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**Folder Title:** 07/24/1986 (2:00 pm) Roosevelt Room - DPC  
Meeting re: National Maximum Speed Limit and Continuation of  
Drug Abuse Policy (1)

**Box:** OA 17746

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1984 National Strategy 7/29/86  
for Prevention of Drug Abuse  
& Drug Trafficking loaned  
to Arthur Hoken.

A.H.U.

THE WHITE HOUSE  
WASHINGTON

CC: BWS  
Tm  
mm  
AH

CABINET AFFAIRS STAFFING MEMORANDUM

Date: 8/11/86 Number: 317,179 Due By: -----

Subject: DOMESTIC POLICY COUNCIL MINUTES

July 24, 1986 Meeting

| ALL CABINET MEMBERS | Action                   | FYI                                 |                          | Action                              | FYI                                 |
|---------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| Vice President      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | CEA                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| State               | <input type="checkbox"/> | <input type="checkbox"/>            | CEQ                      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Treasury            | <input type="checkbox"/> | <input type="checkbox"/>            | OSTP                     | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Defense             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Justice             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Interior            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Agriculture         | <input type="checkbox"/> | <input type="checkbox"/>            |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Commerce            | <input type="checkbox"/> | <input type="checkbox"/>            |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Labor               | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Poindexter               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HHS                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Svahn                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HUD                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Chew (For WH Staffing)   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Transportation      | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Energy              | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Education           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
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| OMB                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| CIA                 | <input type="checkbox"/> | <input type="checkbox"/>            |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
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| USTR                | <input type="checkbox"/> | <input type="checkbox"/>            |                          | <input type="checkbox"/>            | <input type="checkbox"/>            |
| EPA                 | <input type="checkbox"/> | <input type="checkbox"/>            | Executive Secretary for: |                                     |                                     |
| GSA                 | <input type="checkbox"/> | <input type="checkbox"/>            | DPC                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
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REMARKS:

Attached for your information are the revised minutes of the July 24, 1986 Domestic Policy Council Meeting.

RETURN TO:

☒ Alfred H. Kingon  
Cabinet Secretary  
456-2823  
(Ground Floor, West Wing)

☐ Don Clarey  
☐ Rick Davis  
☐ Ed Stucky

Associate Director  
Office of Cabinet Affairs  
456-2800 (Room 235, OEOP)

REVISED

MINUTES  
DOMESTIC POLICY COUNCIL

July 24, 1986  
2:00 p.m.  
Roosevelt Room

Participants: Messrs. Meese, Hodel, Lyng, Brock, Bowen, Ms. Dole, Messrs. Herrington, Miller, Bauer, Kingon, Bledsoe, Svahn, Sprinkel, Wallison, Turner, Ms. King, Ms. Maseng, Messrs. Tuck, Gibson, Petrosky, Khedouri, Cox, Ms. Horner, Messrs. Knapp, Cribb, Cooper, Ms. Dunlop, Messrs. Clarey, Davis, Ms. Steelman.

Drug Abuse Policy

Attorney General Meese began the meeting by indicating that the President has asked the Council to quickly develop initiatives to move ahead on drug abuse policy. He referenced the 1984 National Strategy document sent to Council members as the background document we should build upon. Mr. Turner described the development of the strategy beginning in 1981, and the results to date. He cited statistics about the use of various types of illegal drugs, focusing on crack and cocaine. Mr. Meese directed the Council's attention to a discussion paper containing six proposed goals. Mr. Kingon asked why the reduction goal was expressed numerically (70%). The pros and cons of a specific number were discussed. One concern expressed was whether any lesser percent would be considered a failure. Mr. Turner felt a number was needed for people to be able to commit to. Drug use in the military has been reduced by over 65%, thus this might be a feasible goal. Mr. Meese suggested a compromise in wording, in which the goal would be "at least 50 percent." This was felt to be reasonably attainable in next three years. The Council concurred.

Mr. Meese reviewed the first of the six goals, Drug-Free Workplaces, and the specific initiatives under this goal - seeking to make the Federal government drug-free, encouraging states and local governments to seek drug-free workplaces, encouraging government contractors to eliminate drug usage, and motivating private industry to be drug-free. The Council felt these are appropriate objectives. He said the second goal is Drug-Free Schools. Mr. Bauer agreed with this goal, pointing out that Congress wants to move ahead with legislation in this area. The third goal is to Expand Drug Treatment. Secretary Bowen concurred that this goal is desirable and that we should work with states and local governments to upgrade the number and quality of drug treatment facilities. Mr. Miller raised a question about Federal involvement in treatment. Mr. Meese said this will be considered as these goals are further developed. Ms. King suggested we not require that states develop treatment programs without giving them the necessary resources.

