

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	List of Invitees (1 page)	06/08/95	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Michael Schmidt
OA/Box Number: 7342

FOLDER TITLE:

Zero Tolerance - Pre-Event and Event Information

2013-0968-S

sb52

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Zero Tolerance - for Event & Event (NF)

PHOTOCOPY
PRESERVATION

THE WHITE HOUSE
WASHINGTON

June 9, 1995

MEMORANDUM TO ERSKINE BOWLES

From: Jeremy Ben-Ami 
Subject: Zero Tolerance Follow Through

Thanks for your note. I agree. I flagged these issues so everyone would be on notice, but we are already working proactively to address them. Here's what we're doing:

- (1) We got 7 seven major groups to issues letters or statements of support for the President - including the state highway directors - because we did not say we supported sanctions.
- (2) We (NHTSA Administrator Martinez and I) will be doing a background briefing at 3:30 with the Press Corps and we will be distributing the support letters.
- (3) We have decided to say that the President will not be introducing legislation, but that the administration will be calling all of the interested parties together to figure out the best way to achieve the President's desired result.
- (4) On the other tough issues, like will we oppose efforts to repeal the drinking age, the speed limit, seat belt laws, etc.: we will say the President stands firmly behind the need for national standards in all these areas.

We have made every effort to be a step ahead of the game on this announcement. I am hopeful it will turn out well.

cc: Carol Rasco

THE WHITE HOUSE
WASHINGTON

June 7, 1995

MEMORANDUM TO LEON PANETTA

From: Jeremy Ben-Ami
Subject: Radio Address on Zero Tolerance

We are ready to announce the President's support for "Zero Tolerance" laws in Saturday's radio address. We have worked with DOT on a draft of Presidential remarks that has been shared with Speechwriting. We are inviting 10 representatives of groups that will issue statements on Saturday supporting the President's position. We are not planning any additional media work on Friday around the taping of the address.

There are several points to be noted in making this announcement which have all been considered in deciding to move forward:

- o Opposition to this will be swift from the states because of the mandate issue.
- o The President is asking Congress to pass this legislation, but has not proposed it himself.
- o The President will be committing himself to a goal and to national action, but will not be addressing specifics, such as whether to use sanctions or incentives.
- o A Presidential statement on this may generate questions about our position on efforts to repeal the speed limit and the 21 drinking age. The President has not previously taken a position, but the natural outgrowth of this radio address would be that he supports both despite the states' objections to the federal requirements.

cc: Erskine Bowles
Harold Ickes
Carol Rasco
Mike McCurry
Mark Gearan
Marcia Hale
Don Baer
Rahm Emanuel
Bill Curry
Steve Silverman

*Jeremy -
The president is going to
do this. It would be for
more productive to
begin preparations to
speak over there points
as good as you can.
Thank you -*

*I look forward
to your
reply to
these
issues on
a practical
basis
[Signature]*



MADD

Mothers Against Drunk Driving

511 E. John Carpenter Frwy., Suite 700 • Irving, Texas 75062-8187 • Telephone (214) 744-MADD • FAX (214) 869-2206/2207

NATIONAL OFFICE

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Katherine P. Prescott

STATEMENT BY BECKIE BROWN MADD NATIONAL PRESIDENT JUNE 9, 1998

On behalf of Mothers Against Drunk Driving I want to commend President Clinton for raising the public awareness of the tragedies caused by underage drinking and driving and for inviting me to be a part of his upcoming Saturday radio address. The President has taken the opportunity to remind the States of one of the most effective means to save the lives of the youth of this country on our nation's highways — Zero Tolerance Laws. These laws would make it illegal for drivers under the age of 21 to operate a vehicle with any measurable amount of alcohol in their system. MADD has long supported zero tolerance laws for drivers under the age of 21.

Each year for the past decade, between 2,400 and 5,400 youths aged 15 to 24 were killed in alcohol related crashes. People under the age of 21 cannot legally purchase or publicly possess alcohol. Therefore, they certainly should not be permitted to legally drink and drive. Unfortunately, most states still permit a driver under the age of 21 to drive legally with alcohol in their system, as long as their blood alcohol content does not exceed the State's legal limit. When these young people make the decision to drink and drive, they are at a significantly higher risk of being involved in a fatal crash than other age groups of drinking drivers. What we're trying to do is make the driving laws consistent with the drinking laws.

Driving inexperience, immaturity and risk taking behavior are hallmarks of young drivers. A survey of Massachusetts teenagers who admitted consuming five or more drinks showed they were twice as likely to drive 20 miles over the speed limit, run red lights and make illegal turns. They also almost never wore their seat belt. Research shows that young drivers are particularly susceptible to impairment by small amounts of alcohol. When you combine this behavior and inexperience with alcohol you have a deadly combination.

MADD FOUNDATION
James R. Morris

MADD Statement/Zero Tolerance**June 9, 1995****Page 2**

Zero tolerance laws save lives. A study of Maryland's .02 law showed a 50 percent drop in alcohol-related crashes involving youth in areas of the state where the law was highly publicized. Other states have reported similar success. In Maine, North Carolina, Wisconsin, and New Mexico lower BAC limits for youth resulted in a 34% decline in nighttime fatal crashes among younger drivers. MADD believes a combination of education and enforcement will save precious young lives on our nation's highways.

The driver's license is truly a coveted symbol of maturity and independence for young people, and it's something they want to keep. The zero tolerance law is an effective deterrent to drinking and driving among these kids.

I am pleased to announce that this week Rhode Island and Connecticut joined the growing list of states which have adopted zero tolerance laws for drivers under the age of 21. In my native state of New York, a zero tolerance bill is currently pending before the state legislature. In 1993 in New York, 57 young people under the age of 21 were killed in alcohol-related crashes and there were 50 alcohol-related crashes involving drivers under the age of 21. I sincerely hope that the President's message will serve as a catalyst for legislators in New York and other states to move forward and adopt this life saving measure.

This year marks MADD's 15 year anniversary in the fight against drunk driving -- and during this time, we have heard far too many stories of young people who senselessly lost their lives due to underage drinking and driving. In 1993, 2,364 young people aged 15 to 20 were killed in alcohol-related crashes. If all states adopted zero tolerance laws for drivers 15-20, it is estimated at least 375 single vehicle night fatal crashes would be prevented each year.

My 18-year-old son, Marcus, was killed by a 19-year-old drunk driver in 1979. There is no doubt in my mind that a zero tolerance law could have saved my son's life and will save the lives of countless young people across the country.



Reply to:

WASHINGTON D.C.
OFFICE
1019 19th Street, N.W., Suite 401
Washington, DC 20036-5105
(202) 293-2270
FAX (202) 293-0032

STATEMENT OF THE NATIONAL SAFETY COUNCIL

Supporting Zero Tolerance Laws

June 9, 1995

The National Safety Council commends President Clinton's call to make "zero tolerance" for drivers under age 21 the law of the land.

Since its enactment, the minimum drinking age law has saved thousands of lives and prevented over 100,000 injuries. Yet, despite this success, alcohol-impaired driving remains a significant cause of death and serious injury for young people.

Zero tolerance laws send a clear and consistent message to America's youth--that it is illegal for them to drink *and* it is illegal for them to drink and drive.

We know that zero tolerance laws work: they have significantly reduced alcohol-related traffic deaths among young drivers age 15-20. A study conducted in Maryland in 1992 for the National Highway Traffic Safety Administration showed that enacting zero tolerance, combined with publicizing the law, reduced alcohol-related crashes involving youth by 50 percent.

More than half the states now have zero tolerance laws in place. It is time for the remaining states to adopt these measures so that their demonstrated lifesaving potential can be fulfilled.

We look forward to working with the President, the Congress and the States to make zero tolerance effective throughout the nation.

HEADQUARTERS AND
CENTRAL REGION OFFICE
1121 Spring Lake Drive
Itasca, IL 60143-3201
(708) 265-1121
FAX (708) 265-1315

ELK GROVE
DISTRIBUTION CENTER
1815 Landmeier Road
Elk Grove Village, IL 60007-2452
(708) 981-0250
FAX (708) 981-0266

NORTHEASTERN
REGION OFFICE
251 Salina Meadows Parkway, Suite 270
Syracuse, NY 13212-4501
(315) 453-7462
FAX (315) 453-7932

WESTERN
REGION OFFICE
303 Twin Dolphin Drive, Suite 520
Redwood City, CA 94065-1409
(415) 508-8787
FAX (415) 508-8831

SOUTHEASTERN
REGION OFFICE
3300 NE Expressway, Suite 7A
Atlanta, GA 30341-3941
(404) 457-5100
FAX (404) 457-6189

MID-ATLANTIC
REGION OFFICE
3212 Culshaw Avenue, Suite 320
Richmond, VA 23230
(804) 353-2208
FAX (804) 355-7767



INSURANCE
INSTITUTE
FOR
HIGHWAY
SAFETY

June 9, 1995

Teenage deaths from motor vehicle crashes have declined 38 percent since 1975 due in significant part to enactment and enforcement of 21 drinking age laws. Many states have gone further and have enacted and are enforcing zero tolerance laws for teenage drivers based on the clear logic that if it's illegal for teenagers to purchase alcohol, then it also must be illegal for them to drive under the influence of alcohol. Early indications are these laws are working. A 1991 Boston University study found a significant decline in nighttime fatal crashes among teenagers in four states that had lowered their blood alcohol thresholds for young people. Zero tolerance and 21 drinking age laws can be effective measures in saving the lives of teenage drivers and their passengers. We commend President Clinton for his leadership in encouraging all states to adopt and enforce effective measures to reduce deaths and injuries among teenagers.



Washington Office

1440 New York Avenue, N.W.
Suite 200
Washington, D.C. 20005
202/942-2050

FAX 202/783-4788

June 9, 1995

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

On behalf of AAA's more than 37 million members, we commend your commitment to reducing the needless loss of young lives as a result of drinking and driving. We pledge our support for your call to make zero tolerance the law of the land.

Since its founding in 1902, AAA has been dedicated to improving highway safety and reducing death and injury. At our recent annual meeting, more than 100 AAA clubs from every state recommended that all states adopt graduated licensing programs for novice drivers and impose meaningful sanctions against driving while impaired by alcohol or other drugs.

AAA stands ready to assist you in garnering support for this important lifesaving initiative.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert L. Darbelnet'.

Robert L. Darbelnet
President & CEO



**ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY**

**Statement by
Judith Lee Stone
President, Advocates for Highway and Auto Safety
June 9, 1995**

We are gratified and encouraged by the President's leadership in speaking out in favor of zero tolerance laws for those under the legal drinking age. Impaired driving is still one of the leading causes of death for America's youth, and is one of our greatest tragedies as a nation because the deaths and injuries due to underage drinking and driving can be prevented.

The public supports these laws, and state legislatures should, too. We recently commissioned a national public opinion survey, conducted by McKeon and Associates, to find out what Americans really think about highway safety laws. Support was high for all different types of highway and auto safety laws, but ***zero tolerance laws garnered support from nine out of ten Americans*** (66.1 % strongly support and 24 % support these laws). Support was strong with only modest variations based on age, income, sex, race and political affiliation.

We were particularly pleased and heartened to learn that young Americans (ages 18-24) gave high marks to highway safety laws aimed at them:

- 82.35 % support zero tolerance laws;
- 69.61 % support graduated licensing; and
- 87.26 % support strict enforcement of age restrictions on the purchase of alcohol.

So much for the supposed apathy of "Generation X" -- our young people understand and care about public health issues that affect them and others around them.

Just last week, Connecticut became the 27th state with a zero tolerance law aimed at preventing teen drinking and driving. Several youth organizations worked in support of the bill, along with a dynamic coalition of Mothers Against Drunk Driving, health care institutions, law enforcement, children's advocacy, insurance, consumer and business groups in the state.

Motor vehicle crashes remain a major public health problem. They are the leading cause of death for Americans ages five to 32 and the leading cause of injury for all age groups. Alcohol involvement remains the leading factor contributing to fatal crashes. In 1993, alcohol was present in 44 % of all fatal traffic crashes.

