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THE WHITE HOUSE
WASHINGTON

August 8, 1986

MEMORANDUM FOR DONALD T. REAGAN
THROUGH: ALFRED H. KINGON
FROM: RICHARD H. DAVIS, RALPH C. BLEDSOE
SUBJECT: Drug Abuse Policy Coordination Plan

This notebook contains a plan for coordinating the President's drug abuse policy program. It includes vital background information, current status, unresolved issues and appropriate recommendations for your consideration on each of the following:

1. The President's Drug Abuse Policy
2. Organizational Entities and Key Individuals
3. Communications Planning and Execution
4. Legislative Coordination
5. Funding Control

It is our view that each of these is important to effective management of the effort on behalf of the President.

THE PRESIDENT'S DRUG ABUSE POLICY

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DRUG ABUSE POLICY

COORDINATION PLAN

①

I. The President's Drug Abuse Policy

- o The basic document describing the President's policy is the 1984 National Strategy for Prevention of Drug Abuse and Drug Trafficking. It was the culmination of efforts since 1981, and is still the viable policy document.
- o The President's policy is sufficiently comprehensive. All major aspects of the drug abuse problem have been covered.
- o In drug abuse, the two major problem areas are supply and demand. The acknowledged tactics used to combat each are enforcement (for supply) and health treatment, prevention and awareness (for demand).
- o The recently announced six goals are consistent with the 1984 National Strategy document, and four of the goals are aimed at attacking the demand side of the problem. They represent new or enhanced directions under the national strategy.
- o The President's policy goal of total elimination of drug abuse is not in question. He and Mrs. Reagan are seen as the leaders toward achieving this goal.
- o Congress will, through legislation, add content to the drug abuse program, but this should not present a challenge to the President's fundamental policy.
- o Executive Branch departments and agencies also will add to the program through legislative proposals, departmental initiatives, and interaction with private and other groups active in drug abuse prevention and treatment. Executive Orders will similarly add to the basic policy.

Issues for your consideration:

1. How should changes to the basic policy be coordinated? The recommended option is through the Domestic Policy Council.
2. How should challenges to and clarification of the policy be evaluated and addressed? The recommended option is through a Working Group chaired by Carlton Turner under the Domestic Policy Council. The Working Group will propose other organizational options for approval by the Domestic Policy Council in September, 1986.
3. Should a new version of the national strategy be published? One argument is that the document is dated 1984, and we may be asked how the 1986 goals relate to this older document? However, the extra time, effort and costs may not be worth it, and we are still formulating the details of the program initiatives. The recommendation is that it is not worth the extra effort.

The President's program against drug abuse

- o The President's program is a national program to:
 - Prevent drug abuse through awareness and action;
 - Enforce drug laws;
 - Cooperate with other countries to control narcotics flow;
 - Develop and administer medical detoxification and treatment;
 - Undertake and encourage research directed at causes, treatments, and understanding.
- o The program is aimed at the widespread social and health problems created by the abuse of a number of illegal drugs.
- o The focus of the program is to change public attitudes to make illegal drugs and their use truly unacceptable.
- o The Federal part of the program is based on strong law enforcement to raise the risk to the criminals involved, and health-related activities to encourage availability of treatment services and prevention. It features personal leadership by the President, the First Lady, the Vice President, Cabinet officers, and all Federal employees.
- o Program leadership is also sought from leaders in all segments of American society and throughout the world, so that drug abuse can be eliminated.
- o The prevention aspect of the program is based on getting every segment of society to accept the view that real success is achieved when those people most affected by drug abuse are directly involved in solving their own problems.

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II. Organization

A. Internal

- o At present two organizations play major policy roles, 1) the National Drug Enforcement Policy Board, chaired by the Attorney General, and 2) the Drug Abuse Policy Office, headed by Carlton Turner and reporting through Jack Svahn, Assistant to the President for Policy Development.
- o Both have made presentations to the Domestic Policy Council on their respective efforts, thus a precedent is established for their reporting to the President.
- o Additional law enforcement organizations include The National Narcotics Border Interdiction System (NNBIS), chaired by the Vice President, and focused on interdiction efforts, and twelve Organized Crime/Drug Enforcement Task Forces. These have special limited charters.
- o Congress will likely demand some organizational focal point in the Administration for coordination of drug abuse policy. Despite major gains against drug abuse, some Members continue to allege lack of coordination in law enforcement, lack of coordination overall in drug abuse, not enough emphasis on drug law enforcement, lack of priority for health-related programs, etc.
- o The Domestic Policy Council can provide final policy determination, but some entity is needed to coordinate day to day policy interpretation and interactions with the many organizations that are employed in fighting drug abuse.

Issues for your consideration:

1. What organization should coordinate the President's drug abuse policy program? Options include:

1. Expand the Drug Enforcement Policy Board to make it responsible for the entire drug abuse program. This would remove coordination from the White House.
2. Establish a new Drug Abuse Health Policy Board, equivalent to the Drug Enforcement Policy Board. This would require new legislation.
3. Create a new board that would coordinate both health and law enforcement policies. This would require legislation.
4. Establish the Drug Abuse Policy Office as a separate agency within the EOP, to coordinate all drug abuse policy efforts, including the Drug Enforcement Policy Board. This would require legislation.
5. Establish a Working Group on Drug Abuse Policy under the Domestic Policy Council to temporarily coordinate drug abuse policy program efforts until it can recommend the longer term organizational options. Preliminary work has been done on this by the Domestic Policy Council.
6. Make no change.

