The original documents are located in Box 12, folder "10/27/74 S355 Motor Vehicle and Schoolbus Safety Amendments of 1974 (1)" of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

THE WHITE HOUSE

WASHINGTON

ACTION

Last Day - October 29

October 25, 1974

MEMORANDUM FOR: THE PRESIDENT

FROM: KEN COLE

SUBJECT: Enrolled Bill S. 355
Motor Vehicle and Schoolbus
Safety Amendments of 1974

Attached for your consideration is Senate bill, S. 355, sponsored by Senators Magnuson, Mondale and Nelson, which:

- prohibits the use of seat belt interlock or continuous buzzer systems
- establishes procedures for Congressional disapproval of passive restraint systems for motor vehicles
- establishes procedures for the remedy and recall of certain defective motor vehicles without charge to the owner
- requires the establishment of schoolbus safety standards
- provides for a motor vehicle diagnostic inspection demonstration project; and,
- authorizes funds for motor vehicle safety for fiscal years 1975 and 1976.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

The Counsel's office (Chapman), Bill Timmons, and Domestic Council all recommend approval of the bill and issuance of the signing statement which Paul Theis has approved.

RECOMMENDATION

That you sign Senate bill, S. 355 (Tab B) and approve the proposed Presidential signing statement (Tab C).

ok - JHM 10/26

APPROVED
OCT 27 1974

Statement
10/28

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

OCT 24 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 355 - Motor Vehicle and Schoolbus Safety Amendments of 1974
Sponsors - Sen. Magnuson (D) Washington, Sen. Mondale (D) Minnesota, and Sen. Nelson (D) Wisconsin

To Archives
10/29

Last Day for Action

October 29, 1974 - Tuesday

Purpose

Prohibits the use of seat belt interlock or continuous buzzer systems; establishes procedures for Congressional disapproval of passive restraint systems for motor vehicles; establishes procedures for the remedy and recall of certain defective motor vehicles without charge to the owner; requires the establishment of schoolbus safety standards; provides for a motor vehicle diagnostic inspection demonstration project; and authorizes funds for motor vehicle safety for fiscal years 1975 and 1976.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval (Signing statement attached)
Department of Health, Education, and Welfare (Office of Consumer Affairs)	Approval
Department of the Treasury	No objection
National Transportation Safety Board	No objection
Department of Commerce	No objection
Department of Justice	Defers to DOT
Consumer Product Safety Commission	Defers to other agencie

GERALD R. FORD

Discussion

This bill contains the recurring appropriation authorization for carrying out the National Traffic and Motor Vehicle Safety Act, and in addition incorporates a number of provisions intended to promote motor vehicle safety. The major provisions are as follows.

S. 355 would require that within 60 days of enactment, amendments be made to the Federal motor vehicle safety standard on Occupant Crash Protection. It would prohibit DOT from requiring or permitting manufacturers to comply with the safety standard by installing a seat belt interlock system or a buzzer other than one which operates only during the eight-second period immediately following the starting of the car.

The bill would permit DOT to issue a standard requiring the installation of passive restraints, e.g., air bags, only after holding an informal hearing. It would require submission of the standard to Congress and provide that it would become effective unless Congress adopted a disapproving concurrent resolution within 60 days. Concurrent resolution disapproval of an executive action is a form of legislative veto which Justice has consistently found to be unconstitutional in nature. Normally, inclusion of such a provision in a bill would raise the question of whether the bill should be disapproved. A similar concurrent resolution provision was included in Public Law 93-380, and dealt with HEW's issuance of regulations and orders relating to education programs. In signing that bill on August 21, 1974, you indicated:

> "Another troublesome feature of this bill would inject the Congress into the process of administering education laws. For instance, some administrative and regulatory decisions of the Department of Health, Education and Welfare would be subjected to various forms of Congressional review and possible veto. As a veteran of the Congress, I fully appreciate the frustrations that can result in dealing with the executive branch, but I am equally convinced that attempting to stretch the Constitutional role of the Congress is not the best remedy. The Congress can and should hold the executive branch to account for its performance, but for the Congress to attempt to administer Federal programs is questionable on practical as well as Constitutional grounds. I have asked the Attorney General for advice on these provisions."

Justice has not yet responded on that request. Meantime, other bills with concurrent resolution disapproval features have been enrolled, e.g., S. 3698 on nuclear agreements which is now awaiting your action; or included in pending legislation without objection from the executive agencies; e.g., the legislation relating to termination of emergency powers. We believe that a definitive position on concurrent resolution provisions must await Justice's report and advice and your consideration and decision on an appropriate general course of action. Accordingly, we recommend that you approve this bill without commenting on the concurrent resolution feature.

The bill would establish a legislative basis for procedures for the remedy and recall of defective motor vehicles or motor vehicle equipment without charge to the owner. The procedures established are essentially the same as those currently being used voluntarily by most vehicle and equipment manufacturers. Thus, while the provision is probably unnecessary, it is not objectionable.

Essentially, the bill would require the manufacturer of a vehicle, or vehicle equipment, which is defective or does not comply with an applicable Federal motor vehicle safety standard to remedy the defect by (1) repairing the vehicle without charge; (2) replacing the motor vehicle with a comparable vehicle without charge; or (3) refunding the purchase price of the vehicle, less a reasonable deduction for depreciation.

It would require the manufacturer to notify the first purchaser or other known owner of the vehicle or equipment of the defect by first class mail and on request to repair or replace the item within 60 days of such notice. If the item is not repaired on request within the 60 day period, the manufacturer would be required to replace the vehicle or refund the purchase price. Upon a showing of good cause, such as the time required to produce and ship replacement parts, DOT could extend the 60 day period.

