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June 26, 1986

BRIEFING PAPER:  
DRUG ABUSE PREVENTION

Early in his Administration, President Reagan began a comprehensive five-pronged attack on drug abuse and drug trafficking. The President's strategy included drug law enforcement and international cooperation with other nations to disrupt the supply of illicit drugs, medical detoxification and treatment, and research. Prevention was the essential element in the long-term goal of eliminating drug abuse.

The President committed the Federal government to doing all in its power, but acknowledged that ultimate victory depended on individual Americans stopping all drug abuse within their home, workplace and community. Mrs. Reagan has led the way in sponsoring several major national efforts to heighten awareness of drug abuse and helping young people create a drug-free life.

A national change in attitude has occurred. After five years of increasing awareness, aggressive law enforcement and strong international supply reduction efforts, Americans have recognized that there is no single magic bullet to solve the drug problem and we must take every opportunity to attack drugs. There has been a substantial shift in focus --

- From the drug traffickers to the drug users;
- From the freedom of choice for individual drug users to the tremendous price we all pay as the result of an individual's drug abuse; and
- From government program to private initiative.

As a result, the national drug abuse prevention effort is now taking off with a momentum of its own. Individuals and communities, businesses and schools are taking a firm stand against drug abuse. There is broad consensus that drug abuse is wrong and that individuals who take drugs or promote drug taking by others will be held responsible for their actions. The American people are taking action and demanding the same strong action from government. Americans are proving they have the commitment and confidence to shape the future.

We are now entering a phase of widespread activity on the health side much like what has occurred on the law enforcement side for the past five years. But there is one important difference:

- Law enforcement is a government activity which needs the support of the private sector.
- Prevention is a private sector activity which needs the support of government.



In addition to setting the example in dealing with drug abuse in our own agencies, the Federal government must seek ways to encourage private sector efforts to stop drug abuse. Many such initiatives are already underway; others are being planned. Planning is underway to improve coordination of Federal prevention efforts. A high priority will continue to be given to:

- Communicating the most accurate information concerning drug abuse and the latest and most effective prevention approaches to the public;
- Publicizing what prevention and education resources are available and how to tap these resources;
- Enlisting the help of the mass media, the private sector and celebrities in deglamorizing drug abuse. The goal is creating an atmosphere which discourages young people from experimenting with drugs and alcohol and encourages healthy living, excellence and leadership;
- Working with other national groups to influence laws, regulations and other actions which would stop drug abuse both by young adults, who are the primary users of illicit drugs, and by our school-age youth.

With the existing wide public support, we have an unprecedented opportunity to eliminate drug abuse in the United States. The essential element is citizen action, which will be strengthened by a consistent message from all sources that drug abuse is not acceptable in our society.

#### Notes on Drug Abuse Prevention

1. Drug abuse prevention includes both motivating non-users to never start using drugs and convincing current users who have not yet developed a strong dependence on drugs to stop use.
2. Although the negative aspects of drug abuse should not be ignored, prevention programs for young children should teach positive behavior, such as constructive handling of feelings and responsibilities. Programs for young people should emphasize excellence in education, health, grasping opportunities and overall well-being. One of the most effective programs has been encouraging young people to just say "NO" to drugs.
3. Prevention involves more than technical education on how to identify specific drugs or the effects on the individual. Education is, however, an important prevention tool in teaching young people and adults to develop healthy behavior which does not include drug taking. Some well-meaning drug abuse education efforts have been widely criticized because of inaccurate scare tactics, encouraging experimentation, etc.

4. Caution should be used in choosing educational materials for drug abuse prevention programs. Some published materials, particularly those prepared earlier than 1980, may convey the wrong message or reflect out-of-date information.
5. Prevention programs should also consider potential treatment needs, particularly when addressing a specific area where drug use has progressed to serious drug abuse and addiction problems.
6. Such terms as "responsible" use, "recreational" use, "getting high," and defining drugs as "hard" or "soft" foster misconceptions and hinder understanding of the nature of drug problems. The policy is that such terms not be used.
7. Strict enforcement of all drug laws contributes significantly to prevention, both as a deterrent and by focusing public attention and concern on the problem. Arrest and stiff penalties for local drug sellers will materially assist in prevention efforts.
8. Identifying drug users is an essential element in eliminating drug abuse, particularly for those employees in positions involving public safety or sensitive responsibilities. There is also a need to have a strict policy of no drug use as a condition of employment. Identification of drug users works to the advantage of the individual as well as the coworkers and the employer.

LEARNING HOW TO SAY "NO" TO DRUGS ALSO APPLIES TO US AS INDIVIDUALS AND AS MANAGERS. PERSONALLY, SOCIALLY AND PROFESSIONALLY -- DON'T TOLERATE DRUG ABUSE.

