

HOW THE GREEN GUYS WON:

INTEREST GROUP STRATEGIES & THE CALIFORNIA CLEAN CARS LEGISLATION

by

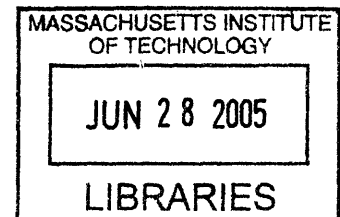
Carli Paine

B.A. Environmental Sciences
Columbia University, 1999

SUBMITTED TO THE DEPARTMENT OF URBAN STUDIES AND PLANNING IN
PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF

MASTER IN CITY PLANNING
AT THE
MASSACHUSETTS INSTITUTE OF TECHNOLOGY

JUNE 2005



© 2005. Carli Paine. All Rights Reserved

The author hereby grants MIT permission to reproduce
and to distribute publicly paper and electronic
copies of this thesis document in whole or in part.

Signature of Author:

Department of Urban Studies and Planning
June 2005

Certified by

Judith Layzer
Assistant Professor of Urban Studies and Planning
Thesis Advisor

Accepted by:

Dennis Frenchman
Chair, MCP Committee
Department of Urban Studies and Planning

ARCHIVES

HOW THE GREEN GUYS WON:
INTEREST GROUP STRATEGIES & THE CALIFORNIA CLEAN CARS LEGISLATION

by

Carli Paine

Submitted to the Department of Urban Studies and Planning
on May 17, 2005 in Partial Fulfillment of the
Requirements for the Degree of Master in City Planning

ABSTRACT

In July of 2002, the California State Legislature passed the “California Clean Cars Bill,” the first law in the United States to regulate carbon dioxide as a vehicular pollutant. California’s vehicular standards have implications across the country; at least eight other states have committed to adopt them. The passage of the legislation was as controversial as it was groundbreaking. Over the course of the year and a half that the bill was in the state legislature, environmentalists and the auto industry fought for the public’s support of their positions. Although the auto industry had the benefit of a multi-million dollar advertising budget, environmentalists adopted tactics that proved more effective in the battle for Californians’ support. This thesis describes the environmentalists’ coalition-building and problem-definition tactics and how they enabled the environmentalists to gain public support.

Thesis Supervisor: Judith Layzer
Title: Assistant Professor of Urban Studies and Planning

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	7
INTRODUCTION	9
Importance	9
Framework: Environmental Policy Making in the U.S.	14
Methodology	17
Content analysis of various media:.....	17
Question.....	19
Argument.....	19
Testing the Argument	20
THE ROAD TO CLEANER CARS.....	21
Cold Start.....	21
Acceleration: Committee on Transportation.....	23
Getting the Public on Board.....	25
Revving Up.....	31
Stalling.....	34
Restarting.....	35
The Governor in the Driver’s Seat	38
In the Back Seat: Industry’s Response.....	39
Moving On: The Road Ahead	41
Reflections	42
IMPLICATION & CONCLUSIONS	44
Support.....	48
Public Education.....	50
Research	50
Conclusion.....	51
WORKS CITED.....	52

ACKNOWLEDGEMENTS

My interest in the Clean Cars legislation stems from my passion for clean air policy and my pride in California's environmental leadership. I particularly want to thank Russell Long and Bluewater Network for adding a new chapter to California's legacy.

There are several people whose contributions were invaluable to my thesis. Thank you to Judy Layzer, my advisor, who challenged me to think and write critically and to challenge myself. Thank you also to my reader, Chris Bosso, who applied his expertise and experience to help me improve my work. I offer unbounded appreciation to my interviewees; their actions associated with the legislation, and their willingness to share their time and stories made my research compelling. And, finally I thank my friends and family for their support, particularly to my sweet David for his endless encouragement.

INTRODUCTION

In July 2002 California passed the California Clean Cars Bill. The Clean Cars Bill was the first law in the United States to authorize the regulation of carbon dioxide emissions from automobiles. California's adoption of any standards limiting vehicular carbon dioxide emissions had the potential to prompt changes in personal vehicles across North America. Given the auto industry's high economic stakes in the legislative outcome and their economic and political clout, one would expect that auto manufacturers would have been able to block the legislation. But, in the end, their well-financed campaign to convince the public to oppose the bill did not prevail. Environmentalists who supported the bill leveraged other, more influential resources and successfully convinced the California public and legislature that the legislation was important and that it was California's responsibility to pass it. This thesis proposes that the way environmentalists framed their position to the public engendered a wide coalition of supporters and effectively neutralized the opposition argument.

Importance

The Clean Cars Bill represents a significant step in air pollution policy in the United States. Historically, pollutants have been characterized by their direct negative impacts on human health. This legislation formally expands the definition of pollutant to address a chemical's contribution to a global environmental concern—climate change. Understanding the dynamics surrounding the passage of the legislation therefore contributes to the framework for what may be a new series of environmental policies in the United States.

Climate change is the most serious environmental problem of the 21st century. Over the past two decades scientists from around the world have collaborated to examine processes, evidence, and impacts of human-induced climate change. The scientific community has reached a consensus; they agree that humans are changing the earth's climate by adding greenhouse gases to the atmosphere.

Greenhouse gases are naturally occurring chemicals that absorb heat from the sun after it enters the Earth's atmosphere. This heat retention warms the atmosphere, a phenomenon known as the greenhouse effect. Although the greenhouse effect occurs naturally and is necessary to support life on Earth, human activity has intensified the amount of heat-trapping chemicals in the atmosphere to the extent that they are affecting the climate on a global level. Evidence from long-term sources including ice-cores and tree rings concur with data that scientists have collected over the past fifty years including atmospheric gas measurements, shifting populations of flora and fauna, mean temperature changes, and ice sheet melting, which indicate that the Earth's temperature is rising at an unprecedented rate. Furthermore, evidence indicates that human activity is the driving force behind global warming.

Human-induced climate change refers to an exponential increase in greenhouse gases in the Earth's atmosphere that is the result of human activity. The most significant human contribution to greenhouse gases comes from carbon dioxide that is released when humans burn fossil fuels.¹

Countries across the world have mobilized to respond to climate change. The Intergovernmental Panel on Climate Change (IPCC) is an international panel of scientists

¹ According to Environmental Defense, carbon dioxide comprised 83% of the United States' total greenhouse gas emissions in 2000. (DeCiccio and An 2002, 2).

that has worked to refine the scientific tools and understandings about climate change and its impacts. Evidence from IPCC research led representatives of countries from across the globe came together in 1997 in Japan to create a strategy for an international response to climate change. This result was the Kyoto Protocol, which called for countries to reduce greenhouse gas emissions to 5% below 1990 levels by 2012. The United States participated in the convention that developed the terms of the Protocol, but has not ratified it. However, the Kyoto Protocol went into effect in February 2005 when over 55% of convention members (representing 55% of the global emissions producers) ratified and adopted it.

The United States produces 25% of global greenhouse gas emissions but is home to about five percent of the world's people (U.S. Department of State 2002). The U.S. is one of the wealthiest and most powerful countries in the world. But, the federal government refuses to focus its resources on addressing climate change. Instead, local and state-level initiatives comprise the U.S. response to climate change.

States are somewhat counterintuitive venues for climate change policy since climate change is an international problem and has been largely addressed through negotiations between countries. However, Barry Rabe proposes that in the United States, state policies are laying the groundwork for a nationwide network of climate change response (Rabe 2002). His report *Greenhouse & Statehouse* emphasizes the role that individual state policies play in setting precedents for other states and for future federal policies. He also suggests that states benefit from being able to design policies that appropriately address state-specific economics and politics.

California has consistently been at the vanguard of U.S. air policy and vehicular regulations. California adopted its Air Pollution Control Act in 1947 and passed its first automotive emissions regulations in 1959. Its air pollution policies established the

framework for the federal Clean Air Act. During the establishment of the federal 1970 Clean Air Act, it was clear that states would be responsible for pollution reduction. But, automobile manufacturers lobbied to prevent the possibility of 50 state-level standards. The Act resolved this by separating pollution sources into two categories: mobile (vehicular) and stationary (manufacturing plants and factories). The federal government would regulate mobile sources and states were to be responsible for stationary sources. California, whose vehicular regulations predated federal pollution laws, could maintain its own vehicular standards, as long as they were at least as stringent as federal standards. The Clean Air Act authorizes other states to adopt California standards in lieu of federal ones. So, any vehicular regulation for clean air that California adopts has nationwide implications.

