

Elizabeth Drye - DPC

**Box #6 -- More Public Health/Consumer Issues
-- More DPC Issues Files**

Transportation Safety

- Seat Belt EO
- Seatbelt - Report
- MADD
- Aggressive Drivers
- Air Bag Coalition - Messages, Correspondence
- Air Bags
- .08 BAC

Ag Gleaning

Tuskegee Apology

- Dioxin in Animal Feed
- Mad Cow Disease
- Wine Labeling
- Poison Control
- IDEA Reauthorization
- Family/Divorce
- POTUS Scheduling
- Ad Council
- Crime One-Pagers
- DPC Policy Briefs
- Welfare Mtg
- New Orleans CHR trip
- NSTC Children's initiative
- Human Nutrition Initiative
- NCSL Roundtable
- Arkansas Partnership
- AIDS Request (World AIDS Day)
- Library Conference proposal
- Native Americans
- Budget Agreement
- Correspondence Office
- POTUS Notes
- General Correspondence
- Liquor Ads
- Cell Phones

PIC — Lisa Lenn 222-1988

PHOTOCOPY
PRESERVATION

May 23, 1997

Ms. Lydia Robertson
Director
Arkansas Safety Belt Coalition
Suite 100
1400 Brookwood
Little Rock, Arkansas 72202

Dear Lydia:

Thank you so much for your warm letter.
I deeply appreciate your support and your work
to improve passenger safety on our nation's
roads.

Like you, I believe that we must do all
we can to help ensure the proper care and
safety of America's children. Thank you for
your efforts to urge the passage of legislation
to implement primary enforcement of seat-belt
laws in Arkansas. I have shared your letter
with my staff in the Domestic Policy Council,
and I look forward to continuing our work
together.

Thanks again for writing.

Sincerely,

BILL CLINTON

BC/LIJ/RSM/bws (Corres. #3518916)
(5.robertson.1)

cc: w/inc Elizabeth Drye, DPC, 222



April 25, 1997

The Honorable William J. Clinton
President of the United States
White House
1600 Pennsylvania Ave. NW
Washington DC 20500

Dear Mr. President,

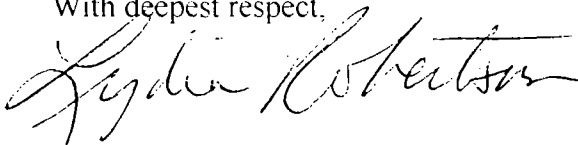
I had the privilege of working with you on Arkansas' Safety Belt Law in 1989 and 1991. Your honor and endless support (especially in committee) was instrumental in the passage of the law.

The Arkansas Safety Belt Coalition tried (and failed) this past session to change Arkansas' secondary law to a primary. Perhaps now with Presidential support and some minor sanctions, the 82nd General Assembly will change Arkansas' law to a primary, enabling us to see improvement in our current 46% belt usage.

I was grateful for your appointment to the White House Conference on Small Business, so now if our organization can be of assistance in your effort on safety belts, please let me know. As you are aware, our non-profit educational coalition has been working on highway safety issues since 1989.

Once again, you've taken a stand because it is the right thing to do. The only pay-off is in lives saved and injuries spared. On behalf of America's motoring public, thank you (again!).

With deepest respect,



Lydia Robertson
Director

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

April 16, 1997

EXECUTIVE ORDER

- - - - -

INCREASING SEAT BELT USE IN THE UNITED STATES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Highway Safety Act of 1966, 23 U.S.C. 402 and 403, as amended, section 7902(c) of title 5, United States Code, and section 19 of the Occupational Safety and Health Act of 1970, 29 U.S.C. 668, as amended, and in order to require that Federal employees use seat belts while on official business; to require that motor vehicle occupants use seat belts in national park areas and on Department of Defense ("Defense") installations; to encourage Tribal Governments to adopt and enforce seat belt policies and programs for occupants of motor vehicles traveling on highways in Indian Country; and to encourage Federal contractors, subcontractors, and grantees to adopt and enforce on-the-job seat belt use policies and programs, it is hereby ordered as follows:

Section 1. Policies. (a) Seat Belt Use by Federal Employees. Each Federal employee occupying any seating position of a motor vehicle on official business, whose seat is equipped with a seat belt, shall have the seat belt properly fastened at all times when the vehicle is in motion.

(b) Seat Belt Use in National Parks and on Defense Installations. Each operator and passenger occupying any seating position of a motor vehicle in a national park area or on a Defense installation, whose seat is equipped with a seat belt or child restraint system, shall have the seat belt or child restraint system properly fastened, as required by law, at all times when the vehicle is in motion.

(c) Seat Belt Use by Government Contractors, Subcontractors and Grantees. Each Federal agency, in contracts, subcontracts, and grants entered into after the date of this order, shall seek to encourage contractors, subcontractors, and grantees to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.

(d) Tribal Governments. Tribal Governments are encouraged to adopt and enforce seat belt policies and programs for occupants of motor vehicles traveling on highways in Indian Country that are subject to their jurisdiction.

Sec. 2. Scope of Order. All agencies of the executive branch are directed to promulgate rules and take other appropriate measures within their existing programs to further the policies of this order. This includes, but is not limited to, conducting education, awareness, and other appropriate programs for Federal employees about the importance of wearing seat belts and the consequences of not wearing them. It also includes

more

(OVER)

encouraging Federal contractors, subcontractors, and grantees to conduct such programs. In addition, the National Park Service and the Department of Defense are directed to initiate rulemaking to consider regulatory changes with respect to enhanced seat belt use requirements and standard (primary) enforcement of such requirements in national park areas and on Defense installations, consistent with the policies outlined in this order, and to widely publicize and actively enforce such regulations. The term "agency" as used in this order means an Executive department, as defined in 5 U.S.C. 101, or any employing unit or authority of the Federal Government, other than those of the legislative and judicial branches.

Sec. 3. Coordination. The Secretary of Transportation shall provide leadership and guidance to the heads of executive branch agencies to assist them with the employee seat belt programs established pursuant to this order. The Secretary of Transportation shall also cooperate and consult with the legislative and judicial branches of the Government to encourage and help them to adopt seat belt use programs.

Sec. 4. Reporting Requirements. The Secretary of Transportation, in cooperation with the heads of executive branch agencies, and after consultation with the judicial and legislative branches of Government, shall submit an annual report to the President. The report shall include seat belt use rates and statistics of crashes, injuries, and related costs involving Federal employees on official business and occupants of motor vehicles driven in national park areas, on Defense installations, and on highways in Indian Country. The report also shall identify specific agency programs that have made significant progress towards achieving the goals of this order or are notable and deserving of recognition. All agencies of the executive branch shall provide information to, and otherwise cooperate with, the Secretary of Transportation to assist with the preparation of the annual report.

Sec. 5. Other Powers and Duties. Nothing in this order shall be construed to impair or alter the powers and duties of the heads of the various Federal agencies pursuant to the Highway Safety Act of 1966, 23 U.S.C. 402 and 403, as amended, section 19 of the Occupational Safety and Health Act of 1970, 29 U.S.C. 668, as amended, or sections 7901, 7902, and 7903 of title 5, United States Code, nor shall it be construed to affect any right, duty, or procedure under the National Labor Relations Act, 29 U.S.C. 151 et seq.

Sec. 6. General Provisions. (a) Executive Order 12566 of September 26, 1986, is revoked. To the extent that this order is inconsistent with any provisions of any prior Executive order, this order shall control.

(b) If any provision of this order or application of any such provision is held to be invalid, the remainder of this order and other applications of such provision shall not be affected.

(c) Nothing in this order shall be construed to create a new cause of action against the United States, or to alter in any way the United States liability under the Federal Tort Claims Act, 28 U.S.C. 2671-2680.

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(d) The Secretary of Defense shall implement the provisions of this order insofar as practicable for vehicles of the Department of Defense.

