

Ronald Reagan Presidential Library

Digital Library Collections

This is a PDF of a folder from our textual collections.

WHORM Subject File Code: SA002
(Safety – Accident Prevention: Highway Traffic Safety)
Case file Number(s): 330385 (2 of 3)
Box: 6

To see more digitized collections visit:
<https://www.reaganlibrary.gov/archives/digitized-textual-material>

To see all Ronald Reagan Presidential Library inventories visit:
<https://www.reaganlibrary.gov/archives/white-house-inventories>

Contact a reference archivist at: **reagan.library@nara.gov**

Citation Guidelines: <https://reaganlibrary.gov/archives/research-support/citation-guide>

National Archives Catalogue: <https://catalog.archives.gov/>

WITHDRAWAL SHEET

Ronald Reagan Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
<p><u>letter case (330385)</u></p> <p>1. memo</p> <p>2. <u>staffing memo</u></p>	<p>from James C. Miller III to the President; re Federal Employee Seat Belt Use (2 pp.)</p> <p>re proposed Executive Order entitled "Safety Belt Use Requirements for Federal Employees"</p>	<p>n.d.</p> <p>12/9/85</p>	<p>B5</p> <p><i>MJH</i></p> <p>B5 <i>11/6/01</i></p>
COLLECTION: WHORM: Subject File			kdb
FILE LOCATION: SA 002 Highway Traffic Safety (330385) [2 of 3]			10/23/91

RESTRICTION CODES

A. National security classified information.

B. Presidential Records Act

- B1. Release would violate a Federal statute.
- B2. Release would disclose trade secrets or confidential commercial or financial information.
- B3. Release would constitute a clearly unwarranted invasion of personal privacy.
- B4. Relating to appointment to Federal office.
- B5. Release would disclose confidential advice between the President and his advisors, or between such advisors.

B6. Release could disclose internal personnel rules and practices of an agency.

B7. Release would disclose information compiled for law enforcement purposes.

B8. Release would disclose information concerning the regulation of financial institutions.

B9. Release would disclose geological or geophysical information concerning wells.

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

EXECUTIVE ORDER

- - - - -

SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES

By the authority vested in me as President by the Constitution and laws of the United States of America, including 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. Scope. (a) This Order applies to all agencies of the Executive branch.

(b) For purposes of this Order, the term "agency" 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 judicial and legislative branches.

(c) The Secretary of Labor ("the Secretary") shall cooperate and consult with the heads of entities in the legislative and judicial branches of the Government to encourage and help them adopt safety belt use programs similar to that established by this Order for Executive departments and agencies.

Sec. 2. Safety Belt Use Policy. (a) Each Federal employee operating or riding in a motor vehicle on official business, whose seat is equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times when the vehicle is in motion. This requirement shall include travel in motor vehicles for which mileage rates are reimbursable.

(b) Each Federal employee operating a motor vehicle on official business shall request each occupant of a seat equipped with a safety belt to fasten the safety belt properly about his or her body before the vehicle is placed in motion.

Sec. 3. Responsibilities of Heads of Agencies. (a) The head of each agency shall, within its existing resources and as

part of its ongoing employee occupational safety and health program:

(1) Immediately inform all employees of the policy of safety belt usage;

(2) Provide information to all employees concerning the correct use and importance of motor vehicle occupant protection devices;

(3) Organize, conduct, and maintain an employee motor vehicle occupant protection program;

(4) Include in the regular periodic inspection of all agency motor vehicles, inspection of the safety belt system to insure its proper working condition and regular maintenance; and

(5) Provide for the documentation of safety belt usage in all reports of motor vehicle accidents prepared by that agency.

Sec. 4. Responsibilities of the Secretary of Transportation.

(a) The Secretary of Transportation, in consultation with the Secretary of Labor, shall:

(1) Provide leadership and guidance to the heads of Executive agencies to assist them in carrying out their responsibilities for organizing, conducting, and maintaining a Federal employee motor vehicle occupant protection program; and

(2) Facilitate the exchange of ideas and information throughout the various Government agencies about motor vehicle occupant protection programs.

Sec. 5. Responsibilities of the Secretary of Labor. (a)

The Secretary of Labor shall include in safety evaluations of Federal agencies, pursuant to Section 1-401(h) of Executive Order No. 12196, determination of agency compliance with this Order; and

(b) The Secretary of Labor shall include in the annual reports to the President, pursuant to Section 1-401(j) of that

Order, a summary report on the status of on-the-job safety belt use by Federal employees.

Sec. 6. Responsibilities of the Secretary of Defense. The Secretary of Defense shall be responsible for implementation of all provisions of this Order insofar as they apply to military personnel.

Sec. 7. General Provisions. (a) 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 section 19 of the Occupational Safety and Health Act of 1970, or 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.

(b) 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 liability of the United States under the Federal Tort Claims Act.

(c) This Order shall be effective immediately.

THE WHITE HOUSE,

*Mrs. Crawford
(hold)*

Received
1995 DEC 17 PM 2:22

MEMORANDUM FOR THE PRESIDENT

FROM: James C. Miller III
SUBJECT: Federal Employee Seat Belt Use

On November 15th, Secretary Weinberger issued instructions requiring seat belt use by all people driving on Department of Defense facilities. You may want to consider promoting this type of safety initiative government-wide. The Department of Transportation would like you to issue an Executive Order on this matter. However, I recommend that as an alternative you issue a memorandum (attached) encouraging all Department and Agency Heads to simulate Secretary Weinberger's initiative, where feasible.

Currently, sixteen States and the District of Columbia have enacted mandatory seat belt laws. While only preliminary statistics are available on the effectiveness of these laws, highway fatalities have decreased as seat belt use has increased. Seat belt use saves lives.

Federal Departments and Agencies can play a role in encouraging and/or requiring their employees to use seat belts without increasing programs or budgets. Presently, eleven Departments and Agencies have mandatory on-the-job seat belt use policies. These eleven Departments and Agencies represent 86 percent of total Federal Government employment.