In their views letters on the enrolled bill, both DOT and Justice express concern with the enforcement provisions of the remedy and recall procedures. The bill would remove some of the restrictions on the granting of manufacturer requests for pre-enforcement judicial review and make it easier to enjoin enforcement actions. This could have the effect of encouraging manufacturers to initiate court cases for the purpose of delaying enforcement. This could increase the cost and consequent workload of enforcement and delay

the remedy of critical safety defects. While these provisions may cause problems, we do not believe that they present problems serious enough to warrant disapproval.

The bill would require the establishment, within 15 months of enactment, of minimum school bus safety standards in eight areas of performance. In a letter to the House Commerce Committee, DOT opposed requiring these standards in legislation since seven of the eight areas mentioned were already covered by proposed DOT standards. However, since no minimum standards are specified in the bill, this provision appears acceptable.

The bill would require DOT to establish a demonstration project to assist in the development and evaluation of high-volume vehicle diagnostic inspection equipment usable by small vehicle repair businesses. In letters to the House Commerce Committee on other similar bills, DOT opposed this provision as being premature, since the concept itself has not yet been proven to be of sufficient value.

The bill would increase greatly DOT's authority to gather necessary information for motor vehicle safety purposes, including authority to hold hearings and issue subpoenas and general and special orders. This should aid DOT in assessing the benefits and costs of proposed standards and in the determination of the proper leadtime for the implementation of new standards.

S. 355 would also prohibit vehicle manufacturers, distributors, dealers, and repair businesses from tampering with or removing Federally-required safety equipment from used vehicles. The provision would not apply to private individuals or to seat belt interlocks or buzzers. This provision was strongly supported by DOT.

Finally, the bill would authorize appropriations of $55 million for fiscal year 1975 and $60 million for fiscal year 1976 for carrying out the National Traffic and Motor Vehicle Safety Act. This compares with the budget request of $42.6 million and actual appropriation of $35 million for fiscal year 1975 and DOT's request of $43 million for fiscal year 1976.

While there are some undesirable portions of S. 355, none is serious enough in our view to warrant a veto of the bill. We agree with DOT's statement in its memorandum on the enrolled bill:

> "In conclusion, we recommend approval of the bill. We take this position in the belief that the occupant crash protection section represents the most favorable compromise that was attainable and that the adverse impact of the bill upon our ability to enforce our defect and noncompliance determinations is outweighed by our new comprehensive information-gathering authority."

Wilfred H. Rommel
Assistant Director for
Legislative Reference

Enclosures

CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

OCT 18 1974

Honorable Roy L. Ash
Director
Office of Management
and Budget
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Ash:

You have requested a recommendation by the Consumer Product Safety Commission with respect to Presidential action on S. 355, a bill

> "To amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for the fiscal years 1975 and 1976; to provide for the remedy of certain defective motor vehicles without charge to the owners thereof; to require that schoolbus safety standards be prescribed; to amend the Motor Vehicle Information and Cost Savings Act to provide for a special demonstration project; and for other purposes."

This legislation does not involve or impact directly on the Consumer Product Safety Commission, nor would enactment of this legislation involve any increase in the budgetary requirements of this Commission. The Commission, therefore, defers to the affected departments and agencies with respect to recommended Presidential action.

Sincerely,

Richard O. Simpson

Richard O. Simpson
Chairman

NATIONAL TRANSPORTATION SAFETY BOARD
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C. 20591

OFFICE OF
THE CHAIRMAN

October 15, 1974

Mr. William V. Skidmore
Legislative Reference Division
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Skidmore:

This is in response to your request for views of the National Transportation Safety Board on the enrolled bill, S. 355, to amend the National Traffic and Motor Vehicle Safety Act of 1966 to promote traffic safety by providing that defects and failures to comply with motor vehicle safety standards shall be remedied without charge to the owner, and for other purposes.

The Safety Board does not object to approval of S. 355, although it does not favor the provisions of Section 109 of Title 1 which modify the requirements for occupant restraints in motor vehicles. It is the Board's view that important safety features contained in S. 355 override the loss of safety benefit resulting from inclusion of Section 109.

Sincerely,

John H. Reed

John H. Reed
Chairman

THE GENERAL COUNSEL OF THE TREASURY
WASHINGTON, D.C. 20220

Director, Office of Management and Budget
Executive Office of the President
Washington, D. C. 20503

OCT 18 1974

Attention: Assistant Director for Legislative Reference

Sir:

Your office has asked for the views of this Department on the enrolled enactment of S. 355, "Motor Vehicle and Schoolbus Safety Amendments of 1974."

Section 102 of the enrolled enactment would amend Title I of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1391, et seq.) by adding a new Part B which would among other things, authorize the Secretary of Transportation to require the manufacturer of any motor vehicle or motor vehicle equipment which is defective or which does not comply with an applicable Federal motor vehicle safety standard, to remedy the defect by (1) repairing the vehicle; (2) replacing the motor vehicle without charge; or (3) refunding the purchase price.

Section 103 would amend section 108 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1397) so as to conform existing enforcement provisions to any additional requirements imposed pursuant to section 102 of the enrolled enactment. Manufacturers, distributors, dealers or motor vehicle repair businesses would be prohibited, with certain exceptions, from knowingly removing, or rendering inoperative, any device or element of design installed on or in a motor vehicle or item of motor vehicle equipment in compliance with an applicable Federal safety standard. Section 103 would also require that no person shall fail to keep specified records or refuse to permit entry, impounding, or inspection, as required under the Act, or otherwise fail to comply with any order, rule or regulation issued pursuant to the Act.

The above-mentioned new requirements to be imposed by section 102 and 103 would apply to imports under existing section 108(b)(3) and (4) of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1397(b)(3) and (4)). The Department anticipates

no unusual enforcement difficulties for the U.S. Customs Service nor any significant increase in Customs workload from its current enforcement activities in the area of Federal motor vehicle and equipment safety standards.

The Department would have no objection to a recommendation that the enrolled enactment be approved by the President insofar as these sections are concerned.