Transportation accounts for about one-third of the United States' total greenhouse gas emissions (DeCiccio 2002, 2). Within the transportation sector, cars and light trucks comprise 62% of greenhouse gas emissions (DeCiccio 2002, 3). Taken together, these data suggest that the United States might significantly reduce its contribution to global climate change by reducing emissions from personally owned vehicles. The federal government has refused to address climate change with policies that limit greenhouse gas emissions. The federal government has also refused to raise CAFE standards (Corporate Average Fuel Efficiency), which regulate the fuel efficiency of auto makers' fleets. These standards have been the focus of many environmental organizations' attempts to reduce carbon dioxide emissions since carbon dioxide is emitted at a one-to-one ratio with fuel burned. But, their attempts have been futile; federal fuel efficiency standards have not been raised since 1985. In Rabe's assessment of state climate policies, he asserts that

Few sectors are as important to climate change as transportation, which is responsible for approximately twenty-six percent of total U.S. anthropogenic GHG emissions. At the same time, no sector may be so impervious to policy innovation at the state level, given the American affinity for driving cars and

trucks and traditional reliance on the federal government to set relevant regulatory standards. (Rabe 2002, 26)

According to a report from the Union of Concerned Scientists, California's largest source of greenhouse gas emissions is vehicles (Bedsworth 2004).² While approximately one-third of greenhouse gas emission in the United States comes from the transportation sector, about 60% of California's greenhouse gas emissions come from the transportation sector (Pew Center on Global Climate Change). Given California's leadership in air pollution policy and the extent to which its transportation sector emits greenhouse gases, it is not surprising that California would adopt the first law to limit greenhouse gases from personal vehicles.

In addition to its importance for climate change policy in the United States, this case merits attention for its character as a high-stakes state-level environmental policy. The current trend in the United States is for states and local governments to address major environmental problems that are ignored by the national government. Automobile manufacturers and environmental advocates both faced high risks in the outcome of the legislation. Automakers recognized the potential for the legislation to force them to adopt new technologies and dramatically shift their production and design plans. Furthermore, not all of the auto manufacturers have the technology necessary to comply with the standards that the legislation requires. The auto industry's contemplation of a ballot initiative and its eventual filing of a lawsuit to overturn the bill after it was passed illustrate the seriousness of the industry's opposition.

For environmentalists, the legislation offered great benefits but also had the potential to result in major political costs. If the legislation passed, it would be a major step forward in

² According to the UCS report, about 40% of California's carbon dioxide emissions and more than 30% of the state's total greenhouse gas emissions come from vehicles.

climate change policy. But, if it did not pass, they feared that the Bush Administration and others at the national level would use its failure in their argument against climate change policy, saying that even California, the leader of all environmental policy, thought that regulating greenhouse gas emissions was a bad idea.

Framework: Environmental Policy Making in the U.S.

Policy making in the United States involves a complex set of interactions among interest groups with policy agendas, legislators concerned about reelection, and periodic opportunities for major policy changes (Kingdon 1995).

Elected officials make final decisions about which policies will become law. A rational decision-making model of environmental policy-making would suggest that these decisions would be the outcomes of a process in which policy makers respond to an evident problem, consume available information, and then identify the best solution. But, accounts of actual policy-making indicate that decision-makers in environmental policy-making processes rarely act according to a rational model. Instead, elected officials weigh the level of public interest in issues and the impacts of various decisions on their reputations and on their prospects for reelection.

John Kingdon (1995) proposes a model of policy-making in which policy advocates promote policies designed to advance their agendas. When an opportunity arises a policy entrepreneur connects a developed policy to a specific current problem, framing it as an appropriate solution. Opportunities may be the result of extreme events that shed light on an existing problem. They may also be reports or studies that present compelling findings. Champions within the body of decision-makers also offer the kinds of opportunities that

policy entrepreneurs seek. In this case, legislators may push a policy into the public agenda because of its concurrence with their or their constituents' values and interests.

As environmental policies become actual legislative possibilities, interest groups attempt to convince undecided legislators to support their position. According to Judith Layzer (2002), the goal of problem definition is to convince "the previously unaware and undecided" since those who are already involved in a policy debate are unlikely to change their minds even with new information. Decision-makers are responsible for carrying out the wishes of their constituents or risk their popularity. But, since decision-makers who are uncertain about their position on a policy pay attention to the impact of legislation on their constituents (or at least to the impact of the decisions on their constituents' impression of them), interest groups target the public in campaigns to define the problem and present appropriate solutions. To do this, policy entrepreneurs or interest groups attempt to get people to adopt their understanding of a problem and endorse the response they advocate.

Deborah Stone (1997) proposes that interest groups use story-telling to create a perception of a situation. She suggests that "(b)ecause politics is driven by how people interpret information, much political activity is an effort to control interpretations" (Stone 1997, 28). Baumgartner (1993) explains that any given policy may have meanings and implications that differ across groups. Therefore, he posits, different policy positions result from different understandings of what a policy means. Groups control which of the many possible meanings people will adopt by telling stories that call attention to the specific implications that support the group's agenda.

In environmental policy debates, there are two prevailing approaches to problem definition. Industry groups tell stories about economic distress and loss of individual freedoms that will result from restrictive policies while environmentalists tell stories of the

negative impacts on communities that will occur unless government intervenes (Layzer 2002). The goal of such campaigns is to convince individuals in such a way that they will act on their feelings about the policy in question. The desired outcome is that actions such as phone calls, letter writing, protesting, etc., will communicate intense constituent interest to decision-makers.

Wealthy members of the private sector have an inherent upper hand in successful campaigns to influence policy because the costs associated with advertising efforts are high. In *The Sound of Money*, Darrell West and Burdett Loomis (1999) argue that “moneyed interests” can “convey their interests more clearly and effectively than less affluent groups or organizations...(T)hose who control the narrative...determine the policy.” Launching successful campaigns to convince an influential share of the citizenry of a specific position on a problem is often costly. Furthermore, private interests often frame their positions in terms of classic values such as freedom from government intervention and freedom to pursue happiness as one pleases.

Non-profit environmental organizations often have less money and staff time to spend on costly advertising campaigns. In examining environmental policy-making at state levels, William Lowry (1992) observes that private interest groups’ desire to maintain the status quo will out-compete the public goods interest groups’ desire for policy changes because industry groups better able to mobilize financial resources quickly and send a message to an existing network of local and state decision-makers. Environmental groups that focus on national policy issues, on the other hand, often have to mobilize local support and create a new network. However, most major national environmental organizations maintain state offices or affiliates that keep them connected with state leaders and state issues.

In a problem-definition policy model, the group that aims to challenge the status quo will attempt to broaden the scope of an issue to attract the attention of and gain support from affiliated interests (Baumgartner 1993). To do this successfully, an interest group may have to redefine their story about policy problem to address values and priorities of targeted allies. The successful passage of the California Clean Cars legislation presents a case in which competing interests fought to define a policy problem. This thesis examines how environmentalists neutralized industry's argument that the legislation would severely affect Californians' freedoms and instead convinced the public and legislators that emissions regulations would benefit them.

Methodology

Content analysis of various media: Evidence from media, including reports of the legislation and associated arguments, editorials, and letters to the editor provide insight into the kinds of discussions that were taking place among members of the public about the legislation. Additionally, advertisements about the bill provide information about the messages and strategies that interests used to convince the public to adopt their positions. Together, these sources show the kinds of arguments that drove public opinion in relation to the legislation. To gather news perspectives that represent the opinions about the legislation, I conducted searches using LexisNexis and EbscoHost databases of newspapers looking for references to "AB 1058," "AB 1493," "California emissions regulations," and "greenhouse gas" between January 1, 2001 and January 1, 2003.

Polling data: Polls and surveys provide insight into the changing opinions of the public. The Public Policy Institute of California (PPIC) is an independent nonpartisan research organization focused on improving public policy in California. It conducted statewide

surveys focused on the environment in 2000, 2002, and 2004. These surveys asked Californians to respond to statements about global warming and the need for governmental response. The 2002 survey specifically asked respondents whether they “favor or oppose a state law requiring all automakers to further reduce the emissions of greenhouse gases from new cars in California by 2009” (Baldassare 2002, 14). Although this same question was not asked in either the 2000 or the 2004 surveys, similar questions enable comparison across years. In 2000 the survey asked respondents “From what you know about global climate change or global warming, which of the following four statements comes closest to your opinion: change is serious, need immediate action; enough evidence, need some action; need more research before acting; concern is unwarranted; don’t know/other” (Baldassare 2000, 16). In 2004, the survey asks respondents “What about the state law that requires all automakers to further reduce the emissions of greenhouse gases from new cars in California? Do you support or oppose the law?” (Baldassare 2004, 8). It is likely that people respond differently to a question about the general idea of governmental response to global warming than they do to the proposal of a specific policy question. Nevertheless, polling data provides relevant measure of how the issue’s salience changed with the emergence of a policy proposal.

Interviews: Interviews with individuals who were involved in the passage of, support for, and opposition to the legislation offer opportunities to examine firsthand accounts of interest group dynamics and strategies. I conducted in person and telephone interviews with representatives from environmental organizations involved in the development and support of the legislation, decision- and policy-makers, and a representative from the automobile industry. Because auto makers have filed a lawsuit against the State of California challenging the legislation, officials and some interest group representatives are hesitant to discuss the

bill so there was a limitation to this method of information-collection and I used a limited number of informants. However, their contributions and insights provide invaluable resources.