Since only 14 percent of Federal Government employment is not covered by on-the-job mandatory seat belt use policies, I recommend that you issue the attached memorandum encouraging the remaining Departmental and Agency Heads to promote safety belt usage by their employees. Department-developed seat belt use policies are more attractive than one broad government-wide mandate because specific job categories which may be relevant to only one Agency or Department are taken into account; for example, the Post Office allows mail carriers who must constantly get in and out of their delivery vehicles an exemption from the mandatory use policy.

Attachment

22012

cc:
Official file
DO Records
DO Chron
Dep. Director
Ms. Crawford
Mr. Schwartz
Mr. Adkins
Ret. B. Aimaro Pheto

TCH:BAPheto:dsa 12-13-85



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

MEMORANDUM

Re: Proposed Executive order entitled "Safety Belt Use
Requirements for Federal Employees"

The attached proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order will establish a new policy concerning the use of safety belts. It will now be the policy of the Executive Branch that all employees should use their safety belts while riding in or driving a car on official business. The Secretaries of Labor, Transportation and Defense are responsible for overseeing coordination and implementation of this policy among the agencies. The proposed order is authorized by 5 U.S.C. § 7902(c)(2).

The proposed Executive order is acceptable as to form and legality.

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees." This proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees." This proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

MEMORANDUM

Re: Proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees"

The attached proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order will establish a new policy concerning the use of safety belts. It will now be the policy of the Executive Branch that all employees should use their safety belts while riding in or driving a car on official business. The Secretaries of Labor, Transportation and Defense are responsible for overseeing coordination and implementation of this policy among the agencies. The proposed order is authorized by 5 U.S.C. § 7902(c)(2).

The proposed Executive order is acceptable as to form and legality.

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



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

November 25, 1985

Honorable Edwin Meese III
Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, as amended, is a proposed Executive order, submitted by the Secretary of Transportation entitled "Safety Belt Use Requirements for Federal Employees."

Pursuant to the Occupational Safety and Health Act and Executive Order No. 12196, each Federal agency maintains an employee occupational safety and health program, subject to the supervision of the Department of Labor. These programs attempt to ensure the safety of Federal workers in a comprehensive fashion, but, with some exceptions, agency plans do not currently require that employees wear seat belts while operating or riding in a vehicle on government business.

The proposed Executive order would establish a policy that each Federal employee operating or riding in a motor vehicle on official business, in a seat equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times while the vehicle is in motion. This requirement would include travel in private motor vehicles for which mileage rates are reimbursable to the employee. Furthermore, each Federal employee operating a motor vehicle on official business would be required to request that other occupants of the vehicle fasten their safety belts before the vehicle is placed in motion.

The seat belt usage program would be implemented by the head of each agency, within its existing resources and as part of its ongoing employee occupational safety and health program. The Department of Labor will include determinations of agency compliance with the seat belt policy in its safety evaluations of Federal agency programs; it also will include a summary report on safety belt usage by Federal employees in its annual safety and health report to the President. The Secretary of Transportation will assist agency heads in carrying out their responsibilities for conducting the Federal employees motor vehicle occupant protection program.

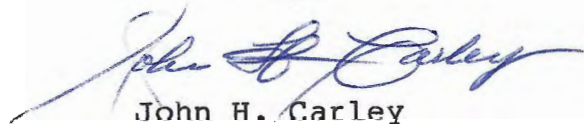
At the request of the Department of Defense, the Secretary of Defense will be solely responsible for implementation of the safety belt usage program for military personnel. For Defense civilian personnel, the program will be implemented under the same institutional arrangements as in civilian agencies.

The proposed Executive order has been redrafted in part to reflect agency comments that the safety belt usage program should not be made subject to the Federal collective bargaining process with employee unions. However, in order to accommodate the United States Postal Service, which currently has collective bargaining agreements that provide that short-haul delivery personnel shall not be required to wear seat belts, an exemption has been incorporated into the order to permit the Postal Service to continue to bargain collectively with its unions on this issue.

Your staff may direct any questions concerning the proposed Executive order to Mr. John F. Cooney of this office (395-5600).

The proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

A handwritten signature in blue ink, appearing to read "John H. Carley", is written over a light blue rectangular background.

John H. Carley
Counselor to the Director

Enclosure



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

November 25, 1985

MEMORANDUM FOR THE PRESIDENT

FROM: James C. Miller III
Director

SUBJECT: Proposed Executive Order Entitled "Safety Belt
Use Requirements For Federal Employees"

SUMMARY. This memorandum forwards for your consideration a proposed Executive order, submitted by the Secretary of Transportation, that would establish a program to require Federal employees to wear seat belts while traveling in motor vehicles on government business.

BACKGROUND. Pursuant to the Occupational Safety and Health Act and Executive Order No. 12196, each Federal agency maintains an employee occupational safety and health program, subject to the supervision of the Department of Labor. These programs attempt to ensure the safety of Federal workers in a comprehensive fashion, but, with some exceptions, agency plans do not currently require that employees wear seat belts while operating or riding in a vehicle on government business.

The proposed Executive order would establish a policy that each Federal employee operating or riding in a motor vehicle on official business, in a seat equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times while the vehicle is in motion. This requirement would include travel in private motor vehicles for which mileage rates are reimbursable to the employee. Furthermore, each Federal employee operating a motor vehicle on official business would be required to request that other occupants of the vehicle fasten their safety belts before the vehicle is placed in motion.

The seat belt usage program would be implemented by the head of each agency, within its existing resources and as part of its ongoing employee occupational safety and health program. The Department of Labor will include determinations of agency compliance with the seat belt policy in its safety evaluations of Federal agency programs; it also will include a summary report on safety belt usage by Federal employees in its annual safety and health report to the President. The Secretary of Transportation

will assist agency heads in carrying out their responsibilities for conducting the Federal employees motor vehicle occupant protection program.

At the request of the Department of Defense, the Secretary of Defense will be solely responsible for implementation of the safety belt usage program for military personnel. For Defense civilian personnel, the program will be implemented under the same institutional arrangements as in civilian agencies.

The proposed Executive order has been redrafted in part to reflect agency comments that the safety belt usage program should not be made subject to the Federal collective bargaining process with employee unions. However, in order to accommodate the United States Postal Service, which currently has collective bargaining agreements that provide that short-haul delivery personnel shall not be required to wear seat belts, an exemption has been incorporated into the order to permit the Postal Service to continue to bargain collectively with its unions on this issue.

