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THE WHITE HOUSE
WASHINGTON

drug file

April 16, 1988

BREAKFAST MEETING WITH KEY ADMINISTRATION OFFICIALS
ON THE DRUG ISSUE

DATE: Monday, April 18, 1988

LOCATION: Senator Baker's Office

TIME: 7:00 A.M. (45 minutes)
VP Arrives 7:15 A.M.

I. PURPOSE

To meet with the Vice President and other key Cabinet members to discuss the administration's anti-drug policies and to explore new anti-drug initiatives and public relations efforts. The core purpose is to advance the debate within the administration and to get the players to sing from the same song sheet.

II. BACKGROUND

This Administration's significant effort over the last seven and one-half years to get a handle on the drug problem is not receiving adequate recognition in the press or in the Congress. It is becoming clear that the drug issue will play a significant part of this year's Presidential campaign and there is a very real danger that the debate will become partisan and petty.

Several legislative vehicles have been introduced in both chambers of the Congress. Speaker Wright has indicated that he would like to have a bill ready for floor action in May. House Republicans have indicated that if the Administration does not get in front of this issue the Democrats will try to use it to their advantage. In the Senate, DeConcini and D'Amato have introduced a measure which has bipartisan support and over 60 cosponsors. They have also introduced separate legislation calling for the death penalty for certain drug-related activity. There is little doubt that the Congress will present the President with a bill or bills at some point this year. It is imperative that the Administration come to closure on its position with respect to these bills and what new initiatives, if any, are required to succeed not only in the public relations arena but also in the substantive fight against drug abuse.

Agenda items include:

Overview of Drug Policy Board activities

Overview of the legislative landscape

A multinational force and the possible increased role of the military

Criminal code revisions/death penalty

A model community project concept

A vigorous private sector advertising campaign

III. PARTICIPANTS

- 1) The Vice President
- 2) Howard H. Baker, Jr., Chief of Staff to the President
- 3) Attorney General Edwin Meese III
- 4) William H. Taft IV, Deputy Secretary of Defense
- 5) Kenneth M. Duberstein, Deputy Chief of Staff to the President
- 6) General Colin Powell, National Security Advisor
- 7) Thomas C. Griscom, Assistant to the President for Communications and Planning
- 8) Alan M. Kranowitz, Assistant to the President for Legislative Affairs
- 9) John C. Tuck, Deputy Assistant to the President and Executive Assistant to the Chief of Staff

IV. PRESS PLAN

Closed

V. SCHEDULE OF EVENTS

The breakfast meeting will commence at 7:00 a.m. The Vice President will arrive at 7:15 a.m. and remain until approximately 7:45 a.m.

TALKING POINTS

Senator Howard Baker's Overview:

- o Concern that the drug issue will be politicized for the Fall campaign

- o The Administration not receiving enough credit for its current anti-drug initiatives

- o Significant legislative activity in this area which Alan Kranowitz will amplify

- o Apparent conflict within the Cabinet and drug policy board . . . not all speaking with the same voice

Bennett call for a new policy in four areas production, shipment, sale and use

Meese suggestion of increased military role

Vice President suggestion creating an international drug force under the auspices of the United Nations or another multi-lateral agency

DOD/NSC reluctance to assume additional responsibilities in this area and continued concerns re: posse comitatus

- o The question is: "Do we simply more slickly advertise our current policies or are additional initiatives required?"