(e) The Secretary of the Treasury and the Attorney General, consistent with their protective and law enforcement responsibilities, shall determine the extent to which the requirements of this order apply to the protective and law enforcement activities of their respective agencies.

WILLIAM J. CLINTON

THE WHITE HOUSE,
April 16, 1997.

#



People Saving People

On the Road for a Healthier Future

Office of Chief Counsel

Telefax Transmittal Sheet

Fax Number (202)366-3820

To:

Elizabeth Drye
456-7028

Fax No.:

Subject: SIAT BUL Executive Order

From:

Audi Coleman

Phone

Number:

366-1834

Additional

Message:

These changes have been negotiated with
the National Park Service (at DOI). Please
call me for clarification & send me final
ASAP. Thank you for your help.

Pages to Follow Cover Sheet:

8

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DRAFT

Executive Order

4/15/97
2:10 pm

INCREASING SEAT BELT USE IN THE UNITED STATES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Highway Safety Act of 1966, 23 U.S.C. 402 & 403, as amended, section 7902(c) of title 5, United States Code, and section 19 of the Occupational Safety and Health Act of 1970, 29 U.S.C. 668, as amended, and in order to require that Federal

Substitute [employees use seat belts while on official business and to require that motor vehicles occupants use seat belts while on Federal lands, it is hereby ordered as follows:]

Section 1. Policies. (a) Seat Belt Use by Federal Employees. Each Federal employee occupying any seating position of a motor vehicle on official business, whose seat is equipped with a seat belt, shall have the seat belt properly fastened at all times when the vehicle is in motion.

in National Park Areas and on DoD Installations.

(b) Seat Belt Use on Federal Lands. Each operator and passenger occupying any seating position of a motor vehicle *in a national park area or on a DoD installation* ~~on Federal lands~~ whose seat is equipped with a seat belt or child restraint system, shall have the seat belt or child restraint system properly fastened *as required by law,* at all times when the vehicle is in motion. [This does not apply to an operator or a passenger with a medical condition that prevents restraint by a safety belt or other occupant restraining device.]

(c) Seat Belt Use by Government Contractors, Sub-contractors and Grantees. Each Federal agency, in contracts, sub-contracts, and grants entered into after the date of this order, shall seek to encourage contractors, sub-contractors, and grantees to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally-owned vehicles.

(d) Tribal Governments. Tribal Governments are encouraged to adopt and enforce seatbelt policies and programs for highways in Indian Country that are subject to their

Substitute for lines 5 and 6 in preamble:

... employees use seat belts while on official business; to require that motor vehicle occupants use seat belts while in national park areas and on Department of Defense (DoD) installations; to encourage Tribal Governments to adopt and enforce seat belt policies and programs for highways in Indian Country; and to encourage Federal contractors, subcontractors and grantees to adopt and enforce on-the-job seat belt use policies and programs; it is hereby ordered as follows:

Substitute for 4th sentence in Sec. 2:

In addition, the National Park Service and the Department of Defense are directed to initiate rulemaking to consider regulatory changes with respect to enhanced seat belt use requirements and standard (primary) enforcement of such requirements in national park areas and on DoD installations, consistent with the policies outlined in this order, and to widely publicize and actively enforce such regulations.

jurisdiction.

Sec. 2. Scope of Order. All agencies of the Executive branch are directed to promulgate rules and take other appropriate measures within their existing programs to further the policies of this order. This includes, but is not limited to, conducting education, awareness and other appropriate programs for Federal employees about the importance of wearing seat belts and the

ID:

APR 15 '97

11:03 No.001 P.04

consequences of not wearing them. It also includes encouraging Federal contractors and recipients of Federal funds to conduct such programs. [In addition, for agencies that supervise traffic operations or control highways on Federal lands open to public travel, it includes proposing regulations requiring seatbelt use on such highways consistent with the policies outlined in this order and publicizing and enforcing such regulations.] The term "agency" as used in this order means an Executive Department, as defined in 5 U.S.C. 101, or any employing unit or authority of the Federal government, other than those of the Legislative and Judicial branches.

[The term "Federal lands" as used in this order does not include Indian Country.]

Sec. 3. Coordination. The Secretary of Transportation shall provide leadership and guidance to the heads of Executive branch agencies to assist them with the employee seat belt programs established pursuant to this order. The Secretary of Transportation shall also cooperate and consult with the Legislative and Judicial branches of the government to encourage and help them to adopt seat belt use programs.

Sec. 4. Reporting Requirements. The Secretary of Transportation, in cooperation with the heads of agencies in the Executive branch, and after consultation with the Judicial and Legislative branches of government, shall submit an annual report to the President. The report shall include seat belt use rates and statistics of crashes, injuries, and related costs involving Federal employees on official business and occupants of motor vehicles driven ^{in a national park area, on} ~~on Federal lands.~~ ^{DoD} ^{installation} ^{and on} ^{highways in} ^{Indian} ^{Country.} The report shall also identify specific agency programs that have made significant progress towards achieving the goals of this order or are notable and deserving of recognition. All agencies of the Executive branch shall provide information to, and otherwise cooperate with, the Secretary of Transportation to assist with the preparation of the annual report.

Sec. 5. Other Powers and Duties. Nothing in this order shall be construed to impair or alter the powers and duties of the heads of the various Federal agencies pursuant to the Highway

Health Act of 1970, 29 U.S.C. 668, as amended, or sections 7901, 7902, and 7903 of title 5, United States Code, nor shall it be construed to affect any right, duty, or procedure under the National Labor Relations Act, 29 U.S.C. 151 et seq.

ID:

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Sec. 6. General Provisions. (a) Executive order 12566 of September 26, 1986, is repealed. To the extent that this order is inconsistent with any provisions of any prior Executive order, this order shall control.

(b) If any provision of this order or application of any such provision is held to be invalid, the remainder of this order and other applications of such provision shall not be affected.

(c) Nothing in this order shall be construed to create a new cause of action against the United States, its agents or employees or to alter in any way the United States' liability under the Federal Tort Claims Act, 28 U.S.C. 2671-2680.

(d) The Secretary of Defense shall implement the provisions of this order insofar as practicable for vehicles of the Department of Defense.

THE WHITE HOUSE,

June 2, 1997

The Honorable Jim Rhodes
Member of the House of Representatives
of the State of Minnesota
St. Paul, Minnesota 55155-1298

Dear Jim:

Thank you for your thoughtful letter. I deeply appreciate your support and your work to improve passenger safety on America's roads.

Like you, I believe that we must do all we can to help parents ensure the proper care and safety of our nation's children. That is why, under my National Economic Crossroads Transportation Efficiency Act, any state that does not either achieve 85 percent use of seat belts or enact primary enforcement of seat-belt laws by 2002 will have 1.5 percent of its federal highway funds redirected to existing safety programs. This measure will help strengthen law enforcement efforts across America to increase compliance with safety laws.

I have shared your letter and the copy of your bill with my staff in the Domestic Policy Council. Thank you for your leadership in proposing legislation to implement primary enforcement of seat-belt laws in Minnesota.

Sincerely,

BILL CLINTON

BC/LIJ/RSM/JAD/bws-emu-lynn
(5.rhodes.j)

(Corres. #3478643)

cc: Elizabeth Drye, 222
cc: IGA, 106

April 29, 1997

Mr. Dimon Richard McFerson
Chairman and Chief Executive Officer
Nationwide Insurance Enterprise
1 Nationwide Plaza
Columbus, Ohio 43215-2220

Dear Dimon:

Thank you for writing to me. I deeply appreciate your support for my Administration's efforts to improve safety on our nation's roads, and I have shared your letter with my staff in the Domestic Policy Council.

