

# Congressman Henry A. Waxman's

## Washington Reporter

### Special Edition: The Fight for Clean Air

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**Waxman declares war  
on dirty air in US cities**

*Auto Industry Rebuffed on Emission*

Drive in House on Acid Rain

## Rep. Waxman Vows to Speed Clean-Air Bill to Floor

*Up against smog lobby*

*U.S. House introduces legislation  
to cut acid rain emissions by 40%*

*Unfazed Waxman eyes floor showdown on urban smog*

Dear Friends:

Ever since the original Clean Air Act was passed in 1970 there has been a bitter battle between those of us who wish to **strengthen** the law, and those who would like to weaken it or repeal it altogether.

Opponents of Clean Air legislation insist on arguing — contrary to the evidence — that reducing air pollution is either technically impossible or would exact too high a toll in costs to industry.

The enclosed materials should give you some idea about the role I am playing in the ongoing battle for strict clean air laws. It is appropriate that we who live in smog-choked Los Angeles lead the fight for a healthy environment.

Sincerely,

HENRY A. WAXMAN  
Member of Congress

## There Can Be a Clean Air Bill

Poll after poll has shown that Americans want cleaner air and will pay for it. Year after year, a Congress paralyzed by sloth and industry pressure has refused to grant that wish. On Monday, however, a House subcommittee agreed to stringent new controls on automobile pollution. That agreement doesn't end the legislative struggle. But given the subcommittee's history of strife, it's a giant step forward — and a fine example of political maturity for the rest of Congress.

A compromise on automobile emissions was crucial to the success of the rest of President Bush's proposal to overhaul the antiquated Clean Air Act of 1970. The Bush plan, a major departure from years of White House indifference, addresses three big problems: acid rain, airborne toxic

chemicals and ozone, the main component of the urban smog now choking more than 85 American cities. Nearly half the nation's ozone is caused by emissions from automobiles and trucks.

Mr. Bush called for a 40 percent reduction in these emissions. Henry Waxman, the subcommittee chairman and a courageous voice for cleaner air for more than a decade, thought the Bush proposal too soft; John Dingell, long a spokesman for the automobile industry, thought it too harsh.

In the end the two Democrats agreed on language that would require emission reductions of up to 60 percent beginning in the model year 1994 — a standard that California has already decided to adopt by 1993. Eventually the bill would also require automobile pollution equipment to last for 100,000 miles instead of 50,000 as now required — a provision hotly opposed by the automobile industry because the loftier standards would increase the threat of ex-

pensive recalls.

The compromise is much closer to Mr. Waxman's position than Mr. Bush's or Mr. Dingell's. But all three deserve credit: Mr. Bush for getting the ball rolling; Mr. Waxman for his perseverance and for agreeing not to settle for absolute perfection; Mr. Dingell for at last listening to the voices of public impatience that even the auto industry seems to be hearing. Not the least of those voices was the decision by New York and seven other Northeastern states this summer to adopt the California standards unless Congress moved first.

There are many more hurdles. The subcommittee has yet to agree on acid rain, toxic chemicals and alternative fuels. And the battle has barely begun in the Senate. But the fact that two longtime adversaries like Mr. Dingell and Mr. Waxman were able to shake hands should suggest to the rest of Congress which way the wind is blowing.

## Global Lukewarming

George Bush's . . . pledge to pay more attention to the environment was good news coming after eight years of Reagan indifference. His early appointments were generally sound, his proposals challenging, his words bullish. "Those who think we're powerless to do anything about the greenhouse effect," he trumpeted, "are forgetting about the White House effect."

Where has this ardor gone? In a pattern distressingly like the Administration's disarray over Soviet policy, infighting and conflicting signals now obscure the clarity of Mr. Bush's original commitment on at least two priority issues.