Recommended Prevention Reading --

1984 National Strategy, Pg 7-8, 31-41, 90-91.

June 26, 1986 -- White House Drug Abuse Policy Office



*Cynha*  
 Previously we had a deal w/ Domenici, D'Amato, DeConcini  
 3 Congressmen  
 Hoyer & Mikulski have ceded  
 problems by promising  
 Congressmen we had dealt with.  
 Now a staff operation - would get  
 program

Chambers  
 could be D'Amato  
 Granley, Nickles

1. Issues  
 2. HHS do more  
 3. Wants to make HHS secy  
 subject to rulemaking  
 (not now) would stretch  
 out the time to certify all  
 drug testing program plans.  
 3. Wants to make subject  
 to Rehab Act to expand  
 Fed employee rights -  
 thinks it will force  
 Fed mngs to remove  
 people (actually it wouldn't)  
 Admin does not want  
 Rehab Act mentioned

FRIDAY, JUNE 5, 1987 2:00 P.M.

SEC. 503.(a) None of the funds appropriated or made available by this or any other Act shall be available to administer or implement drug tests by an agency or component thereof under Executive Order Numbered 12564, until and unless--

(1) The Administrator of the Alcohol, Drug Abuse, and Mental Health Administration has, for that agency or component thereof, certified in writing to the Committees on Appropriations of the House and Senate and other appropriate committees of the Congress, the following:

(A) That the agency or component thereof subject to Executive Order Numbered 12564 and proposing drug testing has established a plan in accordance with Executive Order Numbered 12564;

(B) That the Department of Health and Human Services, consistent with the scientific and technical guidelines dated February 13, 1987, or any subsequent amendments thereto, has published mandatory guidelines in the Federal Register which shall: --

(i) Establish comprehensive standards for laboratory drug testing and laboratory procedures, including standards which ensure the reliability and accuracy of drug tests, and strict procedures governing the chain of custody of specimens collected for drug testing;

(ii) Identify the drugs which shall be the subject of testing;

(iii) Establish standards for periodic review of laboratories and criteria for revocation of certification of laboratories;

*guidelines*  
 Provided that prior to the publication of such ~~regulations~~, the Secretary of Health and Human Services may approve, on a case by case basis, the use of a laboratory by an agency or component thereof if such approval is made upon standards and requirements that are to be set forth in guidelines published by the Secretary or

Biggest prob.  
 - Lab certification

Justice wants no  
 rulemaking

- Public perception supports  
 drug testing.

Question - what happen if we  
 absolutely refuse to negotiate  
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 SW  
 Deadline - Wed - Thurs.

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already in use by the Federal government, and which ensure the full reliability and accuracy of such testing, and a strict chain of custody procedure for any specimens collected for testing. Such approval for a laboratory shall expire within 180 days of publication of the guidelines in the Federal Register.

(C) That all drug testing plans issued under Executive Order Numbered 12564 comply with the Civil Service Reform Act of 1978.

(D) Certifications made by the Administrator shall be transmitted together to the Congress on the first business day of each month.

(2) The Administrator of the Alcohol, Drug Abuse and Mental Health Administration has submitted to the Congress a detailed analysis by agency or component thereof (as each agency's plan or component's is certified by the Administrator pursuant to subsection (a)(1) herein), of the Federal employees designated to be tested for drugs, and the nature and type of drug testing to be instituted.

(3) The Director of the Office of Management and Budget has submitted in writing to the Committee on Appropriations of the House and Senate a detailed statement for each agency or component thereof at the time of certification pursuant to subsection (a)(1) of this section, of the cost of implementing all requirements of Executive Order Numbered 12564 and all other requirements contained in this section.

(4) A Federal employee shall have access to any of the administrative and laboratory records regarding his or her verified, confirmed positive test result pursuant to the provisions of the Privacy Act, and to the result of any review of certification action that is the subject of Section (a)(1)(B)(iii) of this Act.

(5) The results of a Federal employee's drug test shall be made available only in accordance with the following:

(A) Records of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with performance of a drug abuse prevention



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program conducted by a an agency or component thereof shall be kept confidential and may be disclosed only under limited circumstances and for specific purposes.

(B) Drug abuse treatment records may be disclosed without the consent of the patient only as follows:

(i) to medical personnel records to the extent necessary to meet a genuine medical emergency;

(ii) to qualified personnel for conducting scientific research, management audits, financial audits, or program evaluation, with all identifying information removed from the data;

(iii) if authorized by an appropriate court order granted after application showing good cause;

(iv) as part of the drug testing procedure, confirmed positive test results shall only be released to the agency's or component's medical review official (as defined in the HHS guidelines), the administrator of the agency or component's Employee Assistance Program (EAP), and to the management official empowered to recommend or take action, and as set forth in the Privacy Act; and

(v) after examination by the medical review official, confirmed positive test results shall be forwarded to the agency or component EAP program administrator and to the management official empowered to recommend or take action. Drug test results will be protected under the provisions of the Privacy Act, 5 U.S.C. Section 552a, et seq., and may be released in in accordance with routine uses published by the Office of Personnel Management in accordance with that Act. Records of unconfirmed positive test results and negative results will be destroyed by the laboratory.