Sincerely yours,

General Counsel

OFFICE OF THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

GENERAL COUNSEL

OCT 18 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

Dear Mr. Ash:

This is in response to your request for departmental views on S. 355, an enrolled bill entitled the "Motor Vehicle and Schoolbus Safety Amendments of 1974".

Titles I and II of the bill would amend the National Traffic and Motor Vehicle Safety Act of 1966. The two most significant sections in these titles are section 102, "Notification and Remedy", and section 109, "Occupant Restraint Systems". Section 102 would require manufacturers of vehicles and vehicle equipment to remedy safety defects or noncompliances in their products without charge to the owners of such products. Although the Department has considered the section to be unnecessary, since manufacturers have generally taken this action voluntarily, we do not oppose the section. It retains the current informal administrative procedures for determining defects or noncompliances, in accordance with our recommendations to the conferees.

The only objectionable feature of any significance is the enforcement provision. It may reduce our ability to enforce our defect and noncompliance determinations, by casting the government in the role of defendant in its own enforcement efforts. The provision could have this undesirable effect by encouraging the granting of manufacturer requests for pre-enforcement judicial review and by making it easier to enjoin governmental enforcement actions, thus preventing consolidation of review and enforcement actions.

Thus far, manufacturer efforts to obtain pre-enforcement review have been successfully opposed by the goverment as contrary to the public interest, since such review delays implementation of departmental defect or noncompliance

notification orders, and as unnecessary, since the government's enforcement action would entail a de novo hearing on the department's determinations. However, there is language in subsection (a)(1) and (c)(1) of new section 155 that could be characterized as creating at least an aura of authorization for pre-enforcement review.

Similarly, the manufacturers have been unsuccessful to date in their efforts to enjoin the government from filing enforcement actions, due largely to the manufacturers' inability to demonstrate irreparable injury or the consistency of an injunction with the public interest. However, the conferees made changes, on which the Department was not given any opportunity to comment, in section 155(c)(1) that may relieve the manufacturers from the current necessity of meeting the requirements set out in Virginia Petroleum Jobbers Ass'n. v. Federal Power Commission, 259 F. 2d 921, at 927, (D.C.Cir. 1958), for obtaining a stay: (1) making a strong showing of a likelihood of prevailing on the merits of the appeal; (2) showing that irreparable injury would occur without such relief; (3) showing that a stay would not substantially harm other interested parties; and (4) showing that there is no overriding public interest against a stay. Under this interpretation, the manufacturers would need to show only that their failure to give notification was reasonable and that they were likely to prevail on the merits.

To the extent that section 155(c)(1) is interpreted to allow manufacturers to seek pre-enforcement judicial review and, under certain circumstances, to avoid or postpone assessment of civil penalties, that section would encourage manufacturers to defy the Secretary's orders to notify and recall. If section 155(c)(1) is interpreted in this manner, it would overturn United States v. General Motors.* In any event, the cumulative effects of section 102 are likely to increase significantly the workload of the National Highway Traffic Safety Administration.

Section 109 would require that Federal Motor Vehicle Safety Standard 208, "Occupant Crash Protection", be amended within 60 days after enactment so that it neither requires nor permits manufacturers to comply by installing safety belt interlocks or buzzers other than a buzzer that operates only during the 8-second period immediately following the turning of the ignition key to the "start" or "on" position. The Secretary would be permitted to promulgate a standard requiring installation of passive restraints, after holding an informal public hearing. Such standard would become effective unless the Congress adopted a disapproving concurrent resolution within 60 days of continuous session after the submission of the standard to the Congress.

*377 F. Supp. 242, (D.D.C. 1974).

Although the Congressional review process added by the conferees may be constitutionally infirm in providing for a concurrent resolution rather than a joint resolution, a two-house resolution is certainly preferable to the one-house resolution that had been considered by the conferees. We are inclined to disregard these constitutional issues, since we believe that the concurrent resolution provision would not, as a practical matter, go far beyond Congress' existing opportunities for intervening in vehicle safety rulemaking.

In addition to sections 102 and 109, there are several other sections that are worth mentioning. Section 101 would authorize the appropriation of not more than $55,000,000 for FY 1975 and not more than $60,000,000 for FY 1976. The most recent previous authorization was $54,714,000 for FY 1973; there was no authorization for FY 1974. The authorizations in section 101 compare with the Administration request to Congress for the appropriation of $42,550,000 and the appropriation of $35,090,000 for FY 1975 and with a departmental request to OMB of $42,958,000 for FY 1976.

Section 103(a)(1)(A) would prohibit vehicle manufacturers, distributors, dealers and repair businesses, but not private individuals, from tampering with or removing Federally-required safety equipment from used vehicles. A special exception from the prohibition would be made in the case of interlocks and safety belt buzzers. The Department strongly supports this provision, which parallels a similar provision in the Clean Air Act, since it will promote the safety of used vehicles.

Section 104(a) would substantially increase the Department's ability to gather information necessary for the implementation of the Act by authorizing the Department to conduct informational hearings and issue subpenas and general and special orders. Thus, the Department would finally obtain under the Vehicle Safety Act the same broad information-gathering authority that it already possesses under the property damage reduction provisions in Title I of the Motor Vehicle Information and Cost Savings Act. A related section, section 105, would require manufacturers to substantiate any cost-related arguments they make against any action of the Department under the Act. These sections would be particularly valuable in aiding our assessment of the costs and benefits of proposed standards and our determination of the proper leadtime for the implementation of new standards.

Section 106 would codify the opportunity presently accorded all persons in 49 CFR Part 553 to submit petitions for the commencement of rulemaking. The section would also authorize the submission of petitions for the commencement of defects or noncompliance investigations. Although the opportunity to submit petitions regarding such investigations is not expressly recognized in our procedural regulations, we routinely ask manufacturers to provide us with information concerning complaints we receive about possible defects or noncompliances. We conduct technical analyses of the complaints that appear to have significant merit. If the analyses indicate that further action is warranted, formal investigations are initiated.

