration of those sections of the Clean Air Act Amendments that the President opposes, while at the same time ensuring swift consideration of the auto issue. The President's guidance was to the effect that if support of the Muskie initiative would accomplish the effects outlined above, then we should support such an effort.

Based on this guidance, Max spoke with Baker again. Baker had mentioned in their previous conversation that while he would not be disposed to agree to the Muskie compromise, he would do so if asked to by the President. Baker agreed to determine the position of Stafford and Buckley on the question, and to seek their support if necessary.

While the President also mentioned in the EPB meeting that we might wish to seek sponsorship of the Dingell-Broyhill auto standards

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on the Senate side, I believe that such a move is unwarranted at this time since virtually no work has been done on the Senate side in support of the Dingell-Broyhill Amendment. I had spoken earlier with the MVMA and they had agreed that such an amendment would stand little chance of passage in the Senate. Late this afternoon, they confirmed their adherence to this position; based on this assessment, I believe we should not press for consideration of an amendment similar to Dingell-Broyhill on the Senate side. Rather, we should focus our efforts in support of that position in an attempt to gain a large margin of victory on the House side, giving us strength on this issue in Conference.

cc: James E. Connor