

## NEWSMAKER:

### Recalling the long, hard slog to a 'historic piece of legislation'

Emily Yehle, E&E reporter

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When the famously volatile Sen. Ed Muskie was "particularly testy," his staffers had a solution: Call Leon Billings.

Billings, who worked with Muskie for more than a decade, would find the Maine Democrat in his office, brooding over legislative annoyances or a setback to his 1972 presidential campaign.

"I heard later that they called me 'red meat,'" Billings said in a recent interview. He was more than willing to play the part. "My personality was not significantly affected by the fact that he was yelling at me. Sometimes I would just laugh at him, and it would really tick him off."

Billings began working for Muskie in 1966, a few years after moving to Washington, D.C., from Montana. His parents, both journalists, had instilled a liberal streak -- and his father had urged him to go beyond his hometown of Helena to fulfill his ambition to "change the world."



Leon Billings, seen here as a Maryland state delegate in the 1990s, was instrumental to the passage of the 1970 Clean Air Act and continues to tout the importance of environmental regulations today. Photo courtesy of the Maryland House of Delegates.

Armed with a bachelor's degree from the University of Montana, Missoula, along with a few years at the American Public Power Association, he landed on Capitol Hill knowing next to nothing about pollution. But today, in certain circles, he is recognized as the author of the 1970 Clean Air Act -- the man who brokered the behind-the-scenes dealmaking that enabled Muskie to push through his signature achievement.

When on the Hill, Billings gained the reputation of a dedicated staffer who was not afraid to deliver hard truths, first as a staff director for the Senate Public Works Subcommittee on Air & Water Pollution and later as Muskie's chief of staff.

Former colleagues say he was abrasive but fair, professional but sometimes prone to profanity. Some called him "Senator Billings" in recognition of his demeanor and the authority Muskie handed him. Graffiti across the hall from the Public Works Committee summed up his stature: "Leon Billings is God."

"He was the funnel through which everything flowed," said Tom Jorling, who worked closely with Billings as the minority staff director of the Public Works subpanel. "But it was not a passive funnel. He was very much a directing funnel in terms of substance and outcomes."

Today, not many know Billings' name. The 76-year-old is quoted in the occasional article and gives lectures on the Clean Air Act and the Clean Water Act, but Billings tends to tout the work of Muskie and his Senate colleagues. His own role in crafting the framework for today's clean air and water regulations often gets lost in the focus on the political titans.

"This may sound phony: I didn't do this to get my name attached to something. I did it for the outcome," Billings says today from his home in Bethany Beach, Del. "It has always been more important to me. I don't mind the recognition -- I'm not being humble. In the context of what I had opportunity to accomplish, I'm very comfortable taking the credit."

Indeed, ego is not something Billings has in short supply, according to his friends. But he makes lasting relationships and still keeps in touch with some colleagues from his congressional heyday -- even those who were his professional adversaries.

Jim Tozzi is one. As the head of environmental programs in the Office of Management and Budget, Tozzi was the voice of a Republican administration that wanted to curb some of Muskie's aims for the Clean Water Act.

But when Tozzi tried to raise minority opposition in the Public Works Committee to some of the panel's actions, his efforts were often fruitless. The staff -- Democrat and Republican alike -- was behind Billings, and the lawmakers respected its opinion.

Today, Tozzi calls Billings an "environmental entrepreneur."

"The payoff in business is generally you get that big income because you generate a business that produces a lot of revenue," Tozzi said. "What Leon did is he produced an enterprise that produced a lot of benefits. Not benefits in terms of income, but benefits in terms of clean air and clean water."

Tozzi expands on that idea in a new article for *The Environmental Forum*, in which he and co-author Bruce Levinson include Billings as one of a few examples of "social entrepreneurs."

Upon reading the article recently, Billings was ready with a good-natured deflect: "If bullshit were bullion, he'd be a billionaire."

But he soon gave credence to the idea, if it also encompassed his colleagues and the senators who enabled the entire effort.

"We certainly were entrepreneurs -- and maybe to a degree revolutionaries -- because, to use a cliché, we went someplace that Congress has never gone before," Billings said. "The idea of Congress actually, specifically directing the executive branch what to do, when to do it, how to do it, and what the consequences were if they didn't do it or didn't do it adequately was precedential. It had never happened before."

### **'Abrasive' but effective**

Getting there was a long, detailed political slog with dozens of markups and hearings. Billings would sit at the table with the members on the dais and work through provisions. Behind closed doors, lawmakers would debate policy, play devil's advocate and vigorously question Billings on new provisions.

John Freshman, who worked under Billings from 1973 to 1977, remembers the dynamic as "pretty amazing."