- o I believe we must get out front on this issue and stay there or we will regret it at the polls in the Fall

- o Ask Kranowitz for a quick legislative overview

- o Ask the Attorney General for his assessment of the current drug policy board initiatives

o Possible new initiatives:

o Multi-national force

Suggested by the VP

Drug trafficking is a problem that respects no borders

Such a force could respond to requests from source countries to eradicate drug crops and destroy clandestine laboratories

DOD/NSC opposed

o Vigorous advertising campaign

Like Mothers Against Drunk Driving (MADD)

Ask 100 CEOs to commit 1 percent of their advertising dollar to an advertising campaign against drug abuse

o Model community project

Newt Gingrich idea

Emphasis on law enforcement

Identify project community with a goal of complete drug eradication

Tom Griscom to amplify

o Criminal Code revisions/death penalty

Mandatory sentencing and tough penalties for pushers

Death Penalty for drug kingpins

It is significant that DeConcini and D'Amato introduced separate anti-drug bills; the first, advancing new initiatives and obligation of funds and second, a separate death penalty bill

o Other new initiatives?

Ask participants for their views

o Summary

Where do we go from here?

Should the drug policy board or the domestic policy council be tasked to revisit the President's initiatives of 1986 to update the President's six-point program of that year to reflect current realities?

Should the budget agreement be broached to provide additional resources to combat drug abuse?

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF THE DEPUTY DIRECTOR

DATE:

TO:

John Tuck

*Druck
file*

ACTION:



For your information



Please comment



FYI and return



Draft Response



Appropriate action



Let's Discuss

REMARKS:

*UPDATE -- PER
YOUR REQUEST*

JH

OMNIBUS ANTIDRUG ABUSE ACT OF 1988 S. 2205

I. SUMMARY

The bill authorizes \$2.5 billion over the 1989 President's Budget and proposes self-financing funding mechanisms. The bill allegedly limits presidential prerogatives in foreign affairs, management, and organizational matters.

BUDGET IMPACT \$ in Millions

<u>Agency/Bureau</u>	<u>1988</u>	<u>FY 1989 Presidents Budget</u>		<u>S. 2205</u>
		<u>Total</u>	<u>Drugs Only</u>	<u>FY 1989 Add Ons</u>
DEA/FBI	596	2,041	649	+146
INS	70	859	94	+59
DOD	200	N/A	210	+100
Coast Guard	514	2,976	620	+231
Prisons	341	1,400	507	+200
Customs	440	1,121	443	+160
State (INM/AID)	120	119	119	+250
HHS	496	2,739	584	+504
DOJ Grants	86	78	7	+255
Education	230	250	250	+50
All Other	372	N/A	420	+500
TOTAL	3,465	N/A	3,903	+2,455

PROGRAM IMPACT

Additional resources over the 1989 President's Budget (the base):

DEA/FBI	For DEA, 224 FTE over a 5,700 FTE base for drug enforcement (\$60M); \$4M over \$12M base for the EL Paso Intelligence Center (EPIC); and \$44M for International helicopter force. For FBI, 400 FTE over a 22,000 FTE base (\$38M).
INS	500 FTE over a 4,700 FTE base for Border Patrol (\$20M); 225 FTE over a 1,500 FTE base for criminal investigations, including 175 FTE for the Organized Crime Drug Enforcement (OCDE) Task Force (\$19M); and Operation Alliance equipment (\$20M).
DOD	4 radar balloons for a total of 5 balloons (\$75M); DOD support for law enforcement agencies (\$15M); \$10M for refurbishing DOD aircraft for use by State. Directs .2% of DOD R&D resources for law enforcement research in 1990 (\$76M).
Coast Guard	800 FTE over a 43,600 FTE base for drug enforcement (\$45M) and \$186M for nonspecific drug interdiction resources.
Prisons	2,800 beds over a 7,800 base, and establishes a National Training Center for prison officials on Drug Rehabilitation.

Customs 600 FTE for drug enforcement over a 6,300 FTE base (\$30M); 3 more long-range aircraft (for total of 4 aircraft); additional aviation and intelligence enhancements (\$125M); and cargo screening devices (\$5M).

State \$12M for the State Interregional Aviation Program and other State Eradication efforts (\$38M); and provides \$200M to source countries for meeting eradication goals, over a base of \$119M.

HHS \$50M for the Alcohol, Drug Abuse and Mental Health Block Grant and \$434M for Substance Abuse Emergency Treatment Program over a base of \$584M.