I firmly believe that we must do all we can to help parents fulfill their greatest responsibility -- ensuring the care and safety of their children. As I said in a memo to the Secretary of Transportation earlier this year, we have made steady progress in improving highway safety over the years. However, there are still far too many deaths and injuries on our nation's roads. Seat belts must be our first line of defense. I am convinced that increasing seat belt use will save lives and reduce injuries.

Your involvement is important as we continue to support law enforcement efforts to increase compliance with safety laws, make air bags and child safety seats safer for children, and make it clear that, on America's roads, there is no room for alcohol or drugs.

Sincerely, ^A **BILL CLINTON**

BC/LIJ/RLM/DWB/ws
(3-19.seatbelts)

(Corres. #3486407)

cc w/copy of incmg to Elizabeth Drye, 222 OEGB

970502

[Handwritten signature]



215670

NATIONWIDE INSURANCE ENTERPRISE

HOME OFFICE: ONE NATIONWIDE PLAZA, COLUMBUS, OHIO 43215-2220

DIMON RICHARD McFERSON, CLU
Chairman and Chief Executive Officer

TELEPHONE 614/249-4637
FAX 614/249-9771

April 15, 1997

3486407

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

Dear President Clinton:

The goals set by your administration to put a new and national focus on raising seat belt and child safety seat usage are commendable, bold and essential to meet the urgent need for improved occupant protection in the United States. Our new national goals for restraint use are ambitious, but reachable with strong coordinated leadership from the top and an aggressive dedication to expend resources only on methods already proven effective.

Your plan sets forth proven means to accomplish the new national goals with one shortcoming. These life saving goals will not be easily accomplished. In order to reach them, the proposed partnerships between government and the private sector need focus and coordination. I am concerned by what appears to be an unfounded reliance on an unstructured and unguided confederacy of partnerships.

In an era where business and government are driven to do more with less, we can ill afford to have the precious resources that might be directed to reach these worthwhile goals expended in repeating the mistakes of the past or trying new unproved methods. If the past has shown us anything, it is that not everything that "feels good," works.

What works are:

- 1) Good, strong (standard enforcement) seat belt and child safety seat laws,
- 2) Active, periodic, multiple-agency (state, county, and local police) enforcement of occupant protection laws accompanied by
- 3) Coordinated media campaigns directed at informing the public that the laws are being actively enforced, and publicly supporting those charged with traffic law enforcement.

I am concerned that without strong leadership in building and guiding the public/private partners to focus their resource expenditures on these three methods, valuable and scarce resources will likely be spent without effect on the national goals. If the plan urges everyone's participation, even with specific recommended actions, but without a specific structure to plan, coordinate, and give direction, then "everyone" is responsible. This equates to "no one" is accountable.

We have seen successes like those you seek in North Carolina's "Click It or Ticket" campaign. It produced, in a matter of months and has maintained for years, scientifically documented increases in restraint usage and reductions in deaths and serious injuries at the level of your proposed first goals.

To achieve these new national goals, to formulate and coordinate the needed partnerships, I commend to your attention and that of Secretary Slater, the accomplishments of the Air Bag Safety Campaign launched by then Secretary Peña with Dr. Ricardo Martinez as honorary chair. This very effective and successful partnership could even be redirected to become an Occupant Protection Campaign.

Please give strong leadership to the needed partnership of governments and the private sector. With this addition to the plan, our significant new national goals are attainable.

Sincerely,



DRM/mjl

C: Honorable Rodney Slater
Honorable Ricardo Martinez, MD

April 29, 1997

Mr. Gerard F. Scannell
President
National Safety Council
1121 Spring Lake Drive
Itasca, Illinois 60143-3201

Dear Gerard:

Thank you for writing to me. I deeply appreciate your support for my Administration's efforts to improve safety on our nation's roads, and I have shared your letter with my staff in the Domestic Policy Council.

I firmly believe that we must do all we can to help parents fulfill their greatest responsibility -- ensuring the care and safety of their children. As I said in a memo to the Secretary of Transportation earlier this year, we have made steady progress in improving highway safety over the years. However, there are still far too many deaths and injuries on our nation's roads. Seat belts must be our first line of defense. I am convinced that increasing seat belt use will save lives and reduce injuries.

Your involvement is important as we continue to support law enforcement efforts to increase compliance with safety laws, make air bags and child safety seats safer for children, and make it clear that, on America's roads, there is no room for alcohol or drugs.

Sincerely, **BILL CLINTON**^A

BC/LIJ/RLM/DWB/ws
(3-19.seatbelts)

(Corres. #3486446)

cc w/copy of incmg to Elizabeth Drye, 222 OEOB

970502





**National
Safety
Council**

Gerard F. Scannell
President

April 11, 1997

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

The National Safety Council commends you for your leadership in calling for a national plan to increase safety belt and proper child safety seat use.

Motor vehicle crashes are the leading threat faced by America's families, and increasing safety belt usage is critical to reducing this risk. The United States ranks well behind other developed countries in this important area. Canada has achieved a national belt use rate of 93%, Australia 92%, Britain 95%, and Germany 97%. They do that by having good laws well enforced, as is called for in your plan.

As part of the Air Bag Safety Campaign, we look forward to working with you in making this plan successful by mobilizing the public health corporate and citizen groups across this country. We strongly believe that your goals are achievable, and we look forward to working with you toward that end.

Sincerely,

A handwritten signature in black ink that reads "Gerard F. Scannell".

Gerard F. Scannell

1121 Spring Lake Drive
Itasca, IL 60143-3201
630-285-1121
630-285-1315 Fax
scannell@nsc.org

A nongovernmental,
not-for-profit, international
public service organization.

214796

5486446

APR 14 1997



Bruce N. Reed
04/10/97 05:42:30 PM

Record Type: Record

To: Elizabeth Drye/OPD/EOP

cc:

Subject: CLINTON WEIGHING PLAN TO REQUIRE TOUGHER SEAT-BELT ...

----- Forwarded by Bruce N. Reed/OPD/EOP on 04/10/97 05:47 PM



HORWITZ_R @ A1
04/10/97 12:22:00 PM

Record Type: Record

To: Bruce N. Reed

cc:

Subject: CLINTON WEIGHING PLAN TO REQUIRE TOUGHER SEAT-BELT ...

Date: 04/10/97 Time: 11:27

CClinton weighing plan to require tougher seat-belt enforcement

WASHINGTON (AP) The White House is considering an initiative to require states to stiffen seat-belt enforcement or lose control over millions of dollars in federal highway money, officials said today.

Aides said Clinton planned next week to announce the plan, which is still being revised.

The goal is to prod more states to adopt "primary" seat belt laws, which means police can stop you simply for not buckling up, or increase seat-belt use from 68 percent to 85 percent.

Every state except New Hampshire requires motorists to wear seat belts, but only 11 have primary seat-belt laws. Police in the other states cannot issue seat-belt tickets unless they stop drivers for another violations.

An administration official, speaking on condition of anonymity, said the measure likely would require states to adopt primary seat-belt laws by Sept. 30, 2002, or have 1.5 percent of their highway construction funds shifted to seat-belt enforcement programs. It would increase to 3 percent in subsequent years.

The administration may allow a state to forgo the primary seat-belt law if at least 80 percent of its drivers use seat belts.

The administration calls it a "soft sanction."

The idea dovetails with an administration plan to make \$125 million available to states that adopt primary seat-belt laws or show that at least 80 percent of its drivers use safety belts.
APNP-04-10-97 1138EDT

Seatbelt EO
DRAFT

April 3, 1997

DECISION

MEMORANDUM FOR THE PRESIDENT

FROM: Gene Sperling and Bruce Reed
SUBJ: "Soft Sanction" to Promote Seat Belt Use

As part of a follow-on to NEXTEA, DOT would like to propose a "soft sanction" to promote seat belt use. Many governors will not like this, and the NGA may oppose it. You need to decide whether to approve it.

