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*add future  
standards  
& fairness.*

Sensitive Positions 8-17-86 4:30 p.m.

*1) make sure of applicability to all Fed Emp - not just sensitive  
2) explain  
3) ordering*

Executive Order No. \_\_\_\_\_ of August \_\_, 1986

**Drug Free Federal Workplace**

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees is inconsistent not only with the law-abiding behavior expected of all citizens, but also with the special trust given to such employees as servants of the public;

**WHEREAS** federal employees who use illegal drugs, on or off duty, are less productive, less reliable, and prone to greater absenteeism than their fellow employees who do not use illegal drugs;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees impairs the efficiency of federal departments and agencies by undermining public confidence in them, and thereby making it more difficult for other employees who do not use illegal drugs to perform their jobs effectively;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees can pose a serious health or safety threat to members of the public and to other federal employees;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees creates suspicion and distrust within an agency or department that disrupts its smooth and efficient functioning;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees in certain positions evidences an unreliability, an instability, and a lack of judgment that is inconsistent with access to sensitive information, and renders such employees susceptible to coercion, influence, and irresponsible action under pressure so as to pose a serious risk to national security, the public safety, and the effective enforcement of the law; and

**WHEREAS** federal employees who use illegal drugs must themselves be primarily responsible for changing their behavior and, if necessary, begin the process of rehabilitating themselves, and will only take such steps if made accountable for their unsuitable and illegal use of drugs;

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NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes of the United States, including Section 3301 (2) of Title 5 of the United States Code; Section 7301 of Title 5 of the United States Code; [Section 1753 of the Revised Statutes of the United States (5 U.S.C. 631); the Civil Service Act of 1883 (22 Stat. 403; 5 U.S.C. 632, et. seq.); Section 9A of the act of August 2, 1939, 53 Stat. 1148 (5 U.S.C. 118j); and the act of August 26, 1950, 64 Stat. 476 (5 U.S.C. 22-1, et. seq.)]

and as President of the United States, and deeming such action in the best interests of national security, public health and safety, law enforcement and the efficiency of the federal service, it is hereby ordered as follows:

**Section 1: Drug Free Workplace**

- conduct*  
*performance*  
*suitability*
- NO?*
- (a) All federal employees are required to refrain from the use of illegal drugs.
  - (b) The use of illegal drugs by federal employees in sensitive positions whether on duty or off duty is contrary to the efficiency of the service.
  - (c) Persons who use illegal drugs are not suitable for federal employment in sensitive positions.

**Section 2: Drug Testing for Employees in Sensitive Positions**

- emphasis*  
*discreet*  
*hand*  
*700*  
*700*
- (a) The head of each agency shall establish a drug testing program covering all applicants for sensitive positions.
  - (b) Agency heads are authorized to test any current employee in a sensitive position for the use of illegal drugs. The extent and criteria for such testing shall be determined by each agency head, based upon the degree of sensitivity of the agency's mission and its employees' duties and the available resources for a testing program.

**Section 3: Drug Testing Procedures**

- (a) Agencies shall notify employees 60 days prior to the implementation of a drug testing program pursuant to this order and inform them of the availability of drug abuse counseling and rehabilitation.
- (b) Before conducting a drug test, the agency shall inform the employee to be tested of the opportunity to submit medical documentation that may support a legitimate use for a specific drug.
- (c) Programs shall contain procedures for timely submission of requests for retention of records and specimens; procedures for retesting, and procedures to protect the confidentiality of test results.

- (d) Programs shall be conducted in accordance with scientific and technical guidelines promulgated by the Secretary of Health and Human Services after consultation with the Director of the National Institute on Drug Abuse.

#### Section 4: Rehabilitation

All employees in sensitive positions who are currently using illegal drugs who cannot voluntarily cease such activity on their own must seek counseling or rehabilitation services from their agency. Employees who seek counseling or rehabilitation services from their agency prior to the agency learning that they are using illegal drugs are not required by this order to be removed from employment, so long as they thereafter refrain from using illegal drugs. This section does not require an agency to maintain any person in a sensitive position who is unqualified for that position.