-4-

(C) Any other disclosure may be made only with the written consent of the patient, and only under the circumstances set out below. Such consensual disclosure may be made to the patient's employer for verification of treatment or a general evaluation of treatment progress.

(D) Agency or component drug testing programs shall include confidentiality protections consistent with the above requirements. These protections shall extend to drug testing records as well as to treatment and rehabilitation records.

(E) Drug abuse treatment or rehabilitation records may not be otherwise disclosed by agencies or components thereof without the consent of the employee involved. Any disclosure without such consent is strictly prohibited.

(b) The Office of Personnel Management shall include in each report it is required to make under PL 99-570 a report on agency or component drug testing programs.

(c) Drug testing programs in existence before the issuance of Executive Order Numbered 12564 are exempt from this section.

(d) The provisions of this section will expire on August 1, 1989.



# *Special Analyses*

*Budget of the  
United States  
Government*

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*Fiscal Year 1974*

## SPECIAL ANALYSIS R

### FEDERAL PROGRAMS FOR THE CONTROL OF DRUG ABUSE

*Overview.*—Spending for Federal drug abuse prevention and drug law enforcement programs has increased from \$150 million to \$719 million since 1971, a fivefold increase in 3 years.

Table R-1. ESTIMATED SPENDING FOR DRUG ABUSE PREVENTION AND DRUG LAW ENFORCEMENT PROGRAMS (in millions of dollars)

Fiscal year	Outlay
1971.....	150.2
1972.....	413.2
1973.....	654.8
1974.....	719.0

Federal *drug law enforcement programs* are designed to reduce the *supply* of illicit narcotics and dangerous drugs available in the United States. Federal obligations for such programs will rise in 1974 to \$257 million from \$36 million in 1969, a sevenfold increase. These programs include such activities as international law enforcement cooperation and cooperative Federal-State-local law enforcement efforts to identify and arrest street-level pushers.

Drug law enforcement program activities are closely linked to drug abuse prevention. Law enforcement efforts that reduce the supply of drugs also serve to lower drug potency and drive up the price of drugs, thus reducing experimental usage. Together, higher prices combined with lower potency and scarcity can motivate abusers to seek treatment.

Federal *drug abuse prevention programs* are designed to reduce the *demand* for illicit narcotics and dangerous drugs. Activities funded include: treatment programs for addicts; drug abuse education; research; and training. Total estimated Federal obligations for drug abuse prevention programs will rise in 1974 to \$528 million from \$46 million in 1969. These activities account for 67% of the total Federal funds for drug abuse programs in 1974.

Highlights of the drug law enforcement effort include:

- Substantial increases in funding and manpower for both the Bureau of Narcotics and Dangerous Drugs and the Bureau of Customs. These funds support concentrated attacks on smuggling and increased domestic and international investigation of major drug traffickers. In 1972, the Departments of Justice and Treasury removed from the U.S. market or seized overseas:
  - 5,613 pounds of heroin,
  - 887 pounds of cocaine,
  - 451,800 pounds of marihuana, and
  - 220 million dosage units of dangerous drugs.



- Initiation of a coordinated attack on drug trafficking in over 40 target cities by teams of narcotics agents from Federal, State, and local law enforcement agencies. The Office of Drug Abuse Law Enforcement was responsible for 4,245 arrests since the spring of 1972.
- An intensified investigation of the income tax returns of middle and upper level narcotics traffickers aimed at reducing the amount of working capital available for illegal drug operations by assessing and collecting taxes and penalties on unreported income.
- Development of a national narcotics intelligence system to assure proper analysis and distribution of trafficking intelligence information.
- Activation in 1972 of the ban on cultivation of the opium poppy in Turkey and formulation of narcotics control action plans in 59 foreign countries to secure international cooperation in the global war on heroin.
- Preparation and release in 1972 of The World Opium Survey, presenting a comprehensive picture of the location and quantity of opium poppy cultivation.
- Establishment of special narcotics courts in New York City with Federal assistance to assure rapid prosecution of narcotics offenders.
- Development of the Treatment Alternatives to Street Crime program (TASC), linking the criminal justice system to the treatment system. Under this program, drug abusers who are arrested can be placed in treatment to reduce street crime and improve social adjustment.