DOJ Grants \$255M for grants to States for anti-drug abuse efforts, over a base of \$7M.

Education \$50M for Drug Education Grants, over a base of \$250M.

Other \$500M for other Justice and Treasury anti-drug abuse initiatives over a base of \$420M.

FUNDING MECHANISMS -- REVENUES GENERATED
\$ in Millions

<u>Agency/Bureau</u>	<u>1988</u>	<u>1989 Pres. Budget</u>	<u>S. 2205</u>
IRS Enforcement	50,000	50,000	+1,120
Alcohol, Tobacco & Firearms	105	140	+130
Debt Collection Government-Wide			+2,000

FUNDING MECHANISMS IMPACT

Funding Mechanisms in the bill include:

IRS 6,842 FTE (over 60,000 FTE base), costing \$287 million to generate \$1.12 Billion in 1989 and \$2.22 billion in 1990.

Alcohol, Tobacco & Firearms 40 FTE (over 3,235 FTE base) to generate an additional \$130M for 1989. More revenue is currently scored (\$140M) than ATF believes it will collect (\$117M). The \$130M is unachievable.

Debt Collection \$2 billion of additional revenue from enhanced collection efforts. Targets are unachievable, the \$2 billion is bogus.

II. MAJOR OBJECTIONS

- o Violates Bipartisan Budget Agreement.
- o Inadequate offsets.

- o Restricts President's flexibility in providing aid to Mexico and Bolivia.
- o Mandates New Strike Force in Latin America.
- o Takes DOJ and Customs Asset Forfeiture Funds ~~of~~ off-budget.
- o Transfers the Coast Guard to the Treasury; creates new Treasury Under Secretary for Enforcement and Border Affairs.
- o Establishes new formula and discretionary grant programs for State and local drug control programs.
- o Permits Customs to board vessels on the high seas, including the territorial and internal waters of foreign countries.
- o Establishes in State a duplicative squadron for eradication assistance.
- o Establishes ~~a~~ AID 3-year grant program for countries that meet specific eradication goals.
- o Earmarks ~~s~~ .2% of DOD R&D funds to support law enforcement research.
- o Requires DOJ sharing of forfeited property with State and local law enforcement agencies. Could support if made discretionary.
- o Reduces requirements for Customs' sharing of seized property with State and local agencies.

III. Key Supportable Provisions:

- o Establishes a new regulatory scheme for precursor and essential chemicals used to manufacture drugs.
- o Provides for passport restrictions/revocations.
- o Makes it unlawful to possess a firearm or other dangerous weapon in a Federal Courthouse.
- o Establishes or increases various fines and penalties, including criminal, for drug-related offenses.
- o Changes grant procedures under the Drug Free Schools Act by increasing State reporting requirements.

8.00 H/M
4/12/88

Comparison of the 1988 Drug Bill
to the
FY 1988 and FY 1989 President's Budgets

<u>Item</u>	<u>FY 88 Pres. Bud.</u>	<u>FY 88 Approp.</u>	<u>FY 89 Pres. Bud.</u>	<u>S. 2005 Add-ons and Title</u>	<u>Comments</u>
<u>Dept. of Justice</u>					
<u>DEA</u>					
International	94	89	102	44 (III)	Funds helicopter task force for foreign operations. Not wanted by DEA and couldn't be spent.
Intelligence	30	29	36	4 (III)	Funds El Paso Intelligence Center above level requested by DEA.
Other	393	371	395	60 (I)	Adds 224 FTE for unspecified purpose.
Training	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u> (VII)	Provides more foreign language training for agents.
DEA Total	522	494	538	113	In sum adds 21% on top of 9% increase proposed in FY 89 President's Budget.
<u>FBI</u>	112	102	111	38 (I)	Adds 400 FTE for unspecified purpose.
<u>Attorneys</u>	103	81	96	10 (I)	Adds 200 FTE for unspecified purpose.