#### Section 5. Personnel Actions

- (a) An agency shall initiate action to remove any employee in a sensitive position ~~and remove or discipline any other employee~~ who is found to use illegal drugs, provided that such action is not required if the employee requests counseling or rehabilitation services as set forth in Section 4 and thereafter refrains from illegal drug use. An agency may satisfy this requirement for an employee in a sensitive position by transfer to a non-sensitive position.
- (b) The results of a drug test and information developed by the agency in the course of the drug testing of the employee shall be admissible in evidence in processing the adverse action against the employee or for other administrative purposes. Preliminary test results may not be used in administrative or disciplinary proceedings. Positive test results are preliminary results until confirmed as positive (by both initial and confirmatory testing) or by an admission of the employee.
- (c) The determination of an agency that an employee uses illegal drugs can be made on the basis of any appropriate evidence, including direct observation, conviction of a criminal offense, administrative inquiry, or the results of an authorized testing program. Positive drug test results are not conclusive and may be rebutted by other evidence that an employee has not used illegal drugs.

- (d) Any action to remove an employee who is using illegal drugs shall be taken in compliance with otherwise applicable procedures, including the Civil Service Reform Act.

## Section 6: Coordination of Agency Programs

(a) The Office of Personnel Management may promulgate government wide regulations to guide agencies in the implementation of the terms of this order.

(b) The Attorney General shall ~~render legal advice regarding the implementation of this order, and must approve all guidelines, regulations and policies adopted pursuant to this order.~~

## Section 7: Definitions

- (a) This order applies to all agencies of the Executive Branch.
- (b) For the purposes of this order, the term "agency" means an Executive agency, as defined in 5 U.S.C. § 105; the Uniformed Services as defined in 5 U.S.C. § 2101(3); the United States Postal Service; or any employing unit or authority of the Federal government, other than those of the judicial and legislative branches.
- (c) For the purpose of this order, the term "illegal drugs" means a controlled substance, as defined by section 802(6) of Title 21, United States Code, the possession of which is unlawful under chapter 13 of title 21, United States Code. The term "illegal drugs" does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.
- (d) For the purpose of this order, the term "employee in a sensitive position" refers to:
- (i) an employee in a position which an agency has designated Special Sensitive, Critical-Sensitive or Noncritical-sensitive under Chapter 731 of the Federal Personnel Manual or an employee in a position which an agency head has designated or in the future designates as sensitive in accordance with Executive Order 10450 of April 27, 1953 as amended;
  - (ii) an employee who has been granted access to classified information or may be granted access to classified information pursuant to a determination of trustworthiness by an

agency head under Section 4 of Executive Order 12356 of April 2, 1982;

- (iii) individuals serving under Presidential appointments;
- (iv) members of the Senior Executive Service as defined in Subchapter II of Chapter 31 of Title 5, United States Code;
- (v) law enforcement officers as defined in 5 U.S.C. § 8331(20);
- (vi) individuals employed under Schedule C in the excepted service under the authority of section 213.3301 of Title 5, Code of Federal Regulations and Executive Order 10577;
- (vii) members of the uniformed services as defined in 5 U.S.C. § 2101(3);
- (viii) air traffic controllers as defined in 5 U.S.C. § 2109; and
- (ix) other positions that the agency head determines involve law enforcement, national security, the protection of life and property, public health or safety, or other functions requiring a high degree of trust and confidence.

**Section 8: Effective Date**

This Order shall become effective on the date of its issuance.

RONALD REAGAN

THE WHITE HOUSE

August \_\_, 1986

*Drug Policy***WHITE HOUSE STAFFING MEMORANDUM**DATE: 8/11/86 ACTION/CONCURRENCE/COMMENT DUE BY: --SUBJECT: MINUTES OF DOMESTIC POLICY COUNCIL MEETING

|                | ACTION FYI                 |                                        |                 | ACTION FYI               |                                     |
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REMARKS: The attached is for your information.

RESPONSE: \_\_\_\_\_

David L. Chew  
Staff Secretary  
Ext. 2702

MINUTES  
DOMESTIC POLICY COUNCIL

July 30, 1986  
2:00 p.m.  
Roosevelt Room

Participants: Messrs. Meese, Hodel, Lyng, Brock, Bowen, Pierce, Herrington, Miller, Burnley, Bauer, Bledsoe, Wallison, Ms. Maseng, Messrs. Turner, Gibson, McDaniel, Tuck, Gray, Ms. Horner, Ms. Steelman, Messrs. Cox, Keating, Habicht, Willard, Ms. Dunlop, Ms. Wrobleski, Messrs. Clarey, Davis, Ms. Crawford.