--more--



National Association
of Governors' Highway Safety Representatives

**STATEMENT OF THE NATIONAL ASSOCIATION OF
GOVERNORS' HIGHWAY SAFETY REPRESENTATIVES ON
ZERO TOLERANCE LAWS FOR YOUTH**

Friday, June 9, 1995

The National Association of Governors' Highway Safety Representatives (NAGHSR) supports President Clinton's initiative to encourage state enactment of zero tolerance laws for youth.

The intent of zero tolerance laws is to close a loophole in the National Minimum Drinking Age law. That law prohibits anyone under the age of 21 from consuming alcohol, yet does not prohibit them from driving after drinking. Zero Tolerance laws make it illegal for underage persons to drink any amount of alcohol and then drive. As of 1994, 24 states had Zero Tolerance laws which make it illegal for an underage person to drink and drive with a .02 BAC or less. Less than one beer would put the average young adult over this limit.

"Alcohol use is clearly a factor in many youth traffic crashes," said NAGHSR Chair John Conger. "Their inexperience behind the wheel, coupled with the consumption of even a small amount of alcohol, makes the likelihood of a crash that much greater. Evidence shows that impairment can occur at BAC levels as low as .015. By encouraging Congress to enact a federal zero tolerance program, President Clinton is paving the way for the closure of a serious loophole in impaired driving laws."

The members of NAGHSR applaud President Clinton's action on this subject and look forward to working with the White House to save precious lives by encouraging state passage of zero tolerance laws.

NAGHSR is a national, non-profit association headquartered in Washington, D.C. which represents the highway safety offices of states, the District of Columbia, the Indian Nations and the U.S. Territories. For more information on NAGHSR, please contact the Washington Office at (202) 789-0942.

-###-



June 9, 1995

William Clinton
President of the United States
1600 Pennsylvania Ave.
Washington, D.C.

Dear Mr. President,

SADD, Students Against Driving Drunk supports the entire concept of zero tolerance for youth under the age of 21.

We applaud your efforts and will join you in the battle to end death and injury of our young people due to drinking and driving.

Continue to care,

A handwritten signature in dark ink, which appears to read "William F. Cullinane". The signature is fluid and cursive, written over the printed name.

William F. Cullinane,
Executive Director

Students Against Driving Drunk

P.O. Box 800, Marlboro, Massachusetts 01752 • Telephone: 508/481-3568 • Fax: 508/481-5759



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

Memorandum

P. 271
Regulation
Bel
W.H.

Subject: **Action:** Request for White House Event

Date: MAY 2 1995

From: **Ricardo Martinez, M.D.**
Administrator

Reply to
Attn. of: **MBrownlee; x61755**

To: **Ann Bormolini**
Chief of Staff

Secretary Peña's "Partners in Progress" meeting with over 100 representatives of government, private industry and citizen activists resulted in a goal of reducing alcohol-related traffic fatalities from the present 17,000 to 11,000 by the year 2005. The announcement and endorsement of this goal by the President at a press event with representatives of the public and private sector who support it would have benefits for both the Secretary and the White House. This would be consistent with the President's support of prevention and anti-crime programs. Reducing impaired driving and reaching this goal would save sixteen lives each day by the year 2005, in addition to saving \$1.4 billion annually in health care costs.

Attached is a request for a White House press event featuring Secretary Peña, the President of Mothers Against Drunk Driving (MADD), and representatives of other national organizations, corporations and private citizens.

Such an event would enable the President to once again show his personal commitment to this important safety issue and urge Americans to take responsibility for preventing these needless drunk driving tragedies and wasted health care dollars. It would also show that this is not just the government's job, but everybody's job, to reach this ambitious goal by the year 2005.

We would appreciate your assistance in securing this White House event.

Attachment

#



Schedule Proposal

Date:

☐ ACCEPT	☐ REGRET	☐ PENDING
---------------------------------	---------------------------------	----------------------------------

TO: Billy Webster, Assistant to the President and Director of Scheduling and Advance

FROM: Kitty Higgins, Deputy Assistant to the President and Cabinet Secretary

REQUEST: White House press event announcing public and corporate support for the national goal of reducing alcohol-related traffic deaths from 17,000 to 11,000 by the year 2005

PURPOSE: Bring attention to the drunk driving issue just before the Memorial Day holiday. Stress the cooperation and coordination of efforts to reach that goal by citizen activists, business, government and others.

BACKGROUND: Secretary Peña's "Partners in Progress" Summit Meeting on February 21-22, 1995, agreed on the national goal to reduce alcohol-related traffic fatalities to 11,000 by the year 2005, saving 16 lives every day. At the press event, key public and private organizations will endorse the goal and announce their actions to help achieve it. Mothers Against Drunk Driving (MADD) is the leading citizen activist group in the fight against this violent crime and the MADD Board of Directors is holding its annual meeting in Washington, D.C., during the time of the proposed event.

2

PREVIOUS PARTICIPATION: None. This is a new effort. Participating organizations will have attended Secretary Peña's February 1995 "Partners in Progress" meeting.

DATE AND TIME: May 18, 19, 22, or 23, 1995

DURATION: 45 minutes

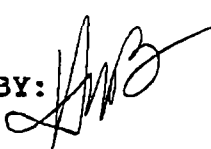
PARTICIPANTS: See list of participants and invitees

OUTLINE OF EVENTS: Brief remarks by Secretary Peña, Beckie Brown, President of MADD, and other key participants; brief remarks by the President and/or First Lady and endorsement by all participants of the year 2005 goal.

REMARKS REQUIRED: Brief remarks

MEDIA COVERAGE: Open press

FIRST LADY ATTENDANCE: This is an excellent opportunity to link safety, prevention, crime enforcement, injury prevention and health care issues.

RECOMMENDED BY:  Ann Bormolini, Chief of Staff, Department of Transportation

CONTACT: Michael Brownlee, Associate Administrator for Traffic Safety Programs, National Highway Traffic Safety Administration (202) 366-1755

3

LIST OF PARTICIPANTS AND INVITEES

Federico Peña	Secretary of Transportation
Beckie Brown	President, Mothers Against Drunk Driving (MADD)
Ricardo Martinez, M.D.	Administrator, National Highway Traffic Safety Administration
James Hall	Chairman, National Transportation Safety Board
Harry J. Pearce	Executive Vice President, General Motors
D. Richard McPherson	President, Nationwide Insurance
Robert Stempel	Chairman, National Commission Against Drunk Driving
Judith L. Stone	Executive Director, Advocates for Auto and Highway Safety
O. M. "Tony" Nicely	President, GEICO Insurance
James Edgar	Governor, Illinois
Richard Recchia	Executive Vice President, Mitsubishi Motors
M. W. Wickam	President, Roadway Express

FACSIMILE TRANSMISSION COVER SHEET
OFFICE OF THE ADMINISTRATOR

National Highway Traffic Safety Administration, NHTSA
400 7th Street, SW., Room 5220, Nassif Bldg.
Washington, D.C. 20590
FAX #202-366-2106

DATE: 5-19-95

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Ann Bormolini

ORGANIZATION: _____

TELEPHONE NO. _____

FROM: Phil Recht

TELEPHONE NO. _____

REMARKS:

Talking Points for the President in the MADD Meeting at the White House
May 20, 1995

- o Just 12 years ago, over 25,000 persons died each year on our nation's highways in crashes involving alcohol.
- o In 1994, fewer than 17,000 died -- a reduction of more than one-third.
- o These reductions saved over 90,000 lives over this period and prevented hundreds of thousands of injuries.
- o Beyond the savings in lives not lost, bodies not shattered, and families not torn apart, these reductions also saved over \$200 billion in economic costs -- costs to our health care system, our businesses, our state and local governments, our hospitals, and our citizens. Health care reform begins with prevention, and drunk driving reductions lead the way.
- o MADD has been a key player in the fight against drunk driving since 1980. None of these gains would have been possible without MADD.
- o MADD has led the fight for strong impaired driving laws in every state.
- o As a recent example, MADD played a key role in the coalition that led to Arkansas's new law, signed by Governor Tucker in March, that revokes the driver's license of an impaired driver.
- o MADD has been a real partner in these efforts, working closely with government at all levels, including the US Department of Transportation.
- o MADD was an active participant in Secretary Peña's recent efforts to set aggressive new national impaired driving goals and strategies this spring - goals and strategies that will set our course for the next 10 years.
- o MADD's role in helping bring about constructive change, and reducing alcohol-related injuries and fatalities, represents 15 years of cooperation between citizens and government.
- o I'm pleased to welcome the MADD Executive Board here today to recognize this success.

without
letterhead

BRIEFING FOR RADIO ADDRESS ON ZERO TOLERANCE

DATE: JUNE 9, 1995
LOCATION: ROOSEVELT ROOM
TIME: 10:45-11:15 AM
FROM: JEREMY BEN-AMI

I. PURPOSE

This radio address will enable you to urge Congress to call on the states to adopt zero tolerance laws for teenage drinking and driving. Advocate groups will attend the radio address to support you in this call to save young lives.

I. BACKGROUND

Twenty-four states have adopted zero tolerance laws to protect young people in their states. In these states, a driver under age 21 is considered "driving while impaired" if he or she has a .02 blood alcohol content. These laws work, but incentives for states to adopt these laws are limited.

Federal leadership to enact a minimum drinking age has saved thousands of lives, but thousands are still killed in alcohol-related crashes involving young people who drink and drive. Federal leadership is needed again.

III. PARTICIPANTS

Advocates who will be attending address are:
Rebecca Brown, President of MADD

William Cullinane, Executive Director of SADD

Barbara Harsha, Executive Director of National Association of Governors Highway Safety Representatives

Jack Lawn, Chairman of The Century Council

Jane Roemer, Executive Director of the Public Safety National Safety Council

Richard Hebert, Acting Vice President, AAA

Chuck Hurley, Insurance Institute for Highway Safety

Judy Stone, Advocates for Highway and Auto Safety

Administration Officials in attendance:

Mortimer Downey, Deputy Secretary, Department of Transportation

Ricardo Martinez, Administrator, National Highway Traffic Safety Administration

Rodney Slater, Administrator, Federal Highway Administration

Philip Recht, Deputy Administrator, National Highway Traffic Safety Administration

IV. PRESS PLAN

None. Participants will release statements on Saturday, June 10, to support you in this call to action.

V. SEQUENCE OF EVENTS

Deliver radio address.

VI. REMARKS

Provided by speech writers.

THE WHITE HOUSE
WASHINGTON

June 7, 1995

MEMORANDUM TO LEON PANETTA

From: Jeremy Ben-Ami 
Subject: Radio Address on Zero Tolerance

We are ready to announce the President's support for "Zero Tolerance" laws in Saturday's radio address. We have worked with DOT on a draft of Presidential remarks that has been shared with Speechwriting. We are inviting 10 representatives of groups that will issue statements on Saturday supporting the President's position. We are not planning any additional media work on Friday around the taping of the address.

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- o The President is asking Congress to pass this legislation, but has not proposed it himself.
- o The President will be committing himself to a goal and to national action, but will not be addressing specifics, such as whether to use sanctions or incentives.
- o A Presidential statement on this may generate questions about our position on efforts to repeal the speed limit and the 21 drinking age. The President has not previously taken a position, but the natural outgrowth of this radio address would be that he supports both despite the states' objections to the federal requirements.

cc: Erskine Bowles
Harold Ickes
Carol Rasco
Mike McCurry
Mark Gearan
Marcia Hale
Don Baer
Rahm Emanuel
Bill Curry
Steve Silverman



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

Memorandum

Subject: Zero Tolerance

Date: JUN -7 1995

From:

Philip R. Rech
Deputy Administrator, NHTSA

366-2775

Reply to
Attn. of:

To:

Jeremy Ben-ami
Dorothy Karayannis

As we have discussed by phone, all major organizations interested in highway safety laws generally support the adoption and enforcement of .02 BAC laws. However, the organizations differ on the question of whether states should be required to enact .02 BAC laws, be it independently or as an adjunct to their minimum 21 drinking age laws, lest they face losing or having redirected a portion of their highway construction funds. For example:

--MADD believes that sanctioning .02 BAC by tying it to the 21 drinking age law could jeopardize the drinking age law. In that regard, MADD believes that the drinking age law presently is the strongest of the 4 safety laws which are subject to highway construction funds sanctions. (The Senate committee with jurisdiction over the National Highway System bill already has eliminated the speed limit law in its markup, and amendments to eliminate the helmet and possibly the seat belt laws are expected to be offered on the floor.) MADD is concerned that the proposed new sanction could "awake sleeping dogs" with respect to the drinking age law, and perhaps create new enemies as well. MADD nonetheless supports the ideas of sanctioning for .02 BAC, but prefers that the sanction be an independent one. Overall, MADD will support the President if he calls for sanctioning states which fail to enact .02 laws. MADD suggests that the President defer deciding on the specific sanction to be used pending discussions with interested members of Congress.