As revised, none of the affected agencies has objected to the proposed Executive order.

RECOMMENDATION. I recommend that you sign the proposed Executive order.

Enclosure

cc. MD
HBL
DLS
AC
VCA
HBS CCM

Document No. 330385

Received
DEC 10 11 10 10

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/9/85 ACTION/CONCURRENCE/COMMENT DUE BY: December 10th

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please give your recommendations to my office by Tuesday, December 10th. Thanks.

Did you make this up?

RESPONSE:

OK

David L. Chew
Staff Secretary
Ext. 2702



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

November 25, 1985

MEMORANDUM FOR THE PRESIDENT

FROM:

James C. Miller III
Director

SUBJECT:

Proposed Executive Order Entitled "Safety Belt
Use Requirements For Federal Employees"

SUMMARY. This memorandum forwards for your consideration a proposed Executive order, submitted by the Secretary of Transportation, that would establish a program to require Federal employees to wear seat belts while traveling in motor vehicles on government business.

BACKGROUND. Pursuant to the Occupational Safety and Health Act and Executive Order No. 12196, each Federal agency maintains an employee occupational safety and health program, subject to the supervision of the Department of Labor. These programs attempt to ensure the safety of Federal workers in a comprehensive fashion, but, with some exceptions, agency plans do not currently require that employees wear seat belts while operating or riding in a vehicle on government business.

The proposed Executive order would establish a policy that each Federal employee operating or riding in a motor vehicle on official business, in a seat equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times while the vehicle is in motion. This requirement would include travel in private motor vehicles for which mileage rates are reimbursable to the employee. Furthermore, each Federal employee operating a motor vehicle on official business would be required to request that other occupants of the vehicle fasten their safety belts before the vehicle is placed in motion.

The seat belt usage program would be implemented by the head of each agency, within its existing resources and as part of its ongoing employee occupational safety and health program. The Department of Labor will include determinations of agency compliance with the seat belt policy in its safety evaluations of Federal agency programs; it also will include a summary report on safety belt usage by Federal employees in its annual safety and health report to the President. The Secretary of Transportation

will assist agency heads in carrying out their responsibilities for conducting the Federal employees motor vehicle occupant protection program.

At the request of the Department of Defense, the Secretary of Defense will be solely responsible for implementation of the safety belt usage program for military personnel. For Defense civilian personnel, the program will be implemented under the same institutional arrangements as in civilian agencies.

The proposed Executive order has been redrafted in part to reflect agency comments that the safety belt usage program should not be made subject to the Federal collective bargaining process with employee unions. However, in order to accommodate the United States Postal Service, which currently has collective bargaining agreements that provide that short-haul delivery personnel shall not be required to wear seat belts, an exemption has been incorporated into the order to permit the Postal Service to continue to bargain collectively with its unions on this issue.

As revised, none of the affected agencies has objected to the proposed Executive order.

RECOMMENDATION. I recommend that you sign the proposed Executive order.

Enclosure



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

6 1985

MEMORANDUM

Re: Proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees"

The attached proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order will establish a new policy concerning the use of safety belts. It will now be the policy of the Executive Branch that all employees should use their safety belts while riding in or driving a car on official business. The Secretaries of Labor, Transportation and Defense are responsible for overseeing coordination and implementation of this policy among the agencies. The proposed order is authorized by 5 U.S.C. § 7902(c)(2).

The proposed Executive order is acceptable as to form and legality.

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

EC 6 1985

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees." This proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel

EXECUTIVE ORDER

- - - - -

SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES

By the authority vested in me as President by the Constitution and laws of the United States of America, including 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. Scope. (a) This Order applies to all agencies of the Executive branch.

(b) For purposes of this Order, the term "agency" 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 judicial and legislative branches.

(c) The Secretary of Labor ("the Secretary") shall cooperate and consult with the heads of entities in the legislative and judicial branches of the Government to encourage and help them adopt safety belt use programs similar to that established by this Order for Executive departments and agencies.

Sec. 2. Safety Belt Use Policy. (a) Each Federal employee operating or riding in a motor vehicle on official business, whose seat is equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times when the vehicle is in motion. This requirement shall include travel in motor vehicles for which mileage rates are reimbursable.

(b) Each Federal employee operating a motor vehicle on official business shall request each occupant of a seat equipped with a safety belt to fasten the safety belt properly about his or her body before the vehicle is placed in motion.

Sec. 3. Responsibilities of Heads of Agencies. (a) The head of each agency shall, within its existing resources and as

part of its ongoing employee occupational safety and health program:

(1) Immediately inform all employees of the policy of safety belt usage;

(2) Provide information to all employees concerning the correct use and importance of motor vehicle occupant protection devices;

(3) Organize, conduct, and maintain an employee motor vehicle occupant protection program;

(4) Include in the regular periodic inspection of all agency motor vehicles, inspection of the safety belt system to insure its proper working condition and regular maintenance; and

(5) Provide for the documentation of safety belt usage in all reports of motor vehicle accidents prepared by that agency.

Sec. 4. Responsibilities of the Secretary of Transportation.

(a) The Secretary of Transportation, in consultation with the Secretary of Labor, shall:

(1) Provide leadership and guidance to the heads of Executive agencies to assist them in carrying out their responsibilities for organizing, conducting, and maintaining a Federal employee motor vehicle occupant protection program; and

(2) Facilitate the exchange of ideas and information throughout the various Government agencies about motor vehicle occupant protection programs.

Sec. 5. Responsibilities of the Secretary of Labor. (a)

The Secretary of Labor shall include in safety evaluations of Federal agencies, pursuant to Section 1-401(h) of Executive Order No. 12196, determination of agency compliance with this Order; and

(b) The Secretary of Labor shall include in the annual reports to the President, pursuant to Section 1-401(j) of that

Order, a summary report on the status of on-the-job safety belt use by Federal employees.

Sec. 6. Responsibilities of the Secretary of Defense. The Secretary of Defense shall be responsible for implementation of all provisions of this Order insofar as they apply to military personnel.

Sec. 7. General Provisions. (a) 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 section 19 of the Occupational Safety and Health Act of 1970, or 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.