By highlighting and formally recognizing petitions regarding defects and noncompliances, section 106 is likely to increase the workload of our defects investigators substantially. This prediction is based upon the expectation that the section will elicit a greater number of meritorious complaints and that additional work will now be required to dispose of unmeritorious complaints due to the need to establish a record that justifies their rejection.

Section 108 would ratify the vehicle safety standard that we issued earlier this year regarding fuel tank integrity. The purpose of the section is to prevent judicial challenges by the manufacturers to the standard and to prohibit weakening changes to the standard's requirements or effective dates.

Title II of S. 355 would require the Department to use its existing rulemaking authority to promulgate vehicle safety standards regarding eight particular aspects of school bus performance in accordance with a specified schedule. The Department has not yet fully ascertained the extent to which existing or already proposed school bus standards would satisfy Title II, which provides no minimum specifications for the required standards. It seems clear, however, that Title II will significantly increase the effort that the Department will devote to school bus safety over the next 15 months, the period established for promulgating the standards.

Title III of S. 355 would amend the Motor Vehicle Information and Cost Savings Act to require the Department to conduct a demonstration project for high-volume vehicle diagnostic inspection equipment usable by small vehicle repair businesses. This project for developing a particular way of applying the concept of diagnostic inspection was opposed by the Department

as premature since the validity of the concept itself has yet to be demonstrated. No schedule is specified by Title III for the project. Funding for the project would be derived from the existing authorization in section 321 (formerly 304) of the Cost Savings Act. We would expect to work out the necessary funding requirement in the context of our current discussions with the Office of Management and Budget on the Department's fiscal years 1975 and 1976 budget.

In conclusion, we recommend approval of the bill. We take this position in the belief that the occupant crash protection section represents the most favorable compromise that was attainable and that the adverse impact of the bill upon our ability to enforce our defect and noncompliance determinations is outweighed by our new comprehensive information-gathering authority.

We recommend that a Presidential signing statement be made concerning the bill and the general subject of motor vehicle safety. Suggested language that could be included in the statement is enclosed for your consideration.

A signing statement would help to ensure that the elimination of the interlock and buzzer is not miscontrued by the public as a condemnation of occupant restraint systems. Even critics of the interlock and buzzer generally recognize that use of occupant restraints is one of the most important elements of a successful national vehicle safety program.

The signing of the bill would also provide an occasion to emphasize the substantial decrease in highway fatalities this year. Although decreased travel is partially responsible for the downturn, the national 55 mile per hour speed limit is also due credit.

Sincerely,

Rodney E. Eyster

Enclosure

This legislation deals effectively with highway traffic safety, a subject everyone should feel strongly about in view of the 56,000 deaths that occurred on America's highways last year.

Although this Act, as amended by the Congress, does away with the unpopular seat belt interlock system, which was designed to get motorists to wear their safety belts, I hope that by signing this legislation into law I will in no way keep Americans from buckling their safety belts. Our nation can ill afford these losses when we know that buckling up could save more than 10,000 lives a year.

Additionally, the lowering of speed limits and other effects of the energy shortage have had a dramatic impact on highway deaths. We have already experienced a reduction of more than 7,500 fatalities so far this year compared with the first eight months of 1973. We urge everyone to continue these conservation practices, to observe sensible driving speeds, and to make effective use of a proven safety device already in their vehicles -- safety belts.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

OCT 21 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D. C. 20503

Dear Mr. Ash:

This is in response to your request for a report on S. 355, an enrolled bill "To amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for the fiscal years 1975 and 1976; to provide for the remedy of certain defective motor vehicles without charge to the owner thereof; to require that schoolbus safety standards be prescribed; to amend the Motor Vehicle and Cost Savings Act to provide for a special demonstration project; and for other purposes."

Basically, this Department has reservations only in regard to one provision of the enrolled bill. Language in Section 109 of the bill provides that within 60 days after enactment no motor vehicle safety standard may require a motor vehicle to be equipped with either a continuous buzzer designed to indicate that seat belts are not in use or a safety interlock system. This provision would have the effect of eliminating the present requirement which restricts the operation of a motor vehicle when seat belts are not in use.

The mandated continuous buzzer or safety interlock system is a controversial issue. While many safety advocates favor such a measure, a great many consumers are adamantly opposed to it.

The fact that the above provision is controversial should not prohibit the President from signing this important legislation. Other provisions of this enrolled bill constitute important legislative protection, especially for consumers.

Title I of the bill mandates free repair by manufacturers of motor vehicles and motor vehicle equipment whenever they are recalled for repair of safety defects. The only exceptions would be in cases in which the Secretary of Transportation finds that a defect is inconsequential, the vehicle is not presented within the time limits stated in the Act, or the vehicle is more than 8 years old (3 years in the case of a tire).

Title II of the enrolled bill would require the Secretary of Transportation within 15 months to promulgate Federal motor vehicle safety standards which would apply minimum safety requirements for schoolbuses and schoolbus equipment. We agree with the importance of the Congressional intent that a regulatory approach to schoolbus safety--now long in the making--be developed by a date certain.

In summary, we feel that S. 355 is desirable legislation and accordingly recommend that the President approve this needed measure.

Sincerely,

Secretary

GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE
Washington, D.C. 20230

OCT 22 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

Attention: Assistant Director for Legislative
Reference

Dear Mr. Ash:

This is in reply to your request for the views of this Department concerning S. 355, an enrolled enactment

> "To amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for the fiscal years 1975 and 1976; to provide for the remedy of certain defective motor vehicles without charge to the owners thereof; to require that schoolbus safety standards be prescribed; to amend the Motor Vehicle Information and Cost Savings Act to provide for a special demonstration project; and for other purposes,"

to be cited as the "Motor Vehicle and Schoolbus Safety Amendments of 1974."

This Department interposes no objection to approval by the President of S. 355.