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<u>Marshals</u>	84	73	83	74 (I)	Adds 741 FTE for unspecified purpose. Includes \$20M for the Cooperative Agreement Program which would double the \$20M requested in the President's FY 89 Budget. This program guarantees Federal space in State and local jails. Due to the extreme scarcity of local space, the additional funds probably could not buy any additional beds.
<u>Prisons</u>	982	931	1,400	200 (I)	Would add about 2,800 beds to the 7,800 already requested by the President in 1989 and the 4,900 requested in 1988. Since the Federal Prison System is currently overburdened with the extremely rapid expansion already underway, any additional funds could not be spent effectively during 1989.
<u>Grants</u>	6	86	7	255 (I)	Authorizes a State and local grant program that essentially combines the two grant programs discussed below. State and local law enforcement has received over \$160M in Federal assistance since 1984 from the DOJ State and local Assistance Grant program and \$295M since

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					1986 from the DOJ Anti-drug Abuse Grants. These programs were not intended to establish long term dependence on Federal monies.
<u>INS</u> Interdiction	18	18	17	20 (III)	Provides funding for equipment for Operation Alliance-type activities (an Administrative initiative). INS is the only agency that didn't receive funds for this in the 1986 drug bill, but it would not need this extra funding as it could use equipment it received through the Immigration bill.
Training	N/A	N/A	N/A	1 (VII)	Provides foreign language training for INS personnel. All Border Patrol agents currently receive intensive training in Spanish.
Other	<u>55</u>	<u>52</u>	<u>77</u>	<u>39</u> (I)	Adds 725 FTE for unspecified purpose.
INS Total	73	70	94	60	

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DOJ Training Facilities	N/A	N/A	N/A	20 (VII)	Increase for expansion and creation of new DOJ training facilities is objectionable because it will give added impetus to DOJ efforts to provide its own training rather than using FLETC (see below).
Justice Assistance	N/A	N/A	N/A	10 (VII)	Would establish a national training center in Oklahoma for prison officials. However, FLETC (see below) and the National Institute of Corrections already provide training for Federal, State, and local prison officials. Drug rehabilitation programs at these existing facilities could be expanded rather than establishing a new center.
<u>Dept. of Treasury</u>					
<u>Customs</u> Interdiction	265	357	364	125 (III)	Funds additional helicopters, interceptor aircraft, vessels, intelligence center upgrades. The FY 1989 President's Budget already provides such capital enhancements in line with Customs request and priorities. Its current staffing level enables it to fully utilize its existing assets. We should evaluate Customs use of these assets before acquiring more.

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Other	<u>61</u>	<u>81</u>	<u>78</u>	<u>30</u> (I)	Adds 600 FTE for unspecified purpose. Total FTE grew 25% from an estimated 3,976 FTE in the Drug Program in 1986 to an estimated 5,096 FTE in 1989. The additional 600 FTE are not necessary as Customs is able to fully utilize its existing equipment and other assets with its existing level of staffing.
R&D	1	2	1	5 (VI)	Provides for X-ray and "other" technologies to enable more efficient screening of cargo, resulting in more detection of illegal drugs. This would increase Custom's productivity. Probably a good idea.
Training	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>5</u> (VII)	Provides foreign language training for Customs personnel. Concept is good in that passenger inspections of foreigners would be more efficient and less time consuming. This would increase productivity.
Customs Total	327	440	443	165	