Option #5 is recommended on the basis that it can be organized quickly, and the other options will require too much time to develop. August and September are important planning and coordination months. Option 6 is not recommended because of the need for a coordinating organization.

2. Who should be the principal White House coordinator of drug abuse policy? For the longer term, an expanded role for the White House Drug Abuse Policy Office and its current staff should be considered, including legislation. In the short term, Carlton Turner, head of the White House Drug Abuse Policy Office, will chair the Domestic Policy Council Working Group, and will be the principal coordinator of drug policy.

3. What organization should coordinate legislative activity? A Legislative Strategy Group might be convened when Congress' efforts in drug abuse legislation are clear. This is not likely to be until September, despite the current flurry of activity. In the interim, the Domestic Policy Council Working Group, working with White House Legislative Affairs and the normal OMB legislative clearance process can provide the detailed review of the numerous bills being introduced, and help coordinate Administration responses and legislative proposals.

4. What organization should coordinate communication of the President's drug abuse policy program? This will be coordinated by the White House planning group that has coordinated drug abuse policy planning to date, under Dennis Thomas. The chairman of the Domestic Policy Council Working Group will make recommendations to the planning group, and will ensure that the content of communications is accurate and timely.

B. External

- o The White House Office of Drug Abuse Policy has active contact with over fifty major national organizations engaged in fighting drug abuse.
- o They have also worked with numerous publications in producing materials used in drug abuse prevention and awareness.
- o This activity will likely increase, and Cabinet departments will expand their interactions with external organizations and groups. For example, Secretary Brock is scheduled to meet with Lane Kirkland of the AFL-CIO the week of August 18 to discuss labor's actions. The interagency Domestic Policy Council Working Group will coordinate these interactions.
- o Below are some of the types of organizations with which the White House has been in contact. They are categorized under the six goals, and will be important in the planning for communication of the President's program.

Drug-Free Workplaces

- o Business and Sports
- o Labor Unions

Drug-Free Schools

- o Communities and School Districts
- o Colleges and Universities

Improve Health Treatment

- o Hospitals and Medical Associations
- o State Governments

Expand International Cooperation

- o Foreign Governments
- o International Organizations

Strengthen Law Enforcement

- o Law Enforcement Agencies
- o Banks and Financial Institutions

Increase Prevention and Awareness

- o Media
 - o Churches and Volunteer Organizations
- o Mrs. Reagan's goal of expanding parents groups throughout the U.S. is sponsored by the National Federation of Parents. PRIDE, a prevention program at Georgia State University, has exported parents groups to over 60 countries, and is a resource in this area for the lay public.
- o Also as a part of the First Lady's program, special initiatives have been sponsored and funded by organizations and companies such as Lions International, Xerox, Keebler, the National Soft Drink Association, IBM, etc.

Issues for your consideration:

1. Should we organize a special Blue Ribbon Panel to coordinate private sector initiatives in the efforts against drug abuse?
The President has expressed some support for a Blue Ribbon panel to coordinate private sector activities in fighting drug abuse. Several Cabinet members felt such a panel is not needed since there are numerous existing private associations and organizations that would be willing to join in. The recommendation is to not create a new panel, unless the President wishes otherwise.

2. How should the White House respond to the many offers to help that will come from outside organizations and individuals?

The recommendation is that the White House Drug Abuse Policy Office coordinate responses to these groups and individuals, in concert with White House Correspondence. Special offers will be brought to the attention of the Domestic Policy Council Working Group for referral to appropriate agencies, or to the White House planning group.

III. Communications Planning and Execution

- o The attached communications plan was developed in early July by Carlton Turner to support the President's program on drug abuse. Some events have already taken place. It should be a starting point in the overall communications effort.
- o The communication of the President's program has thus far been diffused.
 - the White House planning group has developed plans,
 - the Domestic Policy Council has framed issues around a Presidential announcement,
 - the White House Drug Abuse Policy Office has designed a communications plan, and
 - departments and agencies have begun to separately plan various events and announcements.

Issues for your consideration:

1. Who should finalize communications plans? The White House planning group chaired by Dennis Thomas will finalize all communications plans and requests.
2. Who should generate communications proposals and plans? The White House Drug Abuse Policy Office will take the lead in developing communications requests, proposals and strategies for the President's program. They will collect information from other White House offices such as cabinet affairs, public liaison, public affairs and others. The Domestic Policy Council Working Group will also generate and recommend activities in support of the communication program.
3. How should communication plans be implemented? Communication plans and events will be implemented by the White House Drug Abuse Policy Office in coordination with cabinet affairs and other appropriate White House offices.

DRAFT - July 8, 1986

NATIONAL INITIATIVE ON DRUG ABUSE

OBJECTIVES

- Enhance President Reagan's leadership role in the national campaign to prevent drug abuse and drug trafficking.
- Garner public support for new initiatives working toward the Administration's goal of creating a drug-free generation by the 1990s.

STRATEGY

1. Stimulate action and broaden public awareness on drug abuse.
 - Move from uninformed to informed debate.
 - Direct sudden public outrage over drug abuse to support for government and private initiatives against drug use. Focus on drug user, not as victim but as irresponsible member of society.
2. Increase awareness of the successes of the President's national and international drug program.
3. Maintain Executive Branch leadership in undertaking major new initiatives.