Question

Environmentalists and the automobile industry each faced risks in the Clean Cars legislation. Given the automobile industry's financial stakes and the relative size of its budget to oppose the bill, one might expect that auto industry's position to have prevailed in the public arena. Initially, the automobile industry seemed to be winning the battle for public support. But, in the end, the environmental advocates gained the majority of public and legislative support. What elements of the interest groups' actions and strategies led to their ability to overcome industry's control of the public perception of the policy?

In answering this question, this thesis analyzes the legislative process as it related to interest group activities. This paper also examines the approach that environmentalists took to pass a piece of controversial legislation that has nationwide implications.

Argument

Two factors led to the surprising outcome in which the environmentalists' position won public support. First, was the coordination between environmental organizations on a unified set of goals and their capacity to broaden their base of support. Second, environmentalists crafted a more convincing causal story by making a compelling case for the legislation and by directly challenging the credibility of the auto industry. Through their messages environmentalists successfully undermined the automobile industry's opposition.

Testing the Argument

I examine the importance of the environmental community's coalition-building in support of the bill by looking at comments from environmental organizations and decision-makers about the passage of the legislation. If the bill might have passed without coordination across organizations, or if the collaboration that occurred did not make a difference in the outcome, coordination will not be highlighted in respondents' accounts of the bill's passage.

If the problem definition advanced by environmentalists contributed to the public's support of the legislation, we would expect to see the language and stories that the environmental advocates used in their campaign reflected in other statements of support. If neither the efforts by the environmentalists nor the efforts by the auto industry affected the public's perception of global warming and California policy, we would not detect elements of environmentalist stories in non-campaign statements of support.

If the environmental organizations' focus on the automobile industry's lack of credibility contributed to the success of the legislation, we would expect to see news articles, editorials, and letters to the editor that call attention to the issue of credibility and use the auto industry's history as rationale against their position. Alternatively, if the public is immune to "mud-slinging," questions about the automakers' credibility would not be replicated in the media. Instead, media accounts would be dominated by unrelated arguments.

THE ROAD TO CLEANER CARS

In 2000 George W. Bush won the U.S. presidential election and Russell Long, the Executive Director of Bluewater Network, knew that there would not be any progress on policies to reduce greenhouse gas emissions for at least four years. In thinking about other ways to tackle the problem of vehicular emissions, Bluewater came up with a strategy to take advantage of California's special status under the Clean Air Act that authorizes it to be the only state permitted to create its own vehicular emissions standards (Long 2005). The Energy Policy and Conservation Act of 1975, which established CAFE standards, prohibits states from regulating fuel economy and says that only the federal government shall have the ability to regulate fuel economy. So, rather than addressing the issue of fuel economy, Long targeted greenhouse gases as pollutants. In this way California could legitimately pursue regulations to limit carbon dioxide emissions.

Cold Start

Bluewater Network is a 10-person environmental organization that focuses on “air and water quality problems caused by the transportation sector” (Bluewater 2005). When Bluewater staff drafted the Clean Car legislation and sent it out to key California legislators, they scarcely received acknowledgement. As they targeted a wider group of potential champions, they found a proponent in first-term Assemblywoman Fran Pavley. Assemblywoman Pavley was a retired school teacher from Agoura Hills in Southern California. Pavley introduced the legislation to the State Assembly in February 2001. The legislation called for the Air Resources Board (ARB) to develop standards to achieve the “maximum feasible” greenhouse gas emission reductions from passenger vehicles in California.

Bluewater Network thought that the legislation would have the best chance of passing if it had formal support from a diversity of sources. They created a list of kinds of institutions, organizations, and individuals whose support, they believed, would make a difference to the legislations' outcome. The first step was to get the other major environmental organizations on board. However, the mainstream environmental groups were initially reluctant to support the legislation. Developing a coalition that could overcome internal differences and successfully entrain external supporters was difficult (Long 2005; Hwang 2005).

Bluewater Network tried to get other environmental organizations to sign on as supporters in anticipation of the legislation's first hearing with the Committee on Transportation. In a conference call with representatives from major environmental organizations before the first hearing, it became clear that the larger environmental advocacy community was not behind the bill. All of the environmentalists on the conference call recognized that if they won it would be a big win. But some were concerned that the risk of losing was even bigger. A common response to the legislation from mainstream national environmental group representatives was the concern that the legislation tried to do too much too quickly without an established set of internal supporters in the legislature. Another prominent concern was that the stakes were too high to risk going forward without a high probability of winning. The fear was that if the California legislation failed, opponents to vehicular regulation could use the issue's failure in California as support for the argument against greenhouse emissions regulations at the federal level.

At this point, there was a struggle within the environmental community to contextualize and define the impact of legislation. Bluewater wanted the national environmental organizations to understand and embrace the bill as an opportunity for

national progress in climate change policy and to embrace it with a spirit of leadership. But, the other environmental leaders wanted Bluewater to see the bill as they saw it—risky and potentially in competition with existing strategies for climate change policy. The national environmental groups asked Bluewater to withdraw the legislation. It was unlikely that other environmental organizations would publicly disclaim the legislation by advancing their position on the legislation. Bluewater went forward with the legislation.

Bluewater gathered a handful of local and state-level environmental groups as supporters in time for the Committee on Transportation hearing. Big names among the environmental community included California Public Interest Research Group, Sierra Club California, Greenpeace, and Coalition for Clean Air. Listed as opponents to the bill were: the Alliance of Automobile Manufacturers, the California Chamber of Commerce, General Motors, and the Western States Petroleum Organization (California State Assembly 2001). According to one respondent, the auto industry showed “token opposition” by registering their opposition to the bill (Oglesby 2005). They did not see the legislation as a serious threat at this time (Anonymous 2005).

Acceleration: Committee on Transportation

One reason that the auto industry may not have taken the bill seriously was that Pavley introduced it in the Committee on Transportation. Environmental legislation rarely emerges from the California State Assembly Committee on Transportation (Long 2005). The hearing was contentious; moderate Democrats who supported the intent of the bill were concerned that the legislation would give the Air Resources Board (ARB), “nameless, faceless bureaucrats,” unchecked authority to create vehicular regulations (Oglesby 2005). In response, Assemblyman Simitian, the Democrat committee-member from Palo Alto who

co-authored the bill with Pavley, suggested that the Committee include a requirement that ARB present the regulations to the legislature for review and that there be a one year delay before the regulations would go into effect. The Committee also amended the initial legislative language to add “cost effective” to the legislative mandate for “maximum feasible reduction of carbon dioxide emitted from passenger vehicles.” These changes framed the legislation as economically and environmentally reasonable. The bill passed with a vote of 10 to 7.

Once the bill passed through the Committee on Transportation, in April 2001, national environmental organizations and the automotive industry realized that it had potential to advance in the state legislature. The automobile manufacturing industry and its member companies began to take the threat of the legislation more seriously and initiated a media campaign in opposition of the proposed legislation. They would have to work hard to convince the undecided members of the Democrat-dominated houses of the legislature and the Democratic governor, who claimed to not have a position on the bill, to oppose the bill. Simultaneously, the environmentalists that had not initially listed themselves as supporters of the bill registered as supporters.

If the Bluewater Network had not been able to gain the support of the other environmental groups, it is questionable whether the bill’s initial momentum would have led to the successful passage of the legislation. The other organizations brought with them existing networks of support and connections that led to gain additional support for the legislation. They also brought with them resources to support advertising. And, they brought their credibility.

The effect of a large handful of environmental organizations with interests including habitat protection, clean air, environmental health, and corporate environmental

responsibility each advocating for the same policy was the perception that many independent voices were calling for the same end. A representative from the Alliance for Automobile Manufacturing (AAM) shared his perspective on the effectiveness of global warming as a call to action, saying that the great thing about climate change as a policy motivator is that environmentalists can leverage any major event in the name of climate change policy (Anonymous 2005). The automotive industry and its allies' singularly economic interest did not counter the diversity of interests that supported the bill. Yet, the public conflict about the legislation did not focus on climate change. A handful of letters to the editor questioned the validity of climate change, but scientific challenge was not part of the industry's opposition campaign. Therefore, supporters of the legislation benefited from the ability to point to climate change impacts and data about California's contribution to global climate change without having to defend climate change science. In appeals for public buy-in, neither side framed the policy debate as an issue of science. Environmentalists framed it as an issue of clean air and pollution regulation and industry framed it as an issue of consumer cost and choice.

Getting the Public on Board

For the remainder of 2001, the environmentalists' support was mainly symbolic; the organizations were engaged in their own campaigns and the legislation was neither controversial nor high-profile enough to necessitate their active support. They signed onto the legislation as supporters and allowed Bluewater to use their names to bolster the bill's credibility. But, when the auto industry intensified its opposition to the legislation in the second year, the other environmental organizations became more action-oriented.

The environmental groups had a decentralized approach to promoting the legislation. They held a series of conference calls to discuss their public position and strategy over the two years that the legislation was in the State Legislature. According to participants in these calls, there was as much disagreement about the terms of the legislation as there was agreement about its necessity. Outside of the group calls, the environmental groups conducted public advertising campaigns individually and reached out to build support from their respective connections.