Background

The NEXTEA bill that you announced on March 12 includes a new, six-year, \$125 million incentive program to encourage states to adopt and enforce aggressive laws and programs aimed at increasing use of seat belts and child restraints. A state may qualify for funds either by satisfying four out of five pro-seat belt requirements, including having a primary belt law, or by demonstrating that its belt use is at least 80 percent and rising.

As part of the NEXTEA follow-on safety title (which addresses regulation rather than funding), DOT would like to add a stick to the carrot. Under DOT's proposed soft sanction, by October 2002, states must either adopt a primary belt law (one that allows for ticketing solely for failure to use a seat belt) or else reach the goal of 85 percent belt usage by other means. A state that does neither would have 1.5 percent of its federal highway funds (3 percent in subsequent years) transferred into its highway safety program.

Primary belt laws -- which have been enacted by 11 states and the District of Columbia, representing a third of all Americans -- appear to increase belt use significantly. Belt use is 15 percent higher, on average, in primary law states compared to secondary law states. Moreover, much of the benefit occurs in the first year. NHTSA estimates that enactment of a primary law by the remaining 39 states would save 1,800 lives in the first year alone.

Sanctions

Nearly every President in the last 30 years has sought or approved sanctions to promote highway safety. A federal law enacted in 1974 (and repealed in 1995) provided that no highway projects would be approved in any state that had a speed limit in excess of 55 mph. Under legislation signed by President Reagan in 1984, states had to raise the minimum drinking age to 21 or else lose 5 percent of their federal highway allocation (10 percent after the first year). A 1991 federal law penalized states that did not pass seat belt and helmet use laws (1.5 percent of their highway allocation in the first year, 3 percent thereafter). (See Tab A for additional examples of sanctions and incentives.)

Strategic Considerations

The National Governors Association and the governors' highway safety offices (NAGHSR) have weighed in against the proposal [George Voinovich and Bob Miller sent a letter to Frank Raines]. We also would expect opposition from the National Motorists Association (the strongest advocates for repealing the speed limit sanction), individual liberties groups, and the same conservative and western Members of Congress who allied to repeal sanctions in the 1995 National Highway System Act. NHTSA does *not* expect opposition from civil rights or minority organizations (the National Urban League is on record in support of primary seat belt laws).

We would expect to receive support from a broad coalition, including auto manufacturers, insurance companies, safety advocates, health groups and law enforcement officials. DOT believes the proposal has a very good chance of getting congressional approval, particularly because the air bag issue has focused public attention on the importance of seat belts.

___ Approve

___ Disapprove

Seabell EO



Elizabeth Drye

04/04/97 10:53:26 AM



Record Type: Record

To: Leanne A. Shimabukuro/OPD/EOP

cc:

Subject: Weekly

DOT is ready to deliver to the White House a report you requested on measures to increase seat belt use, but is seeking your approval of a key policy proposal. The report will set an ambitious national goal for belt use (85% by 2000). To reach the goal, DOT is proposing, among other things, that the Administration send legislation to Congress giving states a stronger incentive to pass primary seat belt laws (i.e. laws that allow for ticketing solely for failure to use a seat belt). The NEXTEA bill you announced March 12 includes financial incentives (grants) for states to adopt primary seat belt laws. The new proposal would add a "soft sanction" -- states that do not pass primary laws or achieve 85% belt use by October, 2002, would have 1.5% of their federal highway funds (3% in subsequent years) transferred into their highway safety programs.

The proposal is likely to be effective, since primary belt laws significantly increase belt use and sanctions have effectively moved states to pass transportation safety laws (e.g. zero tolerance laws). Eleven states and DC already have primary seat belt laws, covering a third of all Americans. Belt use in these states is 15% higher than in states with secondary enforcement laws. NHTSA estimates that enactment of a primary law by the remaining 39 states would save 1,800 lives in the first year alone.

The NGA and the governors' safety offices oppose the proposal (Governors Voinovich and Bob Miller sent a letter to Frank Raines) as they have opposed other sanctions. The National Motorists Association (the strongest advocate for repealing the speed limit sanction), individual liberties groups, and conservative and western Members of Congress who allied to repeal sanctions in 1995 are also expected to oppose it. A broad coalition will support the proposal, including auto manufacturers, insurance companies, safety advocates, health groups, law enforcement officials, and the National Urban League. DOT believes the proposal has a very good chance of getting congressional approval, particularly because the air bag issue has focused public attention on the importance of seat belts.

Given your and Secretary Slater's commitment to improving auto safety and the expected benefits to the proposal, I recommend you support it.

☐ Approve ☐ Disapprove

POTENTIAL IMPACTS of NEW EXECUTIVE ORDER

CATEGORY	UNDER CURRENT EXECUTIVE ORDER (EO)	UNDER NEW EXECUTIVE ORDER (EO)
<u>Federal Employees</u> - 2.7 mil. Federal employees	- Covers only front seat - DOL submits annual report to the President - No explicit requirement for agencies to contribute to report - Report covers only "status of on-the-job belt use by Federal employees" (contains anecdotal information) - Program is not very visible	- Would cover all seating positions - DOT would submit annual report, in cooperation with all Federal agencies and after consultation with Judicial and Legislative branches - All Federal agencies would be required to provide information to DOT for the report - Report would include seat belt use rates; statistics of crashes, injuries and related costs involving Federal employees; agency programs that have made significant progress or are notable and deserving or recognition. - DOT would encourage agencies to conduct visible public information and active enforcement
<u>National Park Service (NPS), DOI</u> - 379 park areas - over 8000 miles of roads open to public <u>In FY 1996:</u> - over 300 mil. visits - over 3 bil. VMT - 7247 mv crashes - 11537 vehicles - 38 fatalities - 2035 people injured <u>In FY 1995:</u> - 1447 DUI and 36,917 traffic violations	- Covers only front seat - NPS reg. provides for secondary enforcement - NPS conducts traffic enforcement, but little seat belt use enforcement or education - NPS reports anecdotal seat belt info annually on Federal employees to DOL - NPS has data on DUI and traffic violations, but not on seat belt use violations	- Would cover all seating positions - Would provide for primary enforcement - With this explicit authority, NPS could increase its public information and enforcement efforts (<u>NOTE:</u> NPS is supportive and could provide officials for a ceremony) - NPS would be required to submit data annually to DOT on seat belt use rates; data on crashes, injuries and related costs for employees and for travel in park lands; programs

<u>Bureau of Land Management (BLM), DOI</u> - 264 million acres <u>In FY 1996:</u> - 75,962 miles of roads open to public - 65 mil. recreational visits - 64 mil. hours of recreational motorized travel <u>In FY 1995:</u> - 82 DUI and 2883 traffic violations (only 602 on highways)	- Covers only front seat - BLM reg. provides for secondary enforcement - BLM conducts a little traffic enforcement; but virtually no seat belt enforcement or public education - BLM reports anecdotal seat belt info annually on Federal employees to DOL - BLM has data on DUI and traffic violations, but not on seat belt violations	- Would cover all seating positions - Would provide for primary enforcement - With this explicit authority, BLM could increase its public information and enforcement efforts (<u>NOTE:</u> primary enforcement could be VERY controversial for BLM with constituents and Congress) - BLM would be required to submit data annually to DOT on seat belt use rates; data on crashes, injuries and related costs for employees and for travel on public lands; programs
<u>Forest Service, USDA</u> - 175 National Forests/Grasslands - 191 million acres - 51,250 miles of roads open to public (and maintained for passenger mv) <u>In FY 1996:</u> - 859.2 mil. recreational visits - 37,000 employees - 487 crashes involving employee vehicles - 2 fatalities - 156 mil. miles driven by employees	- Does not have a regulation - USDA conducts traffic enforcement, but no active seat belt enforcement or public education - USDA reports anecdotal seat belt info annually on Federal employees to DOL	- Would require issuance of a regulation that covers all persons, in all seating positions, in all vehicles, with primary enforcement - With this explicit authority, USDA could establish public information and enforcement efforts (<u>NOTE:</u> primary enforcement could be controversial for USDA as well) - USDA would be required to submit data annually to DOT on seat belt use rates; data on crashes, injuries and related costs for employees and for travel in forests; programs