The fourth goal cited is to Expand International Cooperation. The Council concurred in proposing this goal. The fifth goal is to Coordinate Law Enforcement. The Council felt that "Strengthen Law Enforcement" would be better wording. The sixth goal proposed is to Increase Awareness and Prevention. Secretary Herrington said that in presenting these goals, we should stress our successes.

Mr. Meese directed that we prepare a decision memorandum for the President containing these six goals, and stressing the military experience as an example of our success in drug abuse prevention. Mr. Knapp asked how funding would be treated. Mr. Sprinkel said we need to address costs and other issues as well. Mr. Svahn said the intent should be to present the broad goals to the President, and then develop the specific initiatives under each. Mr. Miller said we need to begin the development of cost-benefit analyses also. Mr. Meese asked Mr. Williams to coordinate the cost-benefit activities. Mr. Brock said we may be using the wrong term, and we should be prioritizing expenditures rather than trying to assess benefits. Mr. Miller said we need to determine where we can get the biggest reductions. Mr. Meese said the DPC must work hard on these issues, and the President will decide on the general direction and goals.

#### Maximum Speed Limit

Secretary Dole described the issues associated with the National Maximum Speed Limit Act, a law passed in 1974 as a conservation measure. She indicated that concerns have been expressed by many states about the enforcement of these laws, and that various options have been developed to address these concerns. She cited repealing the law, modifying the law to permit each state to establish their own limits contingent upon increased enforcement of safety standards, and modifying the law to permit states to raise the limit to 65 mph on rural Interstates as three that are appropriate. She stated that a national 55 mph speed limit is really a violation of our Federalism principles, even though it has been proven as a safer speed and opinion polls show support for retaining this limit.

Ms. Dole described the National Academy of Sciences study of highway safety, which found that highway deaths have been reduced, but if the law were repealed they would increase by 2,000 to 4,000 per year. She stated that Governors have passed a resolution asking for repeal of the limit, and that several Senators will likely move a bill on this issue. The House of Representatives will probably hold the line on the 55 mph limit. She said that the 55 mph limit has had an impact, and that in looking at tradeoffs we should focus on keeping fatalities down. She said that the Department of Transportation supports the option to permit states to raise the limit to 65 mph on rural Interstate highways. As to compliance, she explained that if 50% of the drivers in a state exceed the national speed limit, DOT

must withhold that state's highway funding. Under the law there is no discretion. By August 15, she will have to penalize another five states. Eleven states that have not fully policed their highways have indicated they would rather forfeit the funds than comply with the statute. At this point the meeting was adjourned briefly.

When the meeting reconvened, Mr. Miller thanked Ms. Dole for the excellent analysis. He felt that her arguments supported the option that would permit states to set their own limits as long as safety standards were emphasized. Secretary Brock agreed, suggesting that we can still stay with our Federalism principles if safety standards are measured and enforced, but states set their own limits. Mr. Sprinkel said that if we believe in Federalism, we should leave speed to the states, and let the consumers decide the speed they will travel. He felt the 55 mph limit is bad regulatory policy, and that we need to be sensitive to costs as well as safety. He said he prefers the repeal of the Act. Mr. Svahn agreed with Mr. Sprinkel.

Secretary Hodel said he also agreed with the option to repeal the Act. He felt we should not support Federally mandated traffic laws. He said we should do what is right. He felt that politically the facts are arguable, so we can and should leave this up to the states. He said they can look at the same data and reach their own conclusions about speed limits. He pointed out that we are in a position to say that we have had an excellent test, but now let the Constitution prevail and return this responsibility to the states. He said if we support a Federal limit of 65 mph, we could be held responsible for increased deaths. Ms. King said that a very rough survey of the states showed that none wanted a repeal of the limit, and that we should support rather than propose law modifications. Mr. Hodel said he thought a political reading has tainted this as a clear philosophical issue.

Mr. Brock said that if we are wrong on this issue we can lose votes. He said he had earlier supported modifying the Act to raise the limit to 65 mph on Interstates, but now feels that we can and should move from enforcing speed standards to enforcing safety standards. He said it is not only a Federalism issue, but also a safety issue since we build highways. Mr. Kingon asked if DOT is satisfied with the numbers about safety. Mr. Meese felt they were not scientifically derived. Ms. Dole said they are soft, but that she feels the 55 mph limit has saved lives. She cited other contributing factors, such as child seats, seat belts, and sensitivity to drunk driving. Mr. Hodel felt these arguments can be made known to the states, and they can make the same decisions we can.

Mr. Meese asked about the urgency of resolving the issue. Ms. Dole said that a bill is moving on which she should probably take a position. Secretary Bowen did not think we should ignore the political fallout that might occur and the importance of us

winning the Senate. Mr. Meese felt this is a good issue to put off until December, or politically we will be seen as raising the speed limit. He asked that we prepare the options and arguments for the President, to be discussed at a time determined by the President.

