

P.K. Robinson

April 11, 1973

J.F. Cole

Attached is a revised version of the "Letter to Membership" which includes the new point 2.

I also suggest that we enclose copies of Senator Hart's Congressional Record Statement of March 29th.

J.F. Cole

Enclosure

SV

LIAC3688

Draft - 4/11/73
Letter to LIA Membership

Dear _____:

The outcome of the lead in gasoline issue is of vital interest to us all. In the past year, evidence has continued to mount that the government has moved too quickly in its effort to control automobile emissions and to remove lead from gasoline.

Your aid is needed to help convince Congress that the Clean Air Act of 1970 must be reexamined and amended to reflect the realities of the present state of technology and the relationship of environmental needs to other important national priorities such as the growing shortage of energy.

You and others in your organization can help by writing to your Senators and Congressmen and expressing your views on the desirability of amending the Clean Air Act to permit a more realistic approach to controlling automobile emissions.

What follows are some major points that could be made in your letters:

1) The Environmental Protection Agency position that lead in gasoline poses a threat to public health has been shown to be without a basis in scientific fact.

2) The catalytic approach, which has been the basis for the requirement of lead free gasoline, is no longer thought to be the system of choice from economic or durability standpoints. Other systems, such as thermal reactors with traps, could meet more realistic standards, such as those of California, and also control particulate emissions including lead.

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3) Current measures to control automobile emissions including the removal of lead from gasoline will result in a tremendous drain of energy supplies at a time when the nation faces severe energy shortages.

4) Implementation of the present law will have an adverse economic impact on all segments of society from consumer to producer.

Many members of Congress are aware that the Clean Air Act of 1970 is proving detrimental to the public interest. They need to know that their constituents will support them in seeking changes in the law.

Your letters can help provide this public backing.

Sincerely,



~~Philip E. Robinson~~

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The industry has argued that an extension would provide an opportunity to improve

But he added the following caveat: "We cannot tell you exactly what is in the papers and it is up to you to find out the rest of the matter. He is justified in holding his journals only as he can tell it."

To that I would only add one more thought from Henry Ford. "Our invariable reply to 'It can't be done,' " he wrote, is 'Go do it.'"

Our problem very often is that once we have established some program and entered the campaign with all the conventional considerations and political considerations tucked in, it must succeed or fail in that form no matter what change in circumstances may befall it.

Congress somehow finds itself with little ability to adjust, to trim, to add but last or remove it once the program has been launched.

The war on poverty might be cited as an example. It was admittedly a somewhat emotional concept structured into legislative form. It was a somewhat uncertain craft—tending at times to be cranky and inefficient but it was nevertheless an inspiring sight as it set out on its rescue mission.

Some parts of it worked. Some parts not. But Congress never really restructured it, cutting off the draining numbers and providing a better compass.

And as a consequence, an insensitive administration—citing the program's deficiencies—finds itself politically able to scuttle the whole concept of a unified poverty program.

Certainly, it is our obligation—although an admittedly difficult one in view of the nature of the body in which we serve—to make sure that the programs we enact are not made rapidly obsolete by circumstance, not made unrecognizable by bureaucracy, not left to still through uncertain seas without an occasional change of course or sail.

All of this is a rather worrisome prospect to my reexamination of problems that are soon to descend on us—problems generated by the 1970 enactment of the Clean Air Act.

When we passed that legislation many of us—with considerable justification, I think—were particularly sensitive to the distortions of congressional intent that often result when a public law is passed through a bureaucratic filter.

Previously, in matters of health, Congress has left the technical details of discovery and enforcement to the executive branch.

We traditionally let them figure out what the dangers are and what enforcement levels are needed to meet the dangers. This time, we decided that we would be the technicians, that we would determine the requirements and set standards far into the future.

So we did not leave much discretion to the enforcing agencies. We built the ship but before we pushed it off from shore, we set the sails, we locked the rudder, and sent it on its way under the guidance of a largely automatic pilot.

But now it is clearly our responsibility to monitor that voyage closely. I hope we can do that and make whatever adjustments that logic may demand without undue loyalty to the decision that Congress made under other circumstances in 1970.

My suggestion that the act be reexamined will not, I hope, be totally rejected because I am the senior Senator from Michigan. It is true that my office and I are heavily involved in automobile manufacture, but I think many colleagues will recognize that I am not exactly a favorite in the boardrooms of Detroit.

In fact, I have no hesitation in stating that the crisis we face now is not a crisis in no small part the result of action on the part of the auto manufacturers themselves.