THEMES

1. Administration has taken unprecedented actions to stop drug abuse.
2. Drug users are financing our Nation's suicide.
 - Drug abuse is a threat to national security and public safety.
 - Drug abuse costs the American public at least \$60 billion each year in terms of productivity, health care, accidents and crime.
 - Drug abuse is eroding the quality of education and the personal development of our young people.
3. Government must do all in its power to help, but the war on drugs will be won only by the action and commitment of private citizens -- businessmen and workers, students and teachers, parents and volunteers.

TIMING: July through October 1986

The window of opportunity is wide open. Public outrage and media attention about drug abuse are at an unprecedented high in the wake of the recent cocaine deaths of Len Bias and Don Rogers. Public focus has shifted from the drug traffickers to the drug users, from the drug user as victim to drug abuse being irresponsible behavior, and from government program to private initiative.

Strong leadership is required to maintain and direct the current momentum into effective public action. There has already been some dissipation in the current situation: the media has begun to refocus the burden of resolution on government and on drug law enforcement, both of which are limited without broad public commitment to stopping the use of drugs.

Key dates:

- July 15, 1986 - Congressional hearings on crack cocaine.
- July 16, 1986 - Tentative hearing by House Subcommittee on Crime on H.J. Res. 631, legislative initiative mandating a White House Conference on Drug Abuse.
- August 16-September 8, 1986 - Congressional Labor Day recess.
- September 1, 1986 - Labor Day and beginning of school year

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PROPOSED DRUG ABUSE EVENTS

Major National Events

- RR nationally-televised address to American people/Joint Session of Congress

Purpose: To take full leadership role, heighten national awareness of the multi-faceted drug abuse issue, communicate progress made and outline new offensive against drug abuse.

- RR Signing Ceremony - possible Executive Orders
(1) directing the Secretary of Education to withhold Federal funding from any educational institution which does not have a policy of no drug use; (2) requiring all DOD contractors to have a certified drug-free workplace; and (3) requiring Federal Government to adopt (a) preemployment screening for all positions and (b) screening of all employees -- beginning immediately with those in positions affecting public safety or national security and including all employees within next three years.

Purpose: To ensure the public trust by taking those actions which are the most difficult and the most effective in eliminating drug abuse.

- RR/NR Presentation Ceremony for Certificates of Achievement to six individual and corporate achievers.

Purpose: To highlight accomplishments of established national program against drug abuse and present model for upcoming initiatives.

Specialty Events

- RR/NR briefing for Chief Executive Officers of multi-national corporations. Event would be a dialogue on the subject of drug abuse in the workplace.

Purpose: To highlight priority of drug abuse prevention programs in the workplace, demonstrate support for established programs and encourage other corporations to establish programs of their own.

- RR/NR visit to a plant which has a drug-free environment.
Purpose: To focus on ability of management and labor to work together to eliminate drug abuse in the workplace.
- RR/NR visit to a school which has implemented an effective anti-drug program. Addresses student body, tours town, etc.
Purpose: To focus on ability of community to rid schools of drugs and the relationship of a drug-free school with the quality of education.
- RR/NR meeting with Congressional leaders. Event would be a "listening" session among conservative and liberal drug program spokesmen in Congress.
Purpose: To reaffirm the President's leadership on the issue, demonstrate a listening posture and break ground for new Administration initiatives.

Call to Action

- RR call on union and management to eliminate drug abuse in their ranks and to set an effective policy to deal with the drug users and their health needs.
Purpose: To build a consensus among labor and management for eliminating drug abuse in the workplace.
 Possible Labor Day speech.
- RR call on media and private sector to seek every opportunity to assist Mrs. Reagan in publicizing the negative aspects of drug abuse and the positive aspects of saying no to drugs.
Purpose: To expand national prevention/education program and ensure that accurate information is presented in a credible way to all citizens.
- RR/NR Message to School Principals to coincide with Department of Education program kick-off and release of "Schools Without Drugs."
Purpose: To give high priority and visibility to leadership role of school principals in eliminating drug abuse in the schools.

- RR/NR Message to teachers to coincide with release of IBM-sponsored comic books.

Purpose: To emphasize important role of teachers in drug abuse prevention among children.
- RR/NR briefing to commissioners of major sports organizations calling on them as role models for Nation's youth to support drug abuse awareness programs and to be drug free.

Purpose: To recall 1982 RR/NR meeting with representatives of professional sports associations and direct current visibility of the problem of drugs and sports to a call for action in all segments of society.

Enforcement

- RR message to all mayors calling for commitment of at least 10 percent of local police resources specifically to stopping the supply as close to the user as possible by arresting all known drug dealers and making public the names of dealers and users. Presidential call to all judges to hold these drug dealers for a minimum of seven days as a threat to the community.

Purpose: To disrupt the drug traffic as close to the user as possible; to hold drug dealers responsible for their criminal activity which can include murder, attempted murder and assault.
- RR call on all levels of government to aggressively enforce laws and regulations prohibiting possession, use, sale or transfer of any illicit drug in any public building. Direct immediate dismissal of any employee of the Federal government committing this criminal offense.

Purpose: To disrupt the drug traffic as close to the user as possible; to hold individuals involved in drug offenses responsible for their criminal activity.

Press Events

- RR/NR informal chat with selected editorial writers.
- RR Op-ed for Wall Street Journal: the national cost of drug abuse.
- RR/NR exclusive interview with appropriate weekly news magazine.

- RR/NR Parade Magazine article.
- Regional press luncheon.
- Weekly briefing of regional press.
- Establish media action committee.

Legislative Events

- RR call on all states asking them to pass the model paraphernalia law within two years and asking Congress to remove 25 percent of the ADM block grant money from any state which does not comply with such requirement and make it illegal to manufacture or possess drug paraphernalia.
- Legislative package to Congress requesting rescheduling of butyl nitrite, and legislation requiring all IV drug users to enter treatment.