THE WHITE HOUSE  
WASHINGTON

CABINET AFFAIRS STAFFING MEMORANDUM

Date: 8/11/86 Number: 317,177 Due By: -----

Subject: DOMESTIC POLICY COUNCIL MINUTES

July 25, 1986 Meeting

|                            | Action                   | FYI                                 |                                 | Action                              | FYI                                 |
|----------------------------|--------------------------|-------------------------------------|---------------------------------|-------------------------------------|-------------------------------------|
| <b>ALL CABINET MEMBERS</b> | <input type="checkbox"/> | <input type="checkbox"/>            | <u>CEA</u>                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Vice President             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | CEQ                             | <input type="checkbox"/>            | <input type="checkbox"/>            |
| State                      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | OSTP                            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Treasury                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Defense                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Justice                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Interior                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Agriculture                | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Commerce                   | <input type="checkbox"/> | <input type="checkbox"/>            |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Labor                      | <input type="checkbox"/> | <input type="checkbox"/>            |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| HHS                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Poindexter                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| HUD                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Svahn                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Transportation             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Chew (For WH Staffing)          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Energy                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Education                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Chief of Staff             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| OMB                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
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| USTR                       | <input type="checkbox"/> | <input type="checkbox"/>            |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
|                            |                          |                                     | <b>Executive Secretary for:</b> |                                     |                                     |
| EPA                        | <input type="checkbox"/> | <input type="checkbox"/>            | DPC                             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| GSA                        | <input type="checkbox"/> | <input type="checkbox"/>            | EPC                             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| NASA                       | <input type="checkbox"/> | <input type="checkbox"/>            |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
| OPM                        | <input type="checkbox"/> | <input type="checkbox"/>            |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |
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| VA                         | <input type="checkbox"/> | <input type="checkbox"/>            |                                 | <input type="checkbox"/>            | <input type="checkbox"/>            |

REMARKS:

Attached for your information are the minutes of the July 25, 1986 Domestic Policy Council Meeting.

RETURN TO:

☒ Alfred H. Kingon  
Cabinet Secretary  
456-2823  
(Ground Floor, West Wing)

☐ Don Clarey  
☐ Rick Davis  
☐ Ed Stucky

Associate Director  
Office of Cabinet Affairs  
456-2800 (Room 235, OEOB)

MINUTES  
DOMESTIC POLICY COUNCIL

July 25, 1986  
11:00 a.m.  
The Cabinet Room

Participants: The President, the Vice President, Messrs. Meese, Shultz, Weinberger, Hodel, Bowen, Ms. Dole, Messrs. Herrington, Regan, Miller, Myers, Whitfield, Bauer, Knapp, Thomas, Svahn, Kingon, Bledsoe, Turner, Ball, Buchanan, Daniels, Speakes, Wallison, Dawson, Sprinkel, Khedouri, Cribb, Ms. Dunlop, Messrs. Williams, Davis, Clarey.

Drug Abuse Policy

The President asked Attorney General Meese to discuss the progress made in developing new directions for drug abuse policy. Mr. Meese indicated that an aggressive program is being developed to address the demand side of the drug abuse problem. He said it would be based on six goals. He asked Mr. Turner to discuss the first goal, which is to encourage drug-free workplaces. Mr. Turner pointed out that the new directions in drug abuse policy would build upon the work begun in 1981, and the overall strategy approved by the President and described in a document produced in 1984. Mr. Turner said the time is right to focus on holding the user responsible for drug abuse. In the military, illegal drug use has been cut by 67% because of such a focus. The proposed effort will call for encouraging government contractors to adopt policies for being drug-free, and this will also extend to all of private industry. He mentioned several companies and unions that are moving ahead with drug and alcohol abuse programs, and said that public support is firm. Business leaders support these efforts because of the need to improve worker effectiveness. Mr. Meese said that drug-free workplaces is the first goal under the overall aim to achieve a drug-free society.

The President said that with all the horrible things happening on the drug front, he wants to launch a national campaign which would appeal to the pride of Americans to volunteer to get off drugs. He said he hoped we would not make it compulsory for people to take tests or treatment, but that they would do it voluntarily. He pointed out that we have a right to demand drug-free workers in government, and it would help if government took the lead. He said we should not make tests mandatory, but if employees don't want to take tests, they can go into treatment. Mr. Svahn said the Drug Abuse Policy Office has already taken voluntary tests. Mr. Meese indicated that OPM is working on a screening plan, in which the costs would be about \$30-\$35 per test. For 2 million employees this could be quite expensive. He said that it would be possible to select sensitive occupations to be tested.

The President said that if we want a national movement, how about laboratories providing less expensive testing as a contribution to the effort. Mr. Meese said there is also great room for positive peer pressure. Secretary Dole stated that unions at first resisted screening, but after working with them quietly, they have supported voluntary programs. The President said that if we supported screening maybe Lane Kirkland would have his policy board take it. Secretary Shultz asked about the illegal aspects of drug abuse, and wondered why more aren't arrested. Mr. Meese answered that many are, but the Federal laws only cover possession and sale, not use.