<u>Department of Defense</u> <u>In FY 1996:</u> - 228 off-duty mv fatalities - down from 705 in 1985 - 50 off-duty motorcycle fatalities - down from 200 in 1985	- Covers only military and civilian personnel (except for Army, which covers also family, visitors and guests) - DoD conducts some seat belt use education and enforcement - DoD reports anecdotal seat belt info annually on Federal employees to DOL	- Would cover all persons - With this explicit authority, all branches of DoD could increase their public information, education and enforcement efforts - DoD would be required to submit data annually to DOT on seat belt use rates; data on crashes, injuries and related costs for DoD personnel and for travel on DoD-controlled property; programs
--	--	---



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 28, 1997

MEMORANDUM FOR DESIGNATED AGENCY HEADS
(SEE ATTACHED DISTRIBUTION LIST)

FROM: Robert G. Damus *RD*
General Counsel

SUBJECT: Proposed Executive Order Entitled "Increasing
Seatbelt Use in the United States"

Attached is a proposed Executive order entitled "Increasing
Seatbelt Use in the United States."

It was prepared by the Department of Transportation, in
accordance with the provisions of Executive Order No. 11030, as
amended.

On behalf of the Director of the Office of Management and
Budget, I would appreciate receiving any comments you may have
concerning this proposal. If you have any comments or
objections, they should be received no later than close of
business Tuesday, April 2, 1997. Please be advised that agencies
that do not respond by the April 2, 1997 deadline will be
recorded as not objecting to the proposal.

Comments or inquiries may be submitted by telephone to Mr.
Mac Reed of this office (Phone: 395-3563; Fax: 395-7294).

Thank you.

Attachments - Distribution List
Proposed Executive Order

cc: Jack Lew
John Koskinen
Gordon Adams
T.J. Glauthier
Joe Minarik
Ken Apfel
Nancy-Ann Min
Sally Katzen
Steve Kelman
Ed DeSeve
Michael Deich
Bill Halter
Rebecca Culberson
Jill Blickstein

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Secretary
Department of State

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United States Attorney General

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Secretary
Department of Commerce

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Secretary
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Acting Secretary
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Honorable Todd Stern
Assistant to the President
and Staff Secretary

Honorable Daniel S. Goldin
Administrator
National Aeronautics and Space Administration

Honorable James B. King
Director
Office of Personnel Management

Honorable Bruce Reed
Assistant to the President for
Domestic Policy

Honorable Ron Klain
Chief of Staff to the Vice President

Executive Order _____ of _____, 1997

Increasing Seat Belt Use in the United States

Each year, traffic-related injuries in America result in \$150.5 billion in economic costs, including \$17 billion in medical costs. Many of these costs are born by taxpayers. Motor vehicle crashes are the principal cause of on-the-job fatalities, and the third largest cause of all deaths in the United States; only heart attacks and cancer kill more people. The estimated costs of motor vehicle crashes to business are \$53 billion annually.

Over the past 15 years, seat belt usage in the United States, has increased from a seat belt use rate of 14 percent to a seat belt use rate of 68 percent. This result has been achieved through the passage of seat belt laws by State legislatures, effective enforcement and ongoing coordinated public education. We have established national goals of achieving an 85 percent seat belt use rate by the Year 2000 and a 90 percent seat belt use rate by the Year 2005. Reaching these goals will require a significant change in how Americans take responsibility for their safety, and their children's safety, in motor vehicles. If we achieve these national goals, we will save an additional 4,200 lives and prevent thousands of injuries annually.

To accomplish this change in behavior, we must work closely with public and private sector organizations that share our goals, and we must recruit new organizations that will work with us as partners to make increasing seat belt use in the United States a major health and safety priority.

To help reduce the deaths, injuries, and costs associated with motor vehicle crashes, steps should be taken to increase proper seat belt use by all adults and children throughout the United States. The Federal government can have an impact on achieving this goal by continuing to require that Federal employees use seat belts while on official business, and by requiring that motor vehicle occupants use seat belts while on Federal lands and encouraging Federal contractors, sub-contractors and grantees to adopt and enforce on-the-job seat belt use policies and programs. The policies and programs that are adopted can serve as examples for other organizations.

Accordingly, by the authority vested in me as President by the Constitution and laws of the United States of America, including the Highway Safety Act of 1966, as amended, 23 U.S.C. §§ 402 and 403, Section 7902 (c) of Title 5 of the United States Code, and Section 19 of the Occupational Safety and Health Act of 1970, as amended (29 U.S.C. 668), it is hereby ordered as follows:

Section 1. *Policies* (a) **Seat Belt Use by Federal Employees.** Each Federal employee occupying any seating position of a motor vehicle on official business, whose seat is equipped with a seat belt, shall have the seat belt properly fastened at all times when the vehicle is in motion.

(b) **Seat Belt Use on Federal Lands.** Each operator and passenger, occupying any seating position of a motor vehicle on Federal lands, whose seat is equipped with a seat belt or child restraint system, shall have the seat belt or child restraint system properly fastened at all times when the vehicle is in motion.

(c) **Seat Belt Use by Government Contractors, Sub-contractors and Grantees.** Each Federal agency shall seek to encourage contractors, sub-contractors and grantees to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally-owned vehicles.

Sec. 2. *Scope of Order.* All agencies of the Executive branch are directed to promulgate rules and take other appropriate measures within their existing programs to further the policies of this order. This includes, but is not limited to, conducting education, awareness and other appropriate programs for Federal employees about the importance of wearing seat belts and the consequences of not wearing them. It also includes encouraging Federal contractors and recipients of Federal funds to conduct such programs. In addition, for agencies that supervise traffic operations or control highways on Federal lands open to public travel, this includes issuing regulations requiring seat belt use on such highways consistent with the policies outlined in this order and publicizing and enforcing such regulations. The term "agency" as used in this order means an Executive Department, as defined in 5 U.S.C. 101, or any employing unit or authority of the Federal government, other than those of the Legislative and Judicial branches.

Sec. 3. *Coordination.* The Secretary of Transportation shall provide leadership and guidance to the heads of agencies in the Executive branch to assist them with the employee seat belt programs established pursuant to this order. The Secretary of Transportation shall also cooperate and consult with the Legislative and Judicial branches of the Government to encourage and help them adopt seat belt use programs.

Sec. 4. *Reporting Requirements.* The Secretary of Transportation, in cooperation with the heads of agencies in the Executive branch, and after consultation with the Judicial and Legislative branches of government, shall submit an annual report to the President. This report shall include seat belt use rates and statistics of crashes, injuries and related costs involving Federal employees on official business and occupants of motor vehicles driven on Federal lands. The report shall also identify specific agency programs that have made significant progress or are notable and deserving of recognition. All agencies of the Executive branch shall provide information to and otherwise cooperate with the Secretary of Transportation to assist with the preparation of the annual report.

Sec. 5. *Other Powers and Duties.* Nothing in this order shall be construed to impair or alter the powers and duties of the heads of the various Federal agencies pursuant to the Highway Safety Act of 1966, as amended, 23 U.S.C. §§ 402 and 403, Section 19 of the Occupation Safety and Health Act of 1970, or to Sections 7901, 7902, and 7903 of Title 5 of the United States Code, nor shall it be construed to affect any right, duty, or procedure under the National Labor Relations Act.

Sec. 6. *General Provisions.* (a) Executive order 12566 of September 26, 1986, is repealed by this order. To the extent that this order is inconsistent with any provision of any prior Executive order, this order shall control.

(b) If any provision of this order or other application of such provision is held to be invalid, the remainder of this order and other dissimilar applications of such provision shall not be affected.