(b) 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 liability of the United States under the Federal Tort Claims Act.

(c) This Order shall be effective immediately.

THE WHITE HOUSE,

Tom + Agnes

Document No.

330385

Received SE

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/9/85

ACTION/CONCURRENCE/COMMENT DUE BY: December 10th

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please give your recommendations to my office by Tuesday, December 10th. Thanks.

RESPONSE:

How is this to be enforced? Who is held libel is the event of the accident or injury of a person not wearing a belt? The driver, (required to request use), the Agency head? The President? This is a potential can of worms. Recommend against signing.

David L. Chew
Staff Secretary
Ext. 2702

PF3/TG.

DEC 10 11 5 00

THE WHITE HOUSE

WASHINGTON

December 10, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: DAVID B. WALLER *DBW*
SENIOR ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order Entitled "Safety Belt
Use Requirements for Federal Employees"

As requested in your Staffing Memorandum of December 9, 1985,
this office has reviewed the referenced proposed executive order
and has no legal objection to it.

Received
DEC -9 PM 8:28
WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/9/85

ACTION/CONCURRENCE/COMMENT DUE BY: December 10th

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SAFETY BELT USE REQUIREMENTS
FOR FEDERAL EMPLOYEES"

ACTION FYI

ACTION FYI

VICE PRESIDENT

☐ ☒

McFARLANE

☒ ☐

REGAN

☐ ☒

OGLESBY

☒ ☐

MILLER

☐ ☐

RYAN

☐ ☐

BUCHANAN

☒ ☐

SPEAKES

☐ ☒

CHAVEZ

☒ ☐

SPRINKEL

☐ ☐

CHEW

☐ P ☒ SS

SVAHN

☒ ☐

DANIELS

☒ ☐

THOMAS

☒ ☐

FIELDING

☒ ☐

TUTTLE

☐ ☐

HENKEL

☐ ☐

CLERK

☐ ☒

HICKS

☐ ☐☐ ☐

KINGON

☒ ☐☐ ☐

LACY

☐ ☐☐ ☐

REMARKS:

Please give your recommendations to my office by Tuesday,
December 10th. Thanks.

RESPONSE:

None
- Unisys

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/9/85ACTION/CONCURRENCE/COMMENT DUE BY: December 10th

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please give your recommendations to my office by Tuesday, December 10th. Thanks.

RESPONSE:

December 9, 1985

The NSC staff has no objection to the attached proposed Executive Order.

William F. Martin
 William F. Martin
 Executive Secretary

David L. Chew
 Staff Secretary
 Ext. 2702

85 DEC 9 P12: 48





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

November 25, 1985

MEMORANDUM FOR THE PRESIDENT

FROM: James O. Miller III
Director

SUBJECT: Proposed Executive Order Entitled "Safety Belt
Use Requirements For Federal Employees"

SUMMARY. This memorandum forwards for your consideration a proposed Executive order, submitted by the Secretary of Transportation, that would establish a program to require Federal employees to wear seat belts while traveling in motor vehicles on government business.

BACKGROUND. Pursuant to the Occupational Safety and Health Act and Executive Order No. 12196, each Federal agency maintains an employee occupational safety and health program, subject to the supervision of the Department of Labor. These programs attempt to ensure the safety of Federal workers in a comprehensive fashion, but, with some exceptions, agency plans do not currently require that employees wear seat belts while operating or riding in a vehicle on government business.

The proposed Executive order would establish a policy that each Federal employee operating or riding in a motor vehicle on official business, in a seat equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times while the vehicle is in motion. This requirement would include travel in private motor vehicles for which mileage rates are reimbursable to the employee. Furthermore, each Federal employee operating a motor vehicle on official business would be required to request that other occupants of the vehicle fasten their safety belts before the vehicle is placed in motion.

The seat belt usage program would be implemented by the head of each agency, within its existing resources and as part of its ongoing employee occupational safety and health program. The Department of Labor will include determinations of agency compliance with the seat belt policy in its safety evaluations of Federal agency programs; it also will include a summary report on safety belt usage by Federal employees in its annual safety and health report to the President. The Secretary of Transportation

will assist agency heads in carrying out their responsibilities for conducting the Federal employees motor vehicle occupant protection program.

At the request of the Department of Defense, the Secretary of Defense will be solely responsible for implementation of the safety belt usage program for military personnel. For Defense civilian personnel, the program will be implemented under the same institutional arrangements as in civilian agencies.

The proposed Executive order has been redrafted in part to reflect agency comments that the safety belt usage program should not be made subject to the Federal collective bargaining process with employee unions. However, in order to accommodate the United States Postal Service, which currently has collective bargaining agreements that provide that short-haul delivery personnel shall not be required to wear seat belts, an exemption has been incorporated into the order to permit the Postal Service to continue to bargain collectively with its unions on this issue.

As revised, none of the affected agencies has objected to the proposed Executive order.

RECOMMENDATION. I recommend that you sign the proposed Executive order.

Enclosure



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

MEMORANDUM

Re: Proposed Executive order entitled "Safety Belt Use
Requirements for Federal Employees"

The attached proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order will establish a new policy concerning the use of safety belts. It will now be the policy of the Executive Branch that all employees should use their safety belts while riding in or driving a car on official business. The Secretaries of Labor, Transportation and Defense are responsible for overseeing coordination and implementation of this policy among the agencies. The proposed order is authorized by 5 U.S.C. § 7902(c)(2).

The proposed Executive order is acceptable as to form and legality.

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees." This proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel

EXECUTIVE ORDER

- - - - -

SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES

By the authority vested in me as President by the Constitution and laws of the United States of America, including 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. Scope. (a) This Order applies to all agencies of the Executive branch.

(b) For purposes of this Order, the term "agency" 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 judicial and legislative branches.

(c) The Secretary of Labor ("the Secretary") shall cooperate and consult with the heads of entities in the legislative and judicial branches of the Government to encourage and help them adopt safety belt use programs similar to that established by this Order for Executive departments and agencies.

Sec. 2. Safety Belt Use Policy. (a) Each Federal employee operating or riding in a motor vehicle on official business, whose seat is equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times when the vehicle is in motion. This requirement shall include travel in motor vehicles for which mileage rates are reimbursable.