Highlights of the drug abuse prevention effort include:

- An expansion of federally funded treatment facilities, providing the capacity to treat over 100,000 addicts annually. Funds will be available to expand the capacity for addict treatment to over 250,000 addicts by mid-1974, if necessary. More federally funded treatment facilities were created in 1972 than in the previous 50 years.
- A nationwide review of all methadone maintenance programs. As a result of that review, new methadone regulations were issued on December 15, 1972, designed to assure high quality treatment for addicts and to prevent illicit diversion of this synthetic narcotic substance.
- A worldwide treatment and rehabilitation program for military servicemen, including a large scale screening and early intervention program to identify and treat drug abusers before they become dependent. From June 17, 1971 to September 30, 1972, 250 drug treatment and rehabilitation facilities were activated. During this period, an average of 8,500 servicemen were receiving treatment.
- A newly developed Veterans Administration treatment system that offered care to more than 20,000 veterans in 1972.

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## DRUG LAW ENFORCEMENT PROGRAMS

Total estimated obligations for drug law enforcement will rise in 1974 to \$257 million from \$228 million in 1973 and \$164 million in 1972. Drug law enforcement programs account for 33% of the total funds available in 1974 for drug abuse. Detailed obligations by both program category and agency are shown in a table at the end of this analysis.

Table R-2. DRUG LAW ENFORCEMENT OBLIGATIONS (in millions of dollars)

Agency	1972	1973	1974
Justice:			
LEAA.....	19.6	36.3	44.1
BNDD.....	63.3	70.5	74.1
Other Justice.....	2.2	2.2	6.7
State:			
Agency for International Development.....	1.0	1.5	1.5
Treasury:			
IRS.....	20.7	42.7	42.7
Customs.....	10.1	18.9	19.7
Agriculture.....	46.9	54.3	66.2
Transportation.....	2.1	1.8	1.8
	.1	.1	.1
<b>Total.....</b>	<b>163.8</b>	<b>228.3</b>	<b>256.9</b>

This increase reflects an intensified effort to deny narcotics to abusers and addicts by halting production and trafficking from abroad, interdicting narcotics smuggling at national borders, and preventing the sale of drugs on city streets.

The *Office for Drug Abuse Law Enforcement* (DALE) in the Department of Justice conducts operations against street pushers with criminal investigators from BNDD and Customs and with special U.S. Attorneys. These groups serve on task forces with State and local enforcement personnel in over 40 target cities. Special grand juries expedite consideration of cases. In its first 8 months of operation, DALE arrested 4,245 alleged heroin pushers and convicted 470.

The *Office of National Narcotics Intelligence* (ONNI) in the Department of Justice was created to bring together all information regarding production, smugglers, trafficking, and sale of drugs. ONNI brings together intelligence information, coordinates and analyzes the information, and disseminates combined reports to Federal and State and local enforcement agencies for their use.

The *Bureau of Narcotics and Dangerous Drugs* (BNDD) in the Justice Department increased its agents and compliance officers in the United States and overseas from 808 in 1969 to 1,652 in 1973. Its principal activities include the investigation of major drug traffickers; enforcement of Federal antidrug laws; the conduct of research and specialized drug training programs for foreign law enforcement agents; and the provision of technical assistance to Federal, State, and local personnel. BNDD supported foreign governments in seizing 4,342 pounds of hard drugs and 115,000 pounds of marihuana from illicit foreign markets in 1972 compared to 3,173 pounds of hard drugs and 40,000 pounds of marihuana in 1971.



The *Law Enforcement Assistance Administration* (LEAA) in the Department of Justice provides financial support for State and local drug law enforcement efforts.

The *Bureau of Customs* in the Department of the Treasury is responsible for the interdiction of illicit drugs at U.S. borders. Over the past 4 years, Customs has increased its personnel in order to expand its efforts to monitor traffic at points of entry, police borders, and conduct research into drug detection techniques. The Bureau seized 1,077 pounds of hard narcotics and 218,500 pounds of marihuana in 1972.

The *Internal Revenue Service* (IRS), also within the Treasury Department, attacks mid-level and top-ranking traffickers through intensive investigations of incomes and tax returns. An estimated \$10.1 million has been spent on IRS activities in 1972. In 17 months, IRS has assessed \$82.5 million in taxes, collected \$15.8 million in currency and property, and obtained 44 indictments and 20 convictions.

The *Department of State* is responsible for mobilizing the efforts of foreign governments against the overseas production and distribution of narcotics and dangerous drugs, and for coordinating the narcotics programs of all Federal agencies abroad. The *Agency for International Development* (AID) in the Department of State assists other countries in stopping the illicit production, processing, and traffic in narcotics. AID provides equipment, training in narcotics control techniques, and assistance for development of alternative crops or other income-producing activities.

The *Department of Agriculture* supports research projects to develop means of eradicating the opium poppy and develop suitable substitute crops.

The Department of Transportation enforces narcotics laws through the *Federal Aviation Administration* (FAA) and the *Coast Guard*. FAA supports Federal, State, and local authorities in their efforts to combat use of commercial planes in smuggling, and the Coast Guard polices coastal waterways and ports.

