

American Council on Alcohol Problems

Resolution in Support of the CARE Act

Whereas, the purpose of the 21st Amendment of the U.S. Constitution was to give to the individual states the primary authority for the regulation of alcohol within their borders, rejecting a “one size fits all” approach; and...

Whereas, the federal government does play a role in alcohol regulation, it is, however, the genius of this state-based system that best perpetuates an orderly marketplace, effectively controlling the production, distribution and sale of alcohol, curtailing many of alcohol’s negative affects; and...

Whereas, the establishment of a “The Three Tier” system, which consists of a supplier, a distributor and a retailer has been an essential component of this successful model, providing necessary checks and balances, helping prevent overly aggressive marketing and sales practices that lead to the abuse of alcohol, as well as ensuring the fair collection of taxes owed to the states; and...

Whereas, in recent years this successful regulatory system of alcohol control has come under severe attack in the federal courts, resulting in a deregulation that undermines the states’ abilities to control alcohol sales and thereby violates the very purpose for the 21st Amendment, circumventing the effectiveness of “The Three Tier” system, and making the citizens of the states vulnerable to many of the negative consequences of alcohol marketing; and...

Whereas, studies like “The Dangers of Alcohol Deregulation: The United Kingdom Experience” demonstrate clearly the serious public health issues that result from incremental deregulation like has occurred in the U.K., which has caused high rates of youth intoxication, large increases in alcohol-induced diseases, public disorder and violence; and...

Whereas, recent court rulings have exacerbated the national problem of underage drinking by making it easy for teens to order alcohol online and have it delivered to their front door with little fear of getting caught; and

Whereas, 39 attorneys general and the National Association of Attorneys General (NAAG) have asked Congress to craft legislation to address the states’ erosion of their ability to regulate alcohol sales in the best interest of their citizens; and...

Whereas, the National Alcohol Beverage Control Association has stated that it encourages and supports “federal laws, regulations and policies that reaffirm the rights of states to regulate alcohol as they deem appropriate”; and

Whereas, *H.R. 5034, The Comprehensive Alcohol Regulatory Effectiveness (CARE) Act of 2010*, currently being considered by the U. S. House of Representatives, would reaffirm the primary authority of states to regulate alcohol sales, assist the states in defending their alcohol laws from deregulatory

litigation, clarify that state alcohol laws have the presumption of validity whenever being challenged; therefore...

Be It Resolved that the American Council on Alcohol Problems (ACAP) urges the United States Congress to pass H.R. 5034, *The Comprehensive Alcohol Regulatory Effectiveness (CARE) Act of 2010*, thereby reaffirming and/or restoring the purpose of the 21st Amendment, protecting and preserving "The Three Tier" system, and renewing the states' ability to protect its citizenry from the abuses of alcohol marketing; and...

Be It Finally Resolved that the American Council on Alcohol Problems (ACAP) send copies of this resolution to the sponsors and co-sponsors of this bill, as well as affiliates of the American Council on Alcohol Problems.