Government Events

- RR Signing Ceremony for Executive Order altering current policy board chaired by the Attorney General to include drug abuse health issues or creating Cabinet-level drug abuse health policy board.

Purpose: To enhance Cabinet-level drug abuse policy participation on the health side.

- RR directive to Secretary of HHS to develop ways to provide funding assistance to states which implement programs (a) making treatment mandatory for IV drug users, (b) meeting the treatment needs of indigent people, and (c) identifying other drug users and forcing them into treatment.
- Briefing for Cabinet on drug abuse issues and programs.
- Briefing for White House Senior Staff concerning drug abuse issues and programs. (ACTION: DAPO)
- RR/NR address to national meeting of drug abuse health care professionals.
- Distribution of materials to U.S. Attorneys, calling on each to promulgate the drug abuse issue and strategy in the local media and with community groups.

International Events

- RR/NR discussion with other leaders.
- NR host briefing of the wives of foreign ambassadors assigned in Washington.
- Recall of U.S. Ambassadors for White House Briefing on drug abuse.
- Cabinet/Senior Staff briefing of Foreign Press.

Cabinet/Senior Staff Events

- Briefing for national press with Regan, Weinberger, Meese, Bowen, Brock, Dole, Bennett, Turner on appropriate aspects of drug abuse problem and what must be done to solve it.
- Shultz major domestic address on international impact of drug abuse.
- Meese and appropriate Department of Justice officials visibility for domestic eradication program and other enforcement initiatives.
- Weinberger address on DOD initiatives to end drug abuse in the military and by the civilian workforce.
- Bowen major addresses on the drug abuse issue.
- Brock as spokesman on drug abuse in workplace.
- Bennett major addresses on drug abuse in the schools and spearhead major Department of Education initiative.

Ongoing Events

- White House briefings for select business leaders, consumer groups, labor organizations, educational associations, etc. (ACTION: Public Liaison, DAPO)
- Fact sheets/speech inserts for surrogates. Mailings of supportive editorials and other advocacy materials. (ACTION: Public Affairs, DAPO)

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SCHEDULE OF POSSIBLE DRUG ABUSE EVENT OPPORTUNITIES

| <u>DATE</u> | <u>EVENT</u> | <u>LOCATION</u> |
|-------------|--|-----------------|
| 7/8-11/86 | North American Christian Convention | Indiana |
| 7/11-18/86 | Association of Trial Lawyers of America | New York, NY |
| 7/14-19/86 | National Law Enforcement Explorer Conference | Seattle, WA |
| 7/15/86 | RR Address to Republican Fundraiser | Washington, DC |
| 7/15/86 | Fourth National Conference of Hospital-Medical Public Policy Issues | Washington, DC |
| 7/16/86 | Texans War on Drugs | Texas |
| 7/18/86 | NR meets with sports commissioners. (T) | Washington, DC |
| 7/27-31/86 | Youth to Youth National Conference | Ohio |
| 8/3-6/86 | First National Conference on Alcohol and Drug Abuse Prevention, "Sharing Knowledge for Action" | Washington, DC |
| 8/22-26/86 | American Psychological Association | Washington, DC |
| 8/14/86 | Congressional Picnic | Washington, DC |
| 8/16-9/7/86 | RR to Ranch/Congress recess | National |
| 8/17-21/86 | White House Conference On Small Business | Washington, DC |
| 8/24-26/86 | National Governors Conference | Hilton Head, NC |
| 8/26-30/86 | Toastmasters, International | Nevada |
| 9/1/86 | Labor Day & Beginning School Year | Nat'l Holiday |
| 9/8/86 | RR/Congress return | Washington, DC |
| 9/11-13/86 | Radio-Television News Directors Association | Texas |

| <u>DATE</u> | <u>EVENT</u> | <u>LOCATION</u> |
|--------------|--|-----------------|
| ca. 9/15/86 | Department of Education program kick-off and release of "Schools Without Drugs." | National |
| 9/18/86 | Capital Cities/ABC Conference: "Drugs in the U.S.A." | New York, NY |
| 9/18-21/86 | Concerned Women for America | Washington, DC |
| 9/23-26/86 | National Conference of Editorial Writers | South Carolina |
| 9/29-10/2/86 | American Academy of Family Physicians | Washington, DC |
| 10/4/86 | Congress recess/Campaign | National |
| 10/22-26/86 | American Business Women's Association | Kansas |
| 11/23-24/86 | Tennessee Statewide Law Enforcement Coordinating Committee (LECC) meeting on drug education and enforcement | Nashville, TN |
| 11/2-6/86 | American Pharmaceutical Association | Louisiana |
| 11/2-6/86 | National Association of Convenience Stores | Louisiana |
| 11/4/86 | Election Day | National |
| 11/6-11/86 | National Association of Realtors | New York, NY |
| 11/16-19/86 | American Heart Association | California |
| 11/12-15/86 | Society of Professional Journalists (Sigma Delta Chi) | Georgia |
| 11/16-19/86 | Southern Newspaper Publishers Association | Florida |
| 11/17-19/86 | TV Bureau of Advertising | California |

Perennials

National Chamber of Commerce
National Press Club

IV. Legislative Coordination

- o In recent months, more than twenty-five bills related to drug abuse have been introduced in Congress. (See attachment IV-A)
- o These bills have addressed a wide range of topics, from reorganizing the Executive Branch drug education and enforcement activities, to DOD enforcement assistance.
- o The Administration is also preparing draft legislation in support of selected goals of the President's program. (See attachment IV-B.) Where possible goals will be met with existing authorities, without the need for new legislation.
- o The far-reaching impact of this legislative activity, and the many bills now before Congress, indicates the need for careful attention to this task.