In talking with leaders of environmental support efforts about how specific non-environmental groups and individuals joined in support of the legislation, each organization knew which supporting individual or group they enabled, but could only speculate about which of their colleagues deserved credit for other supporters. However diverse it was, this approach resulted in a coalition supporters from the media, unions, legislators, Hollywood celebrities, city and county governments, water and air districts, and businesses. By the 2002 hearings, registered supporters included American Lung Association, Architects/Designers/Planners for Social Responsibility, the Bay Area Air Quality Management District, California Conservation Voters, the Cities of Los Angeles and San Francisco, East Bay Municipal Utility District, and many others. Respondents from environmental organizations agree that such a diverse set of supporters could not have been achieved had the numerous environmental organizations not joined to support the legislation.

The automotive industry also reached out to its allies, but its approach was more centralized. The automaker industry relied on established connections with the United Auto Workers, auto dealer organizations, and Chambers of Commerce. The opposition network however, was less diverse than that of the bill's supporters. In the beginning of the 2002

hearings, the opposition had grown to include the Automobile Club of Southern California, California Manufacturers and Technology Association, California Automobile Association, and the San Diego Industrial Environmental Association. The opposition coalition had a narrower scope than the support coalition; all of the members opposed the bill based on economic interests.

According to one legislative staffer, the diversity of supporters led legislators who did not identify as environmentalists to find reasons to support the bill. Perhaps, she suggested, an Assemblymember felt strongly about healthcare, but did not know or care about climate change; seeing that the American Lung Association and the Nurses Association supported the bill might lead to this legislator's vote (Rishoff 2005).

Over the next year and a half, supporters and opponents of the legislation mounted campaigns to gain organizational allies and convince the public of their positions. To do this, both sides framed their positions as being in the public interest. However, they characterized the public differently. The auto industry reached out to the public as consumers, calling on them to stand up for their freedom to purchase what they want and drive how they want, without government intervention. The environmentalists reached out to the public as citizens with a sense of environmental responsibility. A press release issued by the Alliance for Automobile Manufacturers stated that "Automakers Will Pursue Litigation to Protect California Consumers" (2002). Meanwhile, press releases from supporting organizations such as Environmental Defense framed legislation as a simple opportunity for Californians to do the right thing ("CA Green Groups Call on Davis to Take Action on Global Warming" 2002).

In its effort to characterize the legislation and encourage opposition, the auto industry told the public that the legislation would result in limited choices and high prices for

consumers. They claimed that the bill's measures would not produce any tangible environmental improvements. And, they used information from an unrelated policy analysis document³ that the Air Resource Board produced to paint an undesirable image of the implications of the Clean Cars legislation.

Environmentalists communicated two messages through their advertisements, press releases, and public comments. Their argument was predicated on the need to respond to climate change so they identified compelling impacts of climate change in California, such as the diminishing snow pack in the Sierras, increased drought, and increasing frequency of heat-related illnesses. Californians, they claimed, wanted to prevent such impacts. Therefore, their first message was that the legislation pursued something that Californians already wanted and believed in. The second message was that the automakers' opposition to making cleaner cars was the only thing standing in the way of cleaner cars for everyone.

Whether or not climate change was actually happening was not a prominent element of either campaign. However, California's response to it was. The auto industry argued that the reductions in emissions that would result from the legislation would be a fraction of what would be necessary to counter climate change. The environmentalists argued that the legislation was a step towards lessening the problem. The auto industry claimed that only federal policies could have real impacts (Anonymous 2005). The environmentalists pointed to the lack of federal action on climate change and the auto industry's obstruction of any such policies, and called on California to take the steps that the rest of the country could follow (Bridges 2001).

³ The advertisement refers to a document from the ARB. The actual section that it refers to, "Task 3: Petroleum Reduction Options" is part of a study entitled *Reducing California's Petroleum Dependence*. This study was not related to the California Clean Cars legislation.

Auto industry ads promoted a 1-800-number for citizens to voice their opposition to the bill. The number connected callers directly with legislators' offices. The auto industry's campaign resulted in a flood of citizen opposition calls. By advertising on the radio during morning commute hours, the auto industry was able to connect with their target audience, Californians who depended on and regularly spent a portion of their day in cars. The "a.m. shock jocks" responded to the advertisements, adding their own oppositional commentary to the legislation (Rishoff 2005). Legislators complained of having their phones constantly busy because they received so many calls to protest the legislation. The *Riverside Press-Enterprise* reported that "advertising campaigns by businesses interests and condemnation of the bill by radio talk-show hosts generated 'tens of thousands' of emails and voice messages" in opposition (Garrett 2002). Assemblywoman Pavely's office also received calls from concerned legislators wanting explanations for the level of opposition. The most visible evidence that the auto industry's message resonated with Californians was a caravan of opponents who drove to Sacramento show their opposition to the bill.

The problem-definition model suggests the target of advertising and campaigning is those members of the public and decision-makers who do not have an opinion about the policy. It is therefore not surprising that the *San Diego Union-Tribune*, a prominent conservative newspaper, agreed with the industry argument against the legislation. But, if the newspaper was expressing its own opinions without influence from the auto industry, there would not be a distinguishable connection between the ways that the newspaper and the industry crafted their arguments. In fact, the newspaper behaved just as this framework would predict; they used the same language and arguments as the automakers employed in their messages in their opinions on the legislation: "What does this mean for Californians? Higher prices and more hassles with no improvement in health, safety, or environmental

quality to show for it...Forcing Californians to pay more for cars and fuels is bad enough. Forcing them to pay more to satisfy regulations that do more harm than good is something only policy-makers could think of” (Green 2002). The opinion-writer concurs with the auto industry, asserting that the legislation victimizes the California automobile consumer and hat Californians should be wary of bureaucratic policy-makers. This opinion piece, like the industry argument, targeted Californians who were concerned for their pocketbooks and who were suspicious of government. The messages intended to play on these sentiments.

A prominent auto industry print advertisement published in April 2002 featured an image of a family of four emerging from their SUV along with the message “Who Decides What You Drive?”⁴ The ad went on to tell middle class families why AB 1058 is bad for them. It cited a study that the ARB conducted regarding energy dependence and fuel consumption reduction. The advertisement told readers that if their elected officials don’t prevent the passage of AB 1058, they would be in danger of having to pay per-mile and per-gallon taxes, extra fees on new vehicles, and they might have to comply with lower speed limits. In addition to costing more, working Californians would suffer if the legislation was passed because their choice of vehicles would be limited and the cars that they could drive would be smaller and less safe. The advertisement concluded with a plea for readers to call a toll-free number and tell their elected officials to stop the legislation, which the advertisement repeatedly identified by its number.

An opinion piece by Kenneth Green in the *LA Times* built upon the argument the auto industry made in its statement of opposition to the legislature—that the legislation

⁴ This advertisement sponsored by California Chamber of Commerce, United Auto Workers, Alliance of Automobile Manufacturers, Specialty Equipment Market Association, California Motor Car Dealers Association, California Manufacturers and Technology Association, California Highway Users Conference, and California Taxpayers Association. Provided electronically by Russell Long.

would not actually produce significant improvements in global warming. “Even if everyone in California stopped driving, or we could eliminate all greenhouse gas emissions from California vehicles, worldwide emissions would drop by less than one quarter of one percent...The bill, AB 1058, is heralded as a way to combat global warming. In reality, California drivers will be more affected by this bill than the environment” (Green 2002b). The argument about the impact of emissions reductions on global climate change is more technical than the industry’s argument about loss of choice. It challenges the rational nexus between the bill and the broader goal of reducing climate change.

Revvng Up

The majority of articles and advertisements about the bill emerged in May and June of 2002. In May NRDC aired a television advertisement showing “a family in a car showroom, where a slick salesman tells them they can’t have the modern, clean car they asked for because the car companies won’t make it” (“New Television Ads Ridicule Automakers’ Fight Against Clean Cars” 2002). This advertisement may be a response to industry’s “Who Decides What You Drive?” advertisement. It targets average families and provides an alternative perspective to the auto industry’s claims. Environmentalists also held a “truth rally” to counter the auto industry’s claims about the bill’s impacts (“Auto Pollution Bill Supporters Challenge Industry Smear Campaign on Capitol Steps” 2002).

At this time, non-environmentalist supporters became more visible in campaigns to broaden the appeal of and support for the legislation. The Environmental Entrepreneurs, an NRDC partner organization of environmentally active business leaders from Silicon Valley, issued press releases and appeared at functions in support of the legislation. Their voice presented a counter argument to the auto industry claim that the bill would have negative

economic impacts. As business leaders who did not have a direct stake in the bill's outcome, the Environmental Entrepreneurs spoke of the bill in terms of its prudence and business sense. This message, according to NRDC's Roland Hwang, was particularly important to undecided legislators from Silicon Valley who were concerned about the economic impacts of the legislation (2005).