#### DRUG ABUSE PREVENTION PROGRAMS

Drug abuse prevention programs support: the treatment of addicts; activities designed to prevent drug addiction; the education and training of individuals; and research into all medical aspects of drug abuse treatment and rehabilitation.

Total estimated Federal obligations for drug abuse prevention will rise in 1974 to \$528 million. Prevention programs may be subdivided into:

- *Directed programs* specifically earmarked for drug abuse purposes and generally funded directly by a Federal agency.
- *Bloc grant and financing programs* over which the Federal Government exercises minimal direct control, e.g., public assistance and Federal bloc grant programs.

The following table summarizes aggregate Federal obligations for drug abuse prevention programs for selected years from 1969.

Table R-3. OBLIGATIONS FOR DRUG ABUSE PREVENTION PROGRAMS  
(in millions of dollars)

	1969	1970	1972	1974
Directed drug abuse prevention programs.....	42.8	58.8	239.3	419.1
Other drug abuse prevention funds.....	3.1	17.6	129.2	108.7
<b>Total, drug abuse prevention.....</b>	<b>45.9</b>	<b>76.4</b>	<b>368.5</b>	<b>527.8</b>

**Directed programs.**—Obligations for directed drug abuse prevention programs will be \$419 million in 1974.

Federal obligations for *treatment and rehabilitation* activities are estimated to have increased elevenfold between 1969 and 1974. Obligations for these activities will amount to \$274 million in 1974.

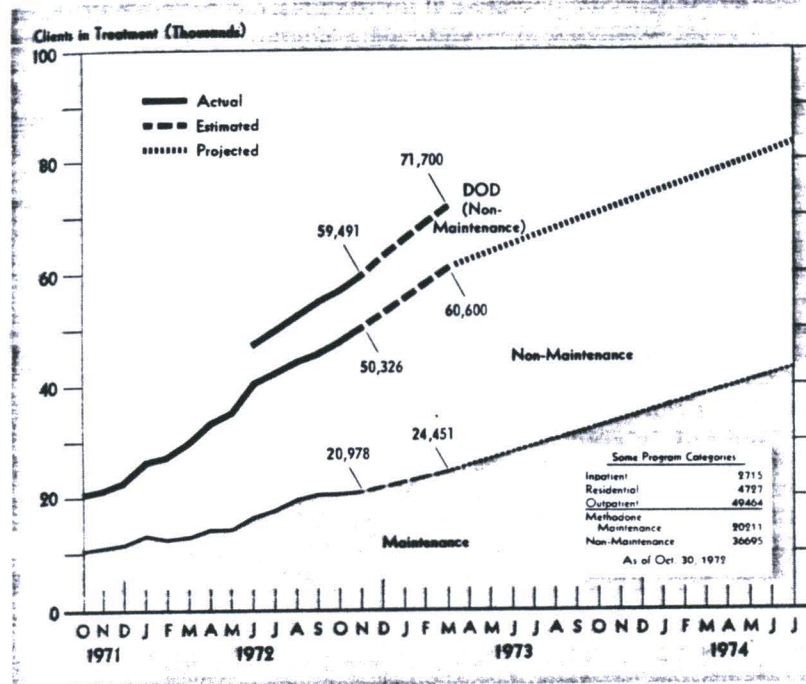
Federally funded treatment programs have increased from 16 in January 1969 to more than 400 in November 1972. Not all of these programs have reached full capacity, but there has been a substantial increase in the number of patients in treatment programs rising from 5,100 in January 1969 to more than 20,000 in October 1971, and to an estimated 57,000 in November 1972. These programs are capable of offering treatment to more than 100,000 addicts each year. This is in addition to treatment capacity funded by State, local, and private sources capable of treating more than 100,000 addicts per year. Treatment is offered through a variety of modalities including methadone maintenance, detoxification, half-way houses, and residential and hospital inpatient care.

Preliminary surveys of heroin addicts in treatment indicate that following a doubling of the heroin addict population from 1965 through 1969, the growth of heroin addiction has slowed in the past 2 years.

The following table shows the increase in the number of clients in treatment in methadone maintenance and other modalities over the past 14 months and an estimate for the period through July 1974. An estimated 4,000 to 6,000 clients are treated in programs supported by other Federal funds and are not included in the table.

Table R-4. CLIENTS IN TREATMENT IN FEDERALLY SPONSORED PROGRAMS

## Clients in Treatment in Federally Sponsored Programs



Drug abuse *education and information* obligations have increased by \$20 million between 1969 and 1974. Education activities include workshops, seminars, adult education and community awareness training. Information activities include preparation and dissemination of pamphlets, bulletins, reprints, films, and data on federally funded drug abuse programs.



The National Clearinghouse for Drug Abuse Information in HEW serves as the principal national reference service for accurate and current information on drug abuse for the general public and government agencies.