--Advocates generally supports the idea of sanctioning for .02 BAC, but cautions that it is crucial to have MADD on board if the proposal is to have any significant chance of passage in Congress.

--Chuck Hurley, senior vp of the Insurance Institute for Highway Safety, a member of the MADD board, and chair of the National Safety Council's committee on government relations, strongly supports the concept of sanctioning for .02 BAC. While the Insurance Institute



generally does not take positions on legislative issues, Hurley believes that the National Safety Council will support the concept. Also, he feels he can be helpful in calming MADD's concerns. Hurley believes that it is doubtful that Congress in fact will enact a new sanction in the current climate, but nonetheless supports the call for action.

--The National Association of Governors Highway Representatives (NAGHSR), an organization representing states, opposes sanctioning for .02 BAC on the grounds that additional sanctions are unnecessary and inappropriate, particularly at this time when states' and Congressional opposition to perceived federal mandates is so strong.

--The National Commission Against Drunk Driving, made up of members of the beverage industry, auto manufacturers, broadcasters, and safety organizations, opposes sanctioning for .02 BAC on the grounds that additional sanctions generally are disfavored, and on the further ground that the proposal could polarize the safety community.

--The Century Council, representing the liquor industry, opposes sanctioning for .02 BAC.

--The International Association of Chiefs of Police opposes sanctioning, per Jeremy. We have not contacted the organization ourselves.

--Barry Sweedler, one of the top professionals at the National Transportation Safety Board, believes that the Board would support sanctioning .02 BAC, albeit by a majority, not a unanimous vote. In his view, the Board would strongly and unanimously support the non-legislative idea of calling on Congress to work with states to gain universal enactment of these laws.

Given the above, and as you apparently already have decided, the safest bet is to have the President announce his desire to work with Congress to come up with an appropriate way to make sure that all 50 states enact these important .02 BAC laws, and leave the details of sanctioning vs. incentivizing vs. possibly simply mandating, and the further details of any such proposal, until later.

One last important thought: By stepping out on a highway safety issue at this time, the President will almost certainly be inviting inquiry as to his position on the proposed repeal of the federal speed limit laws, as well as announced efforts to repeal motorcycle helmet and possibly also speed limit and 21 drinking age laws. He needs to be prepared to address these matters.

DRAFT REMARKS FOR PRESIDENT CLINTON'S RADIO ADDRESS

SATURDAY, JUNE 10, 1995

My fellow Americans, nothing is more precious to us than our nation's children. In a very real sense, our children are the future of our country.

It is instinctive to want to protect our youngest and most vulnerable. Nothing is more tragic than the loss of a child.

And as those children grow up, and take more responsibility, we feel the conflict between giving them new freedoms and setting the limits which we know they need to have.

One threat that all parents fear is the drunk driver out of control on the highway. As a nation, we have decided that young people must wait until age 21 before they are allowed to purchase or possess alcoholic beverages in public.

It is the law of the land -- all 50 states and the District of Columbia have such laws. President Reagan signed legislation in 1984 giving states a strong incentive to raise their drinking age to 21. Many states had already taken that step. Federal leadership brought along the rest.

This legislation is working. No longer do we have state lines that became borders of blood -- as teenagers crossed them to take advantage of lax drinking laws -- and then had that trip turn into a nightmare when they drove home drunk.

Fourteen thousand lives have been saved because of the minimum drinking age of 21. Drunk driving deaths under the age of 21 have been cut in half since 1984.

That's a great gain for highway safety -- and it's a great gain for public health, too -- because motor vehicle injuries fill hospital beds just as any disease does.

Let's take the next step as a nation to protect our young drivers and the passengers they carry with them. Twenty-four states and the nation's capital already have done so -- declared "zero

tolerance" for drivers under 21 when it comes to drinking.

Young drivers in these jurisdictions lose their licenses for several months if they are convicted of having alcohol in their systems when they are behind the wheel.

These "zero tolerance laws" work! Alcohol-related crashes involving teen-aged drivers are down substantially in those 24 states -- on the order of 10 to 20 percent! If all the states had such laws, instead of fewer than half, think how many hundreds of young lives could be saved. Think how many thousands of disabling injuries could be prevented.

Over the past decade, we've made tremendous progress against the leading killer of young people -- motor vehicle injury. But each death of a young person is a rebuke to all of us who are responsible as parents, as public officials, as teachers and as friends. There are still far too many deaths and disabling injuries. We have a long way to go.

Hundreds of organizations in America -- including the AAA, the National Safety Council, and the Mothers Against Drunk Driving -- support Zero Tolerance Laws. And polls show that 5 out of six young adults themselves support these laws.

(OPTION 1) That is why I am proposing that Congress amend the Minimum Drinking Age 21 Act to require all states -- not just the responsible ones -- to have a Zero Tolerance Law as well. If a state does not have both a drinking age of 21 and a zero tolerance law, it would lose 10 percent of its federal highway construction funds each year. We would, of course, give the states time to pass and implement the laws.

(OPTION 2) That is why I am proposing to introduce legislation this summer to make Zero Tolerance for teenage drivers the national law of the land. I will work with Congressional leadership and governors to develop a legislative package that states can live with -- but it's a law that too many young Americans cannot live without.

I believe this is necessary to protect and guide all of our youth in America, our most precious resource. Just as we as a nation decided that the drinking age should be 21, so also must we decide not to tolerate any alcohol use by teenage drivers. Action on this law must be swift -- the stakes are too great.

Mike

1:15

6/21

I stopped by to speak to you
re: Urban Indian Coalition.

Please give me a call, this afternoon -
if possible, when you have some time.

Thanks

Andrew Moffatt
6-5578

Good morning.

One of the most serious fears all parents face is losing a child in an automobile crash caused by drinking and driving. This serious public health problem continues to rob our country of one of our most precious resources -- our youth.

As a nation, we have decided that young people must wait until they are 21 before they can purchase or possess alcohol. It is the law of the land. All 50 states have such laws. President Reagan signed legislation in 1984 giving states a strong incentive to raise their drinking age to 21. Many states had already taken that step, but federal leadership was needed to bring along the rest.

This legislation is working. Our state lines are no longer borders of blood -- with teenagers driving to take advantage of lower drinking ages in neighboring states, often with tragic consequences.

Fourteen thousand lives have been saved. Drunk driving deaths under the age of 21 have been cut in half since 1984.

Yet even with the minimum drinking age, last year nearly 2,200 were killed in an alcohol-related crash involving young drivers who were drinking and driving. Of that group, 1,600 were young people themselves.

We have made tremendous progress in fighting underage drinking and driving, but we can do more as a nation to protect our young people. Twenty-four states and the nation's capital already have enacted "Zero Tolerance" laws which consider a driver under age 21 to be "driving while impaired" after just one full drink of alcohol.

Young drivers in these jurisdictions lose their licenses for several months if they are found to have alcohol in their systems when they are behind the wheel.

Zero Tolerance Laws work. Alcohol-related crashes involving teenage drivers are down substantially in those states -- as much as 10 to 20 percent overall. If all states had such laws, hundreds more lives could be saved and thousands of injuries could be prevented.

Leading organizations throughout America, including the AAA, the National Safety Council, and Mothers Against Drunk Driving support Zero Tolerance Laws. And a recent poll showed that 5 of 6 young adults support these laws themselves.

I urge Congress to make Zero Tolerance the law of the land. History proves that strong federal leadership matched with

innovative state government can make this a safer nation for our children. Just as we as a nation decided that the drinking age should be 21, so also we must decide not to tolerate any alcohol use by teenage drivers. Action on this law must be swift -- the stakes are too great.

FACSIMILE TRANSMISSION COVER SHEET
OFFICE OF THE ADMINISTRATOR

National Highway Traffic Safety Administration, NHTSA
400 7th Street, SW., Room 5220, Nassif Bldg.
Washington, D.C. 20590
FAX #202-366-2106

DATE:

6-20-95

PLEASE DELIVER THE FOLLOWING 2 PAGE(S) TO:

NAME:

Dorothy Karayannis

ORGANIZATION:

TELEPHONE NO.

456-5571

FROM:

Phil Recht

TELEPHONE NO.

366-2775

REMARKS:

Invitation letter for zero tolerance legislative options

Draft 6/19/95

S:\AA\HEDLUND\ZTINVITE.F19

Dear XXX

On Saturday, June 10, President Clinton's radio address to the Nation discussed a subject of great concern to you -- drunk driving by youth. In particular, he strongly supported state zero tolerance laws, that make it illegal for a person under the age of 21 to drive if their blood alcohol content exceeds .02. He called on Congress to help make zero tolerance the law of the land. Finally, he asked us at NHTSA to meet with interested organizations to discuss different approaches that Congress might adopt.

On behalf of the President, I would be pleased if you could share your views with us. We will meet with interested groups on [*** Thursday, June 29, at TIME -- 2 hours in ROOM at NHTSA]. At this meeting, you can present your views briefly in person and also can leave a written statement if you wish. If time is available, there may be opportunity for discussion after all participants have presented their opinions.

The question for the meeting is: what legislation will be most effective in encouraging states to adopt zero tolerance laws. You may wish to discuss the following broad options:

- 1) Incentives to states through new highway safety funds.
- 2) Modifications to the current Section 410 incentive grant program to increase the prominence of zero tolerance.
- 3) Diversion of funds for states that have not enacted zero tolerance, perhaps through a modification of the current Section 153.
- 4) Sanctions, such as withholding of a portion of highway construction funds.

We also seek your views on details for the options you favor. For example, if you recommend incentive funds, what funding levels are appropriate? What should the criteria be for states to receive the funds?

We look forward to meeting with you and other interested groups on DATE, as we work together to reduce drinking and driving among our Nation's youth. If you have any questions, please call Jim Hedlund, Acting Associate Administrator for Traffic Safety Programs, at 202-366-1755.

Sincerely,

Martinez.

Alcohol goal planning meeting

Phone and fax list 1/18/95 for 1/18 meeting

<u>Name</u>	<u>Organization</u>	<u>Fax</u>	<u>Phone</u>
Robert Denniston	CSAP	301-443-5592	301-443-0373
Barbara Harsha	NAGHSR	202-789-0946	202-789-0942
Phil Haseltine	ACTS	703-243-2806	703-243-7501
Tom Howarth	MADD	202-638-3516	202-638-3730
Chuck Hurley	IIHS	703-247-1588	703-247-1530
Katherine McCarter	APHA	202-789-5681	202-789-5600
Bud Meeks	NSA	703-683-6541	703-836-7827
Steve O'Toole	GM	202-775-5032	202-775-5056
Chuck Peltier	IACP	703-836-4543	703-836-6767
Jane Roemer	NSC	202-293-0032	202-293-2270
Terry Schiavone	NCADD	202-223-7012	202-452-6004
Pat Sevilla	AAA	202-783-4788	202-942-2062
Judie Stone	AHAS	202-408-1699	202-408-1711
John Strandquist	AAMVA	703-522-1553	703-522-4200
Barry Sweedler	NTSB	202-382-8006	202-382-6810
Harry Teter	ATS	202-293-1640	202-298-6161
Sid Louick	FHWA	202-366-8518	202-366-2154
Sam Rea	FHWA	202-366-7298	202-366-1724
Jeff Becker	Beer Inst.	202-737-7004	202-737-2337
Rebecca Honeycutt	DISCUS	202-682-8888	202-628-3544
Peter O'Rourke	Century Counc.	916-944-8404	916-944-8004
Tricia Gould	NTLC	703-836-3195	703-549-4253
Tom Henderson	NCSC	703-841-0206	703-841-0200
Caran Curry	NAPC	501-682-5004	501-682-3671
Jack Gustafson	NASADAD	202-783-2704	202-783-6868
Kevin Grimes	Advisory Bd.	202-338-1713	202-672-5687
Ellen Marshall	NASJE	202-879-4829	202-879-1219
Bob McFadden	AAMA	202-326-5528	202-326-5523
Dan Hungerford	CDC	404-488-4338	404-488-4031

We've requested members also

Phie

(spr. will meet)

get ready

Mike - JMA need
SPK-

list of members for invites
we talked

Byrd's proposal

partly - Byrd to present smtg. on
fl. today

comes for Byrd
> along line savings.