At the time, Freshman was in his 20s, and Billings was a demanding boss who expected long hours and thoroughness. "Abrasive" is how Freshman described him -- as well as "brilliant, challenging, exciting, demanding."

"Leon was such a strong personality that he took all the air out of the room, so it was difficult to also be a strong presence," said Freshman, who is now at the law firm Greenberg Traurig. "But that wasn't the key. The key was the way he was so incredibly effective in dealing with the senator."

Muskie gave Billings what several former colleagues called a "long leash." If Billings said it, everyone assumed Muskie was behind it. The two had what Freshman called "just the best staff-senator relationship I've ever seen."

Billings could be short, especially with lobbyists who belabored their point. He brags today that General Motors tried to get him fired -- as well as Ralph Nader, who was miffed after he refused to quietly change a legislative provision.

In an infamous interaction that has evolved into legend, Billings met with automobile executives to talk about tailpipe emissions -- a task he was loath to undertake. While the executives talked, Billings busied himself by folding their talking points into a paper airplane.

But Freshman doesn't think that story goes deep enough. Billings, he said, was able to engage in "wars" with other staffers and then still be friends years later. Dick Sullivan, Billings' counterpart in the House, was a frequent professional adversary, but the two remained friends until Sullivan's death.

A favorite hang-out after intense negotiations was the Tune Inn, where Billings would go most Friday afternoons to relax. His weekends were spent at home, with his family, but a few hours a week at the Tune Inn was unofficially part of his employment agreement.

Other than staffers, the group sometimes included a *New York Times* reporter, sometimes a lobbyist who didn't get the message. A big table was often cleared off for them -- even if someone was sitting at it, to their embarrassment.

Tozzi occasionally tagged along.

"It was a really ratty, cheap bar, and after all the markups, Leon and I would go there. It was like going into an old Western when two cowboys show up -- where two guys go in and everyone got up," he said. While the day was spent in passionate argument, the evening was a time for a couple of beers.

Though work was more or less off limits at the bar, Billings used his commute to plan the day. He drove from the suburbs in a pickup truck with Jorling, the minority staff director under Rep. John Sherman Cooper (R-Ky.).

"We'd talk about what we were going to do the next day," Billings said. "We evolved many of the critical provisions of the Clean Air Act and Clean Water Act in that truck."

### **'They'd cuss, they'd argue, they wouldn't agree'**

The relationship between Jorling and Billings was one that seems almost impossible in today's political environment. Though they worked for senators who came from opposing political parties, their bosses wanted the same end: cleaner air and water. The debate was over how best to get there.

Some key provisions sparked little more than civil debate. For the 1970 Clean Air Act, for example, Muskie asked Billings to find out how much automobile emissions needed to decrease in order to alleviate the growing pollution problem.

After making a few calls, Billings got his answer one morning, typed it up on his typewriter and handed it to Muskie just in time for a 10 a.m. committee hearing. The recommendation -- cutting tailpipe emissions by 90 percent over five years -- was accepted with little debate.

Jorling, who remains a close friend of Billings, also said their success partly came from having a small staff, not the "massive bureaucracy" that exists today. Staffs that were once fewer than 30 ballooned to more than 100 under a rule change in 1975 that allowed every committee member to assign one of his or her own staffers to the panel.

The House had a similarly small staff. The House Committee on Public Works, for example, had about six staffers assigned to the 1972 Clean Water Act. One of them, Gordon Wood, remembers an intimate process that enabled compromise.

Staffers categorized House-Senate differences as minor, major and critical -- and then those issues were hashed out in almost 40 House-Senate conferences. That meant about 100 staff meetings, where Billings advocated for the Senate position.

But even with so many things to debate, negotiations didn't break down.

"There were very few issues that were contentious because members on both sides wanted to do what was right for a water pollution plan that wasn't working," said Wood, who was the assistant minority counsel on the House Public Works panel. "We were able to work out staff recommendations, which were really promptly approved by the members in conference."

Closed-door meetings, he said, also enabled lawmakers to take off "their blue shirts and red neckties."

"They'd cuss, they'd argue, they wouldn't agree," Wood said. "It worked out beautifully. It was a historic piece of legislation."

Through it all, Billings was propelled by what he calls his belief in an "activist government" -- a perspective he kept when he became a Maryland state delegate in the 1990s.

"If you were going to have a profit-based society, then the objective of business was to make profit," he explained. "All of this crap about social responsibility and so on was nothing more than that."

A public outcry for environmental protection provided the opportunity to "balance the books between social demands and capitalist responsibility," Billings said.

"One thing Muskie and I had in common," he said, "was we believed when a circumstance presented itself, you should take full advantage."