*Training* obligations increased more than sixfold between 1970 and 1974. In 1974 these obligations will be \$23 million. Specific training efforts include upgrading the awareness, skills, and technical knowledge of existing medical staffs; training drug abuse clinicians and laboratory technicians; and training ex-addict counsellors.

A National Drug Abuse Training Center has been established to help provide additional manpower for expanded Federal drug abuse prevention programs. The Center is operated on a contractual basis and has a capacity to train 2,500 professionals, paraprofessionals, and planners annually.

*Research* obligations increased by \$49 million between 1969 and 1974 for a total of \$64 million.

In 1974, *evaluation* activities account for 2% of the directed drug abuse prevention budget. For 1974, obligations for these activities will total \$8 million. Evaluation efforts are designed to provide information and analyses that will permit improved management and increased effectiveness of programs in the drug abuse prevention area.

In 1974, funding for *planning, coordination, and support* is estimated at \$29 million. In both 1973 and 1974, \$15 million will be provided to States for comprehensive State planning and program implementation for drug abuse prevention activities. About two-thirds of these funds may be used to support treatment and other prevention activities at the discretion of the States.

**Programs by agency.**—Aggregate obligations by agency for drug abuse prevention programs for selected years since 1969 are shown in the following table. Detailed obligations by both program category and agency are shown in a table at the end of this analysis.

Table R-5. DIRECTED DRUG ABUSE PREVENTION OBLIGATIONS BY AGENCY (in millions of dollars)

Agency	1969	1970	1972	1974
Special Action Office.....			1.5	67.2
Health, Education, and Welfare:				
National Institute of Mental Health.....	39.4	45.4	134.7	242.9
Office of Education.....	.2	3.4	13.0	3.0
Social and Rehabilitation Service.....		.2	2.5	2.0
Veterans Administration.....	.6	4.8	17.0	25.5
Defense.....	.1	.1	58.7	70.1
Justice:				
Bureau of Prisons.....	.5	1.1	1.9	4.5
Bureau of Narcotics and Dangerous Drugs.....	1.5	2.0	2.7	2.6
Law Enforcement Assistance Administration.....	.5	1.8	7.3	1.3
<b>Total.....</b>	<b>42.8</b>	<b>58.8</b>	<b>239.3</b>	<b>419.1</b>

The Department of Health, Education, and Welfare, through the *National Institute of Mental Health* (NIMH), supports 140 of the total 402 treatment programs. NIMH also provides direct support and contracts for the treatment of addicts under the Narcotics Addict Rehabilitation Act (NARA).

A significant activity in 1973 and 1974 will be the assessment of ongoing treatment and prevention programs and the transfer to NIMH from other agencies of those programs considered necessary and effective. Emphasis will continue on expanding the service contract mechanism which purchases additional treatment capacity from competent vendors. Under this mechanism, payments are tied directly to services actually delivered. Emphasis will be placed on executing these contracts through the States, so that the States can distribute services according to need.

NIMH training programs include support of individuals, regional drug abuse training centers, and grants to "train and trainers." In research, NIMH supports clinical research, the development of long-acting opiate substitutes, investigations into specific medical aspects of heroin addiction, the development of new chemical and biochemical approaches to treatment of opiate and nonopiate abuse, and studies of the psychosocial aspects of drug abuse in high risk groups.

The *Office of Education* (OE) in HEW provides assistance to schools, colleges, and community oriented education and prevention programs. In addition, OE provides funds to the State education agencies for the drug abuse training of school personnel. In 1974, it will obligate \$3 million for education and training programs.

The *Veterans Administration* (VA) treats drug dependent veterans through its hospital system and through 44 drug treatment centers. VA will obligate \$24 million in both 1973 and 1974 for treatment and rehabilitation.

The *Bureau of Prisons* (BOP), in the Department of Justice, provides treatment services within its institutions, and aftercare through the NARA program. Currently, BOP operates 11 treatment programs. Obligations in 1973 and 1974 are \$3 million and \$4 million, respectively.

The *Law Enforcement Assistance Administration* (LEAA) also in the Department of Justice provides support for varied treatment and education services through grants to communities and is currently funding 25 treatment and 14 education programs through its discretionary funds. In 1974, those LEAA treatment projects which are determined to be necessary and effective will be transferred to NIMH.

Through Treatment Alternatives to Street Crime (TASC), three projects currently in operation can serve 2,000 heroin addicts annually, and in 1974 up to 19 cities may be participating in TASC.

The *Department of Defense* (DOD) provides treatment to drug abusers who are identified through a urine screening process and voluntary participation. Over 60,000 servicemen have sought voluntary exemption under a policy which precludes punitive action for personal use or possession of drugs. DOD is currently operating more than 50 treatment centers in the United States.

The *Special Action Office for Drug Abuse Prevention* (SAO) is the coordinating mechanism for all Federal efforts to combat the demand aspects of drug abuse. SAO makes available funds to Federal agencies to develop innovative programs and approaches.