They had little or no response to early pollution warnings. Moreover, it is un-

deniably true that the now-famous California consent decree arrangement offered strong evidence that the companies did, in fact, conspiratorially drag their feet on pollution control.

It might be justifiably said that, had the auto companies in 1970 been more highly thought of in regard to fairness, integrity and consumer concern, the Clean Air Act may have passed in a more moderate form.

The American auto industry certainly has not been noted for individual innovation. When it moves, it almost always moves in lockstep, a characteristic common to concentrated industries.

Nevertheless, I find myself in accord with the National Academy of Sciences, which after reviewing the energy, economic and social impact of the act, recommended:

These matters are so complex and important that the committee urges an early and thorough examination by Congress, EPA and the academy of all aspects of the motor vehicle pollution standards established in the Clean Air Amendments of 1970—their premises, underlying assumptions, the goals that were set and the interplay among the three pollutants dealt with separately in the act.

In the light of the material developed in this report, CNAI believes that such a re-examination would be extremely valuable in relating motor vehicle emission control to the many other aspects of a sound national environmental policy.

Why is it appropriate for us to now re-examine that 1970 act?

We have grown increasingly concerned about our energy supplies, and it now appears that the systems most likely to be installed to meet the statutory standards will require increased fuel consumption.

We still have no manual evaluation—however tentative—of the degree to which public health will be improved by the end-stage requirements of the act; thus the cost-benefit ratio is difficult, if not impossible, to compute.

If industry and government do not deviate from their present course, it is apparent that the costs needed to bring cars into compliance with 1975 and 1976 requirements will add about \$272 to the price of an auto. This cost is being put out the door dollars will be paid in asking precisely what benefits will accrue to themselves and their customers. I am not sure our owners will be very satisfactory, especially to that 30 percent of the Nation's population working in urban areas.

Technological advances now on the horizon promise even more drastic fuel economy.

Some reform—conducted by private organizations such as EPA, state and local health departments, and others—so that nitrous oxide—the most difficult of all exhaust gases to eliminate—may not be the national hazard that we earlier thought it to be.

If we elect to continue a breakdown of the system, we will be in a position to make a decision about the future of the industry in its persistent devotion to the con-

ventional internal combustion engine. The automotive genius, Charles Kettering, would have understood that.

It was always his contention that in a factory there is nothing harder to sell than a new idea.

The essential problem as I see it is that we are at present locked into a course that will require additional expenditures by the consumer of at least \$2 billion a year if catalytic converters are standard equipment.

It is possible that the total extra car expense may go even higher than that if increased demand drives up gasoline prices.

Many experts in the oil industry, in fact, are predicting gasoline prices of \$1 a gallon, the cost being propelled upward by no-lead requirements and by the increased consumption required of pollution devices now being contemplated for installation.

The National Academy of Sciences concludes that:

These costs, in dollars and in depletion of fuel reserves, are so great that they should serve as a national incentive to hasten the development of reliable lower-cost alternatives to the dual-catalyst system as a solution to the problem of emissions control.

Certainly, everyone will agree that they should. But will they? In view of Mr. Kettering's law and in view of past performance, we cannot at this time promise the consumer that the industry, once the dual-catalyst is comfortably in place, will quickly seek to replace it.

But if we are to require the consumer to spend an extra \$2 billion a year, we have to promise him something, right? We almost have to be able to pledge, do we not, that the 1975-76 emissions standards will make his environment either healthier or pleasanter or both.

Well, we assume the environment will be healthier in some selected parts of the country, particularly concentrated urban areas. No one is sure, but we think so.

On the other hand, evidence indicates that in most areas of the country, the new emissions standards won't make a whit of difference. We might as well face it—on our present course we will sooner or later be compelled to tell the auto owner in Germfask, Mich., why he has to pay \$272 more for his car because distant cities that he has no prospect of there are serious pollution problems in visiting.

And he might ask some embarrassing questions.

He might ask if the last, and most expensive, emissions controls are really necessary from a health standpoint.

He might ask if local pollution control is not more efficiently and more cheaply controlled by local regulation designed to cut back auto traffic.

He might ask, for example, why a federal government worried about pollution in Washington, D.C., might not simply prohibit the use of at least government-owned cars carrying fewer than three people.

He might ask why we are not more actively pressing for mass transit systems, in polluted areas.

He might point out that a mandatory

inspection system that insisted on well-tuned auto engines in high-pollution areas could reduce hydrocarbon and monoxide emissions by some 40 percent at a cost of perhaps \$35 a car.