We would point out, however, that Section 102 requires, under certain conditions, that manufacturers of motor vehicles or replacement equipment for motor vehicles remedy defects which relate to motor vehicle safety at no cost to the owners of such vehicles. This Section could be read to establish, in some respects, a standard of strict liability for such manufacturers which we think is objectionable. Free replacement by a manufacturer of a vehicle or a safety-related item should be required only if the manufacturer failed to comply

in some substantive respect with a standard in effect at the time of manufacture of the vehicle or safety-related item, or if either the vehicle or safety-related item was defective. The manufacturer should not be held responsible for defects which could not reasonably be ascertained or predicted pursuant to technology and engineering standards generally accepted at the time of manufacture. Under Section 103 we assume he may not be required to comply retroactively at his expense with higher safety standards which might be established at some later date.

Enactment of this legislation will not involve the expenditure of funds by this Department.

Sincerely,

Karl E. Bakke

General Counsel

ASSISTANT ATTORNEY GENERAL
LEGISLATIVE AFFAIRS

Department of Justice
Washington, D.C. 20530

OCT 22 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

Dear Mr. Ash:

In compliance with your request, I have examined a facsimile of the enrolled bill (S. 355), "to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for the fiscal years 1975 and 1976; to provide for the remedy of certain defective motor vehicles without charge to the owners thereof; to require that schoolbus safety standards be prescribed; to amend the Motor Vehicle Information and Cost Savings Act to provide for a special demonstration project, and for other purposes."

The major thrust of S. 355 is to empower the Secretary of Transportation to require that the manufacturer of a motor vehicle or an item of motor vehicle equipment (including tires) which contains a safety related defect or failure to comply with a motor vehicle standard to remedy such defect or failure to comply without charge to the consumer. Minimum requirements as to the contents of the notice of defect to the owner are provided for. Provision is made for the method of remedying the defect or failure to comply. Sec. 155 provides for the enforcement of notification and remedy orders. The bill provides for the Secretary to exempt certain safety devices from the prohibition of rendering inoperative of safety devices by manufacturer, distributor, dealer or motor vehicle repair businesses. Amendments were made to the inspection and recordkeeping sections of the Motor Vehicle Safety Act. A new section to the Motor Vehicle Act is added providing guidelines for the Secretary of Transportation to amend the standards for occupant restraint systems. The bill authorizes appropriations for FY75 and 76 and doubles the maximum amount of civil penalties allowable under the Act. Title II provides for

Schoolbus Safety standards. Title III provides for Motor Vehicle Demonstration projects for rapid development and evaluation of advanced inspection, analysis, and diagnostic equipment.

While the Justice Department has no interest in the substantative provisions of the bill, concern is expressed over the new Secs. 155(a) and (c). A close reading of these two sections together leads us to believe that litigation will be encouraged since a manufacturer may sue to enjoin an order of the Secretary and thus stay any penalties even if they ultimately lose. Since Congress has seen fit to increase the civil penalties to discourage violators from refusing to comply with defect notification orders, any diminution of the penalties should be discouraged. It is not considered serious enough to warrant an Executive disapproval recommendation in and of itself.

The Department of Justice defers to the Department of Transportation as to whether this bill should receive Executive approval.

Sincerely,

W. Vincent Rakestraw
Assistant Attorney General

ASSISTANT ATTORNEY GENERAL
LEGISLATIVE AFFAIRS

Department of Justice
Washington, D.C. 20530

OCT 23 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

Dear Mr. Ash:

The following comments are submitted as a supplement to our October 22, 1974, enrolled bill report on S. 355, a bill to amend the National Traffic and Motor Vehicle Safety Act of 1966.

Section 109 of S. 355 provides that a motor vehicle safety standard which the Secretary has elected to promulgate shall not be effective if both Houses of Congress pass a concurrent resolution disapproving the standard.

It is the position of the Department of Justice that the concurrent resolution veto provision in Section 109 of the enrolled bill violates the provisions of Article I, Section 7 of the Constitution.

The language of the Constitution clearly indicates that the veto power of the President was intended to apply to all actions of Congress which have the force of law. It would be difficult to conceive of language and history which could more clearly require that all such concurrent action of the two Houses be subject to either the President's approval or his veto. Two provisions of Article I, Section 7 are involved. Thus, the Constitution provides first that every bill which passes the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President for his approval or disapproval. If disapproved it does not become law unless repassed by a two-thirds vote of each House (Art. I, Sec. 7, clause 2). At the Convention it was recognized that Congress might evade this provision by passing resolutions rather than bills. During the debate on this clause, James Madison observed that--

> "if the negative of the President was confined to bills; it would be evaded by acts under the form and name of Resolutions, votes &***."

Madison believed that additional language was necessary to pin this point down and therefore

> "proposed that 'or resolve' should be added after 'bill' *** with an exception as to votes of adjournment &c."

Madison's notes show that "after a short and rather confused conversation on the subject," his proposal was, at first, rejected. 2 M. Farrand, The Records of the Federal Convention of 1787 301-02 (1937 Rev. ed.) ("Farrand"). However, at the commencement of the following day's session, Mr. Randolph, "having thrown into a new form" Madison's proposal, renewed it and it passed by a vote of 9-1. 2 Farrand 303-05. Thus, the Constitution today provides in the last paragraph of Article I, Section 7:

> "Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President ***; and before the Same shall take Effect, shall be approved by him, or being disapproved by him shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill."

The intent of this clause was clearly to prevent resolutions designed to evade the specified legislative procedure.

The purpose of the veto was not merely to prevent bad laws but to protect the powers of the President from inroads. Leading participants in the Convention of 1787, such as James Madison, Gouverneur Morris and James Wilson, pointed out that the veto would protect the office of President against "encroachments of the popular branch" and guard against the legislature "swallowing up all the other powers." 2 Farrand 299-300, 586-87. In The Federalist (No. 73), Hamilton states that the primary purpose of conferring the veto power on the President is "to enable him to defend himself." Otherwise he "might be gradually stripped of his authorities by successive resolutions, or annihilated by a single vote."