**Global Warming.** Environmental questions are dauntingly complex, and solving them requires painful trade-offs between conservation and economic growth. The so-called greenhouse effect is no exception: experts disagree on just how serious it already is. But no respectable scientist denies that pouring gases like carbon dioxide into the atmosphere will eventually cause the earth to warm up, with conse-

quences that are potentially catastrophic.

The U.S. produces 25 percent of the world's carbon dioxide emissions. To William Reilly, director of the Environmental Protection Agency, this imposes a special obligation on Washington to develop a timetable and strategy.

Mr. Reilly had hoped to carry at least the outline of a policy to an international conference on global warming that begins tomorrow in the Netherlands. He's going, but without a policy. Powerful voices in the Administration — including the Department of Energy and the White House chief of staff, John Sununu — insist on further study, even though 14 months have passed since Mr. Bush's ringing declaration of war on global warming.

**Clean Fuels.** A tough new clean-air bill is slowly wending its way through Congress, thanks in part to Mr. Bush's original bill and the efforts of clean-air advocates like California's Henry Waxman to strengthen it. But one of the bill's most important provisions has been weakened beyond recognition. . . . The provision would have required Detroit to produce one million cars designed to run on alternative fuels by 1997.

There's disagreement among experts on

which alternative fuels would be cleanest or cheapest. But Mr. Bush's original proposal would at least have encouraged aggressive investment in new technology by reluctant auto makers and oil companies.

At a critical moment in the deliberations of Mr. Waxman's subcommittee, however, Mr. Sununu sent word that the White House would accept a weaker provision. Mr. Reilly sent the opposite message. The confusion was fatal: Mr. Bush's cherished alternative-fuels provision was gutted. By allowing two key aides to send conflicting signals, the President had sandbagged himself.

There are now fears of vacillation on a third environmental concern: acid rain. The Bush bill would attack acid rain by requiring utilities to halve their discharges of sulfur dioxide by the year 2000. Mr. Sununu said in a letter to Mr. Waxman that the White House still wants a tough plan. But there is no evidence of aggressive White House lobbying. That's because the White House's chief lobbyist — the man who would be the Environmental President — has forgotten that legislation, like horse-shoes, requires follow-through.

# Sierra

NOVEMBER/DECEMBER 1989

Mr. Clean's

AIR

ACT

BY JOSH GETLIN

Some 40 years ago, Los Angeles residents still wondered why their eyes and lungs burned every time they took a breath. Al Waxman, the publisher of a small neighborhood newspaper, was sure he had the answer. As a member of a city commission investigating the growing air-pollution problem, he insisted that fumes from automobile exhaust were responsible, and he called for strict new controls. • Waxman's message might have been visionary, but it didn't win him any friends in a city increasingly based on intensive use of the private car. Business leaders were incensed at his suggestions and had him tossed off the commission, saying more studies were needed. Meanwhile, air pollution in North America's smoggiest metropolis grew worse. • This year, as Congress plunges into the task of revising the nation's Clean Air Act (first passed in 1970), another Waxman is raising hell over air pollution. But this time nobody is dismissing him so cavalierly. Indeed, Representative Henry A. Waxman (D) of Los Angeles, the publisher's nephew, is a pivotal player in the fight to pass a tough new law cracking down on automobile pollution as well as acid rain and airborne toxic chemicals. • "I don't think there's anybody in the House who knows or cares more about air pollution

than Henry," says Representative Leon Panetta, a California Democrat and staunch Waxman ally. "He has become the point man in Congress for all those people trying to get a new bill passed." • Mr. Clean, as Waxman is known on the air-pollution issue, also wins grudging praise from his critics. A lobbyist who has clashed with Waxman says few members of Congress are as intellectually equipped to grapple with such a complex subject. Fighting with Waxman, he says, "is like running into a brick wall. If you haven't done your homework, forget it. And even if you have, he's formidable. Nobody fights for what he wants so tenaciously."

Waxman has also become one of the leading congressional experts on health care and has helped pass legislation expanding medical care for senior citizens and low-income women and children. He is deeply involved in efforts to expand federal funding for AIDS treatment and is pushing landmark legislation this year to provide AIDS testing for thousands of potentially infected people.