"If 153 helmet laws go &
Z.T., Belts, Helmets ---"
2 of 3...

trade
safety

Byrd not wantg. adminstr.
all being slapped together fr. Byrd.

N Hwy Systems Bill on fl. now
to bill to fix rds.
back - repley drinkage law,
cpd limit, helmet,
maybe drinkage - age

theo

spec tpts - CBO
OMB > baseline

Timothy J. Walsh
9932 Woodrow Street
Vienna, Virginia 22181

Mike
Dorson
what is this
legislation?

12 June, 1995

Mr. Jeremy Ben-Ami
Assistant to the President for Domestic Policy
The White House
Washington, DC 20500

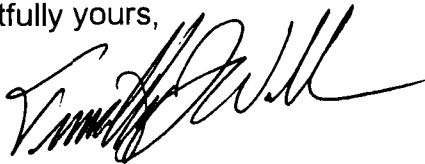
Dear Mr. Ben-Ami:

I am appreciative of the opportunity to speak with you this morning regarding the "Zero Tolerance" article in the Washington Post. I am most eager to participate in any appropriate forum to bring the **Marion Malley Walsh Drunk Driving Act** to the pending discussions within the administration regarding legislative vehicles available to implement the President's plans. I hope that this will be possible and shall coordinate with you as necessary.

I was very encouraged by the article in the Washington Post last weekend regarding President Clinton's call for "zero tolerance" for underage drivers. As you know, this is one significant element of our legislation. I am very appreciative of the President's leadership on this issue.

I shall keep you advised of other significant developments as they occur and remain grateful for your continued interest and support.

Respectfully yours,



703-312-7415 v.m.
*wants to contribute...

R. Dick Neal of Massach.

Bill tgtv. w/ MADD.

Bill: 5 prov.

- ① St. ↓er BAC to .08
- ② Z to 1. to .02
- ③ Impdy licens for
P. w/ ~~revoked~~ + capt. drug
b/c of alcl. off.

← vehcl. impdy 30 days
ct. can extend to 90 day
If someo. aller

- ④ Licen. cause. for revcatn.
Get P. off rd. until review
"Adminstr. Rew" - up to states
never due prices of law

- ⑤ gradtd. licensg.
drvs. ↓ 21

instructn: license (1 yr vs. permit)
provsion. " (dr. own ^{licen. drvr.} bmv. w/ clear record)
full license

~~XXXXXXXXXX~~
X If s. X comply, s. not lose \$, but to buy \$
to safety funds

HR588 redir. to law offices.
w/o aggressive penit.

Em. by those who

co-sponsors of HR588

→ (b/w.) ~~are~~ really diverse
all areas
in parton. ggs.

! 35% > killed by d.d. vs. hard guns!

^{goal}
Leslie Bern Reeped
HR5076

(H)

(J. D Neal co-sponsor then)
now HR588

Next session in 104th C —
into Jan. HR588 (bill not led)

Now Tom Davis
Don Dellums
Jerry Solomon, NY

> co-sponsors

encouraged to've met w/ CHR + POTUS * Mar. 22, 95
(weekly calls abt. Victims... ^{serv. to victims}) ^{realt. of retn. to POTUS}

DOT Ellen Berlin spoke w/ T. Walsh
(Marron Walsh picture used.)

[COS → Health sy #6 bill cost govt. ~~for~~ for h. care
#25 bill w/ wages lost

Mr. Walsh says like to get as to
unwary HR 588 to advance
agenda

twelve days long as m. p. as
in office. Bombay.

Doesn't get a th. deserves.

"last lethal assault weapons."

tim & brother... murder indictment

worked w/ DA Robert Winn (R)

who handled case in Waco, TX, NY.

(+ guy. T)

open mind

518. 746. 2525

⊕ good relationships w/ R's could develop!

No idea how states feel. - prob. (X) like
redir. buy safety \$s.

(~~AMA~~ says .05 when impmt. begins)

* can get > bipartisan support!

NAL: Victims Ctr. in Hingham.

Diane Alexander

703-276-2880

(hopefl. they'd endorsed. legit.)

Fam. w/ what Walsh fam. did.

NYSt. chapter of MADD also helped

Ellen Butler

helped Walsh F. in pub. serv. campaign

Part thg. of strategy -

"T/ system worker."

We've had access to e. one & to POTUS...

~~Tim~~ "Tim, wife & bro. so thankful,
really worked..."

"can't elect. ever being angry..."
"w/ a case."
"not of obligath. we want to do sth. for"

Tilda (Pat)

str. Byrd thly. putty. ZT. on floor.
~~str.~~

? str. stole? rep. of Byrd. & Phil R.

str. wants to do smtg. we thg.

Judy Stone
lounge DOT.

Unresolved. ? Byrd wants to do
(build. # on safety laws)
fam. history w/ it ---

Don't know what he'll want to do
" " if "PROS OR NOT

Options.

153 redirection. (stht & helpmt. or ^{to} ^{46st.} ² ^{to} ^{sat/kan}

move do reveal 153 + Judy
that throw it in —

doing it to salvage 153

Phil waiting on invtn. 1Hr.

May

Invite Byrd?

this wk. - Des. - Byrd may try to
could send invtns & hope
sleep on it —

could be foolish by send out lett.

Need some dircn.



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

Memorandum

Subject: .02 BAC Laws

Date: MAY 18 1995

From: Philip R. Recht
Deputy Administrator

Reply to
Attn. of:

To: Ann Bormolini
Chief of Staff

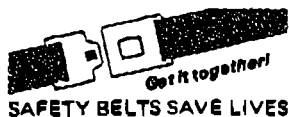
.02 BAC laws refer to those laws which are adopted on a state-by-state basis and which provide that a person under 21 is deemed to be driving under the influence when his/her blood/alcohol level is .02. These laws are commonly referred to as "zero tolerance" laws because they effectively deem youths to be impaired if they have had even one full drink.

Currently, 24 states plus the District of Columbia have .02 laws. Five other states have youth BAC laws between .04 and .07. (See attached list.) Currently, states face no penalty for failing to adopt a .02 law. Also, adopting a .02 law, by itself, does not qualify a state for any federal funds.

However, under current law, states which qualify for NHTSA's Section 410 alcohol incentive grant program are entitled to a supplemental grant of up to 5% for passing a .02 law. To qualify for a 410 grant, a state must 5 of 6 qualifying programs and laws. (See attached flyer.) Currently, the 410 program is funded at \$25 million/year. This amount is split among the qualifying states based on a population- and road mileage-based formula. Last year, 26 states qualified for 410 funding. Almost all these states received some supplemental funds. (Note: .02 laws are only 1 of 7 laws and programs which, when adopted, qualify a state for supplemental funds.)

The treatment of .02 laws differs from the treatment DOT/NHTSA give to certain other highway safety programs. Specifically, under the Section 153 program, states which fail to adopt both mandatory seat belt and motorcycle helmet laws have a portion of their highway construction funds shifted to safety programs. Currently, 23 states do not have both laws in place. (48 states do have mandatory seat belt laws.)

In this same vein, states which do not adopt federal speed limit laws, or which do not adopt a minimum 21-age drinking limit law, lose their federal highway funds altogether (as opposed to having them redirected). Currently, all 50 states abide by both these laws.



OPTIONS:**1. Make the failure of a state to adopt a .02 law sanctionable, like seat belt, helmet, speed, and drinking age laws:**

Pros: Such an approach would increase the incentive for states to adopt these laws, depending on the strength of the sanction. (In this regard, note that the current 153 sanctions have not succeeded in bringing about universal adoption of either seat belt, and certainly not helmet, laws.)

Cons: May be viewed as "politically incorrect" in this current states rights climate. In fact, our existing mandatory programs presently are under significant attack on the hill.

As noted, our 153 program has not been completely successful. While .02 laws ostensibly would be less controversial than motorcycle helmet laws, there is no guarantee that additional states (beyond the current 24) would adopt .02 without a sanction that perhaps is stronger than the current 153-type redirection one. At the same time, some may think that it is a bit out of proportion to cause states to lose construction funding altogether over this matter.

2. Support universal adoption of .02, with no change in current federal law:

Pros: Would increase the visibility of this important issue, at the same time not offend the current states rights mood on the hill.

Cons: A message alone probably would be less effective than imposing a strong sanction on states which do not adopt the law.

Note: A somewhat middle-ground position here might be to support additional funding of the 410 program to allow for higher incentives to be paid to states which adopt these laws.

3. Give a general anti-drunk driving message:

Pros: Increases the visibility of the drunk driving issue generally.

Cons: Does not focus any particular attention on the .02 issue, or the ongoing problem of youth drunk driving. Apropos, while teenage drunk driving has significantly dropped in the last 10 years (a fully 55% decline), underage drivers continue to be over-represented in alcohol-related crashes. (See enclosed report to Congress on Youth Alcohol Traffic Safety. Note: In last 2 years, Congress mandated that \$8 million of our Section 402 safety program funds be directed to states specifically for underage drinking and driving programs and activities. The report discusses this program.)

LOWER BAC LEVELS FOR YOUTHFUL DWI OFFENDERS

February 1995

State	Enactment Date	Effective
BAC Level .02 (zero tolerance states)		
Arizona (.00)	06/28/90	06/28/90
Arkansas (.02)	04/02/93	08/12/93
California (.01)	1993	01/01/94
District of Columbia (.00)	03/21/94	05/24/94
Idaho (.02)	04/07/94	07/01/94
Illinois (.00)	08/13/94	01/01/95
Maine (.02)	06/23/83	06/23/83
Maryland (.02)	05/29/90	05/29/90
Massachusetts (.02)	05/27/94	06/27/94
Michigan (.02)	06/23/94	11/01/94
Minnesota (.00)	05/24/93	06/01/93
North Carolina (.00) < 18	06/03/82	10/01/83
Nebraska (.02)	06/10/93	01/01/94
New Jersey (.01)	12/17/92	12/17/92
New Mexico (.02)	03/19/93	01/01/94
Ohio (.02)	02/03/94	05/04/94
Oklahoma (.02) < 18	06/11/94	07/01/95
Oregon (.00)	06/06/91	07/01/91
Tennessee (.02)	05/31/93	07/01/93
Utah (.00)	04/27/92	07/01/92
Vermont (.02) < 18	06/06/91	07/01/91
Virginia (.02)	04/06/94	07/01/94
Washington (.02)	04/02/94	07/01/94
West Virginia (.02)	03/12/94	06/12/94
Wisconsin (.00) < 18	11/03/83	07/01/84

Total States: 24 plus D.C.

BAC Level Above .02

Georgia (.04) < 18	03/21/94	05/24/94
Louisiana (.04) < 18	07/06/94	08/27/94
New Hampshire (.04)	05/14/92	01/01/93
Rhode Island (.04)	07/12/90	07/12/90
Texas (.07)	06/30/93	09/01/93

Total States: 5

Grand Total: 29 States plus D.C.

Drinking and driving continues to be America's most critical highway safety problem. Although considerable progress is being made, almost half of all highway fatalities continue to be alcohol-related. In 1991, 19,900 (48 percent) of the lives lost in motor vehicle crashes involved a drinking driver or pedestrian. In that same year, more than 300,000 individuals were injured — 84,000 seriously — as a result of alcohol-related crashes. The economic cost to the nation is approximately \$46 billion annually.