It is clear that the veto was to apply to repeals and not just enactment of new laws. The application of the President's veto to repeals was specifically discussed.

During a debate concerning what majority should be necessary to overcome a veto, it was pointed out that a 3/4 vote would make it too difficult to repeal bad laws. 2 Farrand 586. However, Madison pointed out that "As to the difficulty of repeals, it was probable that in doubtful cases the policy would soon take place of limiting the duration of laws so as to require renewal instead of repeal." Id. at 587. It was clear therefore that repeal was thought of as a full legislative process, subject to the veto power and not something that could be accomplished without participation of the Executive. At the same time, as Madison observed, Congress was always free to avoid this problem by limiting the duration of legislation, as it often does.

If Section 109 is valid, then there seems to be no limit to the powers of Congress to upset the historic concept of executive-legislative relations by reserving the right in Congress to amend or repeal the statute by concurrent resolution. This would avoid presentation of subsequent legislative decisions to the President as contemplated by Article I, Section 7. See R. Ginnane, The Control of Federal Administration by Congressional Resolutions and Committees, 66 Harv. L. Rev. 569, 594-95 (1953); J. P. Harris, Congressional Control of Administration 205-06, 238-40 (Brookings, 1964); Statement of Erwin N. Griswold, National Emergency, Hearings before the Senate Special Committee on the Termination of the National Emergency, 93d Cong., 1st Sess., Part 3, 741-747 (1973); L. Henkin, Foreign Affairs and the Constitution 121 (Foundation Press, 1972). But see J. & A. Cooper, The Legislative Veto and the Constitution, 30 G.W.L. Rev. 467 (1962); The Constitution of the United States, Analysis and Interpretation, S. Doc. No. 39, 88th Cong., 1st Sess. 135 (1964).

Of course we cannot deny that the practice of providing in statutes for amendment or repeal of legislative authority by concurrent resolution has continued for some years. There are new proposals made in each Congress not only for legislative action by concurrent resolution but by the action of only one House or by one or more committees of Congress. An important example is section 5(c) of the War Powers Act, 87 Stat. 555 (1973), passed over the President's veto, despite a veto message including the statement that the concurrent resolution provision for terminating certain powers of the President was unconstitutional. State Dept. Bull., Nov. 26, 1973, p. 662. The House Committee Report on the War Powers Act (93-287) considered this question and, without making any

attempt to come to grips with the language of the Constitution, concluded that the provision was valid because there was "ample precedent" for it. In support the report noted that most of the important legislation enacted for the prosecution of World War II provided for termination of powers upon adoption of concurrent resolutions, including the Led-Lease Act, First War Powers Act, Emergency Price Control Act and others. See Ginnane, supra; Harris, supra. Admittedly, the Executive branch has not been entirely consistent as far as articulating its position has been concerned. E.g., R. Jackson, A Presidential Legal Opinion, 66 Harv. L. Rev. 1353 (1953). Nevertheless, we do not believe that the matter can be determined by recent usage alone. Although custom or practice can be a source of constitutional law, the cases indicate that this can occur if the test is ambiguous or doubtful but not where the practice is clearly incompatible with the supreme law of the land. McPherson V. Blacker, 146 U.S. 1, 27 (1892); Inland Waterways v. Yound, 309 U.S. 517, 525 (1940); Field v. Clark, 143 U.S. 649, 691 (1892); Nixon v. Sirica, 487 F. 2d 700, 730 (D.C. Cir. 1973) and cases cited therein (McKinnon, J., concurring in part). Here, as noted, the recent practice contradicts the clear text of Article I, Section 7.

Morover, if one is to look to constitutional precedent, the recent trend toward the use of Congressional veto devices is not the only relevant practice. The contemporaneous construction of the Constitution that was followed until recent times points in an entirely diffent direction. A careful analysis of the practice compiled by the Senate Judiciary Committee in 1897 beginning with the first Congress through the nineteenth century shows that concurrent resolutions were limited to matters "in which both House have a common interest, but with which the President has no concern." They never "embraced legislative provisions proper." S. Rep. No. 1335, 54th Cong., 1st Sess. 6 (1897). The report concluded that the Constitution requires that resolutions must be presented to the President when "they contain matter which is properly to be regarded as legislative in its character and effect." Id. at 8, quoted in part in 4 Hinds' Precedents of the House of Representatives § 3483.

It appears that it was not until 1919 that it was seriously suggested that Congress could make an affirmative policy or legislative decision by a concurrent resolution not presented to the President. Actual enactments of this kind did not begin until the 1930's. Ginnane, supra at 575. Thus, if any deference is to be given to practice and precedent, we believe that the practice begun with the adoption of the Constitution and continued uniformly for approximately 150 years is entitled to far greater weight than the more recent, sporadic and often debated examples of lawmaking by concurrent resolution.

Although the concurrent resolution provisions are objectionable, we do not recommend Executive disapproval based upon these objections alone, and we defer to the Department of Transportation as to whether this bill should receive Executive approval.

Sincerely,

W. Rakestraw

W. Vincent Rakestraw
Assistant Attorney General

THE WHITE HOUSE

ACTION MEMORANDUM WASHINGTON LOG NO.: 708

Date: October 24, 1974 Time: 12:00 Noon

FOR ACTION: Michael Duval
Phil Buchen
Bill Timmons
Paul Theis

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bill S. 355 - Motor Vehicle and Schoolbus Safety Amendments of 1974

ACTION REQUESTED:

____ For Necessary Action

____ Prepare Agenda and Brief

____ For Your Comments

__XX__ For Your Recommendations

____ Draft Reply

____ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM WASHINGTON LOG NO.: 708

Date: October 24, 1974 Time: 12:00 Noon

FOR ACTION: Michael Duval
Phil Buchen
Bill Timmons
Paul Theis

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bill S. 355 - Motor Vehicle and Schoolbus Safety Amendments of 1974

ACTION REQUESTED:

____ For Necessary Action

____ Prepare Agenda and Brief

____ For Your Comments

__XX__ For Your Recommendations

____ Draft Reply

____ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

No objection
U.C.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM WASHINGTON LOG NO.: 708

Date: October 24, 1974 Time: 12:00 Noon

FOR ACTION: Michael Duval
Phil Buchen
Bill Timmons
✓Paul Theis

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bill S. 355 - Motor Vehicle and Schoolbus Safety Amendments of 1974

ACTION REQUESTED:

___ For Necessary Action ___XX For Your Recommendations

___ Prepare Agenda and Brief ___ Draft Reply

___ For Your Comments ___ Draft Remarks

REMARKS:

1974 OCT 24 PM 2 30

Please return to Kathy Tindle - West Wing

Christina Wagner, RESEARCH
N.B. Kindly review text of signing statement - seems not to conform to pro forma text - initial sentence should contain bill no. and title, with President's intention, or lack of, to sign.
L.W.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

ACTION

Last Day - October 29

MEMORANDUM FOR: THE PRESIDENT

FROM: KEN COLE

SUBJECT: Enrolled Bill S. 355
Motor Vehicle and Schoolbus
Safety Amendments of 1974

Attached for your consideration is Senate bill, S. 355, sponsored by Senators Magnuson, Mondale and Nelson, which prohibits the use of seat belt interlock or continuous buzzer systems; establishes procedures for Congressional disapproval of passive restraint systems for motor vehicles; establishes procedures for the remedy and recall of certain defective motor vehicles without charge to the owner; requires the establishment of schoolbus safety standards; provides for a motor vehicle diagnostic inspection demonstration project; and authorizes funds for motor vehicle safety for fiscal years 1975 and 1976.

Roy Ash etc.

The Counsel's office (Chapman), Bill Timmons, ~~Paul Theis,~~ and Domestic Council recommend approval

RECOMMENDATION

That you sign Senate bill, S. 355 (Tab B) and approve the proposed Presidential signing statement (Tab C).

THE WHITE HOUSE

WASHINGTON
October 25, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS

FROM: WILLIAM E. TIMMONS

SUBJECT: Action Memorandum - Log No. 708
Enrolled Bill S. 355 - Motor Vehicle
and Schoolbus Safety Amendments of 1974

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

THE WHITE HOUSE

ACTION MEMORANDUM WASHINGTON LOG NO.: 708

Date: October 24, 1974 Time: 12:00 Noon

FOR ACTION: Michael Duval
Phil Buchen
Bill Timmons
Paul Theis

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 25, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bill S. 355 - Motor Vehicle and Schoolbus Safety Amendments of 1974

ACTION REQUESTED:

____ For Necessary Action

____ Prepare Agenda and Brief

____ For Your Comments

__XX__ For Your Recommendations

____ Draft Reply

____ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

Short paper

(M. Duval/ Khachigian Edit) October 25, 1974

Statement By The President

SIGNING STATEMENT - S. 355, MOTOR VEHICLE AND SCHOOLBUS SAFETY AMENDMENTS OF 1974

I have ~~today~~ signed S. 355, the Motor Vehicle and Schoolbus Safety Amendments of 1974.

This act renews our national commitment to the promotion of highway safety, a goal shared not only by the Congress and my Administration, but by every American. Last year, ~~over~~ more than 56,000 people lost their lives on America's highways. Although the accident and death rates on our highways are declining, we can never be satisfied with the level of tragic loss and injury on our roads.

By signing S. 355, I believe we will accelerate our commitment to reduce deaths and injuries on the highway. It authorizes $55 million for the current fiscal year and $60 million for fiscal year 1976 to carry out the important mandate contained in the National Traffic and Motor Vehicle Safety Act of 1966.

In addition, this act establishes procedures for the remedy and recall of certain defective motor vehicles without any charge to the owner. As for the very important matter of schoolbus safety, this act requires the Department of Transportation to establish minimum schoolbus safety standards within fifteen months. I think we can do the job faster, and I have asked Secretary of Transportation, Claude Brinegar, to try to have the standards out before the end of next summer.

Finally, this act also does away with the so-called seat belt interlock systems. This system had the laudable goal of encouraging motorists to wear their safety belts. In practice, however, it has proved to be intensely unpopular with the American motorist. I can fully understand why drivers might object to being forced by the Federal Government, in effect, to buckle up. This constitutes an unacceptable governmental intrusion into the life of the individual. ~~We will not have "big brother" in the form of electronic buzzers in the front seat~~.

However, in signing this removal of the interlock system, I am in no way encouraging drivers to desist from using their seat belts. To the contrary, safety restraints save lives and prevent injuries. I give my strongest recommendation that all Americans follow the sound advice which tells us to "buckle up for safety."

To emphasize my concern for highway safety, I want also to remind every American to observe sensible driving speeds and especially not to exceed 55 miles per hour. As we all know, the lowering of the highway speed limit has saved ~~more than 5,500~~ lives and conserved energy ~~to help fight inflation and insure adequate energy resources~~. Saving lives, saving fuel, and saving the motorist money in the operation of his vehicle are goals we can all find worthy in the months ahead.

THE WHITE HOUSE

WASHINGTON

October 25, 1974

MEMORANDUM FOR PAUL THEIS
JIM CAVANAUGH
WALLY SCOTT

FROM: MIKE DUVAL

SUBJECT: S. 355

Attached is a draft signing statement which I recommend be used. Secretary Brinegar concurs.

The Act will be characterized as anti-highway safety because it bans the interlock. The statement stresses the President's commitment to safety and lower speeds to conserve fuel and cost.

Attachment

Kristina Hagner RESEARCH

1974 OCT 25 PM 1 28

DRAFT SIGNING STATEMENT
M. DUVAL
October 25, 1974

I have signed today S.355, Motor Vehicle and Schoolbus Safety Amendments of 1974.