(c) Nothing in this order shall be construed to create a new cause of action against the United States or to alter in any way the United States' liability under the Federal Tort Claims Act.

(d) This order shall take effect immediately.

WILLIAM J. CLINTON

THE WHITE HOUSE,
_____, 1997

POTENTIAL IMPACTS of NEW EXECUTIVE ORDER

repeals/
monitors
costs?

CATEGORY	UNDER CURRENT EXECUTIVE ORDER (EO)	UNDER NEW EXECUTIVE ORDER (EO)
Federal Employees - 2.7 mil. Fed. employees - # of VMT by Fed. employees on the job ?	- Covers only front seat - DOL submits annual report to the President - Reporting covers only "status of on-the-job belt use by Federal employees" - Program is not very visible	- Would cover all seating positions - DOT would submit annual report, in cooperation with all Federal agencies and after consultation with Judicial and Legislative branches - All Federal agencies would be required to provide information to DOT for the report - Report would include seat belt use rates; statistics of crashes, injuries and related costs involving Federal employees; agency programs that have made significant progress or are notable and deserving or recognition. - ~~Would~~ DOT would encourage agencies to conduct visible public information and active enforcement
National Park Service (NPS), DOI - over 350 park areas - almost 8000 miles of roads open to public - 287 mil. visits and 2.6 mil. VMT in 1987	- Covers only front seat - NPS reg. provides for secondary enforcement - NPS conducts traffic enforcement, but little seat belt use enforcement or education - NPS has data on DUI (1447 in 1996) and traffic violations (36,917 in 1996), but not on seat belt use violations	- Would cover all seating positions - Would provide for primary enforcement - With this explicit authority, NPS could increase its public information and enforcement efforts - NPS would be required to submit data annually to DOT on seat belt use rates; data on crashes, injuries and related costs in park lands; programs

Bureau of Land Management (BLM), DOI - 270 million acres - # of miles of roads - # of visitors - # of VMTs	- Covers only front seat - BLM reg. provides for secondary enforcement - BLM conducts a little traffic enforcement; but virtually no seat belt enforcement or public education - BLM has data on DUI (82 in 1995) and traffic violations (2883 in 1995, but only 602 on highway), but not on seat belt violations	- Would cover all seating positions - Would provide for primary enforcement - With this explicit authority, BLM could increase its public information and enforcement efforts - BLM would be required to submit data annually to DOT on seat belt use rates; data on crashes, injuries and related costs on public lands; programs
Department of Defense	- Covers only military and civilian personnel (except for Army, which covers also family, visitors and guests) - DoD conducts some seat belt use education and enforcement - DATA?	- Would cover all persons - With this explicit authority, all branches of DoD could increase their public information, education and enforcement efforts - DoD would be required to submit data annually to DOT on seat belt use rates; data on crashes, injuries and related costs on DoD-controlled property; programs
Forest Service, USDA (# of visitors)	- Does not have a regulation - Virtually no seat belt enforcement or public education - DATA?	- Would require issuance of a regulation that covers all persons, in all seating positions, in all vehicles, with primary enforcement - With this explicit authority, USDA could establish public information and enforcement efforts - USDA would be required to submit data annually to DOT on seat belt use rates; data on crashes, injuries and related costs in forests; programs

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: 4/2/97

PLEASE DELIVER THE FOLLOWING 2 PAGE(S) TO:

NAME: Elizabeth Dye

ORGANIZATION: _____

TELEPHONE NO. _____

FAX NO. 456-7028

FROM: Phil Recht
DOT / NHTSA

TELEPHONE NO. 202-366-2775

REMARKS:



NATIONAL ASSOCIATION OF GOVERNORS' HIGHWAY SAFETY REPRESENTATIVES

April 1, 1997

Honorable Rodney Slater
Secretary
U.S. Department of Transportation
400 7th St. SW
Room 10200
Washington, DC 20590

Dear Secretary Slater:

As partners in highway safety, NAGHSR is dismayed that we have not been consulted on the major safety initiative about to be unveiled. It is our understanding that you intend to pursue penalties on states which fail to enact standard safety belt legislation by 2003. Needless to say, NAGHSR is very disappointed by your position. We had at least hoped to discuss our concerns with you prior to the rollout of the Department's safety bill.

If the Department's safety bill is going to include penalties, NAGHSR suggests that you make the penalties somewhat flexible. Allow states to come into compliance with the requirements by: 1) either enacting standard (primary) safety belt legislation, 2) meeting a specified performance standard, or 3) allowing states to strengthen child restraint laws by covering children up to age 16 with a primary-law. States in noncompliance by 2003 would face penalties, as we understand is being proposed in the safety bill.

Under the second option, the performance standard could be one based on the Administration's own current occupant protection goal: an 80% safety belt usage rate. If a state chose that option, it would have to demonstrate that it was utilizing safety belt survey methodology consistent with NHTSA survey protocols.

The U.S. DOT has consistently supported performance-based programs and strategies. NEXTEA includes many performance-based programs, particularly in the motor carrier and highway safety parts of the legislation. If DOT truly believes in such an approach, then the states urge the Administration to include a performance-based alternative in the safety bill and strongly suggest that the standard be realistic and achievable within current resource constraints.

Under the third option, states could increase safety belt use by strengthening their child restraint laws. Improvements in child restraint laws would help close the gaps between safety belt and child restraint laws and ensure seamless coverage for every vehicle occupant, no matter what age. Perhaps more importantly, these improvements would help protect one of the most vulnerable groups at risk of air bag injury.

The bottom line is that the public should be encouraged to buckle up in order to protect themselves against the potential dangers of air bags and to ensure that they have maximum occupant protection. If the states can achieve increased safety belt usage without enacting laws which may be controversial in their respective jurisdictions, then DOT ought to allow them to do so.

NAGHSR, whose members represent the primary implementers of federal behavioral safety programs, is very concerned that DOT is making a decision which will significantly impact states without first discussing the issue with them. The Department seems to be listening to only one set of special interest voices on safety issues. If the Department is going to operate in the inclusive manner which has characterized past policy development efforts, then we believe you should hear all perspectives on the issues. If you are sincere about partnering, then you should act accordingly and open a dialogue with all safety groups.

Sincerely,



Laura Ludwig, Deputy Director
Ohio Office of the Governor's Highway Safety Representative
and NAGHSR Chair



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600



April 3, 1997

MEMORANDUM FOR MAC REED, OFFICE OF GENERAL COUNSEL, OMB
FROM: SAM BRICK, LEGISLATIVE REFERENCE SERVICE, DOD
SUBJECT: Proposed Executive Order, Increasing Seatbelt Use
in the United States."

Request that Section 6 of the order include a sentence substantially as follows:

"The Secretary of Defense shall implement the provisions of this order insofar as practicable for vehicles of the Department of Defense."

The Department of Defense, otherwise, has no objection to the proposed order.

As far as your question relating to jurisdiction over civilians on military installations, currently if there is a civilian criminal provision of law that requires the use of seat belts in the jurisdiction that encompasses the military installation, the Assimilative Crimes Act provides authority for the military police to issue citations for prosecution in the respective magistrate's court. The military also may issue citations for violations of certain rules and regulations published in the CFR's.

Waiting for editing —





UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

401-5391
395-7294

Division of Legislative Counsel
(Telephone # - 401-8313)

Telefax Transmittal Sheet
(Telefax # - 401-5391)

TO: Mac Reed
FROM: Jack Kvist
DATE/TIME: 4/1/97
PAGES SENT (including transmittal) 1

COMMENTS:

Re: Proposed C.O. on Seat Belt Use

ED has no comments.

400 MARYLAND AVE., S.W. WASHINGTON, D.C. 20202-2110

Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation.