(b) Each Federal employee operating a motor vehicle on official business shall request each occupant of a seat equipped with a safety belt to fasten the safety belt properly about his or her body before the vehicle is placed in motion.

Sec. 3. Responsibilities of Heads of Agencies. (a) The head of each agency shall, within its existing resources and as

part of its ongoing employee occupational safety and health program:

(1) Immediately inform all employees of the policy of safety belt usage;

(2) Provide information to all employees concerning the correct use and importance of motor vehicle occupant protection devices;

(3) Organize, conduct, and maintain an employee motor vehicle occupant protection program;

(4) Include in the regular periodic inspection of all agency motor vehicles, inspection of the safety belt system to insure its proper working condition and regular maintenance; and

(5) Provide for the documentation of safety belt usage in all reports of motor vehicle accidents prepared by that agency.

Sec. 4. Responsibilities of the Secretary of Transportation.

(a) The Secretary of Transportation, in consultation with the Secretary of Labor, shall:

(1) Provide leadership and guidance to the heads of Executive agencies to assist them in carrying out their responsibilities for organizing, conducting, and maintaining a Federal employee motor vehicle occupant protection program; and

(2) Facilitate the exchange of ideas and information throughout the various Government agencies about motor vehicle occupant protection programs.

Sec. 5. Responsibilities of the Secretary of Labor. (a)

The Secretary of Labor shall include in safety evaluations of Federal agencies, pursuant to Section 1-401(h) of Executive Order No. 12196, determination of agency compliance with this Order; and

(b) The Secretary of Labor shall include in the annual reports to the President, pursuant to Section 1-401(j) of that

Order, a summary report on the status of on-the-job safety belt use by Federal employees.

Sec. 6. Responsibilities of the Secretary of Defense. The Secretary of Defense shall be responsible for implementation of all provisions of this Order insofar as they apply to military personnel.

Sec. 7. General Provisions. (a) 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 section 19 of the Occupational Safety and Health Act of 1970, or 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.

(b) 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 liability of the United States under the Federal Tort Claims Act.

(c) This Order shall be effective immediately.

THE WHITE HOUSE,

EXECUTIVE ORDER

- - - - -

SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES

By the authority vested in me as President by the Constitution and laws of the United States of America, including 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. Scope. (a) This Order applies to all agencies of the Executive branch.

(b) For purposes of this Order, the term "agency" 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 judicial and legislative branches.

(c) The Secretary of Labor ("the Secretary") shall cooperate and consult with the heads of entities in the legislative and judicial branches of the Government to encourage and help them adopt safety belt use programs similar to that established by this Order for Executive departments and agencies.

Sec. 2. Safety Belt Use Policy. (a) Each Federal employee operating or riding in a motor vehicle on official business, whose seat is equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times when the vehicle is in motion. This requirement shall include travel in motor vehicles for which mileage rates are reimbursable.

(b) Each Federal employee operating a motor vehicle on official business shall request each occupant of a seat equipped with a safety belt to fasten the safety belt properly about his or her body before the vehicle is placed in motion.

Sec. 3. Responsibilities of Heads of Agencies. (a) The head of each agency shall, within its existing resources and as

part of its ongoing employee occupational safety and health program:

(1) Immediately inform all employees of the policy of safety belt usage;

(2) Provide information to all employees concerning the correct use and importance of motor vehicle occupant protection devices;

(3) Organize, conduct, and maintain an employee motor vehicle occupant protection program;

(4) Include in the regular periodic inspection of all agency motor vehicles, inspection of the safety belt system to insure its proper working condition and regular maintenance; and

(5) Provide for the documentation of safety belt usage in all reports of motor vehicle accidents prepared by that agency.

Sec. 4. Responsibilities of the Secretary of Transportation.

(a) The Secretary of Transportation, in consultation with the Secretary of Labor, shall:

(1) Provide leadership and guidance to the heads of Executive agencies to assist them in carrying out their responsibilities for organizing, conducting, and maintaining a Federal employee motor vehicle occupant protection program; and

(2) Facilitate the exchange of ideas and information throughout the various Government agencies about motor vehicle occupant protection programs.

Sec. 5. Responsibilities of the Secretary of Labor. (a)

The Secretary of Labor shall include in safety evaluations of Federal agencies, pursuant to Section 1-401(h) of Executive Order No. 12196, determination of agency compliance with this Order; and

(b) The Secretary of Labor shall include in the annual reports to the President, pursuant to Section 1-401(j) of that

Order, a summary report on the status of on-the-job safety belt use by Federal employees.

Sec. 6. Responsibilities of the Secretary of Defense. The Secretary of Defense shall be responsible for implementation of all provisions of this Order insofar as they apply to military personnel.

Sec. 7. General Provisions. (a) 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 section 19 of the Occupational Safety and Health Act of 1970, or 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.

(b) 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 liability of the United States under the Federal Tort Claims Act.

(c) This Order shall be effective immediately.

THE WHITE HOUSE,

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/9/85 ACTION/CONCURRENCE/COMMENT DUE BY: December 10thSUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE <i>No only</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY <i>No conc</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HICKS	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please give your recommendations to my office by Tuesday, December 10th. Thanks.

RESPONSE:



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

November 25, 1985

MEMORANDUM FOR THE PRESIDENT

FROM: James C. Miller III
Director

SUBJECT: Proposed Executive Order Entitled "Safety Belt
Use Requirements For Federal Employees"

SUMMARY. This memorandum forwards for your consideration a proposed Executive order, submitted by the Secretary of Transportation, that would establish a program to require Federal employees to wear seat belts while traveling in motor vehicles on government business.

BACKGROUND. Pursuant to the Occupational Safety and Health Act and Executive Order No. 12196, each Federal agency maintains an employee occupational safety and health program, subject to the supervision of the Department of Labor. These programs attempt to ensure the safety of Federal workers in a comprehensive fashion, but, with some exceptions, agency plans do not currently require that employees wear seat belts while operating or riding in a vehicle on government business.