Quiet Title

Secretary Hodel opened the meeting and asked Mr. Habicht to describe the issue and controversy over amendments to the Quiet Title Act. Mr. Habicht said that quiet title action is action brought by citizens, or other entities having claims against the United States over land titles. He said that if claimants prevail, the government can turn over the land or pay the claimant. Under the Act, there is currently a 12-year statute of limitations for states. States have raised concerns about this on the basis that they are sovereign, and believe a procedural ban is wrong. Several Federal officials have discussed this with State Attorneys General, and a congressional hearing is scheduled for August 14. Mr. Habicht said the issue is whether we should let states challenge claims at any time. The problems are that there could be many suits costing too much money and creating too much uncertainty. The benefits are that we would be returning lands to states and would be advancing our Federalism principles.

Mr. Habicht said that Justice doesn't think there will be that many suits, or that claimants will necessarily prevail. He presented two options developed by the Energy, Natural Resources and Environment Working Group. Option 1 is to waive the statute of limitations for all lands. Option 2 is to waive the statute of limitations for submerged lands only. In both options lands used for defense purposes would be off limits. Also, a 6-month pre-litigation consultation period would be included. The costs to the government, other than for litigation, would include any damages awarded, and costs for acquiring the challenged property. Secretary Hodel argued that if the Federal government has improved land, it doesn't make sense for others to be able to come along and claim it. However, he felt that land should go to the states if possible, and Option 1 is consistent with this approach. He thought Option 2 would leave us open to law suits, and if there is litigation, the costs of surveys could be great. Secretary Herrington said Energy supports Option 2, since they have numerous critical facilities, and don't think we should open ourselves to claims. Mr. Herrington felt we should seek out properties against which claims might be filed, categorize them,

and then deed some and litigate others. Mr. Habicht said we could do this and Congress might go along with it. Mr. Herrington felt we would suffer if states filed claims on valuable property. Secretary Hodel said we are always open to this likelihood. OMB supported Option 3 that no action be taken.

Secretary Herrington asked if offshore lands are covered. Mr. Habicht said they are not. Mr. Herrington suggested giving submerged lands to states. Secretary Hodel said we cannot give away Federal assets. We should say that if states have a clear claim, we can negotiate. Secretary Lyng said the Forest Service supports Option 2. He said Option 1 would cause too many suits and will make forest service management difficult. Secretary Brock thought that Option 1 is the least we can do. Mr. Meese said the Administration would ordinarily support Option 1. He felt the Working Group has done a good job raising the issue, and asked if there is a way to have a board of claims that operates in a non-bureaucratic way. Secretary Herrington asked about a special referee. Discussion ensued over a board of claims litigation and difficulties. Mr. Hodel said we may precipitate lawsuits if we don't waive the statute of limitations. Mr. Meese asked whether Option 1 would work if two exceptions are added, one for critical energy facilities and one for national forests. Secretary Hodel said these exclusions may provide better protection. Secretary Herrington asked if the Justice Department would fight lawsuits under Option 1. Mr. Habicht said they would. Secretary Herrington felt we should try to limit court cases, regardless.

Mr. Meese suggested a decision memorandum be prepared for the President with these alternatives, including a variation to Option 1 that would limit suits and claims, and make explicit the limits of damages. Mr. Hodel supported such an addition. Mr. Meese said we need to propose a solution that will cover the ongoing problem.

#### Drug Abuse Policy

Mr. Meese said the President has tentatively approved the six new goals and directions, and that we must now look at funding. Mr. Turner introduced Mr. Williams, who discussed the problems with cost benefit approaches that focus on the user. Mr. Williams said we can readily calculate costs and benefits for drug-free workplaces. Using the Federal government, if one assumed 10 percent of employees are users, and there is a 15 percent productivity loss; or even assuming 20 percent users with a 25 percent productivity loss, at the lowest level we could recover \$12.50 for every dollar spent. In the worst case, the maximum benefits would provide \$1.29 return per dollar spent. Using a simpler screening test we could obtain a return of \$30 per every dollar spent. Mr. Williams was confident that return on productivity would be enough to warrant testing.