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*To Congressman Henry Waxman,  
President Bush's  
"Clean Air" Proposal  
looks more like a  
political smokescreen.*

When a political fight looms,••• Waxman reveals himself as a skilled legislative infighter, one who has been known to grill committee witnesses like an auto-crat and pepper his colleagues with sharp-tongued retorts during debates on the House floor. "You don't want Henry as an enemy, let's put it that way," says an aide to one House leader. "The difference between him and a lot of other congressmen is that he really cares about the issues he's dealing with — he lives and breathes them."

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Waxman emerged as a national heavy-

weight in 1979, when he won an uphill battle for the chairmanship of the House Energy and Commerce Committee's powerful Health and the Environment Subcommittee. Ever since, he has been trying to win passage of tougher clean-air legislation. It has not been an easy fight: Democratic Representative John Dingell of Michigan, who chairs the full committee, has consistently defended the interests of the automobile industry against Waxman and others seeking to impose strong controls on auto emissions.

Now Waxman is spearheading the fight for a more rigorous clean-air law, and he has his work cut out for him once again. President Bush surprised many observers in July by proposing a package of new clean-air regulations — something Ronald Reagan never did — and his proposals are expected to dominate the clean-air debate in Congress this year and next. The Los Angeles congressman has bitterly criticized Bush's proposals as weak, especially on the subject of auto pollution, and predicts that Congress will ultimately pass a much more stringent law.

"The stakes are too high to let someone claim rhetorical credit for clean-air legislation, but in reality do nothing at all," he says. "I don't think people will stand for that."

Dingell and others disagree with that assessment, but none of them takes Waxman lightly. "When it comes to rounding up support for a position, nobody does it better around here than Henry Waxman," says Representative Bill Richardson (D-N.M.). "When he gets rolling, when he's really intent on reaching his goal, it's something to see."

*Josh Getlin, a New York City-based reporter for the Los Angeles Times, conducted this interview for Sierra in July, just after President Bush had unveiled detailed clean-air proposals. At press time in October the White House-backed clean-air bill was being debated in the House Energy and Commerce Committee and in the Senate Environment and Public Works Committee.*

# The issue is pollution, not jurisdictional disputes

**U.S. Rep. Henry A. Waxman**, D-Los Angeles, is the chairman of the House Subcommittee on Health and Environment.

**F**OR MORE than a decade, I have stood shoulder to shoulder with environmentalists in trying to improve our nation's Clean Air Act. The heart of this fight has been tighter emission standards for cars and trucks, which are the primary cause of air pollution.

With each passing year of inaction, our frustration grew and our air quality deteriorated. Now there's finally some good news. Last month I joined with many of my colleagues in crafting a historic compromise. This agreement, which requires tough new automotive controls, should pave the way for Congress to enact a new law. This means that Californians — and all Americans — can start breathing easier.

The new agreement strengthens the president's clean-air proposal and California's own standards in a number of significant ways.

First, the compromise adopts a new, two-phase program of tighter federal tailpipe standards. The initial phase applies California's strict tailpipe standards nationally to all cars and light-duty trucks, starting in 1994. And, as in California, motor vehicle pollution controls must be certified to last the full useful life of the vehicle (100,000 miles).

This national requirement of cleaner cars and more durable pollution equipment will significantly reduce nitrogen oxide and hydrocarbon emissions. This is particularly important to California, since such a large percentage of our cars — over 20 percent — originate out of state and pollute at levels that exceed California's standards.

The second phase of standards, which are written into the law and will be required in the year 2003 unless the Environmental Protection Agency decides they are not needed or feasible, are more than double the stringency of even any proposed California standards. These tough standards surely will be needed and will be both fea-

sible and cost-effective by that date. They will provide significant air-quality benefits.