The proposed Executive order would establish a policy that each Federal employee operating or riding in a motor vehicle on official business, in a seat equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times while the vehicle is in motion. This requirement would include travel in private motor vehicles for which mileage rates are reimbursable to the employee. Furthermore, each Federal employee operating a motor vehicle on official business would be required to request that other occupants of the vehicle fasten their safety belts before the vehicle is placed in motion.

The seat belt usage program would be implemented by the head of each agency, within its existing resources and as part of its ongoing employee occupational safety and health program. The Department of Labor will include determinations of agency compliance with the seat belt policy in its safety evaluations of Federal agency programs; it also will include a summary report on safety belt usage by Federal employees in its annual safety and health report to the President. The Secretary of Transportation

will assist agency heads in carrying out their responsibilities for conducting the Federal employees motor vehicle occupant protection program.

At the request of the Department of Defense, the Secretary of Defense will be solely responsible for implementation of the safety belt usage program for military personnel. For Defense civilian personnel, the program will be implemented under the same institutional arrangements as in civilian agencies.

The proposed Executive order has been redrafted in part to reflect agency comments that the safety belt usage program should not be made subject to the Federal collective bargaining process with employee unions. However, in order to accommodate the United States Postal Service, which currently has collective bargaining agreements that provide that short-haul delivery personnel shall not be required to wear seat belts, an exemption has been incorporated into the order to permit the Postal Service to continue to bargain collectively with its unions on this issue.

As revised, none of the affected agencies has objected to the proposed Executive order.

RECOMMENDATION. I recommend that you sign the proposed Executive order.

Enclosure



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

MEMORANDUM

Re: Proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees"

The attached proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order will establish a new policy concerning the use of safety belts. It will now be the policy of the Executive Branch that all employees should use their safety belts while riding in or driving a car on official business. The Secretaries of Labor, Transportation and Defense are responsible for overseeing coordination and implementation of this policy among the agencies. The proposed order is authorized by 5 U.S.C. § 7902(c)(2).

The proposed Executive order is acceptable as to form and legality.

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees." This proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

DEC 6 1985

The President,


The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees." This proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,


Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel

EXECUTIVE ORDER

- - - - -

SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES

By the authority vested in me as President by the Constitution and laws of the United States of America, including 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. Scope. (a) This Order applies to all agencies of the Executive branch.

(b) For purposes of this Order, the term "agency" 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 judicial and legislative branches.

(c) The Secretary of Labor ("the Secretary") shall cooperate and consult with the heads of entities in the legislative and judicial branches of the Government to encourage and help them adopt safety belt use programs similar to that established by this Order for Executive departments and agencies.

Sec. 2. Safety Belt Use Policy. (a) Each Federal employee operating or riding in a motor vehicle on official business, whose seat is equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times when the vehicle is in motion. This requirement shall include travel in motor vehicles for which mileage rates are reimbursable.

(b) Each Federal employee operating a motor vehicle on official business shall request each occupant of a seat equipped with a safety belt to fasten the safety belt properly about his or her body before the vehicle is placed in motion.

Sec. 3. Responsibilities of Heads of Agencies. (a) The head of each agency shall, within its existing resources and as

part of its ongoing employee occupational safety and health program:

(1) Immediately inform all employees of the policy of safety belt usage;

(2) Provide information to all employees concerning the correct use and importance of motor vehicle occupant protection devices;

(3) Organize, conduct, and maintain an employee motor vehicle occupant protection program;

(4) Include in the regular periodic inspection of all agency motor vehicles, inspection of the safety belt system to insure its proper working condition and regular maintenance; and

(5) Provide for the documentation of safety belt usage in all reports of motor vehicle accidents prepared by that agency.

Sec. 4. Responsibilities of the Secretary of Transportation.

(a) The Secretary of Transportation, in consultation with the Secretary of Labor, shall:

(1) Provide leadership and guidance to the heads of Executive agencies to assist them in carrying out their responsibilities for organizing, conducting, and maintaining a Federal employee motor vehicle occupant protection program; and

(2) Facilitate the exchange of ideas and information throughout the various Government agencies about motor vehicle occupant protection programs.

Sec. 5. Responsibilities of the Secretary of Labor. (a)

The Secretary of Labor shall include in safety evaluations of Federal agencies, pursuant to Section 1-401(h) of Executive Order No. 12196, determination of agency compliance with this Order; and

(b) The Secretary of Labor shall include in the annual reports to the President, pursuant to Section 1-401(j) of that

Order, a summary report on the status of on-the-job safety belt use by Federal employees.

Sec. 6. Responsibilities of the Secretary of Defense. The Secretary of Defense shall be responsible for implementation of all provisions of this Order insofar as they apply to military personnel.

Sec. 7. General Provisions. (a) 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 section 19 of the Occupational Safety and Health Act of 1970, or 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.

(b) 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 liability of the United States under the Federal Tort Claims Act.

(c) This Order shall be effective immediately.

THE WHITE HOUSE,

Received
12/10/85 10:41

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/9/85 ACTION/CONCURRENCE/COMMENT DUE BY: December 10th

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	CLERK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please give your recommendations to my office by Tuesday, December 10th. Thanks.

RESPONSE:

ok
MS

David L. Chew
Staff Secretary
Ext. 2702



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

November 25, 1985

MEMORANDUM FOR THE PRESIDENT

FROM:

James C. Miller III
Director

SUBJECT:

Proposed Executive Order Entitled "Safety Belt
Use Requirements For Federal Employees"

SUMMARY. This memorandum forwards for your consideration a proposed Executive order, submitted by the Secretary of Transportation, that would establish a program to require Federal employees to wear seat belts while traveling in motor vehicles on government business.

BACKGROUND. Pursuant to the Occupational Safety and Health Act and Executive Order No. 12196, each Federal agency maintains an employee occupational safety and health program, subject to the supervision of the Department of Labor. These programs attempt to ensure the safety of Federal workers in a comprehensive fashion, but, with some exceptions, agency plans do not currently require that employees wear seat belts while operating or riding in a vehicle on government business.

The proposed Executive order would establish a policy that each Federal employee operating or riding in a motor vehicle on official business, in a seat equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times while the vehicle is in motion. This requirement would include travel in private motor vehicles for which mileage rates are reimbursable to the employee. Furthermore, each Federal employee operating a motor vehicle on official business would be required to request that other occupants of the vehicle fasten their safety belts before the vehicle is placed in motion.