In addition, the Special Action Office has funds available for specialized research. These funds will be available to implement and evaluate studies of new pharmacological agents in the treatment and prevention of heroin addiction. Approaches will be explored that minimize the need to use synthetic narcotics and reduce the possibility



of diversion of such drugs into illicit channels. Most of these research funds in each year will be spent through delegate agencies and may be used to support treatment programs which are involved in testing newly developed substances. In 1974, SAO will sponsor in-depth evaluations of programs initiated in 1972 and 1973.

**Other prevention programs.**—In addition to the directed Federal drug programs, Federal funds are available for drug abuse activities through *financing and bloc grant programs*. Generally, the amounts and exact uses of the funds for drug abuse under these programs are left to the discretion of State and local governments. These funds are estimated at \$109 million in 1974.

Table R-6. DIRECTED DRUG ABUSE PREVENTION PROGRAMS—  
ESTIMATED OBLIGATIONS SUMMARY (in millions of dollars)

Agency	1969	1970	1972	1974
<b>Treatment and rehabilitation:</b>				
Special Action Office.....				40.0
Health, Education, and Welfare:				
National Institute of Mental Health.....	24.1	24.3	79.3	159.4
Social and Rehabilitation Service.....			.8	.6
Veterans Administration.....	.6	4.8	16.0	23.8
Defense.....			40.2	46.0
Justice:				
Bureau of Prisons.....	.5	1.1	1.7	4.2
Law Enforcement Assistance Administration.....	.4	1.3	4.6	
Subtotal.....	25.6	31.5	142.6	274.0
<b>Education and Information:</b>				
Health, Education, and Welfare:				
National Institute of Mental Health.....	1.2	4.2	6.5	9.3
Office of Education.....	.2		9.5	
Social and Rehabilitation Service.....			.1	
Defense.....	.1	.1	10.7	11.1
Justice:				
Law Enforcement Assistance Administration.....		.4	.8	
Bureau of Narcotics and Dangerous Drugs.....	.5	1.3	1.2	1.1
Subtotal.....	2.0	6.0	28.8	21.5

Table R-6. DIRECTED DRUG ABUSE PREVENTION PROGRAMS—  
ESTIMATED OBLIGATIONS SUMMARY (in millions of dollars)—Continued

Agency	1969	1970	1972	1974
<b>Training:</b>				
Health, Education, and Welfare:				
National Institute of Mental Health.....	-----	0.4	11.3	15.4
Office of Education.....	-----	3.4	2.1	3.0
Social and Rehabilitation Service.....	-----	-----	.4	-----
Veterans Administration.....	-----	-----	.2	.4
Defense.....	-----	-----	1.6	3.4
Justice: Law Enforcement Assistance Administration.....	-----	-----	.9	1.0
Subtotal.....	-----	3.8	16.5	23.2
<b>Research:</b>				
Special Action Office.....	-----	-----	-----	19.5
Health, Education, and Welfare:				
National Institute of Mental Health.....	14.1	16.5	30.6	34.6
Social and Rehabilitation Service.....	-----	.2	1.1	1.3
Veterans Administration.....	-----	-----	.7	1.0
Defense.....	-----	-----	3.5	5.7
Justice:				
Law Enforcement Assistance Administration.....	.1	.1	.5	.2
Bureau of Narcotics and Dangerous Drugs.....	1.0	.7	1.5	1.5
Subtotal.....	15.2	17.5	37.9	63.8
<b>Evaluation:</b>				
Special Action Office.....	-----	-----	.2	1.0
Health, Education, and Welfare: National Institute of Mental Health.....	-----	-----	3.3	4.4
Defense.....	-----	-----	.7	2.0
Justice:				
Bureau of Prisons.....	-----	-----	.1	.1
Law Enforcement Assistance Administration.....	-----	-----	.5	.1
Subtotal.....	-----	-----	4.8	7.6
<b>Planning, direction, and support:</b>				
Special Action Office.....	-----	-----	1.3	6.7
Health, Education, and Welfare:				
National Institute of Mental Health.....	-----	-----	3.7	19.8
Office of Education.....	-----	-----	1.4	-----
Social and Rehabilitation Service.....	-----	-----	.1	.1
Veterans Administration.....	-----	-----	.1	.3
Defense.....	-----	-----	2.0	1.9
Justice: Bureau of Prisons.....	-----	-----	.1	.2
Subtotal.....	-----	-----	8.7	29.0
Total.....	42.8	58.8	239.3	419.1



Table R-7. DRUG LAW ENFORCEMENT FUNDING (in millions of dollars)