While the most vital component of the agreement is the strong tailpipe standards, it contains many other crucial components that will benefit California, among them:

- A new mandatory program to control vehicle-evaporative emissions — which are not now regulated by California or EPA.

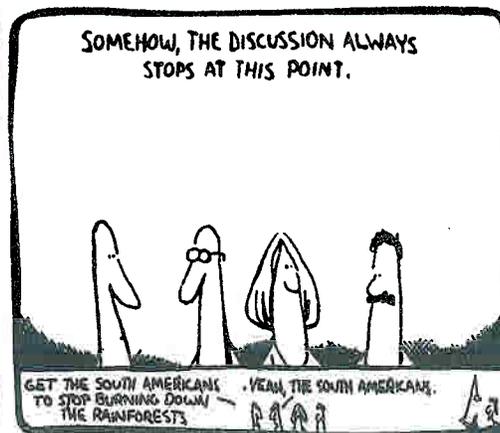
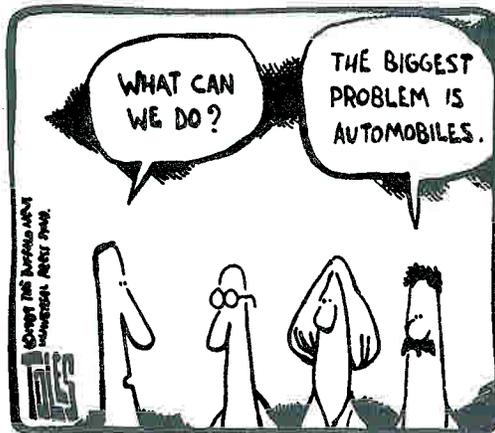
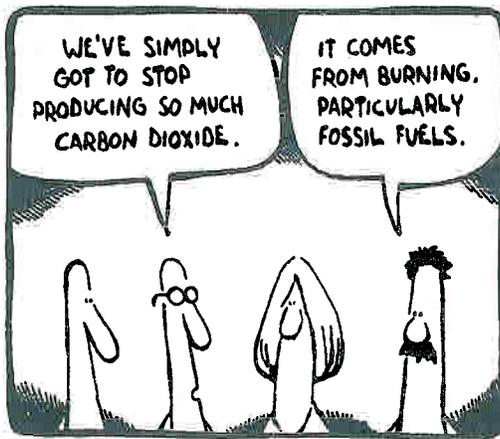
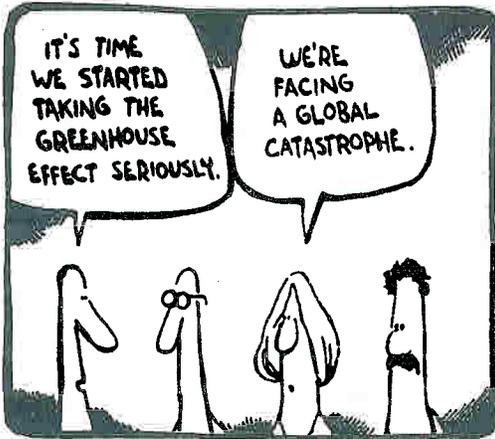
- Mandatory use of on-board vapor recovery to control refueling emissions. Although California does not require on-board controls, the EPA has concluded that this is the most effective way to control refueling emissions, which contribute to ozone smog and present a toxic-air health threat.

- A new mandatory program to control air toxic emissions, especially benzene and formaldehyde, from motor vehicles. These emissions are largely unregulated in California.

- Elimination of provisions to "average" motor vehicle emissions. President Bush's proposal permitted manufacturers, even in California, to meet emission standards, not on every car, but on the averaged emissions of all cars in a fleet, which would have allowed higher auto emissions in many cars than we have today and would have dramatically increased pollution.

- Elimination of provisions in the Bush proposal allowing the EPA to override the authority of California and other states to establish tailpipe standards more stringent than federal standards.

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Cartoon by Tom Toles reprinted courtesy of The Buffalo News