In May 2002, the California Motor Car Dealers Association published an advertisement that featured famous used car salesman Cal Worthington and his equally famous tiger. In the ad he cautioned readers, "WARNING! I'm Scared To Death and You Should Be Too." In his statement, Worthington told consumers that "politicians in Sacramento" want to prevent them from buying and driving the vehicle of their choice. Worthington wanted to protect Californian consumers from decision-makers who want to take away their choice. This advertisement urged Californians to call the same toll-free as the "Who Decides What You Drive?" advertisement used to tell "elected officials to vote no on AB 1058."

Environmental advocates then introduced a media campaign that both defended the bill and challenged the auto industry's claims. They addressed misinformation from the auto industry's campaign by establishing that the automobile industry's had a long history of inflating costs and other negative impacts associated with regulations. A paid advertisement from the California League of Conservation Voters featured a picture of a crash dummy with the headline "They must think we're a bunch of dummies." This advertisement typifies the environmentalists' approach to reaching the public; they included themselves in the public through the use of "we," a strategy that creates trust between the messenger and the receiver of the information. The advertisement proceeded to lay out a history of the car companies' opposition to safety and environmental regulations including seat belts, smog-

reducing technologies, and air bags. It then announced that “In 2002, they’re using their money and influence to prevent the state government from cutting the pollution that causes global warming.” By presenting the history of opposition to automotive features that were then standard and juxtaposing the industry’s current opposition to the proposed emissions regulations, the League of Conservation Voters communicated that auto makers had a history of advocating against the public interest. They also offered hope for the public good. The message was we can win this one just like we won with seatbelts, air bags, and smog controls.

Built into the advertisement was a sense the argument’s credibility. It quoted prominent newspapers’ negative reactions to the auto industry and closed by presenting “The Truth About AB 1058,” a series of bullet points about what the bill will and will not do. The advertisement focused on the money, influence, and power of the auto industry and the bill’s improvements for communities and health.

The context of the campaign informs the public’s response to it. The bill’s passage overlapped with the emergence and build-up of the Enron scandal. Corporate wariness was heightened in California by the end of 2001. Environmental supporters of the bill took advantage of this as they asked the public to question the reliability and credibility of the auto industry. For example, Natural Resources Defense Council based an advertisement on the idea that the auto industry was not trustworthy and had a history of self-interested opposition. It said, “We can’t stop the car companies’ hot air...But we can clean up the global warming from their tailpipes.” This advertisement quoted past auto industry responses to currently accepted automobile features and to the proposed carbon dioxide pollution regulations to support the idea the industry’s position on all regulations was opposition.

Another tactic in support advertisements was to use industry arguments against the bill's opponents. In environmental policy debates, industry often characterizes environmentalists as doomsdayers who are overly concerned about a problem, which puts environmentalists in a position of having to defend their concerns and the need for regulations. But, in the "Hot Air" advertisement, NRDC called the auto industry's "can't do attitude" and claims of higher costs and less safety a "doomsday prophesy." An editorial from the *San Francisco Chronicle* echoed the NRDC ad, saying "Amid prophesies of doom from automakers a 'clean air' bill to regulate greenhouse car emissions seems to be trucking nonstop through the legislature" ("A Real Smoke Screen" 2002). A print ad by the Sierra Club and the California League of Conservation Voters co-opted the auto industry's definition of the policy as diminishing consumer choices. This ad issued a "Consumer Warning" and urged Californians, "Don't let carmakers deny us the choice of cleaner cars."

Additional refutation of the auto industry's arguments came from the Environmental Entrepreneurs. "E2, as the group is known, presented undecided Assembly members with business leaders -- mostly Silicon Valley financiers and tech executives -- who supported the bill. That gave politicians a defense against the charge that they were anti-business" (Kwan 2002). E2 did not have the same power and clout as the auto industry and its allies, but its support and public statements did diminish the impact of the industry's economic arguments in the press and for decision-makers.

Stalling

The auto industry thought its work to prevent the bill's passage was complete when the bill did not move from the Assembly to the Senate for concurrence in early May 2002

(Plungis 2002). The May 2002 monthly newsletter from Assemblywoman Pavley's office included a statement from the Assemblywoman:

My auto emissions bill, AB 1058, has received an onslaught of opposition from the automobile manufacturing industry the likes of which I could never have imagined. I have been astonished and dismayed by the inflammatory rhetoric and just plain lies that became the core of the industry's campaign when debate on the truth of the bill was not going their way.

Legislative offices received record numbers of opposition faxes and phone calls (Long 2005). The volume of opposing emails and phone calls convinced a number of legislators to commit to not vote for AB 1058 (Garett 2002, Schrag 2002). An article in the *Detroit News* reported, "A multi-million dollar advertising blitz and lobbying effort swayed enough lawmakers in the state Assembly that the bill's sponsor has decided to delay the final vote on the Senate's version" (Plungis 2002). Industry was surprised when the bill was revived in late June.

Restarting

John Burton, the President of the California State Senate and a lifetime California politician, was a champion of AB 1058. This was not surprising given his environmental voting record. John Burton's support created an opportunity for the bill's resurrection. He used his power to revive and reintroduce the bill in the Senate (Ogelsby 2005; Long 2005). With Burton's support, Assemblywoman Pavley took AB 1493, a bill that had been inactive in the Senate, removed its contents, and replaced them with an amended version of AB 1058.

AB 1493 had outlined the duties of the State Auditor. On June 29, 2002 existing provisions of AB 1493 were completely deleted. Assemblywoman Pavley replaced them with the language of the Clean Cars legislation. The new AB 1493 was fundamentally the same as

AB 1058, but it included a few strategically crafted changes. It included a list of specific actions that the Air Resources Board was prohibited from requiring within the regulations. Prohibitions included imposing mandatory taxes or fees on vehicles, banning the sale of any vehicle, imposing vehicle weight reductions, imposing trip reduction measures, and mandating land use restrictions. The amended legislation also expanded the legislative review to “give the legislature time to review the regulations and determine whether further legislation should be enacted prior to the effectiveness date.”

These amendments explicitly refuted the claims that the automobile industry made throughout its opposition campaign: that SUVs would be banned, that taxes would be levied, that there would be restrictions on trip times and lengths, and that vehicles would become less safe through vehicle weight restrictions. The expansion of legislative review addressed remaining concerns about granting the Air Resources Board unbounded authority.

The number change took advantage of the opposition campaign’s focus on the bill’s number. Legislators were prepared to oppose AB 1058, but no legislator had received calls in opposition to AB 1493. Sympathetic legislators were able to vote in favor of the bill as AB 1493 without being a recorded supporter of the tainted AB 1058. Both houses approved the amended version within three days. Some newspapers applauded the cleverness of the maneuver (Schrag 2002). Of course, not everyone was convinced. But, the Opinion’s page of the *San Diego Union-Tribune*, whose previous reporting had sympathized with the industry’s position, presented both supportive and opposing opinions: “Legislature declares war on SUVs” (Hayes 2002) and “A step to counter greenhouse gases” (Schrag 2002).

Other reports of the bill’s passage adopted the environmentalists’ arguments and validated the bill number change. The *San Jose Mercury News* reported, “While opponents warned that the new rules could push up the costs of new SUVs and gas prices, lawmakers

sought to defuse the criticism by explicitly preventing state regulators from using higher fees or weight limits on the vehicles to meet the standards,” the article referred to the “parliamentary maneuver” to “tweak” the proposed legislation (Nissenbaum 2002). If the public at-large was upset by the number change or the amended language, this sentiment was not reflected in newspaper accounts of the decision. There is, however, evidence of suspicion about the delay associated with the number change. Some articles questioned whether the delay purposefully made it difficult for the automobile industry to register a ballot referendum to overturn the law (Walters 2002), but comments from an auto industry respondent indicate that logistical concerns did not prevent a ballot initiative (Anonymous 2005).

The broad coalition of external support, internal champions like John Burton, and the neutralization of the auto industry’s opposition argument coalesced. What John Kingdon would refer to as a “window of opportunity” opened (Kingdon 1995). Suddenly, members of the legislature could vote in favor of AB 1493 and gain the support of the diverse coalition of advocates without being susceptible to the criticism of opponents. Democratic Assemblyman Juan Vargas from San Diego had abstained from voting on AB 1058 when it was on the Assembly floor in January 2002, but voted in favor of AB 1493 in June 2002. The Assemblyman reported being contacted by a number of supporters ranging from Jesuits priests to the leader of the Environmental Entrepreneurs as he made his voting decision (Gardner 2002).

The Public Policy Institute of California released its 2002 Survey on the Environment to the public on June 27, 2002, two days before the bill was revived as AB 1493. The survey reported that 62% of respondents “believe that there is enough evidence that global climate change is real and that at least some action must be take” (PPIC 2002,

16). The 67% was an increase from 2000's finding that 57% of Californians felt this way (PPIC 2000, 14). The 2002 Survey asked respondents whether they favored or opposed "a state law requiring all automakers to further reduce the emissions of greenhouse gases from new cars in California by 2009," 81% responded in support (PPIC 2002, 16).