Mr. Shultz said we need a hard law enforcement effort to back up the voluntary programs. Mr. Weinberger said that in voluntary tests, people would be waiving their rights. Mr. Meese indicated that we probably would not prosecute those who volunteer for screening. The President concurred that we give people freedom from prosecution if they volunteer for screening. Mr. Shultz said we have been making good progress in discouraging drunk driving, and suggested we balance the voluntarism with strong law enforcement efforts. Mr. Meese pointed out that we have proposed that local law enforcement organizations devote more of their resources to counter drug abuse. Mr. Weinberger stated that in the military, the threat of discharge is a severe deterrent.

Mr. Bauer expressed concern over using a numerical goal as a goal for reducing drug abuse. The President agreed that 50% might be seen as accepting half, when we want all drug abuse stopped. Mr. Svahn said we would not be settling for half, in that we say that at least 50% reduction would be the goal. The President thought the goal should be total eradication, not just a reduction, and that we should state we intend to be half-way to the goal in three years.

As to the second goal, drug-free schools, Mr. Bauer said that schools are a major part of the battleground, which the Democrats have just now discovered. He described Tip O'Neill's legislative package that would cost \$3-5 billion, and said the Education Department has drafted a drug-free schools bill that would cost about \$100 million, but that funding would be taken from other programs. Under this bill, schools would get money if they show progress. Mr. Meese said the bill is not the key issue here, but that we would seek mandatory drug-free school policies, we would communicate information to schools, we would inform the heads of schools about laws against distributing illegal drugs on or near school property, and we would encourage that drug abuse courses are part of a health curriculum. Mr. Bauer mentioned that three of the above are in the draft bill. The President hoped that school children would be encouraged to think that they are not squealing on a friend when they call attention to their use of illegal drugs, so much as they are saving a friend.

Regarding the third goal, Secretary Bowen said the stress would be on treatment of drug users who wish to quit. At present there

are an inadequate number of treatment centers, and those that exist are not integrated into the total health system. He said we would educate health care professionals, and seek employee assistance programs in both public and private organizations. He indicated we would work with interest clubs and associations, and try to expand insurance and third party payment for treatment programs. He said that much research is already underway on risk factors, epidemiology, treatment, and rehabilitation, with prevention as a major priority. The President commented that we should get clubs, churches, and communities to rally around this effort, and not totally concentrate on things that cost money. Mr. Bowen said we must get communities involved. Mr. Meese said the private sector effort will be larger than the government's.

For the fourth goal, expanding international cooperation, Mr. Turner cited that 14 countries have worked with us on eradicating plants that produce illegal drugs. He said that efforts to fight drug abuse are now a world program, pointing out Mrs. Reagan's efforts and contacts throughout the world. He felt we should bring ambassadors in to send a signal to countries that produce drugs or have drug problems, and to educate them about drug abuse programs. Mr. Meese stated that ministers from drug countries had met with Mr. Shultz in a very helpful meeting. The President acknowledged that the First Lady has been a leader. Mr. Shultz said she dominated the Bonn Summit, without being there. Her drug prevention efforts were heavily discussed. He commented that you can see the results and the impact of what Mrs. Reagan has done. Mr. Shultz said however it costs money to keep this up, and our foreign program is being cut. Mr. Weinberger agreed with Mr. Shultz, and pointed out that we have had some success on the supply side of the problem, despite recent leaks about foreign operations. He said we will continue to support any country that asks for our assistance in this area. The President said we have to get Tip O'Neill converted to earmark funds for this effort. Mr. Meese agreed that Congress is whacking away at our good programs.

The fifth goal discussed was to strengthen law enforcement. Mr. Meese said that law enforcement personnel should be able to help the treatment programs in this emphasis on health. He agreed with Mr. Shultz that strong action is needed by the entire criminal justice system to back up treatment programs. Mr. Meese mentioned that a southwest border initiative has been developed, and will be introduced soon. The sixth goal in the program is increased prevention and awareness, which will highlight renewed emphasis on communications. Mr. Buchanan outlined that the time is right to highlight this issue, with the recent deaths of athletes, the publicity about the drug Crack, and media focus on all of these. He said the First Lady's approval rating for her efforts in this area are about 80 percent. And, the President has an 82 percent approval rate among the 18-24 year old age group. Mr. Buchanan felt we should take the high road, and let departments do the specifics. He said the President should challenge the media, corporations, clubs, and state and local

governments. Mr. Buchanan thought that prior to August 15 we could use the White House to launch a campaign, because the country is ready and it is an opportune time.