Issues for your consideration:

1. What organization should coordinate legislative strategy? As previously mentioned, a Legislative Strategy Group should be convened when Congress' legislative intent becomes clear. In the interim, the Domestic Policy Council Working Group, chaired by Carlton Turner, will review all Administration proposals and legislation introduced in Congress. They will coordinate with appropriate departments and with White House Legislative Affairs and OMB.
2. How will legislation be tracked? Legislation will be tracked and Administration positions developed using the normal processes now used for OMB clearance and monitoring by White House Legislative Affairs. The White House Drug Abuse Policy Office and the Domestic Policy Council Working Group will assist in ensuring that department and agency views are obtained.

Congressional Activity

Congressional activity in recent weeks has been brisk on this issue, listed below are some of the major legislative initiatives currently on the Hill.

1. The Drug Dependent Offenders Amendment of 1986. (H.R.5076) Federal offenders placed on probation or parole who have drug dependency problems may be required to undergo drug testing, counseling, and other treatment programs as a condition of probation or parole.
2. The Designer Drug Enforcement Act. (H.R.5246, S.1437) Makes designer drugs illegal and subjects traffickers of controlled substance analogs to the stiffest drug penalties.
3. Career Criminal Amendments. (H.R.4885) Expands the Armed Career Criminal Act to include violent crimes and drug crimes.
4. The Money Laundering Control Act. (H.R.5217, S.2683) Creates a new crime of money laundering; improves investigatory tools and reduces restrictions on law enforcement in the banking area.
5. Providing for a White House Conference on Drug Abuse and Control. (H.J.Res.631) The resolution calls for the President to convene a White House Conference on Drug Abuse and Control by April 1987.
6. Technical Amendments to Comprehensive Crime Control Act. (H.R.2774) Eliminates technical problems with and clarifies many new provisions of the Comprehensive Crime Control Act of 1984.
7. Judiciary and Judicial Procedure Amendment (H.R.1193) A bill to amend the United States Code, to provide amounts from the Department of Justice assets forfeiture fund for drug abuse prevention, treatment, and rehabilitation programs.
8. Readiness Enhancement of Air Force Reserve Special Operation Act. (H.R.1307) A bill to authorize the appropriation of funds for the operation and maintenance of a Special Operations Wing of the Air Force Reserve.

9. Controlled Substances Importation, Increased Enforcement by Coast Guard Act. (H.R.2132) A bill to amend Public Law 96-350 to further define the Customs waters for the purposes of certain drug offenses.
10. Crimes and Criminal Procedure. (H.R.2774) A bill to amend Title 18 of the U.S.C. and other laws to make minor technical amendments of provisions enacted by the Comprehensive Crime Control Act of 1984.
11. Anti-Smuggling Act. (H.R.3479) A bill to amend the Tariff Act of 1930 to increase measures to combat smuggling by vessels, vehicles, and aircraft, and for other purposes.
12. Omnibus Diplomat. (H.R.4151) A bill to provide enhanced diplomatic security and combat international terrorism and for other purposes.
13. Readiness Enhancement of Air Force Reserve Special Operations Act. (S.531) A bill to authorize the appropriation of funds for the operation and maintenance of Special Operations Wing of the Air Force Reserve. To authorize the appropriation of funds for the operation and maintenance of the D of the Department of Defense Task Force on Drug Enforcement, and to require certain reports.
14. Drug Money Seizure. (S.571) A bill to amend Subchapter II of Chapter 53, of Title 31, United States Code, relating to currency reports.
15. Mail Order Drug Paraphernalia Act. (S.713) A bill to prohibit the interstate sale and transportation of drug paraphernalia.
16. Comprehensive Crime Control. (S.1236) A bill to prohibit the interstate sale and transportation of drug paraphernalia.
17. Controlled Substance Analogs Enforcement Act of 1985. (S.1437) A bill to amend the Controlled Substances Act to create new penalties for the manufacture with intent to distribute, the possession or the distribution of controlled substance analogs, and for other purposes.
18. Anti-Smuggling Act of 1985. (S.1694) A bill to amend the Tariff Act of 1930 to increase measures to combat smuggling by vessels, vehicles, and aircraft, and for other purposes.

19. Action Drug Prevention Program. (S.668) A bill to provide funding for the ACTION drug prevention program in HHS out of proceeds received by the Customs forfeiture fund and the Justice assets forfeiture fund.
20. State and Local Narcotics Control Assistance Act of 1985. (S.15) A bill to authorize HHS to make grants to States for drug abuse prevention, and other purposes, and to authorize the Attorney General to make grants to increase State and local enforcement of laws against drug abuse.
21. Student Chemical Abuse Prevention Act of 1985. (S.1820) A bill to provide assistance to State and local educational agencies for the development of and expansion of demonstration chemical substance prevention programs.
22. Department of the Treasury Appropriations. (H.R.5267) A bill to authorize additional appropriations for fiscal year 1987 for the United States Customs Service for drug enforcement capabilities.
23. Reorganization of Executive Branch Drug Trafficking and Abuse Functions. (H.R.5266) Requires the President to submit legislation for the reorganization of the Executive Branch in order to more effectively combat drug trafficking and drug abuse.
24. Department of Defense Narcotics Enforcement Assistance Act of 1986. (H.R.5270) A bill to authorize additional appropriations to the Department of Defense for armed forces assistance to civilian drug enforcement agencies.
25. Coast Guard Drug Interdiction Enhancement Act of 1986. (H.R.5268) A bill to authorize additional appropriations and personnel for the Coast Guard for drug interdiction.