According to a respondent from the AAM, the automobile industry took the poll results seriously when they found out that the bill was revived in the Senate. The high rate of support indicated that the legislation, which they had thought they had successfully opposed, was likely to pass in the legislature and receive support from Gray Davis. Furthermore, they realized that sponsoring a referendum to overturn the legislation in the upcoming election was not likely to gain much public support.

The Governor in the Driver's Seat

The bill reached Governor Gray Davis, three months before the gubernatorial election. Davis was in a close race with Bill Simon and needed differentiate himself from his opponent and secure the environmental vote. News reports and environmentalists alike wondered whether Davis would approve the bill. AB 1058 had attracted significant negative attention in addition to the obvious support of environmentalists. Environmental groups aggressively lobbied for the governor's support. "Environmental Defense, a leading member of a broad coalition of environmental, religious, and consumer groups that have pushed for AB 1493's passage, strongly encourages Gov. Davis to sign it into law" ("Most Important Climate Bill in 20 Years Awaits Gov. Davis' Signature" 2002).

After much speculation about Davis' position, he signed it. Twice. The governor held two public signing ceremonies on July 22, 2002—one in San Francisco and one in Los Angeles. Celebrities, business leaders, and leaders in the environmental community attended

the signings. According to administrative agency staff, the Governor only held signing ceremonies for legislation that would result in positive publicity (Ogelsby 2005). That the Governor decided in favor of the legislation after its contentious treatment by the public and media is further evidence of the legislation's ultimate positive saliency. Davis' statements at the signings echoed the messages of the environmental campaign:

The technology is available. It's affordable. And, it's widely utilized in other countries. We're merely asking business to do what business does best: innovate, compete, find solutions to problems and do it in a way that strengthens the economy...Opponents of this bill say the sky is falling. But they said that about unleaded gasoline. They said it about catalytic converters. They said it about seat belts and air bags. But the sky is not falling. It's just getting a whole lot cleaner. (Davis 2002)

He cited the auto industry's history of inflating impacts of regulations, called on California's environmental leadership, and identified the local threats from global warming impacts. Environmental organizations publicly applauded Davis for the leadership he exhibited by supporting the bill (Valtin 2002). Supportive statements from the environmental contingent tempered earlier negative press about Davis' environmental performance.

In the Back Seat: Industry's Response

When the bill passed from the legislature to the Governor, the automobile industry published statements saying that they intended to launch a ballot initiative to overturn the legislation. However, no such initiative appeared on the November ballot. The environmentalists took advantage of one of the major rifts that existed within the auto industry—several of the automobile manufacturers had made public commitments to produce environmentally friendly automobiles. Within the AAM both Ford and Toyota had made such commitments, and had used their environmentalism to gain a competitive advantage over other manufacturers. The contradiction between these commitments and

the companies' opposition to the legislation fueled the environmentalists' attacks on automakers' credibility.

Ford Motor Company is currently run by Henry Ford's great grandson, William (Bill) Clay Ford, Jr. Bill Ford has attempted to make Ford a leader in environmental automobile manufacturing (Snyder 2004). He outlined a vision for Ford Motor Company that integrated the concept of environmental sustainability and technological innovation into Ford's leadership. In 1999, Ford was the first American company to withdraw from the Global Climate Coalition, an industry-sponsored organization that was dedicated to opposing climate change policy. 2000 brought the promise that Ford would increase the fuel efficiency of its SUVs by 25% by 2005. In 2001 Ford moved farther away from the dominant industry position on climate change with an advertisement that read: "Climate Change. There. We Said It."

Toyota created the first mass-produced and mass-marketed hybrid electric car in the United States. In 2001, Toyota Motor Company advanced its "2010 Global Vision," a framework for the company's growth into the 2010s. Prosperity and growth through innovation were central to the Vision. The first of four "innovations for the future" was the movement "Towards a Recycling Based Society" (Toyota 2002). This principal promoted resource conservation, reuse, and recycling. It committed Toyota to leadership in environmental technology. Toyota's annual "Environmental and Social Report" detailed the company's attempts to lower emissions, decrease their contributions to global warming, lower energy use in production, and other environmental pursuits related to manufacturing and use of their vehicles.

As members of the Alliance of Automobile Manufacturers, Toyota and Ford participated in the AAM's opposition to the Clean Cars Bill. Environmentalists pressured

Ford, asking the company not to oppose the legislation. According to Russell Long at Bluewater Network, “usually when an environmental group picks a corporate target, they pick them either because they’re the most polluting within the industry group or they’re the most likely to turn around. In Ford’s case, they happen to have both distinctions” (Long 2005). If Ford peeled off from the industry bloc and agreed not to oppose the legislation, Toyota was likely to follow. Long invited Ford to help craft the legislation so that it would not hurt the company. Ford refused the invitation.

According to a representative from the AAM, Toyota and Ford were so concerned about the impact of negative publicity associated with a ballot initiative to overturn the legislation that they blocked the action (Anonymous 2005).⁵ And, an *L.A. Weekly* article reported that, “industry consensus was breached when Toyota -- which is moving on cleaner-operating hybrid cars and is advised by a state official from the Governor Jerry Brown years -- expressed deep misgivings. And then Ford came in, expressing neutrality. The war hawks in the industry camp, General Motors and its ally Daimler Chrysler, were unable to carry the day” (Bradley 2002). The level of public support that environmentalists had generated created a context in which individual automakers’ desires to protect their markets trumped their collective interest.

Moving On: The Road Ahead

The law called for the Air Resources Board to draft standards that would achieve the “maximum feasible and cost-effective reduction of greenhouse gas emissions from motor vehicles.” Although automobile manufacturers did not participate in the crafting of the regulations, they did submit numerous “public comments” through paid consultants

⁵ The AAM makes decisions by consensus, so individual companies may block actions that the majority of the group supports.

(Ogelsby 2005). Representatives from environmental advocacy organizations did contribute to the development of the standards. The Air Resources Board adopted the regulations in September 2004. The regulations limit the allowable levels of greenhouse gas emissions from passenger cars, pickup trucks, and SUVs beginning in model year 2009. The Air Resources Board anticipates that the regulations will result in an average of 22% reduction of greenhouse gases from new cars and light trucks in 2012 and about 30% in 2016.

In December 2004, the automobile industry filed a lawsuit to challenge the regulations. Every carmaker in the world has joined the suit, even Ford and Toyota. The industry challenges California's authority to pass regulations limiting vehicular carbon dioxide emissions on the basis that it violates the prohibition of states to regulate fuel economy, as established in the Energy Policy and Conservation Act of 1975.

At least eight other states have already or are prepared to adopt the California standards.⁶ Canada has used California's standards as a basis for their negotiation with automakers to create voluntary greenhouse gas emission reduction standards. California alone represents 13% of the vehicle market in the United States. If the northeast states and Canada adopt the California standards, more than one-third of the North American vehicle market would comply with the California greenhouse gas emission standards.

Reflections

Environmentalists won the battle to define the problem because they had a more compelling story than the auto industry. They convinced enough Californians and legislators that the legislation was important. Their argument was clear: carbon dioxide and other greenhouse gases emitted from automobiles contribute to global warming; global warming

⁶ The eight states are: Washington, New York, Massachusetts, New Jersey, Vermont, Connecticut, Rhode Island and Maine.

hurts California; so, Californians should limit their vehicular emissions. This message resonated with the identity of Californians as leaders in environmental policy and engaged Californians' sense of environmental responsibility.

The auto industry's message was clearly compelling for some Californians. Their opposition translated into phone calls and emails to legislators. One angry citizen threatened to show his opposition by bringing a baseball bat to Assemblywoman Pavley's district office (Rishoff 2005). However, it did not convince enough Californians to lead to an ultimate legislative opposition. Several interview respondents thought that the auto industry misjudged Californians in the way that they framed their message. "Californians drove 730 million miles per day in light-duty vehicles in 2000," according to the Pew Center on Global Climate Change (2005), so the industry was not making a bad guess when it tried to reach out to Californians as consumers. However, many people also feel guilty, or at least ambivalent about driving vehicles that have been vilified in the anti-SUV campaign. A core message that the auto industry relies on in its opposition of national regulations is personal economic impacts—job loss. There is only one auto manufacturing plant in California, so loss of jobs is not a persuasive threat for most Californians.

IMPLICATION & CONCLUSIONS

This paper traced the tactics that environmentalists and the auto industry used to convince the public to adopt their positions about the Clean Cars legislation. First hand and media accounts of support and opposition activities provided evidence to explain how the environmentalists won the battle for public and legislative support. Collaboration across environmental organizations and the inclusion of non-environmental institutions, organizations, and individuals expanded the impact and scope of the support campaign. Environmentalists' explanation of the need for the legislation and its impacts resonated with Californians; as did their attack on the credibility of the auto industry. Although the auto industry succeeded in heightening the bill's controversy and convinced legislators that there were costs associated with voting in favor of the bill, the environmentalists ultimately produced a more compelling argument than the auto industry.