Ms. Steelman went through an initial costing of initiatives associated with each of the six goals. She cited the drug-free workplace proposal by OPM, the drug-free schools bill drafted by Education, and treatment programs likely to be proposed by HHS. She also cited law enforcement initiatives that are pending, including the southwest and southeast border initiatives, and the likely increases in prisons and prosecutions. Time did not permit detailed review of these initiatives. Mr. Meese suggested the Council meet on July 31 to continue the discussion.

*Drug Policy***WHITE HOUSE STAFFING MEMORANDUM**DATE: 8/11/80 ACTION/CONCURRENCE/COMMENT DUE BY: --SUBJECT: MINUTES OF DOMESTIC POLICY COUNCIL MEETING

|                | ACTION FYI                 |                                        |                 | ACTION FYI               |                                     |
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REMARKS: The attached is for your information.

RESPONSE: \_\_\_\_\_

David L. Chew  
Staff Secretary  
Ext. 2702

MINUTES  
DOMESTIC POLICY COUNCIL

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

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

Drug Abuse Policy

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

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

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

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

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

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

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

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

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

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

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

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

*Drug Policy***WHITE HOUSE STAFFING MEMORANDUM**DATE: 8/11/80 ACTION/CONCURRENCE/COMMENT DUE BY: --SUBJECT: MINUTES OF DOMESTIC POLICY COUNCIL MEETING

|                | ACTION FYI                 |                                        |                 | ACTION FYI               |                                     |
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REMARKS: The attached is for your information.

RESPONSE: \_\_\_\_\_

REVISED

MINUTES  
DOMESTIC POLICY COUNCIL

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

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

Drug Abuse Policy

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

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

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

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

#### Maximum Speed Limit

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

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

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

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

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

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

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

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

1982 DEC 11 PM 6:18

8-9-86 4:00 p.m.

Executive Order No. \_\_\_\_\_ of September \_\_, 1986

**Drug Free Federal Workplace**

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees sets a bad example in the federal workplace, and creates suspicion and distrust within an agency or department that disrupts its smooth and efficient functioning;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees is inconsistent not only with the law-abiding behavior expected of all citizens, but also with the special trust given to such employees as servants of the public;

**WHEREAS** federal employees who use illegal drugs, on or off duty, are less productive, less reliable, and prone to greater absenteeism than their fellow employees who do not use illegal drugs;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees impairs the efficiency of federal departments and agencies by undermining public confidence in them, and thereby making it more difficult for other employees who do not use illegal drugs to perform their jobs effectively;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees can pose a serious health or safety threat to members of the public and to other federal employees;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees evidences a lack of personal integrity and a willful disregard for the law;

**WHEREAS** the use of illegal drugs, on or off duty, by federal employees in certain positions evidences an unreliability, an instability, and a lack of judgment that is inconsistent with access to sensitive information, and renders such employees susceptible to coercion, influence, and irresponsible action under pressure so as to pose a serious risk to national security, the public safety, and the effective enforcement of the law;

**WHEREAS** federal employees who use illegal drugs must ~~themselves~~ be primarily responsible for changing their behavior and, if necessary, begin the process of rehabilitating themselves, and will only take such steps if made accountable for their unsuitable and illegal use of drugs;

**WHEREAS**, for these reasons, the use of illegal drugs by individuals in federal service undermines the efficiency of the

service and renders such individuals unsuitable for such service; and

**WHEREAS** standards and procedures should be put in place to ensure fairness in achieving a drug-free federal workplace, to allow an appropriate response to be made to the use of illegal drugs by a federal employee, and to protect the privacy of federal employees:

**NOW, THEREFORE**, by virtue of the authority vested in me by the Constitution and statutes of the United States, including Section 3301 (2) of Title 5 of the United States Code; Section 7301 of Title 5 of the United States Code; [Section 1753 of the Revised Statutes of the United States (5 U.S.C. 631); the Civil Service Act of 1883 (22 Stat. 403; 5 U.S.C. 632, et. seq.); Section 9A of the act of August 2, 1939, 53 Stat. 1148 (5 U.S.C. 118j); and the act of August 26, 1950, 64 Stat. 476 (5 U.S.C. 22-1, et. seq.)] and as President of the United States, and deeming such action in the best interests of national security, public safety, law enforcement and the efficiency of the federal service, it is hereby ordered as follows:

**Section 1: Drug Free Workplace**

- Every effort should be made to assure that federal employees do not use illegal drugs*
- (a) ~~All federal employees are required to refrain from the use of illegal drugs.~~ *No federal employee is (permitted) to use illegal drugs.*
- (b) The use of illegal drugs by <sup>any</sup> federal employees whether on duty or off duty is per se contrary to the efficiency of the service.
- (c) Employees and applicants who are ~~found to be~~ using illegal drugs are not suitable for employment or continued employment with an agency.
- (d) <sup>Federal</sup> ~~An agency~~ shall deny employment to applicants who are using illegal drugs.
- (e) An agency shall initiate action to remove from employment federal employees who are found to use illegal drugs, *provided that*, removal is not required if the employee comes forward and requests rehabilitation assistance as set forth in Sections 2 and 3 of this order, prior to the agency learning that the employee is using illegal drugs.
- shall refrain from use of illegal drugs*

**Section 2: Federal Drug Testing Program**

*City Drug Abuse Act 42 USC 290cc-1*

The head of each agency ~~shall~~ <sup>may</sup> establish a drug testing program to identify employees or applicants who use illegal drugs under the following criteria.

*in sensitive positions*

- Promulgate regulations which contain inter alia, the following provisions*
- (a) Drug testing is appropriate for covered employees and applicants for covered positions:
- (1) Before appointment or selection;
  - (2) Periodically after appointment when selection for testing is based on the application of neutral criteria such as random selection.
- (b) Drug testing is appropriate for any employee:
- (1) When there is a reasonable suspicion that the employee is using illegal drugs; or
  - (2) In an examination authorized by the agency regarding an accident or safety investigation.
- (c) Before conducting a drug test, the agency shall inform the employee to be tested of:
- (1) The opportunity to submit supplemental medical documentation that may support a legitimate use for a specific drug; and
  - (2) The availability of drug abuse counselling for those employees who request such prior to the first administration of the test for that employee.
- Covered employees only* → (d) An applicant's refusal to take a drug test authorized by this order shall be grounds for the agency not to hire the applicant. An employee's refusal to take a drug test authorized by this order shall be grounds to remove the employee from his position.
- (e) The results of a drug test and information developed by the agency in the course of the drug testing of the employee ~~shall be admissible in evidence~~ in processing the adverse action against the employee or for other administrative purposes. Preliminary test results may not be used in administrative or disciplinary proceedings. Positive test results are preliminary results until confirmed as positive (by both initial and confirmatory testing) or by an admission of the employee. *may be used*
- Regulations* (f) ~~Programs~~ should contain procedures for timely submission of requests for retention of records and

specimens; procedures for retesting, and procedures to protect the confidentiality of test results.

- (g) Programs should be conducted in accordance with procedural guidelines promulgated by the Secretary of Health and Human Services after consultation with the Director of the National Institute on Drug Abuse.

### Section 3: Rehabilitation

*Any* All employees currently using illegal drugs who cannot voluntarily cease such activity on their own must seek rehabilitation services from their agency prior to the agency learning that they are using illegal drugs, or be subject to removal in accordance with the terms of this Order. Employees who come forward and seek rehabilitation prior to the agency learning that they are using illegal drugs will not be removed from the service but may, in the discretion of the agency head, be reassigned to a position not covered by section 6(d) of this order.

### Section 4: Voluntary Drug Testing

Agency heads may establish programs which enable any employee to voluntarily submit to drug testing.

### Section 5: Coordination of Agency Programs

- (a) The Office of Personnel Management may promulgate government wide regulations to guide agencies in the implementation of the terms of this order.
- (b) The Attorney General is requested to render to the heads of departments and agencies such advice as may be required to enable them to establish drug testing programs.

### Section 6: Definitions

- (a) This order applies to all agencies of the Executive Branch.
- (b) For the purposes of this order, the term "agency" means an Executive agency, as defined in 5 U.S.C. § 105; the Uniformed Services as defined in 5 U.S.C. § 2101(3); or any employing unit or authority of the Federal government, other than those of the judicial and legislative branches.
- (c) For the purpose of this order, the term "illegal drugs" means a controlled substance, as defined by section

NOT clear that employees can be removed whether or not they come forward

Sensitive employees may perhaps be removed under nexus argument but we have to look at cases

802(6) of Title 21, United States Code, the possession of which is unlawful under chapter 13 of title 21, United States Code.