The President cited a recent national poll about major problems, in which 71% of the people were concerned about drugs. Mr. Meese pointed out some other concerns in this area of which we need to be aware. They include our legislative strategy, individual rights, our Federalism principles, and perhaps most of all funding. Secretary Herrington suggested another problem that had to do with logistics in testing programs. He recalled that we had been buried in samples, causing labs to become clogged. Overall, he felt the punitive aspects were a lot better than treatment. The President concluded the meeting by stating he thinks we are on the path to something that will make a difference, and that we should move ahead as quickly as possible.

**THE WHITE HOUSE**

WASHINGTON

July 23, 1986

The Domestic Policy Council Meeting scheduled for July 24 at 2:00 P.M. will be 90 minutes. The agenda will be The National Maximum Speed Limit and Drug Abuse Policy.

PATSY FAORO  
OFFICE OF CABINET AFFAIRS

THE WHITE HOUSE  
WASHINGTON

Action CO: MZ  
TGM  
MLM  
BWS

CABINET AFFAIRS STAFFING MEMORANDUM

Date: 7/23/86 Number: 317,157 Due By: -----

Subject: Domestic Policy Council Meeting - July 24

2:00 P.M. Roosevelt Room

| ALL CABINET MEMBERS | Action                              | FYI                      |                          | Action                              | FYI                      |
|---------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| Vice President      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | CEA                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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| EPA                 | <input type="checkbox"/>            | <input type="checkbox"/> | Executive Secretary for: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| GSA                 | <input type="checkbox"/>            | <input type="checkbox"/> | DPC                      | <input type="checkbox"/>            | <input type="checkbox"/> |
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REMARKS:

The Domestic Policy Council will meet on Thursday, July 24, 1986 at 2:00 P.M. for 90 minutes in the Roosevelt Room.

The agenda and background paper on The National Maximum Speed Limit is attached.

RETURN TO:

☒ Alfred H. Kingon  
Cabinet Secretary  
456-2823  
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THE WHITE HOUSE

WASHINGTON

July 23, 1986

MEMORANDUM FOR THE DOMESTIC POLICY COUNCIL

FROM:

RALPH C. BLEDSOE  
Executive Secretary



SUBJECT:

Domestic Policy Council Meeting on July 24, 1986

Attached are an agenda and materials for the Domestic Policy Council meeting scheduled for Thursday, July 24, 1986 at 2:00 p.m. in the Roosevelt Room. Two issues will be discussed: Maximum Speed Limit and Drug Abuse Policy.

The first agenda item will include a discussion of the Maximum Speed Limit, and how the Administration should respond to the concerns expressed by many states about the National Maximum Speed Limit Act. Secretary Dole will present the issues. The attached paper on this topic has been prepared by an ad hoc interagency group. The paper contains information about safety, enforcement, compliance and other aspects of the issues, and includes options for the Council's consideration.

The second agenda item will include a continuation of the discussion of Drug Abuse Policy. Since the July 22 meeting, the need has arisen to accelerate examination of the general strategy and options for initial, immediate action on this issue. No paper is being provided in advance, but additional information will be presented at the meeting.

THE WHITE HOUSE

WASHINGTON

DOMESTIC POLICY COUNCIL

Thursday, July 24, 1986

2:00 p.m.

Roosevelt Room

AGENDA

1. Maximum Speed Limit -- Secretary Elizabeth Dole  
Department of Transportation
2. Drug Abuse Policy -- Carlton Turner  
Deputy Assistant to the President  
for Drug Abuse Policy

THE WHITE HOUSE

WASHINGTON

July 22, 1986

MEMORANDUM FOR THE DOMESTIC POLICY COUNCIL

FROM: AD HOC GROUP ON THE MAXIMUM SPEED LIMIT

SUBJECT: The National Maximum Speed Limit



Issue - How should the Administration respond to State concerns regarding the National Maximum Speed Limit Act?

Background - In January 1974, Congress passed the National Maximum Speed Limit Act as a temporary measure to enforce fuel conservation. A national maximum speed limit of 55 mph was created. The Act later became permanent, and was modified to establish compliance criteria and to require States to implement speed monitoring programs. The Act also requires the Secretary of Transportation to withhold highway funds if States do not enforce and achieve compliance with the maximum speed limit of 55 mph.

Conservation: Current fuel savings attributed to the 55 mph speed limit have been estimated at about 1 percent of total U.S. consumption of petroleum products. A 1984 National Academy of Sciences (NAS) study estimated that the 55 mph speed limit reduced oil imports by about \$2 billion per year. However, fuel prices have decreased by more than 25 percent since the 1984 study. Some contend that the lower speed limit has also lessened the appeal of large, powerful cars, and has enhanced consumer acceptance of smaller, more energy efficient cars. Others feel that changing consumer demand and fuel economy standards played a more significant role in this trend. In either case, the downsizing of the American automobile fleet is seen by many as a more important energy conservation measure than the 55 mph speed limit, although some feel the two can be linked.