What is Section 410?

It is a section in Title 23 of the United States Code that establishes a Federal alcohol incentive grant program designed to encourage States to enact strong, effective anti-drunk driving legislation and improve the enforcement of these laws. Section 410 also promotes the development and implementation of innovative programs to combat impaired driving. The program is administered by the National Highway Traffic Safety Administration (NHTSA). Grants are awarded to the States through their designated Highway Safety Offices.

How are grants allocated to States?

The grant allocation process involves two tiers: basic grants and supplemental grants. If a State meets the basic criteria, it can receive a *basic grant*. Basic grants are equal to 30 percent of the State's apportionment in Fiscal Year (FY) 1992 under Section 402, the State and Community Highway Safety Grant Program.

States meeting the basic criteria can also qualify for up to seven *supplemental grants*. Each supplemental grant equals 5 percent of the State's FY 1992 Section 402 apportionment.

States are eligible to receive each Section 410 basic and supplemental grant for a maximum of five years after September 30, 1992.

Basic Grants

To qualify for a basic Section 410 grant, a State must have *five of the following six** laws and programs*:

- An expedited driver's license suspension or revocation system for drunk drivers;
- A *per se* law setting 0.10 blood alcohol concentration (BAC) as the level at which a person is deemed to be driving while intoxicated. After the first three years of basic grant eligibility, a 0.08 BAC *per se* law is required;
- A statewide program for stopping motor vehicles;
- A self-sustaining drunk driving prevention program;
- A program to prevent drivers under age 21 from obtaining alcoholic beverages; and
- A law requiring mandatory sentencing for any person convicted more than once of driving while intoxicated or driving under the influence (DWI/DUI) — New in FY 1993.

**** Note:** By law, the 17 States that qualified for the Section 410 program in FY 1992 by satisfying *four out of five* basic criteria, may continue to qualify by meeting four of the original five criteria.

Supplemental Grants

Upon qualifying for a basic grant, a State is eligible for supplemental grants by achieving any of the following countermeasures:

- A *per se* law of 0.02 BAC for persons under age 21;
- Open container and anti-consumption laws for alcoholic beverages;
- A law that suspends vehicle registrations and provides for forfeiture of license plates for repeat DWI/DUI offenders, and for those convicted of driving with a suspended license;

- A program requiring alcohol testing for drunk driving suspects involved in fatal and serious injury motor vehicle crashes;
- A comprehensive drugged driving prevention program;
- A *per se* law setting 0.08 BAC for all drivers in the first three years of basic grant eligibility; and
- A program for acquiring and using videotape equipment in police vehicles for the detection of drunk and drugged drivers.

What types of programs can be supported with Section 410 monies?

Although a wide range of State and local agencies benefit from these incentive grant monies, Section 410 grants are awarded to the State's Highway Safety Office. The State must submit a plan to the NHTSA Regional Office describing what initiatives will be implemented. Funds are to be used only to support anti-drunk and drugged driving countermeasures and programs such as:

- Sobriety checkpoint and/or safety checkpoint programs;
- Alcohol awareness and education programs that target persons under age 21;
- Retailer and alcohol server training programs;
- Drug recognition training programs for law enforcement officers;
- Acquiring videotape equipment for police vehicles and training officers in its use; and
- Assessment/screening programs for drunk driving offenders.

The Federal share of the program described in the State plan cannot exceed 75 percent in the first year, 50 percent in the second year and 25 percent in the third year and subsequent years.

It's good

PRESIDENT WILLIAM J. CLINTON
RADIO ADDRESS TO THE NATION
JUNE 10, 1995 (TAPED JUNE 9, 1995)
THE WHITE HOUSE

Good morning. This morning I want to discuss one of the most serious -- and most avoidable -- threats to public health in America: Drunk driving, especially by young people.

Because of the determined work of private organizations like Mothers Against Drunk Driving, we have taken some very important steps over the last decade to reduce drunk driving. In 1984, President Reagan signed a bill giving states a strong incentive to raise their drinking age to 21. Today, that is the law of the land in every state. As a result, teenagers can no longer drive to neighboring states with lower drinking ages. Before we had a uniform drinking age, this happened all the time -- and all too often with tragic consequences.

The Crime Bill I signed into law last year puts tough new penalties on the books for people who drive drunk with children in the car. It also makes it easier for states to prosecute anybody who drives under the influence of drugs or alcohol.

And deaths due to drunk driving have dropped as a result -- 30 percent in the last ten years. The number of people under 21 killed because of drunk driving has dropped 50 percent since 1984. This is good progress -- but it is certainly not good enough.

Some 18,000 people will die this year because somebody sat down at the wheel after sitting down at a bar. That's about one every 30 minutes. Well over a million people will be injured -- one every 26 seconds. This may sound unbelievable -- it is certainly unacceptable -- but over 40 percent of all Americans will be involved in an alcohol-related crash at some time in their lives.

2,200 people were killed last year because of young drivers who were drinking and driving. Of that group, 1,600 were young people themselves. There is something wrong in America when hundreds and hundreds of young people are dying because hundreds and hundreds of young people are drinking and driving.

In most states, drunk driving is defined as a blood alcohol content of point one percent. When underage drinkers become underage drunk drivers, I want us to go further. I want Congress to call on the states to adopt zero tolerance laws for teenage drinking and driving. A blood alcohol content of point oh two percent -- the equivalent of one beer or one shot -- should be enough to trigger drunk driving penalties for teenagers.

Teenagers don't have the judgment to drink alcohol safely and responsibly -- that's why it's against the law. And if it's illegal for people under 21 to drink, it should certainly be

Because

- beer co. & mad!
- y. people drink w.c.

①
✓
truly
easier
sounds
like
correct

②
too
high

④

⑥

⑦

of mda 21

• 26% in 10 yrs
30% since
1982
• 30% in 12 yrs

about

(? 90 was 1.2m. or one million)

drivers under 21

wine cooler or one

x good

y.p. ad. 1/10/95

~~not true!~~
illegal for them to drink and drive. That's a no-brainer.

involving
young
drivers

9 This will save lives. It is already saving lives in 24 states,
10 including my home state. Alcohol-related crashes are down 10 to
20 percent in those states overall. In some states -- Maine and
New Mexico, ~~with zero tolerance laws~~ -- ~~all~~ fatal crashes at
night involving young people actually dropped by a third after
they adopted a zero tolerance law. ~~not full .02 laws only to 18!~~

11 Unfortunately, there are still 26 states -- including states like
New York, Texas, and Florida that draw thousands of vacationing
teenagers each year -- without zero tolerance laws. It is time
to have zero tolerance for underage drunk driving across America,
not just in some states. ~~.04 or .07 laws.~~

12 As we redefine the relationship between states and the federal
government, it is clear that there are many things the states can
do better than we can do in Washington. But there are other
things that are so important -- to our safety, our security, our
children, and our future -- that the federal government has a
responsibility to act. I don't think there's any question that
the fight against teenage ~~drunk~~ driving demands national action.

Congress should make zero tolerance the law of the land.
Drinking and driving don't mix for anyone. They certainly
shouldn't be mixed by teenagers. The faster we act, the sooner
the states will act, and the more lives we'll save. Let's get to
it.

Thanks for listening.

J. Prince #62777

* Phil Decht 366-2775

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	List of Invitees (1 page)	06/08/95	b(6)

COLLECTION:

Clinton Presidential Records
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FOLDER TITLE:

Zero Tolerance - Pre-Event and Event Information

2013-0968-S

sb52

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

I hope this is helpful!
 Pls. call if you'd like specifics. Truly

LIST OF INVITES

WRITTEN STATEMENT	NAME	TITLE	SSN #	BIRTH DATE	PHONE #
/	RICARDO MARTINEZ	ADMINISTRATOR NHTSA	(b)(6)		202-366-1836
	RODNEY SLATER	ADMINISTRATOR FHWA			202-366-2346
	MORTIMER DOWNEY	DEPUTY SEC'Y DOT			202-366-2222
X	JUDY STONE	ADVOCATES FOR HWY & AUTO SAFETY			202-408-1711
X	REBECCA BROWN	MADD			813-847-6724
X	JANE ROEMER	EXEC. DIR. PUBLIC SAFETY NAT'L SAFETY COUNCIL			202-293-2270 X763
X	RICHARD HEBERT	ACTING VICE PRESIDENT PUBLIC & GOV'T RELATIONS AAA			202-942-2060
—	WILLIAM CULLINANE	EXEC. DIR. SADD			617-893-3427 508-481-3568
X	CHUCK HURLEY	INS. INST. FOR HWY SAFETY			703-247-1500 800-225-0256
X	BARBARA HARSHA	EXEC. DIR. NAGHSR			202-789-0942
X	John C. Lawn	CENTURY COUNCIL			818-848-0272
OTHER (Jack)					
	PHILIP RECHT	DEPUTY ADMINISTRATOR NHTSA			202-366-2775

Call Craig



MADD

Mothers Against Drunk Driving

511 E. John Carpenter Frwy., Suite 700 • Irving, Texas 75062-8187 • Telephone (214) 744-MADD • FAX (214) 869-2206/2207

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STATEMENT BY BECKIE BROWN MADD NATIONAL PRESIDENT JUNE 9, 1998

On behalf of Mothers Against Drunk Driving I want to commend President Clinton for raising the public awareness of the tragedies caused by underage drinking and driving and for inviting me to be a part of his upcoming Saturday radio address. The President has taken the opportunity to remind the States of one of the most effective means to save the lives of the youth of this country on our nation's highways — Zero Tolerance Laws. These laws would make it illegal for drivers under the age of 21 to operate a vehicle with any measurable amount of alcohol in their system. MADD has long supported zero tolerance laws for drivers under the age of 21.

Each year for the past decade, between 2,400 and 5,400 youths aged 15 to 24 were killed in alcohol related crashes. People under the age of 21 cannot legally purchase or publicly possess alcohol. Therefore, they certainly should not be permitted to legally drink and drive. Unfortunately, most states still permit a driver under the age of 21 to drive legally with alcohol in their system, as long as their blood alcohol content does not exceed the State's legal limit. When these young people make the decision to drink and drive, they are at a significantly higher risk of being involved in a fatal crash than other age groups of drinking drivers. What we're trying to do is make the driving laws consistent with the drinking laws.

Driving inexperience, immaturity and risk taking behavior are hallmarks of young drivers. A survey of Massachusetts teenagers who admitted consuming five or more drinks showed they were twice as likely to drive 20 miles over the speed limit, run red lights and make illegal turns. They also almost never wore their seat belt. Research shows that young drivers are particularly susceptible to impairment by small amounts of alcohol. When you combine this behavior and inexperience with alcohol you have a deadly combination.

MADD FOUNDATION
James R. Morris

**MADD Statement/Zero Tolerance
June 9, 1995
Page 2**

Zero tolerance laws save lives. A study of Maryland's .02 law showed a 50 percent drop in alcohol-related crashes involving youth in areas of the state where the law was highly publicized. Other states have reported similar success. In Maine, North Carolina, Wisconsin, and New Mexico lower BAC limits for youth resulted in a 34% decline in nighttime fatal crashes among younger drivers. MADD believes a combination of education and enforcement will save precious young lives on our nation's highways.

The driver's license is truly a coveted symbol of maturity and independence for young people, and it's something they want to keep. The zero tolerance law is an effective deterrent to drinking and driving among these kids.

I am pleased to announce that this week Rhode Island and Connecticut joined the growing list of states which have adopted zero tolerance laws for drivers under the age of 21. In my native state of New York, a zero tolerance bill is currently pending before the state legislature. In 1993 in New York, 57 young people under the age of 21 were killed in alcohol-related crashes and there were 50 alcohol-related crashes involving drivers under the age of 21. I sincerely hope that the President's message will serve as a catalyst for legislators in New York and other states to move forward and adopt this life saving measure.