(d) For the purpose of this order, the term "employee in a covered position" means:

- (i) an employee in a position which an agency has designated Special Sensitive, Critical-Sensitive or Noncritical-sensitive under Chapter 731 of the Federal Personnel Manual or an employee in a position which an agency head has designated or in the future designates as sensitive in accordance with Executive Order 10450 of April 27, 1953 as amended;
- (ii) an employee who has been granted access to classified information or in the future is granted access to classified information pursuant to a determination of trustworthiness by an agency head under Section 4 of Executive Order 12356 of April 2, 1982;
- (iii) individuals serving under Presidential appointments;
- (iv) members of the Senior Executive Service as defined in Subchapter II of Chapter 31 of Title 5, United States Code;
- (v) law enforcement officers as defined in 5 U.S.C. § 3321(20);
- (vi) individuals employed under Schedule C in the excepted service under the authority of section 213.3301 of Title 5, Code of Federal Regulations and Executive Order 10577;
- (vii) individuals serving in positions covered by the Performance Management and Recognition System of Chapter 54 of Title 5, United States Code;
- (viii) members of the uniformed services as defined in 5 U.S.C. § 2101(3);
- (ix) air traffic controllers as defined in 5 U.S.C. § 2109; and

*Should  
define the characteristics  
of sensitive  
positions*

*NO*

*Too  
specific*

- (x) other positions that the agency head determines involve law enforcement, national security information, public safety, or other similar functions.

**Section 7:** *Effective Date*

This Order shall become effective on the date of its issuance.

RONALD REAGAN

THE WHITE HOUSE

September \_\_, 1986

# WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/7/86 ACTION/CONCURRENCE/COMMENT DUE BY: --

SUBJECT: MINUTES OF DOMESTIC POLICY COUNCIL MEETING -- JULY 24, 1986

|                | ACTION FYI               |                                     |                 | ACTION FYI               |                                     |
|----------------|--------------------------|-------------------------------------|-----------------|--------------------------|-------------------------------------|
| VICE PRESIDENT | <input type="checkbox"/> | <input type="checkbox"/>            | MILLER - ADMIN. | <input type="checkbox"/> | <input type="checkbox"/>            |
| REGAN          | <input type="checkbox"/> | <input checked="" type="checkbox"/> | POINDEXTER      | <input type="checkbox"/> | <input type="checkbox"/>            |
| MILLER - OMB   | <input type="checkbox"/> | <input type="checkbox"/>            | RYAN            | <input type="checkbox"/> | <input type="checkbox"/>            |
| BALL           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | SPEAKES         | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| BARBOUR        | <input type="checkbox"/> | <input type="checkbox"/>            | SPRINKEL        | <input type="checkbox"/> | <input type="checkbox"/>            |
| BUCHANAN       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | SVAHN           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| CHEW           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | THOMAS          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| DANIELS        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | TUTTLE          | <input type="checkbox"/> | <input type="checkbox"/>            |
| HENKEL         | <input type="checkbox"/> | <input type="checkbox"/>            | WALLISON        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| KING           | <input type="checkbox"/> | <input type="checkbox"/>            | _____           | <input type="checkbox"/> | <input type="checkbox"/>            |
| KINGON         | <input type="checkbox"/> | <input type="checkbox"/>            | _____           | <input type="checkbox"/> | <input type="checkbox"/>            |
| MASENG         | <input type="checkbox"/> | <input type="checkbox"/>            | _____           | <input type="checkbox"/> | <input type="checkbox"/>            |

REMARKS: The attached is for your information.

RESPONSE:

MINUTES  
DOMESTIC POLICY COUNCIL

July 24, 1986

2:00 p.m.