Public Opinion: Public opinion polls during the last decade have revealed strong support for the 55 mph speed limit throughout the country. However, regional differences exist, and polls have not focused on the question of State versus Federal control of speed limits. An April 1986 national poll by NBC News and The Wall St. Journal showed 70 percent support for keeping the 55 mph speed limit. The poll also indicated that 37 percent of American motorists say they drive at 55 mph or slower on better highways in good weather, and another 43 percent say they drive between 56 and 60 mph. (See attached poll results.) The NAS study suggests two subtleties that are important: 1) the strongest supporters of the law also drive the least, and 2) most American drivers believe that they comply with the spirit of the law by not exceeding 60 mph. A 1985 California Highway Patrol survey found that 62 percent of a nationwide sample preferred a higher speed limit on major rural expressways.

**Safety:** Improved safety, rather than energy conservation, now serves as the strongest argument for supporters of the 55 mph speed limit. Nationwide statistics indicate that reduced speed and reduced speed variance (fast vs. slow drivers) appear to be key factors in the decline of highway fatalities. Highway fatalities declined by 8,856 between 1973 and 1974, and the NAS study suggests that 3000 to 5000 of the avoided fatalities were attributable to the 55 mph speed limit. This study further points out that by 1983 annual fatality reductions attributable to the 55 mph limit had dropped to 2,000 to 4,000 per year. Improvements in vehicle and highway design, medical services, and safety and enforcement policies have also reduced the risk of high speed driving. Without discounting these factors, supporters of the 55 mph limit argue that crashes at higher speeds produce more fatalities ("Speed Kills!"), and that this problem is even more pronounced with smaller cars.

**Compliance:** Despite statistical safety arguments and opinion polls which support the 55 mph speed limit, Federal data indicate that compliance with the National Maximum Speed Limit Act is steadily declining, and that a situation analogous to Prohibition may be developing. In 1983, over 70 percent of the traffic on rural Interstates traveled in excess of 55 mph. In 1984, nationwide statistical data shows that, on average, 42 percent of American vehicles exceeded the 55 mph limit on all monitored highways. The number of States reporting that over 50 percent of their vehicles exceeded 55 mph grew from 30 in FY 1982 to 44 in FY 1985. Various regulatory "adjustments" to reported data have kept most States from being penalized. However, Arizona, Vermont and Maryland are clearly in violation of the Federal statute, and the Secretary of Transportation must now withhold up to 10 percent of their highway funds. Similar action will most likely be required against several other States over the next few months.

**Discussion** - States, particularly those in sparsely populated western regions, have increasingly resented the National Maximum Speed Limit Act and its associated compliance formula. Some States only enforce the speed limit in the vicinity of State monitoring sensors, and others levy only nominal fines for speeding. As fuel conservation concerns lessen, some American motorists are beginning to recognize other costs such as increased travel time. The safety of traveling at 55 mph is more abstract to them, given the low probability of a fatal accident. Recently, the Western Governor's Association overwhelmingly passed a resolution calling for State flexibility to increase the speed limit on selected rural Interstates. These emerging concerns and the pending withholding of Federal funding for non-complying States suggest the need for a reevaluation of our national policy mandating a maximum 55 mph speed limit on American highways.

The chief objections to the current law are that it conflicts with the Administration's federalism principles, and that it sets the same blanket standard for the highest quality Interstate as it does for a narrow, two-lane rural road, even though American highways are vastly different in terms of their safety risk and importance to

national travel. Statistics confirm that the highest percentage of vehicles exceeding 55 mph can be found on the nation's safest and least traveled roads, and that fatalities are dropping on these roads despite steadily increasing speeds. Nevertheless, an increasing number of States have been forced to redeploy police officers from densely traveled and high-accident areas to low volume, low risk roads to maintain compliance with the 55 mph limit and thus avoid loss of Federal funds.

The impact of these Federally mandated speed enforcement procedures on overall highway safety troubles many law enforcement officers and other State officials. Increasing speeds on rural Interstates have not been accompanied by comparable fatality increases, thus eroding confidence in the 55 mph speed limit as an effective traffic safety measure on well-designed, lightly traveled highways. The Commander of the South Dakota Highway Patrol recently said: "We have the Federal government worrying about whether or not I've got a trooper out on the Interstate at 10 o'clock in the morning to keep a guy from going 60 on a road designed for 70 mph. If I could concentrate my troopers on the road on a Wednesday or Friday night when the bars close, we could save 10 times the lives we lose to speeding." The dilemma is further compounded by the current regulatory system that treats the 56 mph driver the same as the 86 mph driver for compliance purposes.

The 1984 National Academy of Sciences study, which was mandated by the Congress and commissioned by the Department of Transportation (DOT), noted that focusing resources on Interstates is an efficient way to gain compliance with the law, but it does not represent the optimum way to ensure overall highway safety. The study further noted, as an example of an emerging trend, that Oregon state police devote one-third of their patrol time to speed enforcement on freeways, yet only 6 percent of their fatal accidents occur on these roads. The NAS study concluded by recommending that "the 55 mph speed limit should be retained on almost all of the nation's highways," and that the Federal government should measure State compliance with the speed limit through "a point system that attaches more significance to high-speed violations than to violations just above the speed limit."