The politics associated with the passage of the Clean Cars Bill is not dramatically different from what one would expect in a high stakes environmental policy debate. The auto industry told a version of the same story they usually tell in the face of potential regulatory policies. Similarly, environmentalists used their established strategy of telling stories of the terrible things that would happen if no action was taken. The relevance of analyzing the passage of the legislation as a case lies in the importance of the legislation as it establishes a new tool to address climate change at the state-level.

One might argue that it is no surprise that an aggressive environmental bill succeeded in California—that it was a good bill put in front of a majority-Democrat legislature and governor. But, other aggressive pieces of environmental legislation have failed in California. Proposition 128, also known as the “Big Green” aimed to phase out

carcinogenic pesticides and ozone depleting chemicals, to reduce greenhouse gas emissions, to limit gas and oil drilling in oceans and bays, to require oil spill cleanup plans and funds, and to appropriate funds for environmental research and protection. Although “Big Green” appealed to a diversity of environmental interests, its supporters did not compel enough of the public to adopt it. So, it is not enough that the Clean Cars legislation was introduced in California. California’s environmental history and Democratic state government certainly were contributing factors to the bill’s success, but without a context of citizen support and they are not enough to explain its passage.

Another counter argument might claim that the success of the bill hinged on the change of the bill number and that the environmentalists’ and the support coalition’s efforts to develop public support was not integral to its passage. Changing the bill number and amending its content were important to the bill’s success; the amendment changes neutralized the industry arguments and AB 1493 did not have the stigma that AB 1058 had. The new bill number these changed the choice that legislators faced from one of large public costs versus large public benefits to one of just large public benefits. But, without an external context in which the public benefits were clear and in which the auto industry’s argument had been refuted, the internal legislative maneuvers would not have been sufficient to get legislators to vote in favor of the bill. Environmentalists created a context in which legislators could get credit for and not fear punishment from supporting the bill.

As of April 2005, six states have committed to adopting California regulations: New York, Maine, Rhode Island, Connecticut, Massachusetts, and Vermont. Washington State has a bill pending that would adopt the California standards. As part of the West Coast Governor’s Initiative on Global Warming, Oregon’s governor has committed to pursuing the standards in the Oregon State Assembly. Maryland’s attempt to adopt California

legislation failed in March 2005. Some of these states may adopt the California standards by rule-making as opposed to law-making. However, even rule-making on a controversial issue may become political and will require some degree of strategy for success.

Canada also indicated its intentions to adopt the California regulations. However, in April 2005, the automobile manufacturing industry agreed to a voluntary reduction of absolute greenhouse gas emissions from their Canadian fleets by 2010. This alters the total market share that the standards will affect. But, the technologies that the automakers will utilize to meet the Canadian fleet reductions will contribute to the market for greenhouse gas emissions reductions innovations and so will complement the California standards. Canada has indicated its intention adopt the California standards if automakers do not comply with the voluntary standards.

The tactics that industry and environmental interests used and citizen, media, and legislative responses to these offer a blueprint of what to expect in other states as they attempt to adopt California's regulations. If public support continues to drive the policy process, environmentalists and the auto industry will focus their energy on convincing the public of their positions. To do this, the auto industry will rely on scaring consumers with inflated impacts of the regulations and environmentalists will emphasize local climate change consequences of not adopting regulations to curb greenhouse gas emissions. Advocates of future attempts to adopt California standards may rely on the automobile industry's ability to outspend environmentalists in their attempts to gain public concurrence with their opposition. Legislators will respond to outraged and impassioned citizen communications. And, whichever side is able to make a more compelling case will prevail.

In looking at these emergent lessons with the aim of applying them to other states, there are some differences to keep in mind. First, most state legislatures do not have a

dependable Democrat majority. California passed the legislation through party concurrence; Democrats voted to support and Republicans voted to oppose. States whose legislatures have a balanced mix of party representation cannot depend on Democrat votes alone in order to successfully pass legislation to adopt California standards.

Second, automobile manufacturing comprises a small proportion of California's economy. In states where the automobile industry represents a larger share of the economy, arguments that claim dire economic impacts that would result from the regulations are likely to resonate more than they do in California.

Third, Californians take climate change more seriously than the rest of the nation. The Public Policy Institute of California compared Californian's survey responses to the national average in their 2000 Statewide Survey on the Environment and found that "57% of Californians believe there is evidence to warrant either immediate action ...or some action... to address global warming" (PPIC 2000, 14). On a national level, they report that 51% of people feel this way.

Finally, the automobile manufacturing industry is ready. Automakers anticipate that other states will try to pass legislation adopting California standards. In fact, the Alliance of Automobile Manufacturers is already preparing for such attempts. The lag-time between the initial hearings of the bill in California's Assembly and the auto industry's active opposition gave environmentalists time to assemble coalitions, resolve internal discord, and develop their support messages. The auto industry is unlikely to be caught off-guard again.

Understanding key differences, and the having examined how this process played out in California, I offer a number of recommendations for advocates of rules or legislation to adopt California standards.

Support

Develop bi-partisan support for the legislation before it enters the state's legislature: Having an internal network of support to rely on that crosses party-affiliation may prevent the issue of climate change policy from being further framed as a "Democrat issue." State legislators may find support and assistance from Republicans who have already come out in support of climate change policies. Figures such as John McCain, and even Republican governors like Arnold Schwarzenegger or George Pataki who have backed state climate plans may agree to assist in assembling Republican support. Environmental advocates should reach out to Republican legislative staff before introducing legislation using arguments of economic benefits and conservative planning.

Develop coalitions with groups with complementary and overlapping interests. An example from the California case comes from Bluewater Network's endeavor to gain the support of the ski industry in the Sierras. The ski industry tends to be politically conservative and serves a conservative clientele. When Bluewater asked for their support they did not advance an argument about global impacts, but instead presented data that showed diminishing ice pack in the Sierras. They engaged the business leaders in conversations about potential economic losses from a diminishing number of ski-days and eventually gained their support. Not all groups can be compelled to support vehicular emission standards (or any environmental policy) with the same set of arguments. It is up to the advocates of legislation to craft messages to fit the audience.

Environmentalists must work to intertwine their missions with those of unions in the United States. This is particularly true because Democrats, who are the current base of climate change policy support, rely on union support and take union positions seriously. The United Auto Workers (UAW) has consistently sided with the automobile manufacturing

industry against environmental regulations. The auto industry's threats of job loss that will result from their competitive disadvantages under the policies speak to a basic necessity of survival. In states where there is a significant auto manufacturing presence, legislators are unlikely to vote in favor of a bill that constituents perceive to result in dire economic consequences. If environmentalists offer a different story, one in which workers will not lose their jobs to foreign assembly plants, they might be able to gain the UAW as allies, thereby securing support in state legislatures. To this end, supporters of California standards should work to create grant funds to assist domestic manufacturing facilities in shifting their production to low greenhouse gas emissions vehicles.

Health professionals offer a willing but underutilized source of support. One of the initial supporters of the Clean Cars campaign in California was the American Lung Association. Listing well-known and trusted public health organizations as supporters strengthened the bill's credibility. But, public health organizations and professionals can offer more than their names to pursuits for vehicular emissions regulations. Unlike other kinds of scientists, medical scientists and public health professionals are not vulnerable to a loss of credibility when they make prescriptive statements about policies; in fact, the public expects health and medical scientists to make recommendations about how people should live and behave. Public health organizations are consistent supporters of climate change policy, but are not often featured in state-level policy campaigns. A first step in better taking advantage of support from medical and public health professionals is to co-produce policy and education promotional materials with them. Outreach and education materials about vehicular pollution should highlight anticipated public health risks and impacts associated with climate change.

Public Education

Nearly 60% of Californians think that Climate Change is real and serious enough to do something about. Only about half of the nation at-large thinks this is true. A public education campaign about climate change is imperative to the pursuit of public support for climate change policies. Environmentalists should look to AIDS awareness and anti-smoking campaigns as models for mass education. Public education campaigns should clarify what climate change is and is not, explain how human behavior accelerates climate change, and ask who really wins and loses when climate policies are not adopted.

Localized research findings about climate change impacts may be combined with information on traffic congestion, local air quality, respiratory illness, and obesity data to strengthen arguments for vehicular greenhouse gas emissions regulations. Environmentalists should take the opportunity to frame the argument for the adoption of California emission standards so that it addresses other state-specific salient public policy concerns. For instance, in a state in which there is a lot of public attention focused on health care, the fact that warmer temperatures exacerbate asthma and other respiratory illnesses will be a compelling argument for emissions reductions policy. And, such an argument may be supported on environmental and health grounds.

Research

Examples of localized impacts are embedded in existing research about climate change impacts in the United States. Supporters of California emissions regulations, or any other climate change policy, are wise to extract localized implications of climate change to highlight the importance of a state acting on climate change. The EPA has an on-line library of targeted research that examines localized impacts of climate change for every state (EPA

2000). The Union of Concerned Scientists has also published reports that explain climate change impacts for specific states and regions including the Great Lakes, the Gulf Coast, California, and Iowa (Union of Concerned Sciences 2005). The U.S. Global Climate Change Research Program's National Assessment of Potential Consequences of Climate Change and Variability includes regional analysis of climate impacts for Alaska, the Appalachians, California, Eastern Midwest, the Great Plains, the Great Lakes, the Great Plains, Gulf Coast, the Mid-Atlantic, New England, the Pacific Northwest, Rocky Mountain Great Basin area, South Atlantic, Southeast, and Southwest (USGCRP 2003).