This year marks MADD's 15 year anniversary in the fight against drunk driving -- and during this time, we have heard far too many stories of young people who senselessly lost their lives due to underage drinking and driving. In 1993, 2,364 young people aged 15 to 20 were killed in alcohol-related crashes. If all states adopted zero tolerance laws for drivers 15-20, it is estimated at least 375 single vehicle night fatal crashes would be prevented each year.

My 18-year-old son, Marcus, was killed by a 19-year-old drunk driver in 1979. There is no doubt in my mind that a zero tolerance law could have saved my son's life and will save the lives of countless young people across the country.



Reply to:

WASHINGTON D.C.
OFFICE
1019 19th Street, N.W., Suite 401
Washington, DC 20036-5105
(202) 293-2270
FAX (202) 293-0032

STATEMENT OF THE NATIONAL SAFETY COUNCIL

Supporting Zero Tolerance Laws

June 9, 1995

The National Safety Council commends President Clinton's call to make "zero tolerance" for drivers under age 21 the law of the land.

Since its enactment, the minimum drinking age law has saved thousands of lives and prevented over 100,000 injuries. Yet, despite this success, alcohol-impaired driving remains a significant cause of death and serious injury for young people.

Zero tolerance laws send a clear and consistent message to America's youth--that it is illegal for them to drink *and* it is illegal for them to drink and drive.

We know that zero tolerance laws work: they have significantly reduced alcohol-related traffic deaths among young drivers age 15-20. A study conducted in Maryland in 1992 for the National Highway Traffic Safety Administration showed that enacting zero tolerance, combined with publicizing the law, reduced alcohol-related crashes involving youth by 50 percent.

More than half the states now have zero tolerance laws in place. It is time for the remaining states to adopt these measures so that their demonstrated lifesaving potential can be fulfilled.

We look forward to working with the President, the Congress and the States to make zero tolerance effective throughout the nation.

HEADQUARTERS AND
CENTRAL REGION OFFICE
1121 Spring Lake Drive
Itasca, IL 60143-3201
(708) 285-1121
FAX (708) 285-1315

ELK GROVE
DISTRIBUTION CENTER
1815 Landmeier Road
Elk Grove Village, IL 60007-2452
(708) 981-0250
FAX (708) 981-0266

NORTHEASTERN
REGION OFFICE
251 Salina Meadows Parkway, Suite 270
Syracuse, NY 13212-4501
(315) 453-7462
FAX (315) 453-7932

WESTERN
REGION OFFICE
303 Twin Dolphin Drive, Suite 520
Redwood City, CA 94065-1409
(415) 508-8787
FAX (415) 508-8831

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REGION OFFICE
3300 NE Expressway, Suite 7A
Atlanta, GA 30341-3941
(404) 457-5100
FAX (404) 457-6189

MID-ATLANTIC
REGION OFFICE
3212 Culshaw Avenue, Suite 320
Richmond, VA 23230
(804) 353-2208
FAX (804) 355-7767



INSURANCE
INSTITUTE
FOR
HIGHWAY
SAFETY

June 9, 1995

Teenage deaths from motor vehicle crashes have declined 38 percent since 1975 due in significant part to enactment and enforcement of 21 drinking age laws. Many states have gone further and have enacted and are enforcing zero tolerance laws for teenage drivers based on the clear logic that if it's illegal for teenagers to purchase alcohol, then it also must be illegal for them to drive under the influence of alcohol. Early indications are these laws are working. A 1991 Boston University study found a significant decline in nighttime fatal crashes among teenagers in four states that had lowered their blood alcohol thresholds for young people. Zero tolerance and 21 drinking age laws can be effective measures in saving the lives of teenage drivers and their passengers. We commend President Clinton for his leadership in encouraging all states to adopt and enforce effective measures to reduce deaths and injuries among teenagers.



Washington Office

1440 New York Avenue, N.W.
Suite 200
Washington, D.C. 20005
202/942-2050

FAX 202/783-4788

June 9, 1995

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

On behalf of AAA's more than 37 million members, we commend your commitment to reducing the needless loss of young lives as a result of drinking and driving. We pledge our support for your call to make zero tolerance the law of the land.

Since its founding in 1902, AAA has been dedicated to improving highway safety and reducing death and injury. At our recent annual meeting, more than 100 AAA clubs from every state recommended that all states adopt graduated licensing programs for novice drivers and impose meaningful sanctions against driving while impaired by alcohol or other drugs.

AAA stands ready to assist you in garnering support for this important lifesaving initiative.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Darbelnet', written in a cursive style.

Robert L. Darbelnet
President & CEO



**ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY**

**Statement by
Judith Lee Stone
President, Advocates for Highway and Auto Safety
June 9, 1995**

We are gratified and encouraged by the President's leadership in speaking out in favor of zero tolerance laws for those under the legal drinking age. Impaired driving is still one of the leading causes of death for America's youth, and is one of our greatest tragedies as a nation because the deaths and injuries due to underage drinking and driving can be prevented.

The public supports these laws, and state legislatures should, too. We recently commissioned a national public opinion survey, conducted by McKeon and Associates, to find out what Americans really think about highway safety laws. Support was high for all different types of highway and auto safety laws, but ***zero tolerance laws garnered support from nine out of ten Americans*** (66.1% strongly support and 24% support these laws). Support was strong with only modest variations based on age, income, sex, race and political affiliation.

We were particularly pleased and heartened to learn that young Americans (ages 18-24) gave high marks to highway safety laws aimed at them:

- 82.35% support zero tolerance laws;
- 69.61% support graduated licensing; and
- 87.26% support strict enforcement of age restrictions on the purchase of alcohol.

So much for the supposed apathy of "Generation X" -- our young people understand and care about public health issues that affect them and others around them.

Just last week, Connecticut became the 27th state with a zero tolerance law aimed at preventing teen drinking and driving. Several youth organizations worked in support of the bill, along with a dynamic coalition of Mothers Against Drunk Driving, health care institutions, law enforcement, children's advocacy, insurance, consumer and business groups in the state.

Motor vehicle crashes remain a major public health problem. They are the leading cause of death for Americans ages five to 32 and the leading cause of injury for all age groups. Alcohol involvement remains the leading factor contributing to fatal crashes. In 1993, alcohol was present in 44% of all fatal traffic crashes.

--more--

We know what works. A study conducted at the Boston University School of Public Health found that zero tolerance laws lowered fatal, single-vehicle crashes at night by 20%. Among drivers ages 15-20, this type of crash is three times more likely than other fatal crashes to involve alcohol.

The 21-year-old drinking age has been one of the most successful highway safety laws ever enacted. Every year, it saves nearly 1,000 lives and prevents thousands of injuries. Zero tolerance laws augment 21, giving law enforcement officials the tools they need to get young drinking drivers off the road and sending a powerful message to youth that drinking and driving will not be tolerated.



National Association
of Governors' Highway Safety Representatives

**STATEMENT OF THE NATIONAL ASSOCIATION OF
GOVERNORS' HIGHWAY SAFETY REPRESENTATIVES ON
ZERO TOLERANCE LAWS FOR YOUTH**

Friday, June 9, 1995

The National Association of Governors' Highway Safety Representatives (NAGHSR) supports President Clinton's initiative to encourage state enactment of zero tolerance laws for youth.

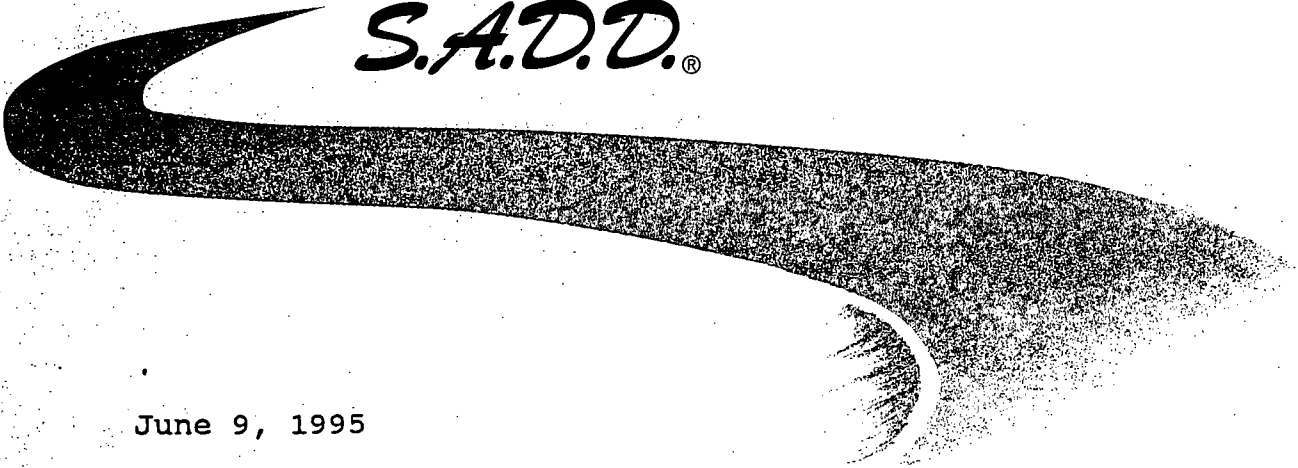
The intent of zero tolerance laws is to close a loophole in the National Minimum Drinking Age law. That law prohibits anyone under the age of 21 from consuming alcohol, yet does not prohibit them from driving after drinking. Zero Tolerance laws make it illegal for underage persons to drink any amount of alcohol and then drive. As of 1994, 24 states had Zero Tolerance laws which make it illegal for an underage person to drink and drive with a .02 BAC or less. Less than one beer would put the average young adult over this limit.

"Alcohol use is clearly a factor in many youth traffic crashes," said NAGHSR Chair John Conger. "Their inexperience behind the wheel, coupled with the consumption of even a small amount of alcohol, makes the likelihood of a crash that much greater. Evidence shows that impairment can occur at BAC levels as low as .015. By encouraging Congress to enact a federal zero tolerance program, President Clinton is paving the way for the closure of a serious loophole in impaired driving laws."

The members of NAGHSR applaud President Clinton's action on this subject and look forward to working with the White House to save precious lives by encouraging state passage of zero tolerance laws.

NAGHSR is a national, non-profit association headquartered in Washington, D.C. which represents the highway safety offices of states, the District of Columbia, the Indian Nations and the U.S. Territories. For more information on NAGHSR, please contact the Washington Office at (202) 789-0942.

-###-



S.A.D.D.®

June 9, 1995

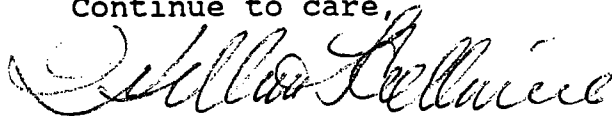
William Clinton
President of the United States
1600 Pennsylvania Ave.
Washington, D.C.

Dear Mr. President,

SADD, Students Against Driving Drunk supports the entire concept of zero tolerance for youth under the age of 21.

We applaud your efforts and will join you in the battle to end death and injury of our young people due to drinking and driving.

Continue to care,



William F. Cullinane,
Executive Director

Students Against Driving Drunk

P.O. Box 800, Marlboro, Massachusetts 01752 • Telephone: 508/481-3568 • Fax: 508/481-5759

E X E C U T I V E O F F I C E O F T H E P R E S I D E

23-May-1995 03:21pm

TO: Jennifer N. Palmieri

FROM: Carol H. Rasco
Economic and Domestic Policy

CC: Pamela B. Madaris
Anna Winderbaum
Jose Cerda, III

SUBJECT: Memo for Panetta attached;ccBowles,Hale,Cerda;Zero

MEMO TO LEON PANETTA

FROM: Carol H. Rasco

SUBJ: Zero tolerance for young people

DATE: May 23, 1995

Last week after it was decided not to include an announcement of the introduction of legislation by this Administration for a zero tolerance provision for young people, I was asked by Erskine Bowles to "vet" the proposal per the request of the President.

Since I do not know the full genesis of this proposal, nor the depth of feeling of the President about it, I do not feel I am in a position to advise strongly that we proceed OR drop the idea entirely. I will in this memo attempt to summarize what I have learned and why I feel there is at least one critical question that must be seriously discussed in order to reach closure on this issue.

