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THE WHITE HOUSE

WASHINGTON

May 29, 1976

MEMORANDUM FOR RON NESSEN

FROM: WILLIAM F. GOROG *WFG*

SUBJECT: Fact Sheet

CLEAN AIR ACT AMENDMENTS

On Friday, May 28, the President sent letters to Jennings Randolph, Chairman of the Senate Public Works Committee, and to Harley O. Staggers, Chairman of the House Interstate and Foreign Commerce Committee, regarding Clean Air Amendments. A copy of the text of this letter is attached.

The letter refers to two of the most significant Amendments offered by the Senate and the House regarding changes in Auto Emission Standards, and changes in the significant deterioration provisions of the Clean Air Act of 1970.

In January 1975, the President recommended that the Congress modify provisions of the Clean Air Act because of great concern that the provisions of this Act would have serious impact on industrial expansion, job creation, and energy, without materially improving the environment as far as health standards were concerned.

When the Senate version of the Bill was reported out of Committee, the President requested the Environmental Protection Agency to provide him with an analysis of the impact of the provisions of this Bill on the factors of unemployment, energy, and health standards. These analyses were delivered on the 27th of May. It was the opinion of the President's advisors that the preliminary work presented did not contain sufficient evidence to endorse the provisions of the Senate Bill. There are great uncertainties concerning impact on industrial expansion and effect on the economy and job creation. As a result, the President made the decision on Friday, May 28, to recommend that the most appropriate course of action would be to amend the Act to preclude application of significant deterioration provisions until sufficient information concerning final impact can be gathered.

Attachment

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.

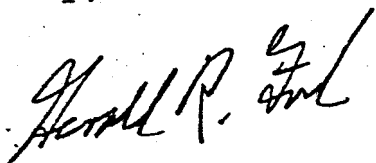


I am also concerned about the potential impact of the sections of the Senate and House Committee Amendments that deal with the prevention of significant deterioration of air quality. In January 1975, I asked the Congress to clarify their intent by eliminating significant deterioration provisions. As 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 Jennings Randolph
Chairman
Public Works Committee
United States Senate
Washington, D.C. 20510