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<u>IRS</u>					
Revenue Initiatives	3,100	3,100	3,200	287 (X)	Adds 6,842 FTE for a revenue initiative that the bill estimates would generate \$1.12 billion in FY 1989 and \$2.22 billion in FY 1990. The bill estimates are based on Treasury-generated estimates. Tracking will be impossible since base revenue receipts are not known. This initiative violates Bipartisan Budget Agreement as revenue initiatives are to be used only to reduce the deficit, not to expand Government programs.
<u>BATF</u>					
Other	9	8	9	8 (I)	Adds 140 FTE for an unspecified purpose to the Bureau of Alcohol, Tobacco and Firearms.
Collection	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>4</u> (X)	Adds 40 FTE that the bill estimates would increase collections by \$130M in FY 1989 and \$140M in FY 1990. These estimates are in error; this initiative could at most generate \$50M in FY 1989.
BATF Total	9	8	9	12	

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FLETC	23	29	27	10 (VII)	Increases the level of training for Federal, State and local officials at the Federal Law Enforcement Officers Training Center by 27% over FY 88. To spend the additional funds wisely, much would need to be transferred to a no-year account for facilities expansion and improvement. FLETC could also use the money to increase the current subsidy for State and local trainees or to offset growing Federal training needs.
<u>Dept. of Transportation</u>					
<u>Coast Guard</u>					
Other	4	4	4	45 (I)	Adds 800 FTE for unspecified purpose presumably related to interdiction.
Interdiction	<u>571</u>	<u>510</u>	<u>616</u>	<u>186</u> (III)	
Coast Guard Total	<u>575</u>	<u>514</u>	<u>620</u>	<u>231</u>	The money is not earmarked, so Coast Guard would probably obligate it as fast as possible by exercising options on existing procurement contracts for items such as patrol boats, helicopters, and sensors for existing aircraft. These items are not now scheduled for purchase and would increase O&M costs and personnel needs in the outyears.

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<u>Dept. of State</u>					
<u>INM</u>					
Eradication Squadron	15	15	18	12 (II)	Current INM Interregional Aviation program which supports eradication and interdiction efforts in source and transit countries is adequate.
Other	<u>84</u>	<u>84</u>	<u>83</u>	<u>37</u> (II)	The FY 89 President's Budget adequately supports the eradication, interdiction and demand reduction efforts in source and transit countries. These programs also receive supplemental funding from current AID and USIA programs.
INM Total	99	99	101	49	
<u>AID</u>	13	21	18	200 (II)	Authorizes three-year program (at \$200M/year) providing economic assistance to source countries which meet specific eradiction goals.

<u>Item</u>	<u>FY 88 Pres. Bud.</u>	<u>FY 88 Approp.</u>	<u>FY 89 Pres. Bud.</u>	<u>S. 2005 Add-ons and Title</u>	<u>Comments</u>
<u>Dept. of Defense</u>					
Equipment	0	0	0	85 (III)	For the purchase of four radars and refurbishing of surplus DOD equipment for interdiction. If funded, this properly belongs in the Customs or Coast Guard budget, but caution is urged until the utility of present hardware expansion is demonstrated.
Support	<u>75</u>	<u>94</u>	<u>98</u>	<u>15</u> (III)	Funds a portion of the DOD support to law enforcement agencies that it is currently providing from existing resources but which DOD may be forced to reduce due to budget reductions.
DOD Subtotal	75	94	98	100	
DOD R&D	43,719	36,695	38,157	76 (VI)	Directs that no less than 0.2% of DOD's research, development, technology and development budget be used for law enforcement purposes. The bill makes no additional authorization for this, but the impact would be approximately \$76 million in FY 1990. Such a diversion of DOD resources is unwise.

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<u>Dept. of HHS</u>					
Treatment Demonstration	45	52	48	20 (IV)	The Public Health Service already has authority for these demonstrations.
Treatment Grants	0	156	166	434 (IV)	Reauthorizes new funding for a Substance Abuse Emergency Drug Treatment program to target Federal funds at communities or States with the most acute substance abuse problems based on the best available HHS data for the most recent calendar year. Authorizes States to spend up to 1.5 % of these funds to develop required statewide substance abuse treatment facility plans and allows up to 40% of the funds to be used for construction or renovation of substance abuse treatment facilities.
Block Grant	495	487	509	50 (IV)	Reauthorizes funding for the Alcohol, Drug Abuse and Mental Health Block Grant and provides that no less than 49% of these funds shall be made available for alcohol and drug abuse treatment and rehabilitation programs.