If we stay on our present course, we will also have to prepare a strong case for presentation to families of low and middle income. All the additional costs demanded by the 1975-76 steps will represent a sizable percentage of their income when car-buying time comes around.

Those families will have a right to know precisely what benefits will accrue to them and the Nation as a result of the extra charges we require them to pay.

Once again, I quote from the Academy report:

Whereas pollutant emission is undesirable anywhere, emissions control does not appear, today, to be essential on the basis of either essentially aesthetic or health consideration in large areas of the nation.

Indeed, overall, natural production of hydrocarbons, carbon monoxide, and perhaps nitrous oxide far exceeds that from man-made sources.

In view of the costs to the nation, in dollars and in fuel consumption, of early implementation of the 1975-76 standards, attention seems warranted to the possibility of temporarily enforcing the standards only in those specific urban areas where air quality is known to be adversely affected by automotive emissions, to give national implementation when there are reasonable reliable, relatively inexpensive, and less control systems which exact no fuel penalty.

What the Academy is saying, I think, is that the extra cost of near-total emissions control may be easy to explain to the fellow in Los Angeles but extremely difficult to explain to the fellow in Fayette, Miss., or Germantown, Mich.

It is undeniably true that we have experienced serious outbreaks of pollution in a number of urban areas. But if there is an outbreak of rabies in San Antonio, is it reasonable to insist that everyone in the Nation undertake an expensive and inconvenient series of inoculations?

And if we think it is, do we not have the duty to prove it?

And certainly a fellow who happens to be employed in making cars will have a right to know precisely what is gained in return for whatever reduced demand results from the higher prices.

After all, hundreds of thousands of families depend on the auto industry for their livelihoods, their very survival.

We cannot responsibly continue on a hasty and uncertain course that may damage their interests unless we are very positive that the damage will be justified by measurable benefits to society.

In 1970 and 1972, we did not budget a great deal of time to the cost-benefit questions. Everyone was in a hurry of the principle of cleaner air so we pushed ahead toward that goal on the basis of whatever information we could scratch together at the time.

But once the costs of that cleaner air are applied, all these questions are bound to come. They are legitimate and deserving formal answers.

It might be appropriate at this moment to note that there is much a study underway to determine the relationship between health and emissions.

However, it is my understanding that the study, being conducted by EPA, is not scheduled for completion until the end of this year.

Someone might also ask whether all the expensive devices will really work once installed. I guess no one really knows. If the devices go out, then the companies are supposed to recall them for service. But the owner is not required to accept the offer, and we can justifiably guess that many of them will not. So that raises the specter of millions of cars carrying expensive and useless control mechanisms.

More uncertainty is injected by the appearance on the horizon of newer and cleaner powerplants that may offer cheaper alternatives.

The question must also be raised as to whether we can really deliver ad production and maintenance of pollution devices to the auto makers, thus freezing out the possibility of competition from small manufacturers and perhaps adding to the concentration problem already besetting the industry.

These are questions that we would be irresponsible to avoid. Even environmentalists must agree that the Clean Air Act should be reexamined.

It is allowed to be mildly ahead with work on more to come at than the current pace of 1970-72, the quarter potential is impressive.

If it already can be said 4 years from now that we have caused the expenditure of billions to no purpose or to questionable purpose, the clean air cause will have been dealt a blow from which it will be hard to recover.

These concerns, it should be emphasized, are not about whether the act's standards can be met. That is a problem that Mr. Puckett has been working over and one that he will have to resolve. What we in Congress will have to determine is whether the standards should be met in light of new considerations. And only Congress can make that decision.

For all of us, I know, it is more comfortable to pretend that our legislation, once debated, debated, and enacted, can be safely entrusted to the ages.

Too often, we will risk the appearance of going to the rescue of industry that is not held in improper high regard. The trouble with the auto companies is that every time you feel inclined to listen to them, you find they have some new anti-trust suit or something else.

Let me make it clear that the 1970 act has given the Nation some very good results and the problem of air pollution is not solved by any means.

Whatever we do, we must maintain all possible pressure on that problem. If we are going to have any effective ground here, we must have a firm belief that we can control pollution.

Let us make sure that when we push it forward to a practical solution that we can count on it and be trying to sound out-ben it.

If it is not our responsibility to provide the information, then it is our responsibility to make sure that the information is available to those who know and what we do know.

What appeared in the public interest 3 years ago demands constant monitor-

ing if the public interest of 3 years hence is to be served.

We should get at it—and quickly.

DIPLOMATIC RELATIONS WITH CUBA

Mr. McGEE. Mr. President, I ask unanimous consent that there be inserted in the Record at the conclusion of these remarks an article from the Chicago Tribune of March 22, 1973, reporting the results of a Harris poll on establishing diplomatic relations with Cuba.