Proposed Administration Legislative Initiatives

Through the Domestic Policy Council various Departments and Agencies have developed draft legislation that would support the President's Drug initiative.

Department of Justice

The National Drug Abuse Prevention Act of 1986. Establishment of a drug abuse prevention program which provides for a drug-free workplace and allows testing to identify and hold accountable users of illegal drugs in educational institutions, the private workforce and the Federal Government. This is not a budget item.

Department of Education

The Zero Tolerance Act. State set-asides for drug prevention activities at the state level. State discretionary grants to local school districts requiring each district to submit to the state agency a plan to achieve "Drug-Free Schools." Federal discretionary grants for development and dissemination of program models and materials on alcohol and drug prevention in schools. The estimated cost of this program is \$100 million.

Office of Personnel Management

Propose legislative changes to make current illegal drug use an absolute disqualifier for entry into Federal employment and a basis for termination, regardless of a claimed "handicapping" condition or effect on job performance. States, local governments, and government contractors would be encouraged to develop drug free workplaces.

Department of Health and Human Services

Restructuring the existing Title III of the Narcotics Addict Rehabilitation Act (NARA) to include all controlled substance abusers and to streamline the cumbersome regulatory and reporting requirements of the original Law.

Drafting a model statute to provide states with the basis for broader treatment authority for controlled substance abusers in their jurisdiction.

These are proposed legislative actions that would allow execution of those policies approved by the President and the Domestic Policy Council. They would cover activities beyond the limits the President has set; e.g., hiring in sensitive positions and any mandatory testing for sensitive positions. That is why this proposed legislation will need a reviewing body. (It is proposed that the Domestic Policy Council Working Group on Drug Policy be this body.)

V. Funding Control

- o Some initial estimates developed by OMB show the following funds are being spent, or have been proposed for spending in FY 1987 budget requests (\$ million):

| | Current Level (1986) | Current Initiatives (1987) | Additional Options (1987) |
|--|----------------------------|----------------------------------|---------------------------------|
| Law Enforcement (Supply Side) | 1,713 | 2,148 | 2,560 |
| Health Treatment, Prevention (Demand Side) | 377 | 400 | 500 |

- o OMB has informed departments and agencies that all new spending recommendations must identify appropriate offsets.

Issues for your consideration:

1. How should funding control be assured? OMB will control the funding and funding requests for drug abuse initiatives. The Domestic Policy Council Working Group will ensure that new programs and costs are reviewed by OMB (OMB is a member), and that priorities for offsets are discussed in terms of expected payoffs and benefits.
2. How can we counter Congress' expected large, and largely unnecessary spending proposals on drug abuse? The White House planning group chaired by Dennis Thomas will be provided with analyses of all funding bills, and will be able to determine Administration positions on these proposals.

August 1, 1986
4:00 p.m.

MEMORANDUM FOR THE PRESIDENT

FROM: THE DOMESTIC POLICY COUNCIL
SUBJECT: Drug Abuse Policy

Issue: What are the next steps in the national crusade against illegal drugs?

Background: You are calling for a "national crusade against drugs", and are expanding the First Lady's significant drug prevention and awareness campaign into the nation's campaign to deprive drug peddlers and suppliers of their customers. Also, you will be announcing six initiatives to build on what has already been accomplished, and to lead us toward a drug-free America. The new goals are:

1. Drug-Free Workplaces
2. Drug-Free Schools
3. Expand Drug Treatment
4. Expand International Cooperation
5. Strengthen Law Enforcement
6. Increase Public Awareness and Prevention

Each will include several actions that are to be carried out by Cabinet departments and agencies. Outlined below for your consideration are some of the problems and issues anticipated in each goal area.

ANTICIPATED PROBLEMS AND ISSUES

GOAL #1 - DRUG-FREE WORKPLACES

The best way to focus on policy problems pertaining to drug-free workplaces is to look at the responsibilities and rights of employees and employers.

Employees - Our basic belief is that employees should be responsible for their behavior. This includes employees who are users and those who are non-users of illegal drugs. Both have rights to a drug-free work environment. However, in most instances these rights are modified in various ways by an employment contract. Non-users should take the responsibility for not tolerating illegal drug use in the workplace. Illegal drug users should take responsibility for either quitting the use of drugs, seeking assistance or treatment, or leaving the job.

Employers - Employers have a right to productive, safe, and clear-minded work from their employees according to an employment contract. Employers have the responsibility to provide leadership to ensure that the workplace is drug-free and alcohol-free, so that employees can accomplish the work expected of them. To carry this out, employers usually implement three types of programs - prevention of drug or alcohol abuse, identification of such abuse, and provision of help or employee assistance.

Prevention: Most employers expect supervisors to motivate employees to remain drug-free. In addition, employers develop drug abuse education programs and workplace security programs to ensure that others are safe from illegal drug pushers or users. These are usually low-cost, high payoff efforts.

Identification: The identification of drug users is difficult for employers, because it is not easy to detect when a person is on drugs. Most employers encourage employees to voluntarily seek treatment, and many have programs for screening employees who may need treatment. Such programs are focused on those in sensitive positions, in which the use of illegal drugs that might impair their performance. There are also programs to detect the general existence of drug use in the workforce, to offer general non-attributive screening, and to screen as a basis for individual action. These programs are usually of moderate cost, but also have a high payoff.