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<u>Dept. of Education</u>					
Drug Grants	100	230	250	50(IV)	Makes substantive amendments to Education's program which are not objectionable. However, the increased authorization is unwarranted at this time. We do not yet have even one year of experience with the program. The President's budget would already increase the program from \$230M to the fully authorized level of \$250M. There is no evidence that more is needed.
<u>Other Items</u>					
Death Benefits	10	9	10	10(I)	Doubles death benefits payable to Federal, State or local public safety officers from \$50,000 to \$100,000. Impact would double the FY 89 President's Budget, although the bill does not authorize additional appropriations. The Administration has recently agreed to not oppose this provision, provided funds come from within existing DOJ appropriations.

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Rewards	0	0	0	? (I)	Authorizes a \$10,000 reward to individuals assisting in arrest of Federal fugitives.
Media Commission	N/A	N/A	N/A	1 (I)	Authorizes \$1M a year for FY 89-91 for President's Media Commission on Alcohol and Drug Abuse Prevention.
Treasury-Justice Border Task Force	0	0	0	15 (III)	Establishes a mobile Southwest Border task force, staffed by INS, DEA and Customs. This duplicates the Administration's Operation Alliance, which has been operational for over a year.
U.S.-Bahamas Task Force	0	0	0	13 (III)	Consists of \$11M for marine interdiction vessels for the Bahamas Defense Force, \$1M for communications equipment and \$1M for training of the Bahamas Defense Force.
Grants to Territories and Countries	0	0	0	26 (III)	Provides grants of \$7M each to Puerto Rico, Hawaii and Jamaica, and \$5M to the Dominican Republic for purchase of aircraft, vessels and radar. The grant to Puerto Rico would

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					help fund an aerostat partially funded in 1988. This aerostat is a low priority of the Customs' Interdiction Strategy.
Congressional Committee	0	0	0	0.4 (V)	Establishes a Senate Select Committee on Narcotics Abuse and Control to study drug issues.

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<u>Summary of Offsets Proposal in the Bill</u>					
<u>IRS 1/</u>					
Revenue Initiatives	3,100	3,100	3,200	287 (X)	Adds 6,842 FTE for a revenue initiative that the bill estimates would generate \$1.12 billion in FY 1989 and \$2.22 billion in FY 1990. The bill estimates are based on Treasury-generated estimates. Tracking will be impossible since base revenues receipts are not known. This initiative violates Bipartisan Budget Agreement as revenue initiatives are to be used only to reduce the deficit, not to expand Government programs.
<u>BATF 1/</u>					
Collection	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>4</u> (X)	Adds 40 FTE that the bill estimates would increase collections by \$130M in FY 1989 and \$140M in FY 1990. These estimates are in error; this initiative could at most generate \$50M in FY 1989.

<u>Item</u>	FY 88 Pres. Bud.	FY 88 Approp.	FY 89 Pres. Bud.	S. 2005 Add-ons and Title	<u>Comments</u>
<u>Debt Collection</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	0 (X)	The bill estimates (Title X) that increased debt collection activities could yield \$2 billion in each of fiscal years 1988 and 1990, an estimate that is probably grossly overstated. Title X would also establish an Under Secretary of the Treasury for Debt Collection and Credit Management. OMB's responsibilities in these areas, and in the areas of Cash Management, Financial Systems, Accounting Systems and Chief Financial Officer functions would be transferred to the Treasury Department. The title would also allow agencies to keep 15% of debt collections over established targets and calls for a 15% penalty to reduce program funds if an agency fails to meet its target. This would supersede the budget process and many cases would be against the law.

1/ These items are also included earlier in this document under the section covering the Department of Treasury.

N/A = Not Available.