Marcia Hale has talked with National Governors' Association (NGA) officials about potential reactions toward a federally mandated zero tolerance law for young people given that 24 states plus DC already have this law which in turn qualifies those states for a supplemental grant in the alcohol incentive program under the National Highway Traffic Safety Administration.

The NGA officials state that the initial reaction of governors and in particular the 30 Republican governors will be to cry "Mandates!" At this time the failure of states to adopt laws in

seat belt usage, helmet usage, speed limits and drinking age is sanctionable (loss of highway construction funds), but current legislation before the Congress takes away the possibility of sanctions for failure to adopt laws in those areas. An addition to sanctionable items (like the zero tolerance provision) in this context will be going against the current political climate among most governors and Congress, particularly the Republicans. (It should be further noted that the news reported last weekend that Wisconsin is even considering taking the "sanction" of losing highway construction funds in regard to the minimum drinking age as the state legislature is considering dropping the minimum age to 20 instead of the federally prescribed 21.)

Jose Cerda reports that among law enforcement officials the support will not be visible for such a "mandate" as they would term it. Many of the law enforcement groups while supporting the work of MADD voted unanimously NOT to support the Mario Malley Walsh Drunk Driving Act which mandates that states adopt zero tolerance and other tough drunk driving laws or spend a small percentage of their highway funds on drunk driving prevention. Jose does report, however, that should we proceed with the introduction of zero tolerance we can state the Byrne Grant monies can be utilized for drunk driving prosecutions as a result of our crime bill adding that provision as well as our community police being available to help with this enforcement.

While my contacts indicate the beer distributors would not more than likely support us in this endeavor, the Century Council which is a not-for-profit organization composed of 17 members of the alcohol beverage industry has worked extensively on the issue of discouraging underage drinking and most specifically the zero tolerance issue within the states. The Council would very possibly not only support this issue but might come and be part of an announcement. I have not talked directly to the Council's director since I was told to keep this quiet so I am not absolutely sure they would go with a federal mandate, but again, they have worked actively in the states to promote passage of this law. The current director of the Council is Jack Lawn, former chief of operations for the New York Yankees and the DEA head for Presidents Reagan and Bush.

SO....the primary question to be asked is:

Are we within the administration willing to actively work and direct the expenditure of time by our personnel toward the passage of this provision as a federal law (instead of leaving it to the states with incentives from the federal government as in current law) without the active support of law enforcement, many governors, many members of Congress?

On policy grounds it makes very good sense to have zero tolerance in place for young people. However, I think there needs to be a

discussion about the above question by a group of various personnel within the White House and/or the President. If you wish, I will be happy to discuss this with the President at my next briefing which I am told is tomorrow although a time has not yet been assigned, but again I think we need a fuller discussion group first.

Please advise.

cc: Erskine Bowles
Marcia Hale
Jose Cerda



U.S. Department
of Transportation
National Highway
Traffic Safety
Administration

DR
Ricardo
Martinez

can learn
about
streets

Memorandum

* BAC

* If that ~~do~~ 55 speed and can they transport
not to highway safety

* states can make construction may
does even if

Subject: .02 BAC Laws

Date: MAY 18 1995

From: Philip R. Rechs
Deputy Administrator

To: Ann Bormolini
Chief of Staff

Block Alcohol Control

This we
want to

* have to ask congress to adopt a
law.

Reply to
Attn. of:

have given an agreement
incentive to states to
adopt .02 for better
5% add
to 25

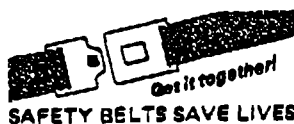
.02 BAC laws refer to those laws which are adopted on a state-by-state basis and which provide that a person under 21 is deemed to be driving under the influence when his/her blood/alcohol level is .02. These laws are commonly referred to as "zero tolerance" laws because they effectively deem youths to be impaired if they have had even one full drink.

Currently, 24 states plus the District of Columbia have .02 laws. Five other states have youth BAC laws between .04 and .07. (See attached list.) Currently, states face no penalty for failing to adopt a .02 law. Also, adopting a .02 law, by itself, does not qualify a state for any federal funds.

However, under current law, states which qualify for NHTSA's Section 410 alcohol incentive grant program are entitled to a supplemental grant of up to 5% for passing a .02 law. To qualify for a 410 grant, a state must 5 of 6 qualifying programs and laws. (See attached flyer.) Currently, the 410 program is funded at \$25 million/year. This amount is split among the qualifying states based on a population- and road mileage-based formula. Last year, 26 states qualified for 410 funding. Almost all these states received some supplemental funds. (Note: .02 laws are only 1 of 7 laws and programs which, when adopted, qualify a state for supplemental funds.)

The treatment of .02 laws differs from the treatment DOT/NHTSA give to certain other highway safety programs. Specifically, under the Section 153 program, states which fail to adopt both mandatory seat belt and motorcycle helmet laws have a portion of their highway construction funds shifted to safety programs. Currently, 23 states do not have both laws in place. (48 states do have mandatory seat belt laws.)

In this same vein, states which do not adopt federal speed limit laws, or which do not adopt a minimum 21-age drinking limit law, lose their federal highway funds altogether (as opposed to having them redirected). Currently, all 50 states abide by both these laws.



MARCIA
HALE

inclusion
for child
safety
purposes
(26
States
Qualify)

OPTIONS:

1. Make the failure of a state to adopt a .02 law sanctionable, like seat belt, helmet, speed, and drinking age laws:

- Pros:** Such an approach would increase the incentive for states to adopt these laws, depending on the strength of the sanction. (In this regard, note that the current 153 sanctions have not succeeded in bringing about universal adoption of either seat belt, and certainly not helmet, laws.)
- Cons:** May be viewed as "politically incorrect" in this current states rights climate. In fact, our existing mandatory programs presently are under significant attack on the hill.

As noted, our 153 program has not been completely successful. While .02 laws ostensibly would be less controversial than motorcycle helmet laws, there is no guarantee that additional states (beyond the current 24) would adopt .02 without a sanction that perhaps is stronger than the current 153-type redirection one. At the same time, some may think that it is a bit out of proportion to cause states to lose construction funding altogether over this matter.

2. Support universal adoption of .02, with no change in current federal law:

- Pros:** Would increase the visibility of this important issue, at the same time not offend the current states rights mood on the hill.
- Cons:** A message alone probably would be less effective than imposing a strong sanction on states which do not adopt the law.

Note: A somewhat middle-ground position here might be to support additional funding of the 410 program to allow for higher incentives to be paid to states which adopt these laws.

3. Give a general anti-drunk driving message:

- Pros:** Increases the visibility of the drunk driving issue generally.
- Cons:** Does not focus any particular attention on the .02 issue, or the ongoing problem of youth drunk driving. Apropos, while teenage drunk driving has significantly dropped in the last 10 years (a fully 55% decline), underage drivers continue to be over-represented in alcohol-related crashes. (See enclosed report to Congress on Youth Alcohol Traffic Safety. Note: In last 2 years, Congress mandated that \$8 million of our Section 402 safety program funds be directed to states specifically for underage drinking and driving programs and activities. The report discusses this program.)

LOWER BAC LEVELS FOR YOUTHFUL DWI OFFENDERS

February 1995

State	Enactment Date	Effective
BAC Level .02		
Arizona (.00)	06/28/90	06/28/90
Arkansas (.02)	04/02/93	08/12/93
California (.01)	1993	01/01/94
District of Columbia (.00)	03/21/94	05/24/94
Idaho (.02)	04/07/94	07/01/94
Illinois (.00)	08/13/94	01/01/95
Maine (.02)	06/23/83	06/23/83
Maryland (.02)	05/29/90	05/29/90
Massachusetts (.02)	05/27/94	06/27/94
Michigan (.02)	06/23/94	11/01/94
Minnesota (.00)	05/24/93	06/01/93
North Carolina (.00) <18	06/03/82	10/01/83
Nebraska (.02)	06/10/93	01/01/94
New Jersey (.01)	12/17/92	12/17/92
New Mexico (.02)	03/19/93	01/01/94
Ohio (.02)	02/03/94	05/04/94
Oklahoma (.02) <18	06/11/94	07/01/95
Oregon (.00)	06/06/91	07/01/91
Tennessee (.02)	05/31/93	07/01/93
Utah (.00)	04/27/92	07/01/92
Vermont (.02) <18	06/06/91	07/01/91
Virginia (.02)	04/06/94	07/01/94
Washington (.02)	04/02/94	07/01/94
West Virginia (.02)	03/12/94	06/12/94
Wisconsin (.00) <18	11/03/83	07/01/84

Total States: 24 plus D.C.

BAC Level Above .02

Georgia (.04) <18	03/21/94	05/24/94
Louisiana (.04) <18	07/06/94	08/27/94
New Hampshire (.04)	05/14/92	01/01/93
Rhode Island (.04)	07/12/90	07/12/90
Texas (.07)	06/30/93	09/01/93

Total States: 5

Grand Total: 29 States plus D.C.

Structure for
 kids than
 given up

Other 21 states
 have same law
 for kids as
 adults.

Adults .10 →
 Kids (.02) zero to
 not suppose to
 drink any
 against law
 .02 is less than .001

Drinking driving continues to be America's most critical highway safety problem. Although considerable progress is being made, almost half of all highway fatalities continue to be alcohol-related. In 1991, 19,900 (48 percent) of the lives lost in motor vehicle crashes involved a drinking driver or pedestrian. In that same year, more than 300,000 individuals were injured — 84,000 seriously — as a result of alcohol-related crashes. The economic cost to the nation is approximately \$46 billion annually.

What is Section 410?

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How are grants allocated to States?

The grant allocation process involves two tiers; basic grants and supplemental grants. If a State meets the criteria, it can receive a *basic grant*. Basic grants are equal to 30 percent of the State's apportionment in Fiscal Year (FY) 1992 under Section 402, the State and Community Highway Safety Grant Program.

States meeting the basic criteria can also qualify for up to seven *supplemental grants*. Each supplemental grant equals 5 percent of the State's FY 1992 Section 402 apportionment.

States are eligible to receive each Section 410 basic and supplemental grant for a maximum of five years after September 30, 1992.

Grants

To qualify for a Section 410 grant, a State must have *five of the following six** laws and programs*:

- An expedited driver's license suspension or revocation system for drunk drivers;
- A *per se* law setting 0.10 blood alcohol concentration (BAC) as the level at which a person is deemed to be driving while intoxicated. After the first three years of basic grant eligibility, a 0.08 BAC *per se* law is required;
- A statewide program for stopping motor vehicles;
- A self-sustaining drunk driving prevention program;
- A program to prevent drivers under age 21 from obtaining alcoholic beverages; and
- A law requiring mandatory sentencing for any person convicted more than once of driving while intoxicated or driving under the influence (DWI/DUI) — New in FY 1993.

**** Note:** By law, the 17 States that qualified for the Section 410 program in FY 1992 by satisfying *four out of five* basic criteria, may continue to qualify by meeting *four of the original five criteria*.

Supplemental Grants

Upon qualifying for a basic grant, a State is eligible for supplemental grants by achieving any of the following countermeasures:

- A *per se* law of 0.02 BAC for persons under age 21;
- Open container and anti-consumption laws for alcoholic beverages;
- A law that suspends vehicle registrations and provides for forfeiture of license plates for repeat DWI/DUI offenders, and for those convicted of driving with a suspended license;

A program requiring alcohol testing for drunk driving suspects involved in fatal and serious injury motor vehicle crashes;

- A comprehensive drugged driving prevention program;
- A *per se* law setting 0.08 BAC for all drivers in the first three years of basic grant eligibility; and
- A program for acquiring and using videotape equipment in police vehicles for the detection of drunk and drugged drivers.

What types of programs can be supported with Section 410 monies?

Although a wide range of State and local agencies benefit from these incentive grant monies, Section 410 grants are awarded to the State's Highway Safety Office. The State must submit a plan to the NHTSA Regional Office describing what initiatives will be implemented. Funds are to be used only to support anti-drunk and drugged driving countermeasures and programs such as:

- Sobriety checkpoint and/or safety checkpoint programs;
- Alcohol awareness and education programs that target persons under age 21;
- Retailer and alcohol server training programs;
- Drug recognition training programs for law enforcement officers;
- Acquiring videotape equipment for police vehicles and training officers in its use; and
- Assessment/screening programs for drunk driving offenders.