The seat belt usage program would be implemented by the head of each agency, within its existing resources and as part of its ongoing employee occupational safety and health program. The Department of Labor will include determinations of agency compliance with the seat belt policy in its safety evaluations of Federal agency programs; it also will include a summary report on safety belt usage by Federal employees in its annual safety and health report to the President. The Secretary of Transportation

will assist agency heads in carrying out their responsibilities for conducting the Federal employees motor vehicle occupant protection program.

At the request of the Department of Defense, the Secretary of Defense will be solely responsible for implementation of the safety belt usage program for military personnel. For Defense civilian personnel, the program will be implemented under the same institutional arrangements as in civilian agencies.

The proposed Executive order has been redrafted in part to reflect agency comments that the safety belt usage program should not be made subject to the Federal collective bargaining process with employee unions. However, in order to accommodate the United States Postal Service, which currently has collective bargaining agreements that provide that short-haul delivery personnel shall not be required to wear seat belts, an exemption has been incorporated into the order to permit the Postal Service to continue to bargain collectively with its unions on this issue.

As revised, none of the affected agencies has objected to the proposed Executive order.

RECOMMENDATION. I recommend that you sign the proposed Executive order.

Enclosure



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

EC 6 1985

MEMORANDUM

Re: Proposed Executive order entitled "Safety Belt Use
Requirements for Federal Employees"

The attached proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order will establish a new policy concerning the use of safety belts. It will now be the policy of the Executive Branch that all employees should use their safety belts while riding in or driving a car on official business. The Secretaries of Labor, Transportation and Defense are responsible for overseeing coordination and implementation of this policy among the agencies. The proposed order is authorized by 5 U.S.C. § 7902(c)(2).

The proposed Executive order is acceptable as to form and legality.

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

JEC 6 1985

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees." This proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel

EXECUTIVE ORDER

- - - - -

SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES

By the authority vested in me as President by the Constitution and laws of the United States of America, including 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. Scope. (a) This Order applies to all agencies of the Executive branch.

(b) For purposes of this Order, the term "agency" 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 judicial and legislative branches.

(c) The Secretary of Labor ("the Secretary") shall cooperate and consult with the heads of entities in the legislative and judicial branches of the Government to encourage and help them adopt safety belt use programs similar to that established by this Order for Executive departments and agencies.

Sec. 2. Safety Belt Use Policy. (a) Each Federal employee operating or riding in a motor vehicle on official business, whose seat is equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times when the vehicle is in motion. This requirement shall include travel in motor vehicles for which mileage rates are reimbursable.

(b) Each Federal employee operating a motor vehicle on official business shall request each occupant of a seat equipped with a safety belt to fasten the safety belt properly about his or her body before the vehicle is placed in motion.

Sec. 3. Responsibilities of Heads of Agencies. (a) The head of each agency shall, within its existing resources and as

part of its ongoing employee occupational safety and health program:

(1) Immediately inform all employees of the policy of safety belt usage;

(2) Provide information to all employees concerning the correct use and importance of motor vehicle occupant protection devices;

(3) Organize, conduct, and maintain an employee motor vehicle occupant protection program;

(4) Include in the regular periodic inspection of all agency motor vehicles, inspection of the safety belt system to insure its proper working condition and regular maintenance; and

(5) Provide for the documentation of safety belt usage in all reports of motor vehicle accidents prepared by that agency.

Sec. 4. Responsibilities of the Secretary of Transportation.

(a) The Secretary of Transportation, in consultation with the Secretary of Labor, shall:

(1) Provide leadership and guidance to the heads of Executive agencies to assist them in carrying out their responsibilities for organizing, conducting, and maintaining a Federal employee motor vehicle occupant protection program; and

(2) Facilitate the exchange of ideas and information throughout the various Government agencies about motor vehicle occupant protection programs.

Sec. 5. Responsibilities of the Secretary of Labor. (a)

The Secretary of Labor shall include in safety evaluations of Federal agencies, pursuant to Section 1-401(h) of Executive Order No. 12196, determination of agency compliance with this Order; and

(b) The Secretary of Labor shall include in the annual reports to the President, pursuant to Section 1-401(j) of that

Order, a summary report on the status of on-the-job safety belt use by Federal employees.

Sec. 6. Responsibilities of the Secretary of Defense. The Secretary of Defense shall be responsible for implementation of all provisions of this Order insofar as they apply to military personnel.

Sec. 7. General Provisions. (a) 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 section 19 of the Occupational Safety and Health Act of 1970, or 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.

(b) 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 liability of the United States under the Federal Tort Claims Act.

(c) This Order shall be effective immediately.

THE WHITE HOUSE,

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/9/85

ACTION/CONCURRENCE/COMMENT DUE BY: December 10th

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES"

ACTION FYI		ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/> <input checked="" type="checkbox"/>	McFARLANE	<input checked="" type="checkbox"/> <input type="checkbox"/>
REGAN	<input type="checkbox"/> <input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/> <input type="checkbox"/>
MILLER	<input type="checkbox"/> <input type="checkbox"/>	RYAN	<input type="checkbox"/> <input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/> <input type="checkbox"/>	SPEAKES	<input type="checkbox"/> <input checked="" type="checkbox"/>
CHAVEZ	<input checked="" type="checkbox"/> <input type="checkbox"/>	SPRINKEL	<input type="checkbox"/> <input type="checkbox"/>
CHEW	<input type="checkbox"/> <input checked="" type="checkbox"/> ^P ^{SS}	SVAHN	<input checked="" type="checkbox"/> <input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/> <input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/> <input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/> <input type="checkbox"/>	TUTTLE	<input type="checkbox"/> <input type="checkbox"/>
HENKEL	<input type="checkbox"/> <input type="checkbox"/>	CLERK	<input type="checkbox"/> <input checked="" type="checkbox"/>
HICKS	<input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/>
LACY	<input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/>

REMARKS: Please give your recommendations to my office by Tuesday, December 10th. Thanks.

Rick - O.K. with you?