Assistance: Most organizations also have employee assistance programs (EAPs) which include drug counseling and treatment. These are for both employees who volunteer for treatment and for those who are identified as illegal drug users and who should remain with the organization for various reasons. These are usually high cost, high payoff programs.

The issues which require your attention in this goal area are as follows:

I. What kind of program should the Federal government have to prevent, identify, and treat illegal drug users?

You have said that drug abuse programs for the workplace should be based on voluntary compliance. With that as a beginning point, many questions arise about how that should be implemented in the Federal government workplaces. There is little quarrel with the need and the ability for the Federal government to conduct prevention activities, including stressing that Federal managers must motivate employees to stay drug-free. Education programs are also readily available.

The major problems arise with identification (screening and testing) and treatment programs. Those who are against drug screening argue that the Federal workforce is now "cleaner" than that of most private companies. They also feel that the question of deprivation of an individual's Fourth Amendment rights against search and seizure have not been adequately tested in the courts, and that we could be open to legal actions.

Those who favor drug screening argue that it is required to assure the public that Federal employees who serve them are clear-minded and able to provide safe services. They contend that drug screening programs for employees in sensitive jobs have worked in some agencies, and could be used in others.

The cost of a screening program for Federal employees in sensitive positions is estimated at \$25-35 million per year, to be spread across each agency's payroll. As the largest employer in the country, we are likely to receive heavy criticism for instituting such a program, especially from labor unions and civil rights groups. However, most members of the Domestic Policy Council feel that we should move ahead with a screening program, consistent with emphasis on voluntary participation.

The screening of new hires is a separate issue from that of current employees. Most feel that the government should be able to hire people who are free from illegal drugs. A screening program is not now used, but it could be added as part of the determination of a person's suitability for government employment. The cost is estimated at \$220,000 per year.

One issue that should be addressed is whether such a program should be top-down or agency-based.

The advantage of a top down program is that it would be consistent across government, and not subject to criticisms that one agency is more lenient (or strict) than another. The disadvantage is that it could be seen as undermining the authority of Cabinet members and agency heads, and it would not reflect the special needs of the different kinds of employees in the various departments. You should probably decide this on the basis of discussions with Cabinet members.

Another issue will be whether the Federal government's program, whether top-down or agency-based, should be authorized by Executive Order or by legislation. Those with legal concerns would feel much better if we obtained legislation containing the needed authorities for screening and treatment programs. Others feel we could more quickly and readily tailor the program to our needs if it is done by Executive Order.

II. The second problem area under this goal is how we should go about encouraging State and local governments to follow the Federal government's example.

The primary issue is whether we require certain features in drug abuse programs of States and local governments. Our principles of Federalism would suggest that we should shy away from mandating any requirements. However, one of the initiatives under Goal #3, Expanding Health Treatment, could involve assistance to States and local governments for special treatment programs. Congress would expect us to build in standards or controls in such programs. Also, in Goal #2, Drug-Free Schools, we would be working with school districts on drug abuse programs, and may need to exert some controls or standards in those programs.

III. The third problem area under this goal is how to solicit commitments from Government contractors to establish drug-free environments.

The general belief is that government contractors should be treated like other private industry organizations. If we set the example, they can easily follow. And, we should not add any strict requirements that would increase their costs of doing business, even in so vital an area. The argument continues that most contractors will embrace such programs anyway, because they have been proven to improve productivity.

Others feel that we should require government contractors to have policies for drug-free workplaces, and that favored treatment in bidding should be shown to such contractors. This argument is advanced especially for contractors that provide direct service employees, such as janitors and contract security guards. Some suggest that government contractors, like our program, should require that people in sensitive positions be drug-free, but that the remainder of their workforce could participate on a voluntary basis.

IV. The fourth problem area under this goal is how to mobilize management and labor leaders in the private sector to fight this problem. Most feel we should continue, and perhaps increase, the efforts already underway on a cooperative, strictly voluntary

basis. The key will be to sell the program to both labor and management leaders. This would be on the basis that productivity will improve, thereby making American industry more competitive, and giving workers a greater share in that increase.

(MORE TO FOLLOW)

TABLE 1. FY 1985 DRUG AND ALCOHOL ABUSE PROGRAMS**DRAFT**FINANCIAL DATA (Dollars in Thousands)

| | <u>ARMY</u> | | <u>NAVY</u> | | <u>AIR FORCE</u> | |
|---------------------|-------------|----------------|-------------|----------------|------------------|----------------|
| | <u>Drug</u> | <u>Alcohol</u> | <u>Drug</u> | <u>Alcohol</u> | <u>Drug</u> | <u>Alcohol</u> |
| Biochem. Testing | 11,149 | 313 | 33,856 | 1,145 | 2,670 | 0 |
| Education | 1,787 | 2,262 | 3,885 | 7,865 | 1,908 | 2,067 |
| Treatment | 4,605 | 14,328 | 8,458 | 15,857 | 5,383 | 36,276 |
| Training | 1,144 | 1,333 | 700 | 1,778 | 584 | 636 |
| Evaluation | 1,873 | 3,021 | 2,567 | 1,776 | 732 | 1,430 |
| Research | 160 | 170 | 0 | 12 | 0 | 0 |
| Total | 20,718 | 21,427 | 49,466 | 28,433 | 11,277 | 40,409 |