This Act is another important step in the continuing efforts of my Administration and the Congress to promote highway safety. I believe that it is essential for all Americans to recommit ourselves to the objective of reducing deaths and injuries on our Nation's highways. Last year over 56,000 people lost their lives on America's highways. Although automobile accident and death rate has declined over the past few years, we certainly must do better.

The Act, which I have signed today, authorizes $55 million for the current fiscal year and $60 million for fiscal year 1976, to carry out the mandate contained in the National Traffic and Motor Vehicle Safety Act of 1966. In addition, this Act establishes procedures for the remedy and recall of certain defective motor vehicles without any charge to the owner. It also requires the Department of Transportation to establish minimum schoolbus safety standards within fifteen months from today. I think we can do the job faster and I have asked Secretary of Transportation Claude S. Brinegar to try to have the standards out before the end of next summer.

This Act also does away with the unpopular seat belt interlock system. This system, which was designed as one method of encouraging motorists to wear their safety belts, has proven to be intensely unpopular with many, many drivers. I fully understand the reaction of individuals who object to

being forced to buckle up. I agree with the Congress that this does constitute an unacceptable governmental intrusion into how an individual conducts his own life. Therefore, I fully support this provision of the Act.

However, I hope that by signing this legislation into law I will in no way encourage Americans not to use their safety belts of their own accord. Although I do not think that an individual should be forced by by the government to put on his safety belt, it is clear that the use of the safety restraints is one good way to save lives and prevent injuries. Therefore, I encourage Americans to keep this in mind as they operate their cars.

Additionally, there is another step Americans can take to improve highway safety, and at the same time, conserve energy and help in the fight against inflation. Of course, I am speaking about the 55 mile per hour speed limit. The lowering of speed limits and other effects of the energy shortage have had a dramatic impact on highway deaths. We have already experienced a reduction of more than 7,500 fatalities so far this year, compared with the first eight months of 1973. I urge everyone to continue this conservation practice by observing sensible driving speeds -- not to exceed 55 miles per hour -- as this will not only help conserve fuel and therefore reduce the cost of operating your cars, but it will also save lives.

STATEMENT BY THE PRESIDENT

I have signed S. 355, the Motor Vehicle and Schoolbus Safety Amendments of 1974.

This act renews our national commitment to the promotion of highway safety, a goal shared not only by the Congress and my Administration, but by every American. Last year, more than 56,000 people lost their lives on America's highways. Although the accident and death rates on our highways are declining, we can never be satisfied with the level of tragic loss and injury on our roads.

By signing S. 355, I believe we will accelerate our commitment to reduce deaths and injuries on the highway. It authorizes $55 million for the current fiscal year and $60 million for fiscal year 1976 to carry out the important mandate contained in the National Traffic and Motor Vehicle Safety Act of 1966.

In addition, this act establishes procedures for the remedy and recall of certain defective motor vehicles without any charge to the owner. As for the very important matter of schoolbus safety, this act requires the Department of Transportation to establish minimum schoolbus safety standards within fifteen months. I think we can do the job faster, and I have asked Secretary of Transportation, Claude Brinegar, to try to have the standards out before the end of next summer.

Finally, this act also does away with the so-called seat belt interlock systems. This system had the laudable goal of encouraging motorists to wear their safety belts. In practice, however, it has proved to be intensely unpopular with the American motorist. I can fully understand why drivers might object to being forced by the Federal Government, in effect, to buckle up. This constitutes an unacceptable governmental intrusion into the life of the individual.

However, in signing this removal of the interlock system, I am in no way encouraging drivers to desist from using their seat belts. To the contrary, safety restraints save lives and prevent injuries. I give my strongest recommendation that all Americans follow the sound advice which tells us to "buckle up for safety."

To emphasize my concern for highway safety, I want also to remind every American to observe sensible driving speeds and especially not to exceed 55 miles per hour. As we all know, the lowering of the highway speed limit has saved lives and conserved energy. Saving lives, saving fuel, and saving the motorist money in the operation of his vehicle are goals we can all find worthy in the months ahead.

STATEMENT BY THE PRESIDENT

I have signed S. 355, the Motor Vehicle and Schoolbus Safety Amendments of 1974.

This act renews our national commitment to the promotion of highway safety, a goal shared not only by the Congress and my Administration, but by every American. Last year, more than 56,000 people lost their lives on America's highways. Although the accident and death rates on our highways are declining, we can never be satisfied with the level of tragic loss and injury on our roads.

By signing S. 355, I believe we will accelerate our commitment to reduce deaths and injuries on the highway. It authorizes $55 million for the current fiscal year and $60 million for fiscal year 1976 to carry out the important mandate contained in the National Traffic and Motor Vehicle Safety Act of 1966.

In addition, this act establishes procedures for the remedy and recall of certain defective motor vehicles without any charge to the owner. As for the very important matter of schoolbus safety, this act requires the Department of Transportation to establish minimum schoolbus safety standards within fifteen months. I think we can do the job faster, and I have asked Secretary of Transportation, Claude Brinegar, to try to have the standards out before the end of next summer.

Finally, this act also does away with the so-called seat belt interlock systems. This system had the laudable goal of encouraging motorists to wear their safety belts. In practice, however, it has proved to be intensely unpopular with the American motorist. I can fully understand why drivers might object to being forced by the Federal Government, in effect, to buckle up. This constitutes an unacceptable governmental intrusion into the life of the individual.

However, in signing this removal of the interlock system, I am in no way encouraging drivers to desist from using their seat belts. To the contrary, safety restraints save lives and prevent injuries. I give my strongest recommendation that all Americans follow the sound advice which tells us to "buckle up for safety."

To emphasize my concern for highway safety, I want also to remind every American to observe sensible driving speeds and especially not to exceed 55 miles per hour. As we all know, the lowering of the highway speed limit has saved lives and conserved energy. Saving lives, saving fuel, and saving the motorist money in the operation of his vehicle are goals we can all find worthy in the months ahead.