Roosevelt Room

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

Drug Abuse Policy

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

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

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#### Maximum Speed Limit

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# WHITE HOUSE STAFFING MEMORANDUM

DATE: 8/7/86 ACTION/CONCURRENCE/COMMENT DUE BY: --

SUBJECT: MINUTES OF DOMESTIC POLICY COUNCIL MEETING -- JULY 22, 1986

|                | ACTION FYI               |                                     |                 | ACTION FYI               |                                     |
|----------------|--------------------------|-------------------------------------|-----------------|--------------------------|-------------------------------------|
| VICE PRESIDENT | <input type="checkbox"/> | <input type="checkbox"/>            | MILLER - ADMIN. | <input type="checkbox"/> | <input type="checkbox"/>            |
| REGAN          | <input type="checkbox"/> | <input checked="" type="checkbox"/> | POINDEXTER      | <input type="checkbox"/> | <input type="checkbox"/>            |
| MILLER - OMB   | <input type="checkbox"/> | <input type="checkbox"/>            | RYAN            | <input type="checkbox"/> | <input type="checkbox"/>            |
| BALL           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | SPEAKES         | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| BARBOUR        | <input type="checkbox"/> | <input type="checkbox"/>            | SPRINKEL        | <input type="checkbox"/> | <input type="checkbox"/>            |
| BUCHANAN       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | SVAHN           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| CHEW           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | THOMAS          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| DANIELS        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | TUTTLE          | <input type="checkbox"/> | <input type="checkbox"/>            |
| HENKEL         | <input type="checkbox"/> | <input type="checkbox"/>            | WALLISON        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| KING           | <input type="checkbox"/> | <input type="checkbox"/>            | _____           | <input type="checkbox"/> | <input type="checkbox"/>            |
| KINGON         | <input type="checkbox"/> | <input type="checkbox"/>            | _____           | <input type="checkbox"/> | <input type="checkbox"/>            |
| MASENG         | <input type="checkbox"/> | <input type="checkbox"/>            | _____           | <input type="checkbox"/> | <input type="checkbox"/>            |

REMARKS: The attached is for your information.

RESPONSE: \_\_\_\_\_

David L. Chew  
Staff Secretary  
Ext. 2702

MINUTES  
DOMESTIC POLICY COUNCIL

July 22, 1986

2:00 p.m.

Roosevelt Room

Participants: Messrs. Meese, Hodel, Brock, Bowen, Ms. Dole, Messrs. Herrington, Miller, Darman, Bauer, Thomas, Kingon, Bledsoe, Svahn, Sprinkel, Wallison, McDaniel, Gibson, Petrosky, Knapp, Khedouri, Cribb, Ms. Dunlop, Messrs. Davis, Macdonald, Ms. Steelman.

Drug Abuse Policy

Attorney General Meese asked Mr. Turner to continue discussion of the initial policy and action proposals aimed at reducing the demand for illegal drugs. Mr. Turner began with Safety/Productivity proposals, specifically the call for a national goal of a 70% reduction in drug users within three years. He reviewed the accomplishments in the military as a reason to believe that this is possible. He said we would continue efforts to achieve a drug-free military service, and would explore ways to require defense contractors to have policies for drug-free workplaces. Mr. Turner reviewed two law enforcement efforts that would 1) instruct Law Enforcement Coordinating Committees to request U.S. Attorneys to more actively enforce laws against selling illegal drugs on or near school property, and 2) expedite the development of the Southwest border initiative. Mr. Meese said the latter would be announced the following week.

Mr. Sprinkel offered that it is of major importance that we get the biggest bang for the bucks to be spent, while also protecting individual rights. The Federal government's role is important in that we must avoid a morass of rules and regulations that would impede private employers. He felt private employers should be able to make choices about drug testing and screening programs. He also felt that defense contractors should be treated like other employers. Secretary Dole said that to win the war on drugs, we must mobilize the entire Cabinet to motivate their constituent groups. Cabinet members should appear at town halls and community meetings to point out that this is a top priority of this Administration. Secretary Bowen said that irrespective of philosophy, the health, welfare and safety issues cry out for attention. Drug abusers cannot make their own decisions, and they run up the costs of government services. He pointed out that morbidity has increased among drug users, and there are many younger users of cocaine, crack and other illegal drugs.

Mr. Meese said the private sector is well ahead of us, with 25% having testing programs. Mr. Miller agrees with this effort being a high priority, but suggested that it is vital to do a

ranking of the costs and benefits of each program. Mr. Bauer said that Education has worked on a draft bill that would stress schools without drugs. It would focus on some of the health consequences, and provide money for schools that cooperate. The estimated cost is \$100 million, which Education would fund from offsets in other program areas. He mentioned that Congress is planning to propose \$750 million for spending in this area. Mr. Miller agreed that the Education program has possibilities, but that the budget would have to be looked at.