Finally, advocates of adoption of California standards in other states should learn from each other's experiences. As states attempt adoption processes, advocates in other states should not only support them but also try to learn from them what works and what tactics are not helpful.

Conclusion

The California Clean Cars Bill emerges as a hope for environmental progress at a troublesome time for environmentalists. The majority of environmental actions in the 2000s have focused on trying to prevent the weakening of environmental laws and regulations that were the product of three decades of activism. State-level policy is the new venue for environmental progress and protection in the United States. This thesis explored California Clean Cars Bill's path to success offers guidance for environmentalists who wish to forge similar tracks across the country.

WORKS CITED

Alliance for Automobile Manufacturers. "Automakers Will Pursue Litigation to Protect California Consumers." July 22, 2002. Press Release, Alliance for Automobile Manufacturers. < <http://www.autoalliance.org/media/pressarchive2002.php>>.

Anonymous Respondent, Alliance for Automobile Manufacturers. Personal Interview. March 23, 2005.

"A Real Smoke Screen." *San Francisco Chronicle*. Editorial. B6. May 6, 2002.

"Auto Pollution Bill Supporters Challenge Industry Smear Campaign on Capitol Steps." NRDC Press Release. May 9, 2002. <<http://www.nrdc.org/mediapressreleases/>>.

Baldassare, Marc. PPIC Statewide Survey: Special Survey on the Environment 2000. Public Policy Institute of California: San Francisco. 2000.

Baldassare, Marc. PPIC Statewide Survey: Special Survey on the Environment 2002. Public Policy Institute of California: San Francisco. 2002.

Baldassare, Marc. PPIC Statewide Survey: Special Survey on the Environment 2004. Public Policy Institute of California: San Francisco. 2004.

Baumgartner, Frank R. and Jones, Bryan D. *Agendas and Instabilities in American Politics*. Chicago: University of Chicago Press. 1993.

Bedsworth, Louise Wells. "Climate Control: Global Warming Solutions for California Cars." Cambridge, MA: Union of Concerned Scientists. April 2004.

Bluewater Network. March 2005. < <http://bluewaternetnetwork.org/aboutus.shtml>>.

Bradley, Bill. "Out of Gas." *LA Weekly*. August 2-8, 2002.

Bridges, Andrew. "California Officials Seek to Cut Tailpipe Emissions of Greenhouse Gases." Associated Press. November 9, 2001.

"CA Green Groups Call On Davis To Take Action On Global Warming." Press Release, Environmental Defense. June 13, 2002. Accessed May 2005. <<http://www.environmentaldefense.org/pressrelease.cfm?ContentID=2104>>.

California State Assembly. *AB 1058 Bill Analysis: Assembly Committee on Transportation*. Sacramento, April 14, 2001. <<http://leginfo.ca.gov/bilinfo.html>>.

California State Senate. *AB 1058 Bill Analysis: Senate Floor*. Sacramento. April 1, 2002. <<http://leginfo.ca.gov/bilinfo.html>>.

“Consumer Warming.” Print Advertisement. Sierra Club and California League of Conservation Voters. May-June 2002. Provided electronically by Craig Noble. May 2005.

Davis, Grey. Speech. July 22, 2002.

DeCiccio, John and An, Feng. “Automakers Corporate Carbon Burdens.” Report for Environmental Defense. 2002.
<http://www.environmentaldefense.org/documents/2220_AutomakersCorporateCarbonBurdens.pdf>.

“Environmental Groups Applaud Historic Global Warming Bill.” Press Release. Environmental Defense. July 22, 2002. Accessed May 2005.
<<http://www.environmentaldefense.org/pressrelease.cfm?ContentID=2204>>.

EPA. “Global Warming Impacts: State Impacts.” January 2000.
<<http://yosemite.epa.gov/oar/globalwarming.nsf/content/ImpactsStateImpacts.html>>.

Gardner, Michael. “Governor Set to Sign Landmark Smog Measure.” *San Diego Union-Tribune*. A4. July 11, 2002.

Garrett, Robert T. “Green Car Bill Stalls Again; Supporters of the Measure Say Near-Hysterical Opposition Has Succeeded.” *The Press-Enterprise*. Riverside, CA. May 17, 2002. A01.

Green, Kenneth. “The State is Sticking it to Motorists.” *San Diego Union-Tribune*. Opinion, February 2, 2002. (2002a)

Green, Kenneth. “Warning: Political Eco-Posturing Ahead.” *Los Angeles Daily News*. Local View. N21. April 5, 2002. (2002b)

Hayes, Anne M. “Legislature Declares War on SUVs.” *San Diego Union-Tribune*. Opinion. July 12, 2002.

Hwang, Roland. Personal Interview. March 21, 2005.

Kingdon, John. *Agendas, Alternatives, and Public Policies*. Harper Collins. 1995.

Kwan, Joshua L. “Tech Leaders Clout Aids Environmentalists.” *San Jose Mercury News*. July 9, 2002.

Layzer, Judith. *The Environmental Case: Translating Values into Policy*. CQ Press. 2002.

Long, Russel. Personal Interview. March 24, 2005.

Lowry, William. *Dimensions of Federalism: State Governments and Pollution Control Policies*. Durham: Duke University Press. 1992.

“Most Important Climate Bill in 20 Years Awaits Gov. Davis’ Signature.” Press Release. Environmental Defense. July 1, 2002. Accessed May 2005. <<http://www.environmentaldefense.org/pressrelease.cfm?ContentID=2167>>.

“New Television Ads Ridicule Automakers’ Fight Against Clean Cars.” Electronic Press Release. May 10, 2002. <<http://www.nrdc.org/media.pressreleases/>>.

Nissenbaum, Dion. “Landmark Emissions Bill Clears California Legislature, Heads to Governor.” *San Jose Mercury News*. July 7, 2002.

Ogelsby, Robert. Personal Interview. March 23, 2005.

Pavley, Fran. Monthly Newsletter. May 2002.

Pew Center on Global Climate Change. “Greenhouse Gas Standards for Vehicles.” March 2005. <www.pewclimate.org/states.cfm?ID51>.

Plungis, Jeff. “Ad Blitz Stalls Emissions Bill.” *Detroit News. Auto Insider*. May 23, 2002.

Rabe, Barry. “Greenhouse & Statehouse.” Report for Pew Center on Global Climate Change. 2002. <<http://www.pewclimate.org/docUploads/states%5Fgreenhouse%2Epdf>>.

Rishoff, Louise. Personal Interview. April 29, 2005.

Schrag, Peter. “A Step to Counter Greenhouse Gases.” *The Sacramento Bee*. Opinion. July 12, 2002.

Snyder, Carloyn Port. “To What Extent Can Business Act as a Level of Change for Sustainability? The Quest of Bill Ford to Green Ford Motor Company.” MSc Dissertation. University of Oxford. 2004.

Stone, Deborah. *Policy Paradox: The Art of Political Decision Making*. New York: W.W. Norton & Company. 1997.

Toyota. “Toyota Puts Forth ‘2010 Global Vision.’” April 1, 2002. Electronic Press Release. Accessed April 2005. <<http://www.toyota.co.jp/en/news/02/0401.html>>.

Union of Concerned Scientists. “Global Warming.” April 14, 2005. Accessed April 2005. <http://www.ucsusa.org/global_environment/global_warming/index.cfm>.

U.S. Department of State. “U.S. Climate Action Report 2002.” Washington D.C. 2002.

U.S. Global Change Research Program. “Regions and Mega-Regions.” October 12, 2003. Accessed April 2005. <<http://www.usgcrp.gov/usgcrp/nacc/background/regions.htm>>

Valtin, Tom. “California Emission Bill Paves Way for Cleaner Cars.” *The Planet Newsletter*. Sierra Club. September/October 2002. Accessed May 2005. <http://www.sierraclub.org/planet/200209/cleaner_cars.asp>.

Walters, Dan. "Stalling on Bill Aims to Aid Davis." *Fresno Bee*. B3. July 10, 2002.

"Warning! I'm Scared to Death and You Should Be Too!" Print Advertisement. California Motor Car Dealers Association. May 2002. Provided electronically by Russell Long, March 2005.

"We Can't Stop the Car Companies' Hot Air." Print Advertisement. Natural Resources Defense Council. May-June 2002. Provided electronically by Craig Noble, May 2005.

West, Darrell M. and Loomis, Burdett A. *The Sound of Money: How Political Interests Get What They Want*. New York: WW Norton. 1999.

"Who Decides What You Drive?" Print Advertisement. April 2001. Sponsored by California Chamber of Commerce, et al. Provided electronically by Russell Long, March 2005.