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF LEGAL COUNSEL
WASHINGTON, D.C. 20530**

FACSIMILE TRANSMISSION SHEET

DATE: 4/1/97

FROM: Lisa Schultz

OFFICE PHONE: () 514-3712

TO: Mac Reed

OFFICE PHONE: () _____

NUMBER OF PAGES: 6 (NOT INCLUDING COVER SHEET)

FACSIMILE NUMBER: () 395-7294

REMARKS:

Please call to confirm receipt.
Thanks!

Mac --

In addition to the edits marked on the draft, we have two substantive questions concerning section 2 of the order. First, we wonder whether the definition of "agency" in that section is too broad (as policy matter) to the extent it includes independent agencies. We have attached some language from a previous order that would narrow the definition, if desirable (Attachment A). Second, we wonder whether there might be an Administrative Procedure Act problem in requiring agencies to "issue" regulations, rather than simply "propose" regulations. (In the gag rule context, for example, the President directed the Secretary of HHS only to propose new regulations -- see Attachment B.) Accordingly, we would substitute the word "proposing" for "issuing" in the fifth line from the bottom of section 2.

Please call me at 514-3712 with any questions. Thanks!

Lisa

Keep preamble to 1 paragraph

Executive Order of 1997

center, all caps, no bold

Increasing Seat Belt Use in the United States

Taxpayers bear

Each year, traffic-related injuries in America result in \$150.5 billion in economic costs, including \$17 billion in medical costs. Many of these costs are born by taxpayers. Motor vehicle crashes are the principal cause of on-the-job fatalities, and the third largest cause of all deaths in the United States; only heart attacks and cancer kill more people. The estimated costs of motor vehicle crashes to business are \$53 billion annually.

Over the past 15 years, seat belt usage in the United States has increased from a seat belt use rate of 14 percent to a seat belt use rate of 68 percent. This result has been achieved through the passage of seat belt laws by State legislatures, effective enforcement and ongoing coordinated public education. We have established national goals of achieving an 85 percent seat belt use rate by the Year 2000 and a 90 percent seat belt use rate by the Year 2005. Reaching these goals will require a significant change in how Americans take responsibility for their safety, and their children's safety, in motor vehicles. If we achieve these national goals, we will save an additional 4,200 lives and prevent thousands of injuries annually.

To accomplish this change in behavior, we must work closely with public and private sector organizations that share our goals, and we must recruit new organizations that will work with us as partners to make increasing seat belt use in the United States a major health and safety priority.

To help reduce the deaths, injuries, and costs associated with motor vehicle crashes, steps should be taken to increase proper seat belt use by all adults and children throughout the United States. The Federal government can have an impact on achieving this goal by continuing to require that Federal employees use seat belts while on official business, and by requiring that motor vehicle occupants use seat belts while on Federal lands, and encouraging Federal contractors, sub-contractors, and grantees to adopt and enforce on-the-job seat belt use policies and programs. The policies and programs that are adopted can serve as examples for other organizations.

In addition, the Federal Government can encourage

Accordingly, by the authority vested in me as President by the Constitution and laws of the United States of America, including the Highway Safety Act of 1966, as amended, 23 U.S.C. §§ 402 and 403, Section 7902 (c) of Title 5 of the United States Code, and Section 19 of the Occupational Safety and Health Act of 1970, as amended (29 U.S.C. 668), it is hereby ordered as follows:

Section 1. Policies. (a) **Seat Belt Use by Federal Employees.** Each Federal employee occupying any seating position of a motor vehicle on official business, whose seat is equipped with a seat belt, shall have the seat belt properly fastened at all times when the vehicle is in motion.

(b) **Seat Belt Use on Federal Lands.** Each operator and passenger occupying any seating position of a motor vehicle on Federal lands, whose seat is equipped with a seat belt or child restraint system, shall have the seat belt or child restraint system properly fastened at all times when the vehicle is in motion.

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"Section 1."

(c) Seat Belt Use by Government Contractors, Sub-contractors and Grantees. Each Federal agency shall seek to encourage contractors, sub-contractors and grantees to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally-owned vehicles.

*no bold
no italic*

proposing

1

Sec. 2. Scope of Order. All agencies of the Executive branch are directed to promulgate rules and take other appropriate measures within their existing programs to further the policies of this order. This includes, but is not limited to, conducting education, awareness and other appropriate programs for Federal employees about the importance of wearing seat belts and the consequences of not wearing them. It also includes encouraging Federal contractors and recipients of Federal funds to conduct such programs. In addition, for agencies that supervise traffic operations or control highways on Federal lands open to public travel, this includes *issuing* regulations requiring seat belt use on such highways consistent with the policies outlined in this order and publicizing and enforcing such regulations. The term "agency" as used in this order means an Executive Department, as defined in 5 U.S.C. 101, or any employing unit or authority of the Federal government, other than those of the Legislative and Judicial branches.

14

that's may be too broad - includes indep. agencies

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no ital*

Sec. 3. Coordination. The Secretary of Transportation shall provide leadership and guidance to the heads of agencies in the Executive branch to assist them with the employee seat belt programs established pursuant to this order. The Secretary of Transportation shall also cooperate and consult with the Legislative and Judicial branches of the Government to encourage and help them adopt seat belt use programs.

*no bold
no ital*

towards achieving the goals of this order

to

Sec. 4. Reporting Requirements. The Secretary of Transportation, in cooperation with the heads of agencies in the Executive branch and after consultation with the Judicial and Legislative branches of government, shall submit an annual report to the President. This report shall include seat belt use rates and statistics of crashes, injuries and related costs involving Federal employees on official business and occupants of motor vehicles driven on Federal lands. The report shall also identify specific agency programs that have made significant progress or are notable and deserving of recognition. All agencies of the Executive branch shall provide information to and otherwise cooperate with the Secretary of Transportation to assist with the preparation of the annual report.

*no bold
no ital*

Sec. 5. Other Powers and Duties. Nothing in this order shall be construed to impair or alter the powers and duties of the heads of the various Federal agencies pursuant to the Highway Safety Act of 1966, (as amended, 23 U.S.C. §§ 402 and 403), Section 19 of the Occupation Safety and Health Act of 1970, or to Sections 7901, 7902, and 7903 of Title 5 of the United States Code, nor shall it be construed to affect any right, duty, or procedure under the National Labor Relations Act.

29 U.S.C. § 151 et seq.

24 U.S.C. § 668, as amended

*l.c.
l.c.c.*

*no bold
no ital*

Sec. 6. General Provisions. (a) Executive order 12566 of September 26, 1986, is repealed by this order. To the extent that this order is inconsistent with any provision of any prior Executive order, this order shall control.

any

(b) If any provision of this order or any application of such provision is held to be invalid, the remainder of this order and other dissimilar applications of such provision shall not be affected.

28 U.S.C. §§ 2671-2680 3

(c) Nothing in this order shall be construed to create a new cause of action against the United States or to alter in any way the United States' liability under the Federal Tort Claims Act

use
standard
disclaimer

(d) This order shall take effect immediately.

, its agents or employees,

WILLIAM J. CLINTON

THE WHITE HOUSE,

1997

~~2-201. Federal agency means any authority of the United~~

States that is an agency under 44 U.S.C. 3502(1) other than those considered to be independent regulatory agencies under 44 U.S.C.

3502(5). For purposes of this order, military departments, as defined in 5 U.S.C. 102, are covered under the auspices of the Department of Defense.

ATTACHMENT A

Citation
58 FR 7455
1993 WL 24016 (Pres.)

Rank(R)
R 1 OF 1

Database
PRES

Mode
Page

Memorandum

The Title X "Gag Rule"

January 22, 1993

Memorandum for the Secretary of Health and Human Services

Title X of the Public Health Services Act provides Federal funding for family planning clinics to provide services for low-income patients. The Act specifies that Title X funds may not be used for the performance of abortions, but places no restrictions on the ability of clinics that receive Title X funds to provide abortion counseling and referrals or to perform abortions using non-Title X funds. During the first 18 years of the program, medical professionals at Title X clinics provided complete, uncensored information, including nondirective abortion counseling. In February 1988, the Department of Health and Human Services adopted regulations, which have become known as the "Gag Rule," prohibiting Title X recipients from providing their patients with information, counseling, or referrals concerning abortion. Subsequent attempts by the Bush Administration to modify the **Gag Rule** and ensuing litigation have created confusion and uncertainty about the current legal status of the regulations.