RESPONSE:

no objection
ANK / dm



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

November 25, 1985

MEMORANDUM FOR THE PRESIDENT

FROM: James C. Miller III
Director

SUBJECT: Proposed Executive Order Entitled "Safety Belt
Use Requirements For Federal Employees"

SUMMARY. This memorandum forwards for your consideration a proposed Executive order, submitted by the Secretary of Transportation, that would establish a program to require Federal employees to wear seat belts while traveling in motor vehicles on government business.

BACKGROUND. Pursuant to the Occupational Safety and Health Act and Executive Order No. 12196, each Federal agency maintains an employee occupational safety and health program, subject to the supervision of the Department of Labor. These programs attempt to ensure the safety of Federal workers in a comprehensive fashion, but, with some exceptions, agency plans do not currently require that employees wear seat belts while operating or riding in a vehicle on government business.

The proposed Executive order would establish a policy that each Federal employee operating or riding in a motor vehicle on official business, in a seat equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times while the vehicle is in motion. This requirement would include travel in private motor vehicles for which mileage rates are reimbursable to the employee. Furthermore, each Federal employee operating a motor vehicle on official business would be required to request that other occupants of the vehicle fasten their safety belts before the vehicle is placed in motion.

The seat belt usage program would be implemented by the head of each agency, within its existing resources and as part of its ongoing employee occupational safety and health program. The Department of Labor will include determinations of agency compliance with the seat belt policy in its safety evaluations of Federal agency programs; it also will include a summary report on safety belt usage by Federal employees in its annual safety and health report to the President. The Secretary of Transportation

will assist agency heads in carrying out their responsibilities for conducting the Federal employees motor vehicle occupant protection program.

At the request of the Department of Defense, the Secretary of Defense will be solely responsible for implementation of the safety belt usage program for military personnel. For Defense civilian personnel, the program will be implemented under the same institutional arrangements as in civilian agencies.

The proposed Executive order has been redrafted in part to reflect agency comments that the safety belt usage program should not be made subject to the Federal collective bargaining process with employee unions. However, in order to accommodate the United States Postal Service, which currently has collective bargaining agreements that provide that short-haul delivery personnel shall not be required to wear seat belts, an exemption has been incorporated into the order to permit the Postal Service to continue to bargain collectively with its unions on this issue.

As revised, none of the affected agencies has objected to the proposed Executive order.

RECOMMENDATION. I recommend that you sign the proposed Executive order.

Enclosure



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

EC 6 1985

MEMORANDUM

Re: Proposed Executive order entitled "Safety Belt Use
Requirements for Federal Employees"

The attached proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order will establish a new policy concerning the use of safety belts. It will now be the policy of the Executive Branch that all employees should use their safety belts while riding in or driving a car on official business. The Secretaries of Labor, Transportation and Defense are responsible for overseeing coordination and implementation of this policy among the agencies. The proposed order is authorized by 5 U.S.C. § 7902(c)(2).

The proposed Executive order is acceptable as to form and legality.

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

JEC 6 1985

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Safety Belt Use Requirements for Federal Employees." This proposed Executive order was submitted by the Department of Transportation and has been forwarded for the consideration of this Department as to form and legality by the Office of Management and Budget with the approval of the Director.

The proposed Executive order is approved as to form and legality.

Respectfully,

Charles J. Cooper
Assistant Attorney General
Office of Legal Counsel

EXECUTIVE ORDER

- - - - -

SAFETY BELT USE REQUIREMENTS FOR FEDERAL EMPLOYEES

By the authority vested in me as President by the Constitution and laws of the United States of America, including 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. Scope. (a) This Order applies to all agencies of the Executive branch.

(b) For purposes of this Order, the term "agency" 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 judicial and legislative branches.

(c) The Secretary of Labor ("the Secretary") shall cooperate and consult with the heads of entities in the legislative and judicial branches of the Government to encourage and help them adopt safety belt use programs similar to that established by this Order for Executive departments and agencies.

Sec. 2. Safety Belt Use Policy. (a) Each Federal employee operating or riding in a motor vehicle on official business, whose seat is equipped with a safety belt, shall have the safety belt properly fastened about his or her body at all times when the vehicle is in motion. This requirement shall include travel in motor vehicles for which mileage rates are reimbursable.

(b) Each Federal employee operating a motor vehicle on official business shall request each occupant of a seat equipped with a safety belt to fasten the safety belt properly about his or her body before the vehicle is placed in motion.

Sec. 3. Responsibilities of Heads of Agencies. (a) The head of each agency shall, within its existing resources and as

part of its ongoing employee occupational safety and health program:

(1) Immediately inform all employees of the policy of safety belt usage;

(2) Provide information to all employees concerning the correct use and importance of motor vehicle occupant protection devices;

(3) Organize, conduct, and maintain an employee motor vehicle occupant protection program;

(4) Include in the regular periodic inspection of all agency motor vehicles, inspection of the safety belt system to insure its proper working condition and regular maintenance; and

(5) Provide for the documentation of safety belt usage in all reports of motor vehicle accidents prepared by that agency.

Sec. 4. Responsibilities of the Secretary of Transportation.

(a) The Secretary of Transportation, in consultation with the Secretary of Labor, shall:

(1) Provide leadership and guidance to the heads of Executive agencies to assist them in carrying out their responsibilities for organizing, conducting, and maintaining a Federal employee motor vehicle occupant protection program; and

(2) Facilitate the exchange of ideas and information throughout the various Government agencies about motor vehicle occupant protection programs.

Sec. 5. Responsibilities of the Secretary of Labor. (a)

The Secretary of Labor shall include in safety evaluations of Federal agencies, pursuant to Section 1-401(h) of Executive Order No. 12196, determination of agency compliance with this Order; and

(b) The Secretary of Labor shall include in the annual reports to the President, pursuant to Section 1-401(j) of that

Order, a summary report on the status of on-the-job safety belt use by Federal employees.

Sec. 6. Responsibilities of the Secretary of Defense. The Secretary of Defense shall be responsible for implementation of all provisions of this Order insofar as they apply to military personnel.

Sec. 7. General Provisions. (a) 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 section 19 of the Occupational Safety and Health Act of 1970, or 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.

(b) 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 liability of the United States under the Federal Tort Claims Act.

(c) This Order shall be effective immediately.

THE WHITE HOUSE,