Ms. Horner reviewed proposals developed by OPM to remove drug abuse from the list of handicaps, to ask job applicants about their drug use, to issue guidelines for drug screening, to change adverse actions regulations to mandate termination for users caught a second time, to provide an opportunity period for rehabilitation, to increase coverage in the FEHB program, to upgrade employee assistance programs governmentwide, to undertake a public relations campaign on Federal employee illegal drug use, to prepare regulations on rehabilitation, to collect data on productivity losses, and to develop quality control standards with HHS for testing programs. She felt the President and the government should be seen as a caring employer.

Mr. Macdonald described some of the developments in testing and testing laboratories, and said that HHS will by the end of the year have testing programs in a number of laboratories so as to be able to certify these labs. Mr. Darman felt that the best labs will not work if tests are badly controlled and people are able to cheat on the tests. Mr. Wallison raised the issue of Fourth Amendment rights against unreasonable search and seizure. He pointed out that courts have said that urine sampling is search and seizure. He thought government employees in sensitive jobs could be tested, but even this would be a close call. He felt we should not require testing of all employees, but should let department managers have some discretion. Mr. Cooper agreed with Mr. Wallison that the Fourth Amendment is of concern, and felt the question is whether drug tests violate privacy by being intrusive. Mr. Knapp asked about the linking of drug abuse to impairment. Discussion ensued over drug use as a law violation and as a handicap, and whether legislation is needed to offset possible court actions.

Mr. Meese said we should talk to union leaders to motivate them to work with us. Secretary Brock said we should pre-sell ideas to union leaders to reduce the tensions and improve the potential for Congressional action. Mr. Darman said that an overall strategy is needed, especially to protect the emerging cohort of children in schools. He felt the Len Bias case is an example that can be used to convince peer groups to bring about pressures against the use of drugs. Mr. Turner described some of the statistics about drug use by various age groups, and where we should focus our efforts.

Mr. Meese pointed out the importance of the issue, politically, and stressed that Congress and the media will be portraying it as a political issue. He suggested that as next steps Mr. Turner should work with Mr. Bledsoe to develop a package of proposals that could be further reviewed by Council members and prepared for the President. Mr. Brock reiterated the need for an overall strategy and cost-benefit analyses that stress the political realities, constitutional issues, and public relations. He said we should describe the problem and its components, and develop options in each area. Mr. Svahn said all this can be pulled together into a cohesive strategy. Ms. Steelman felt that costs are perhaps as critical as cost-effectiveness. Mr. Meese cautioned that the Federal government should not be the only entity responsible for costs, and that Federal over regulation should be avoided if at all possible.

THE WHITE HOUSE  
WASHINGTON

*file*

August 7, 1986

MEMORANDUM TO SENIOR STAFF

FROM:

JACK SVAHN *JKS*  
CARLTON TURNER *CT*

SUBJECT: Supporting President Reagan's Goals

On Monday, the President announced his objective of a drug-free America and called for "a national crusade against drugs."

He set a specific goal of a drug-free workplace, with the Federal government setting the example for the private sector. The President said: "Our first goal is to seek a drug-free workplace for all Americans. Progress in this area is needed to protect working people and the public and to increase the productivity of our country. It is particularly important that workers in sensitive occupations are clear-minded and free from the effects of illegal drugs." The President also emphasized that he wanted drug testing to be voluntary wherever possible.

One of the first questions we received was whether the President's own staff would be subject to this program. We believe that it would be a strong sign of support for President and Mrs. Reagan if the commissioned officers in the White House complex led the way and were the first group which volunteers for drug testing.

Accordingly, we have made arrangements with the White House Physician for urine testing, using a system which is accurate, confidential and highly reliable. Urine specimens will be collected, marked for identification and transported to a laboratory for testing. For your information, the specimen will be identified by control number rather than by name and the association between control number and name is maintained in absolute privacy. Results will be held confidential and if any screening test is positive, the results will be confirmed by additional testing.

Commissioned officers volunteering for the testing should report to the White House Physician's Office (Ground level of the Residence, next to the Map Room) between the hours of 8:30 a.m. and 2:30 p.m. on Monday, August 11, 1986.