The Federal share of the program described in the State plan cannot exceed 75 percent in the first year, 50 percent in the second year and 25 percent in the third year and subsequent years.



U.S. Department of
Transportation

Office of the Secretary
of Transportation

Chief of Staff

400 Seventh St., S.W.
Washington, D.C. 20590

FAX TRANSMISSION COVER

Date: 5, 18, 95

TO:

Steve Silverman / Jennifer O'Connor

FAX:

456-6704 / 456-7929

FROM:

Ann Bormolini

Office: (202) 366-1103

FAX: (202) 366-3956

Number of pages transmitted, including this page: _____

MESSAGE:

Cecil Hutchins

Dad Schenker



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

Memorandum

Subject: Zero Tolerance Laws

Date: JUN - 6 1995

From: Philip R. Recht
Deputy Administrator, NHTSA

Reply to
Attn. of:

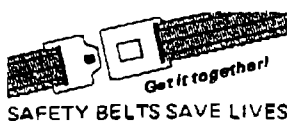
To: Jeremy Ben-Ami
Dorothy Karayannis

"Zero tolerance" laws in the highway safety setting refer to those state laws which deem a driver under the age of 21 to be driving under the influence if his/her blood/alcohol level (BAC) is .02 or above. The laws are called zero tolerance because they effectively deem youths to be impaired if they have had even one full drink. The laws are meant to complement the 21 minimum drinking age laws which have been enacted in all 50 states. (The laws are set slightly above .00 to guard against law violations based on inadvertent intakes of alcohol from, for example, medicines, church ceremonies, etc.)

Currently, 24 states plus the District of Columbia have .02 BAC laws. Five of those states enacted their laws this past legislative session. Four other states have youth BAC laws between .04 and .07. Four states have .02 BAC laws for drivers under age 18 only.

Currently, states face no sanction for failing to adopt a .02 or other lower-for-youth BAC law. States are provided some small incentive to do so, however. Specifically, those states which do adopt such laws, and which already have qualified for NHTSA's Section 410 alcohol incentive grant program, are entitled to a supplemental grant of up to 5% for passing a .02 BAC law. Section 410 grants in their entirety amount to only \$ 25 million/year. As such, the 5% bonus potential is but a modest incentive.

In contrast, states face affirmative sanctions for failure to enact other highway safety measures. Specifically, states which fail to enact minimum 21 drinking age laws are penalized by the loss of 10% of a portion of their highway construction funds. (Specifically, approximately \$10 billion of the overall \$17 billion of annual construction funds are subject to this penalty.) Similarly, states which fail to enact maximum speed limit laws formerly faced a loss of 10% of this portion of their construction funds. Recently, the law was changed to cause such states to have up to 1.5 % of their construction funds redirected to safety programs. These sanctions have proved highly effective. All 50 states have enacted both types of laws.



States which fail to enact BOTH mandatory seat belt and motorcycle helmet laws face having up to 3% (1.5% the first year, 3% the second and following years) redirected to highway safety programs. These redirection programs have been less successful. Fully 25 states have failed to enact both types of laws and, thus, face sanctions in FY1996.

Given the above, the options for taking a more mandatory approach to .02 BAC laws, and maintaining consistency with the current approach with respect to other highway safety laws, would include:

1. Requiring states to enact .02 BAC laws or face a loss of federal highway construction funds for failure to do so. Consistent with the treatment of minimum 21 drinking age laws, the sanction would be 10% of the portion of the construction funds described above e.
2. Requiring states to enact .02 BAC laws as an adjunct to their minimum 21 drinking age laws, such that states which fail to pass BOTH laws face the 10% loss in funding. In this scenario, a state could lose at most 10%, not 20%, of the applicable construction funding for failure to adopt these 2 related laws.
3. Requiring states to enact .02 BAC laws or have a portion of their construction funds redirected to highway safety programs, akin to the treatment of seat belt and motorcycle helmet laws. As noted, the current amount subject to redirection with respect to these other laws is 3% (after the first year). Clearly, this is a weaker alternative than either of the above options.

It would be necessary to allow for a phase-in period of 1-2 years with respect to any of the options.

To make a change in the .02 BAC laws, it will be necessary to introduce legislation in Congress. I am not currently aware of any already introduced highway safety bill which would be an appropriate vehicle. However, such legislation may exist. Otherwise, this could be offered as a floor amendment to the National Highway System (NHS) legislation when it gets to the Senate floor. This is the legislation which, in its current form, purports to repeal the national maximum speed limit law, and which may be subject to floor amendments concerning the other highway safety law programs discussed above.



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

Memorandum

Subject: .02 BAC Laws

Date: MAY 18 1995

From: Philip R. Recht
Deputy Administrator

Reply to
Attn. of:

To: Ann Bormolini
Chief of Staff

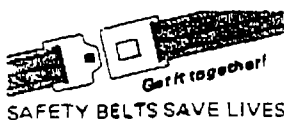
.02 BAC laws refer to those laws which are adopted on a state-by-state basis and which provide that a person under 21 is deemed to be driving under the influence when his/her blood/alcohol level is .02. These laws are commonly referred to as "zero tolerance" laws because they effectively deem youths to be impaired if they have had even one full drink.

Currently, 24 states plus the District of Columbia have .02 laws. Five other states have youth BAC laws between .04 and .07. (See attached list.) Currently, states face no penalty for failing to adopt a .02 law. Also, adopting a .02 law, by itself, does not qualify a state for any federal funds.

However, under current law, states which qualify for NHTSA's Section 410 alcohol incentive grant program are entitled to a supplemental grant of up to 5% for passing a .02 law. To qualify for a 410 grant, a state must 5 of 6 qualifying programs and laws. (See attached flyer.) Currently, the 410 program is funded at \$25 million/year. This amount is split among the qualifying states based on a population- and road mileage-based formula. Last year, 26 states qualified for 410 funding. Almost all these states received some supplemental funds. (Note: .02 laws are only 1 of 7 laws and programs which, when adopted, qualify a state for supplemental funds.)

The treatment of .02 laws differs from the treatment DOT/NHTSA give to certain other highway safety programs. Specifically, under the Section 153 program, states which fail to adopt both mandatory seat belt and motorcycle helmet laws have a portion of their highway construction funds shifted to safety programs. Currently, 23 states do not have both laws in place. (48 states do have mandatory seat belt laws.)

In this same vein, states which do not adopt ^{a portion of} federal speed limit laws, or which do not adopt a minimum 21-age drinking limit law, lose their federal highway funds altogether (as opposed to having them redirected). Currently, all 50 states abide by both these laws.



OPTIONS:

1. Make the failure of a state to adopt a .02 law sanctionable, like seat belt, helmet, speed, and drinking age laws:

Pros: Such an approach would increase the incentive for states to adopt these laws, depending on the strength of the sanction. (In this regard, note that the current 153 sanctions have not succeeded in bringing about universal adoption of either seat belt, and certainly not helmet, laws.)

Cons: May be viewed as "politically incorrect" in this current states rights climate. In fact, our existing mandatory programs presently are under significant attack on the hill.

As noted, our 153 program has not been completely successful. While .02 laws ostensibly would be less controversial than motorcycle helmet laws, there is no guarantee that additional states (beyond the current 24) would adopt .02 without a sanction that perhaps is stronger than the current 153-type redirection one. At the same time, some may think that it is a bit out of proportion to cause states to lose construction funding altogether over this matter.

2. Support universal adoption of .02, with no change in current federal law:

Pros: Would increase the visibility of this important issue, at the same time not offend the current states rights mood on the hill.

Cons: A message alone probably would be less effective than imposing a strong sanction on states which do not adopt the law.

Note: A somewhat middle-ground position here might be to support additional funding of the 410 program to allow for higher incentives to be paid to states which adopt these laws.

3. Give a general anti-drunk driving message:

Pros: Increases the visibility of the drunk driving issue generally.

Cons: Does not focus any particular attention on the .02 issue, or the ongoing problem of youth drunk driving. Apropos, while teenage drunk driving has significantly dropped in the last 10 years (a fully 55% decline), underage drivers continue to be over-represented in alcohol-related crashes. (See enclosed report to Congress on Youth Alcohol Traffic Safety. Note: In last 2 years, Congress mandated that \$8 million of our Section 402 safety program funds be directed to states specifically for underage drinking and driving programs and activities. The report discusses this program.)

How a State can apply for a Section 410 grant?

A State's Section 410 application must be submitted for approval to the NHTSA Regional Office by August 1 for current year funding consideration. The NHTSA Regional Offices listed below can provide additional information and the names/addresses of the State Highway Safety Offices.

NHTSA Regional Offices

Region I
(CT, ME, MA, NH, RI, VT)
NHTSA Regional Administrator
Transportation Systems Center
Kendall-Square Code 903
Cambridge, MA 02142
617-494-3427

Region II
(NJ, NY, Puerto Rico, Virgin Islands)
NHTSA Regional Administrator
222 Mamaroneck Avenue
Room 204
White Plains, NY 10605
914-682-6162

Region III
(DE, D.C., MD, PA, VA, WV)
NHTSA Regional Administrator
BWI Commerce Park
7526 Connelley Drive, Suite L
Hanover, MD 21076
410-768-7111

Region IV
(AL, FL, GA, KY, MS, NC, SC, TN)
NHTSA Regional Administrator
1720 Peachtree Road, N.W.
Suite 1048
Atlanta, GA 30309
404-347-4537

Region V
(IL, IN, MI, MN, OH, WI)
NHTSA Regional Administrator
18209 Dixie Highway, Suite A
Homewood, IL 60430
708-206-3300

Region VI
(AR, Indian Nations, LA, NM, OK, TX)
NHTSA Regional Administrator
819 Taylor Street, Room 8A38
Fort Worth, TX 76102
817-334-3653

Region VII
(IA, KS, MO, NE)
NHTSA Regional Administrator
P.O. Box 412515
Kansas City, MO 64141
816-926-7887

Region VIII
(CO, MT, ND, SD, UT, WY)
NHTSA Regional Administrator
555 Zang Street, 4th Floor
Lakewood, CO 80228
303-969-6917

Region IX
(American Samoa, AZ, CA, Guam, HI, Mariana Islands, NV)
NHTSA Regional Administrator
211 Main Street
Suite 1000
San Francisco, CA 94105
415-744-3089

Region X
(AK, ID, OR, WA)
NHTSA Regional Administrator
3140 Jackson Federal Building
915 Second Avenue
Seattle, WA 98174
206-553-5934



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

DOT HS 807842
March 1993

Highway Safety Grant Programs

Section 410 Alcohol Incentive Grant Program

**National Highway Traffic Safety
Administration
U.S. Department of Transportation**

Drinking and driving continues to be America's most critical highway safety problem. Although considerable progress is being made, almost half of all highway fatalities continue to be alcohol-related. In 1991, 19,900 (48 percent) of the lives lost in motor vehicle crashes involved a drinking driver or pedestrian. In that same year, more than 300,000 individuals were injured — 84,000 seriously — as a result of alcohol-related crashes. The economic cost to the nation is approximately \$46 billion annually.

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LIST OF PARTICIPANTS AND INVITEES

Federico Peña	Secretary of Transportation
Beckie Brown	President, Mothers Against Drunk Driving (MADD)
Ricardo Martinez, M.D.	Administrator, National Highway Traffic Safety Administration
James Hall	Chairman, National Transportation Safety Board
Harry J. Pearce	Executive Vice President, General Motors
D. Richard McPherson	President, Nationwide Insurance
Robert Stempel	Chairman, National Commission Against Drunk Driving
Judith L. Stone	Executive Director, Advocates for Auto and Highway Safety
O. M. "Tony" Nicely	President, GEICO Insurance
James Edgar	Governor, Illinois
Richard Recchia	Executive Vice President, Mitsubishi Motors
M. W. Wickam	President, Roadway Express

*h. care?
crime person*

ADW