The **Gag Rule** endangers women's lives and health by preventing them from receiving complete and accurate medical information and interferes with the doctor-patient relationship by prohibiting information that medical professionals are otherwise ethically and legally required to provide to their patients. Furthermore, the **Gag Rule** contravenes the clear intent of a majority of the members of both the United States Senate and House of Representatives, which twice passed legislation to block the **Gag Rule's** enforcement but failed to override Presidential vetoes.

For these reasons, you have informed me that you will suspend the **Gag Rule** pending the promulgation of new regulations in accordance with the "notice and comment" procedures of the Administrative Procedure Act. I hereby direct you to take that action as soon as possible. I further direct that, within 30 days, you publish in the Federal Register new proposed regulations for public comment.

You are hereby authorized and directed to publish this memorandum in the Federal Register.

WILLIAM CLINTON
THE WHITE HOUSE

Washington, January 22, 1993.

Editorial note: The Secretary of Health and Human Services is publishing documents relating to this memorandum in Part V of this issue. For the President's remarks on signing this memorandum, see p. 85 of the Weekly Compilation of Presidential Documents.



THE WHITE HOUSE
WASHINGTON

4/15

Hi Elizabeth,

I thought you might
like to see those. You've
been cited on the POTUS
response. They've
all received the
same answer.

Heanne

X 65512



MARY E. HOULIHAN
EXECUTIVE DIRECTOR

STATE OF NEW YORK
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
EMPIRE STATE PLAZA
ALBANY, NEW YORK 12228

211807

March 17, 1997

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Clinton:

Thank you for promoting the importance of wearing seat belts and using child restraints. We applaud and support your efforts to develop a plan to get more Americans to wear their seat belts.

New York State has had a long-standing commitment to occupant protection. We were the first state in the nation to enact a seat belt law. Today, we remain dedicated in our efforts to reduce injuries and deaths on our highways through the enforcement of our passenger safety laws and the promotion of proper occupant restraint use.

There is broad public support for more high visibility enforcement to save the lives of children, and we as a nation should not tolerate any child unbuckled in a motor vehicle. The Governor's Traffic Safety Committee, through the efforts of our state and local enforcement agencies, is taking a leadership role to coordinate a statewide occupant protection initiative. We support the National Air Bag Safety Campaign, and we are actively working with the Campaign and private/public partnerships to promote air bag and child passenger safety throughout New York State.

As always, we look forward to the opportunity to partner with the federal government in our collective efforts to increase seat belt and child restraint usage and to reduce unnecessary deaths and injuries.

Yours truly,

Mary E. Houlihan
Executive Director

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JOHN F. SMITH, JR.
Chairman of the Board
Chief Executive Officer and President

General Motors

March 17, 1997

The President
The White House
Washington, DC 20500

Dear Mr. President:

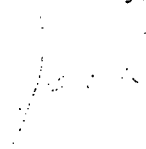
Your recent radio addresses on traffic safety issues and related comments by Secretary of Transportation Slater have sent an important message to the American people -- safety belt and proper child safety seat use need to be increased to further reduce highway fatalities and injuries.

In recent years, substantial progress has been made in the national belt use rate. However, we know from the experience in Canada, Australia, and some European countries that much higher belt use levels are achievable.

The plan for increasing safety belt use, which you have requested from the Department of Transportation, should establish a national commitment to achieving world-class levels of safety belt use in the U.S. We applaud your action in requesting the DOT plan and pledge our support in helping to implement it.

I was very sorry to hear of your mishap this past week. We all trust that you will have a rapid recovery.

Sincerely,



MAF 19



Zell Miller
GOVERNOR

Governor's Office of Highway Safety

The Equitable Building
100 Peachtree Street
Suite 2000
Atlanta, Georgia 30303
(404) 656-6996
FAX (404) 651-9107

310126
Timothy E. Jones, Sr.
DIRECTOR

February 24, 1997

The Honorable William Jefferson Clinton
President of the United States of America
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Clinton:

As the new Governor's Representative for the Georgia Governor's Office of Highway Safety, I have become extremely impressed with the level of support for highway safety, both locally and nationally. Accordingly, I wanted to take a moment to thank you for your leadership on the myriad of issues facing all of us as we work to make travelling on our highways and roads safer for the public.

We in Georgia are particularly fortunate to have a governor who has also taken a strong leadership role on highway safety. Through Governor Miller's efforts, Georgia has passed primary seat belt laws and stronger DUI legislation. During the current legislative session, Governor Miller is proposing even tougher DUI legislation, graduated licensing, zero tolerance and mandatory jail time for first-time DUI offenders. Your leadership, as exemplified in your February 15th Radio Address to the nation, will add strength to our local efforts to increase enforcement on safety belt, child passenger safety and DUI laws. Our resolve to continue our fight for safe roads for all our citizens is fortified by your leadership.

Again, thank you for all that you do for highway safety.

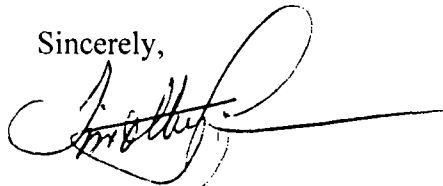
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The Honorable William Jefferson Clinton
February 24, 1997
Page Two

With warm regards, I remain

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy E. Jones, Sr.", with a long horizontal flourish extending to the right.

Timothy E. Jones, Sr.
Director

TEJ:pma

cc: The Honorable Zell Miller, Governor of Georgia
Rodney Slater, Secretary, Department of Transportation
Ricardo Martinez, Administrator, National Highway Traffic Safety Administration
Janet Dewey, Executive Director, Air Bag Safety Campaign



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

April 2, 1997

Mr. Mac Reed
Office of the General Counsel
Executive Office of the President
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Reed:

Thank you for the opportunity to comment on the proposed Executive order entitled "Increasing Seat Belt Use in the United States." The Department of the Interior fully supports the objectives of this order. We appreciate your concern that it could have a substantial impact on this Department and its employees. As long as nothing is added to the order requiring that our law enforcement officials must ticket all violators, we believe there will be little increased risk to our employees.

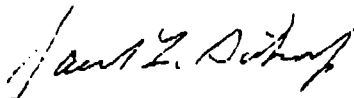
As you may know, the Bureau of Land Management recently withdrew proposed revisions to its law enforcement regulations, including regulations concerning seat belt use, because the public misunderstood the nature of the revisions. Therefore, the Interior Department will have to ensure that the public fully understands the rule changes directed by Section 2 of this order.

Following are suggestions for specific word changes:

- ☐ Section 1(b). We suggest adding the following language: "This does not apply to an operator or passenger with a medical condition that prevents restraint by a safety belt or other occupant restraining device".
- ☐ Section 1(c). We presume that this applies only to future contractors, grantees, etc. If we had to amend existing permits, leases, easements, rights-of-way, and other land use authorizations, we would encounter considerable resistance.
- ☐ Section 1(d). We suggest a new section (d) with the following language: "Tribal governments are encouraged to adopt and enforce seat belt policies and programs for highways in Indian Country that are subject to their jurisdiction."
- ☐ Section 2. We suggest adding the following language: "The term 'Federal lands' as used in the order does not include Indian country." This, along with the comment above, clarifies that we want Indians and those on Indian lands to be protected by seat belts, while recognizing tribal sovereignty.

If you have any questions on these comments, please feel free to call me on 208-6193.

Sincerely,



Janet L. Bishop
Office of Planning and
Performance Management