The poll shows that 51 percent favor such action, 33 percent are opposed, and 16 percent are not sure.

Significantly, 2 years ago a similar poll showed 21 percent in favor and 61 percent opposed.

Thus in the last 2 years, there has been a marked shift of public opinion on this subject.

This poll provides further evidence that that opinion is changing with respect to Cuba, not only in Latin America, but also in the United States—everywhere, it seems, except in the State Department.

The Subcommittee on Western Hemisphere Affairs of the Foreign Relations Committee intends to explore U.S. policy toward Cuba further in the coming weeks.

There being no objection, the article was ordered to be printed in the Record, as follows:

NEW FAVOR FOR DETENTE WITH CUBA (By Louis Harris)

By 51 to 33 per cent, a majority of the American people favors the United States "reestablishing diplomatic relations with Castro Cuba."

This marks a complete turnaround from the 61 to 21 per cent opposition to such recognition of the Communist regime in Cuba recorded by the Harris Survey in early 1971.

In mid-February, a cross section of 1,513 households was asked: "It is argued that with the war in Viet Nam over and with relations with Communist Russia and China getting better, the U.S. ought to reestablish diplomatic relations with Cuba. However, others say that as long as Cuba is under Castro's Communist rule, we ought not to have anything to do with that country. All in all, do you favor or oppose the U.S. establishing diplomatic relations with Cuba?"

(In percent)

	Favor	Oppose	Not sure
Nationwide.....	51	33	16
By region.....			
East.....	50	32	18
Midwest.....	55	29	16
South.....	46	39	15
West.....	44	32	24
By education.....			
Six grade or less.....	41	39	20
High school.....	45	37	17
College.....	65	24	11
By political.....			
Republican.....	48	36	16
Democratic.....	47	36	17
Independent.....	61	28	11
By 1972 vote.....			
Voted Nixon.....	52	35	13
Voted McGovern.....	57	27	16

A third factor has taken place in the cold war between Russia and China. At least a plurality of each major segment of the population across the country now favors diplomatic recognition of the Castro government. Recently, of course, the United States and

April 6, 1973

MEMO TO: Philip E. Robinson
Lead Industries Association

SUBJECT: LIA Letter to Membership

As a follow-up to Hesselberg's suggestion that the members of LIA write to their Senators and Congressmen to ask a reexamination of the Clean Air Act of 1970, I have drafted the attached letter which might be sent to the LIA membership.

James D. Callaghan

JDC:nml

Enc.

cc: J. F. Smith
J. F. Cole ✓
C. Thompson

LIA03694

N 739.03

Dear _____:

The outcome of the lead in gasoline issue is of vital interest to us all. In the past year evidence has continued to mount that the government has moved too quickly in its efforts to control automobile emissions and to remove lead from gasoline.

Your aid is needed to help convince Congress that the Clean Air Act of 1970 must be reexamined and amended to reflect the realities of the present state of technology and the relationship of environmental needs to other important national priorities such as the growing shortage of energy.

You and others in your organization can help by writing to your Senators and Congressmen and expressing your views on the desirability of amending the Clean Air Act to permit a more realistic approach to controlling automobile emissions.

What follows are some major points that could be made in your letters:

1) The Environmental Protection Agency position that lead in gasoline poses a threat to public health has been shown to be without a basis in scientific fact.

2) Automobile companies have not been given adequate time to develop the technology needed to meet national air quality goals in an efficient and effective manner.

3) Current measures to control automobile emissions including the removal of lead from gasoline will result in a tremendous drain of energy supplies at a time when the nation faces severe energy shortages.

LIA03695

N 739.04

4) Implementation of the present law will have an adverse economic impact on all segments of society from consumer to producer.

Many members of Congress are aware that the Clean Air Act of 1970 is proving detrimental to the public interest. They need to know that their constituents will support them in seeking changes in the law.

Your letters can help provide this public backing.

Sincerely,

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LIA03696

The catalytic approach, which has been the basis for the requirement of lead free gasoline, is no longer thought to be the system of choice from economic or durability standpoints. Other systems, such as thermal reactors with traps, could meet more realistic standards, such as those of California, and also control particulates emissions including lead.

LIA03697

The catalytic approach, which has been the basis for the requirement of lead free gasoline, is no longer thought to be the system of choice from economic or durability standpoints. Other systems, such as thermal reactors with traps, could meet more realistic standards, such as those of California, and also control particulates emissions including lead.

LIA03698