Given the arguments supporting and challenging the 55 mph speed limit, Administration actions on this issue:

- o Should not impede the progress made during the past several years in reducing highway fatalities;
- o Should recognize regional and local variations in demographics, roadway design, and travel patterns;
- o Should consider public attitudes, driving practices, and law enforcement procedures, including accepted tolerances in speed enforcement; and,

- o Should reflect the established principles of federalism.

Options - In order to respond to State concerns, several options are available for Administration consideration:

OPTION #1 Continue to enforce the current law and regulations without further modifications.

Pros

- o There is popular support for the current law despite lack of compliance.
- o Energy savings in excess of \$1 billion per year would continue to accrue.
- o Environmental and other activist groups would not be antagonized, and political capital and effort could be employed elsewhere.

Cons

- o As stated in the 1980 Republican Platform, "the federal 55 miles per hour speed limit is counterproductive and contributes to higher costs of goods and services to all communities, particularly in rural America." This option would be counter to that statement.
- o State level resentment is building against Federal involvement in speed enforcement, and the resulting sub-optimal utilization of scarce police resources.
- o It is bad public policy to retain a law which is actively supported only by a vocal minority, and which is widely disregarded by otherwise law abiding American motorists.

OPTION #2 Propose that the National Maximum Speed Limit Act be Repealed.

Pros

- o The responsibility for regulating speeds would be returned to the States and local governments consistent with the Administration's principles of federalism.
- o Despite opinion polls supporting the current law, repeal of the Federally mandated maximum speed limit would be a popular act. The Administration could advocate State control of speed limits without endorsing higher speeds. Senator Exon's bill, which raises the limit to 70 mph, misses this key point and could be opposed while the Administration pushes for total repeal of the national speed limit.

- o Repeal of the current law would not necessarily mean that all States would raise the maximum speed limit. Citizens could voice their opinion in each State, and if the 55 mph limit is as popular as represented, it will be retained. However, speed would be regulated in accordance with local conditions and public attitudes. The economic cost imposed upon American society as a whole would be reduced, and States would not be unfairly deprived of Federal highway funds generated via gasoline taxes on their citizens.

Cons

- o As suggested by a 1984 NAS study, fatalities could increase by 2,000 to 4,000 per year if all States reinstated their pre-1974 speed limits.
- o Proposing repeal of the current law will subject the Administration to criticism that it is not concerned with safety, and that it is ignoring a potential increase in highway fatalities.
- o The current law has strong, vocal supporters which will make repeal difficult.

OPTION #3 Propose a modification to the current law which would permit each State to establish its own speed limits, contingent upon increased enforcement of other safety measures to maintain a declining trend in highway fatalities.

Pros

- o Speed limits would be established at the State and local level consistent with the Administration's federalism principles.
- o The Federal government could continue to maintain a strong position on the importance of highway safety, and regulate State compliance without mandating blanket standards for vastly different regions of our country.
- o States would be permitted to focus their resources on saving lives, and would risk loss of Federal funds only if results, not methods, were unsuccessful.

Cons

- o The Federal government would continue to regulate a function which is more properly the responsibility of States and local governments.
- o Regulating compliance with fatality standards would be complex, would require a new Federal bureaucracy, and would place the Federal government in the inappropriate role of establishing a rational and "acceptable" level of highway fatalities.

- o Strong political opposition can be expected from vocal special interest groups.

OPTION #4 Propose modifications to the current law which would permit States to raise the speed limit to 65 mph on sparsely traveled rural highways constructed to Interstate standards, and which would implement a compliance point system to focus enforcement efforts on the most excessive speeders.

Pros

- o Approximately 18,000 miles of rural Interstates and other low volume expressways representing one-third of the total Interstate system would be eligible for a 65 mph speed limit. Such action would significantly diffuse the growing State and local resentment against an unreasonably low speed limit on desolate, high-speed roads.
- o Compliance requirements which are weighted against the most excessive speeders would permit more rational deployment of scarce police resources.
- o Local conditions and public attitudes could be accommodated without sacrificing a decade of progress in reducing highway fatalities. A major DOT effort to increase speed law enforcement and seat belt utilization on all roads could be implemented concurrently, and in a manner consistent with the principles of federalism, to reduce the risks associated with the proposed change, and to minimize the concerns of safety conscious citizens.

Cons

- o The Federal government would still retain a major role in regulating speed limits, contrary to the principles of federalism.
- o Fatalities could increase slightly if all States adopted a higher speed limit on eligible roads, without concurrent efforts to reduce fatalities in high risk areas.
- o The national 55 mph speed limit was established under unique circumstances during the energy crisis, and has resulted in a beneficial modification in the behavior of the average American driver. Even if fatalities should increase dramatically, a national consensus to reimpose a slower speed limit may not emerge again.