MANPOWER ALLOCATIONS (Manyears)

| | <u>ARMY</u> | | <u>NAVY</u> | | <u>AIR FORCE</u> | |
|----------|-------------|----------------|-------------|----------------|------------------|----------------|
| | <u>Drug</u> | <u>Alcohol</u> | <u>Drug</u> | <u>Alcohol</u> | <u>Drug</u> | <u>Alcohol</u> |
| Military | 298 | 366 | 769 | 589 | 204 | 503 |
| Civilian | 460 | 688 | 424 | 203 | 86 | 47 |
| Total | 758 | 1,054 | 1,193 | 792 | 290 | 550 |

Note: Navy figures include the Marine Corps

TABLE 2. FY 1985 DRUG URINALYSIS TESTING DATA**DRAFT**Total Number of Specimens Tested

| <u>Service</u> | <u>Random</u> | <u>PC/CD/M</u> | <u>Total</u> |
|----------------|---------------|----------------|--------------|
| Army | 591,421 | 100,728 | 692,149 |
| Navy | 1,313,620 | 149,860 | 1,463,480 |
| AF | 139,268 | 44,716 | 183,984 |

RANDOM TESTINGLaboratory Positives (Number)

| <u>Service</u> | <u>THC</u> | <u>Cocaine</u> | <u>Opiates</u> | <u>Amp</u> | <u>Barb</u> | <u>PCP</u> |
|----------------|------------|----------------|----------------|------------|-------------|------------|
| Army | 13191 | 581 | | 22 | | 2 |
| Navy | 15494 | 2045 | 1212 | 499 | 367 | 94 |
| AF | 3305 | 33 | 2 | 1 | | |

PC/CD/M TESTINGLaboratory Positives (Number)

| <u>Service</u> | <u>THC</u> | <u>Cocaine</u> | <u>Opiates</u> | <u>Amp</u> | <u>Barb</u> | <u>PCP</u> |
|----------------|------------|----------------|----------------|------------|-------------|------------|
| Army | 12776 | 178 | 1 | 633 | | |
| Navy | 8624 | 768 | 160 | 332 | 56 | 44 |
| AF | 5487 | 89 | 1 | 21 | 4 | |

Notes: PC is Probable Cause
 CD is Command-Directed
 M is Medical
 Navy figures include the Marine Corps

DRAFTTABLE 3. FY 1985 ALCOHOL AND DRUG TREATMENT DATANEW CASES IDENTIFIEDALCOHOL TREATMENT PROGRAMS

| <u>Service</u> | <u>Awareness Education</u> | <u>Treatment Nonresidential</u> | <u>Residential</u> |
|----------------|--------------------------------|-------------------------------------|--------------------|
| Army | 8,719 | 18,743 | 906 |
| Navy | 39,931 | 4,214 | 6,586 |
| AF | NR | 8,004 | 1,162 |

DRUG TREATMENT PROGRAMS

| | | | |
|------|-------|-------|-------|
| Army | 6,271 | 8,267 | 48 |
| Navy | 6,110 | 1,035 | 1,175 |
| AF | NR | 5,315 | 0 |

RETURNED TO DUTYALCOHOL TREATMENT PROGRAMS

| | | | |
|------|-----|-------|-------|
| Army | All | 9,372 | 607 |
| Navy | All | 2,847 | 4,811 |
| AF | NR | 3,154 | NR |

DRUG TREATMENT PROGRAMS

| | | | |
|------|-----|-------|-----|
| Army | All | 3,527 | 26 |
| Navy | All | 605 | 765 |
| AF | NR | NR | N/A |

Treatment Facilities

| <u>Service</u> | <u>Nonresidential</u> | <u>Residential</u> |
|----------------|-----------------------|--------------------|
| Army | 190 | 10 |
| Navy | 81 | 31 |
| AF | 129 | 11 |

Notes: NR = Not Reported

N/A = Not Applicable

Returned to Duty figures are based on the total cases in
each program

Navy figures include the Marine Corps

DRAFTTable 4. FY 1985 BUDGET ANALYSISDRUG URINALYSIS TESTING

| | <u>ARMY</u> | <u>NAVY</u> | <u>AIR FORCE</u> |
|--|-------------|-------------|------------------|
| Biochem Testing (\$M) | 11,149 | 33,856 | 2,670 |
| Specimens Tested | 692,149 | 1,463,480 | 183,984 |
| Cost/specimen | \$16.11 | \$23.13 | \$14.51 |
| Cost/specimen /drug | \$8.06 | \$3.86 | \$14.51 |
| Percent of Total Service Dollars | 26.4% | 43.5% | 5.2% |

DRUG TREATMENT

| | <u>ARMY</u> | <u>NAVY</u> | <u>AIR FORCE</u> |
|--|-------------|-------------|------------------|
| Cost (\$M) | 4,605 | 8,458 | 5,383 |
| New Cases | 8,315 | 2,210 | 5,315 |
| Cost/Case | \$554 | \$3,827 | \$1,013 |
| Percent of Total Service Dollars | 10.9% | 10.8% | 10.4% |

ALCOHOL TREATMENT

| | <u>ARMY</u> | <u>NAVY</u> | <u>AIR FORCE</u> |
|--|-------------|-------------|------------------|
| Cost (\$M) | 14,328 | 15,857 | 36,276 |
| New Cases | 19,649 | 10,800 | 9,166 |
| Cost/Case | \$729 | \$1,468 | \$3,958 |
| Percent of Total Service Dollars | 34.0% | 20.4% | 70.2% |

Note: Navy figures include the Marine Corps