NBC News and The Wall Street Journal Poll - April 1986

55 MILES PER HOUR SPEED LIMIT

When driving on better highways in good weather, do you most often drive . . . 55 miles per hour or slower, 56 to 60 miles per hour, 61 to 70 miles per hour, or more than 70 miles per hour?

4/86a

|                                |     |
|--------------------------------|-----|
| 55 mph or slower               | 37% |
| 56-60 mph                      | 43  |
| 61-70 mph                      | 16  |
| Faster than 70 mph             | 2   |
| Don't drive (VOLUNTEERED ONLY) | 2   |
| Not sure                       | *   |

Do you favor or oppose keeping the 55 miles per hour speed limit?

4/86a

|          | <u>All</u> | <u>Among those who<br/>drive 55 MPH or slower</u> | <u>Among those who<br/>56-60 MPH</u> | <u>Among those who<br/>drive 61 MPH or faster</u> |
|----------|------------|---------------------------------------------------|--------------------------------------|---------------------------------------------------|
| Favor    | 70%        | 87%                                               | 70%                                  | 34%                                               |
| Oppose   | 28         | 11                                                | 29                                   | 64                                                |
| Not sure | 2          | 2                                                 | 1                                    | 2                                                 |

SPEED LIMIT

| <u>65 Option</u>   | <u>Retain Current Law</u>       | <u>Repeal</u> | <u>No Position</u> |
|--------------------|---------------------------------|---------------|--------------------|
| Alabama            | Delaware                        | 0             | Arkansas           |
| Alaska             | Maine (would not oppose option) |               | Connecticut        |
| Arizona            | Maryland                        |               | Florida            |
| California         | Massachusetts                   |               | Kentucky (neutral) |
| Colorado           | New York                        |               | Michigan           |
| Georgia + seatbelt | Ohio                            |               | Mississippi        |
| Hawaii             | Oregon                          |               | Missouri           |
| Idaho              | Tennessee                       |               | Nebraska           |
| Illinois           | Vermont                         |               | New Jersey         |
| Indiana            | Virginia                        |               | *New Mexico        |
| Iowa               | Wisconsin                       |               | North Carolina     |
| Kansas             |                                 |               | Pennsylvania       |
| Louisiana          |                                 |               | South Carolina     |
| Minnesota          |                                 |               |                    |
| Montana            |                                 |               |                    |
| Nevada             |                                 |               |                    |
| New Hampshire      |                                 |               |                    |
| North Dakota       |                                 |               |                    |
| Oklahoma           |                                 |               |                    |
| Rhode Island       |                                 |               |                    |
| South Dakota       |                                 |               |                    |
| Texas              |                                 |               |                    |
| Utah               |                                 |               |                    |
| Washington         |                                 |               |                    |
| West Virginia      |                                 |               |                    |
| Wyoming            |                                 |               |                    |

\*but voted for WGA  
resolution

Talking Points on 55 MPH Speed Limit  
DPC Meeting  
July 24, 1986

o Federalism principles require leaving speed limit up to states.

- We should respect state preferences.

o The original justification--saving oil--no longer applies.

- When oil prices were controlled consumers faced an artificially low gasoline price. Today we have no controls and consumers can make up their own minds about saving gasoline.

- Reduction in consumption is small (.2-1.0% of gasoline consumption).

- Runs counter to our attempts to help the oil industry.

o The 55 mph limit is bad regulatory policy.

- The 55 mph limit is widely disobeyed. Encourages disrespect for law.

- Good policy should be sensitive to the costs of increased driving times as well as safety. Local preferences and local driving conditions vary. Federal Government is less able to assess local conditions than local authorities.

- Enforcement may lead to less safety.

However State officials say that accidents could be reduced if police didn't have to monitor the relatively safe interstate highways.

o Option 2 is best policy. We are not raising the limit, only giving states the chance to set speed limits.

- Option 3 (eliminate limit but require other safety measures) puts Federal Government into more regulatory programs.

- Option 4 (65 mph limit and point compliance system for excessive speeders) doesn't fully deal with Federalism issue, and forces 55 mph on 2/3 of interstate system.

no drive -  
zero

Exp: Data ind → save 1 life - add 1 yr  
to total drive 24 hrs  
a day

However

to Dept

to verify comp.

Helps farmers &  
the oil industry

BB rating 7/10

1. Issue agenda deferred. St. 4 morning
3. Demos / 3 major cutting issue
4. Demos will safety issue - air etc
5. Lip service

A. 10% B. ee 80% C. Only 20% backed.  
D. No one is - 4 imp. West - 11

Trailer issue St. Pto safety

6. Wish to avoid. Delay - last risk
7. Believes i. Sen & cut lower  $\frac{1}{3}$   
If econ. holds.