Agency	Law enforce- ment	Educa- tion/ infor- mation	Training	Research	Evalu- ation	Plan/ coordi- nation/ support	Total
<b>1972 OBLIGATIONS</b>							
Justice:							
Law Enforcement Assist- ance Administration.....	16.6	-----	-----	3.0	-----	-----	19.6
Bureau of Narcotics and Dangerous Drugs.....	49.5	-----	2.7	1.5	-----	9.6	63.3
State.....	1.0	-----	-----	-----	-----	-----	1.0
Agency for International Development.....	20.7	-----	-----	-----	-----	-----	20.7
Treasury:							
Internal Revenue Service.....	10.1	-----	-----	-----	-----	-----	10.1
Bureau of Customs.....	42.8	-----	-----	.5	0.2	3.4	46.9
Transportation.....	.1	-----	-----	-----	-----	-----	.1
Agriculture.....	-----	-----	-----	2.1	-----	-----	2.1
Total.....	140.8	-----	2.7	7.1	.2	13.0	163.8
<b>1973 OBLIGATIONS</b>							
Justice:							
Law Enforcement Assist- ance Administration.....	30.3	-----	-----	6.0	-----	-----	36.3
Bureau of Narcotics and Dangerous Drugs.....	57.7	-----	2.8	1.6	-----	8.4	70.5
Drug Abuse Law Enforce- ment.....	.2	-----	-----	-----	-----	-----	.2
National Narcotic Intelli- gence.....	2.0	-----	-----	-----	-----	-----	2.0
State.....	1.4	.1	-----	-----	-----	-----	1.5
Agency for International Development.....	42.7	-----	-----	-----	-----	-----	42.7
Treasury:							
Internal Revenue Service.....	18.9	-----	-----	-----	-----	-----	18.9
Bureau of Customs.....	49.0	-----	-----	.8	.2	4.3	54.3
Transportation.....	.1	-----	-----	-----	-----	-----	.1
Agriculture.....	-----	-----	-----	1.8	-----	-----	1.8
Total.....	202.3	.1	2.8	10.2	.2	12.7	228.3
<b>1974 OBLIGATIONS</b>							
Justice:							
Law Enforcement Assist- ance Administration.....	34.1	-----	-----	10.0	-----	-----	44.1
Bureau of Narcotics and Dangerous Drugs.....	60.0	-----	2.9	2.0	-----	9.2	74.1
Drug Abuse Law Enforce- ment.....	3.7	-----	-----	-----	-----	-----	3.7
National Narcotic Intelli- gence.....	3.0	-----	-----	-----	-----	-----	3.0
State.....	1.4	.1	-----	-----	-----	-----	1.5
Agency for International Development.....	42.7	-----	-----	-----	-----	-----	42.7
Treasury:							
Internal Revenue Service.....	19.7	-----	-----	-----	-----	-----	19.7
Bureau of Customs.....	58.1	-----	-----	2.6	.2	5.3	66.2
Transportation.....	.1	-----	-----	-----	-----	-----	.1
Agriculture.....	-----	-----	-----	1.8	-----	-----	1.8
Total.....	222.8	.1	2.9	16.4	.2	14.5	256.9



Public Law 94-237  
94th Congress, S. 2017  
March 19, 1976

## An Act

To amend the Drug Abuse Office and Treatment Act of 1972, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 101 (21 U.S.C. 1101) of the Drug Abuse Office and Treatment Act of 1972 (hereinafter in this Act referred to as the "Act") is amended by adding at the end thereof the following new paragraph:

"(10) Although the Congress observed a significant apparent reduction in the rate of increase of drug abuse during the three-year period subsequent to the date of enactment of this Act, and in certain areas of the country apparent temporary reductions in its incidence, the increase and spread of heroin consumption since 1974, and the continuing abuse of other dangerous drugs, clearly indicate the need for effective, ongoing, and highly visible Federal leadership in the formation and execution of a comprehensive, coordinated drug abuse policy."

SEC. 2. Section 102 of the Act (21 U.S.C. 1102) is amended by striking "immediate objective of significantly reducing the incidence of drug abuse in the United States within the shortest possible period of time, and to develop" and inserting in lieu thereof "objective of significantly reducing the incidence, as well as the social and personal costs, of drug abuse in the United States, and to develop and assure the implementation of".

SEC. 3. Section 103(b) of the Act (21 U.S.C. 1103(b)) is amended by changing "education, training," to read "education or training (including preventive efforts directed to individuals who are not users of drugs and to individuals who are marginal users of drugs)."

SEC. 4. (a) Section 103 of the Act is amended by adding at the end thereof the following new subsection:

"(d) The term 'drug abuse function' means any function described in subsection (b) or (c) of this section, or both."

(b) The Act is amended by inserting after title I the following new title:

### "TITLE II—OFFICE OF DRUG ABUSE POLICY"

"CHAPTER	Sec.
"1. GENERAL PROVISIONS.....	201
"2. FUNCTIONS OF THE DIRECTOR.....	221

#### "Chapter 1.—GENERAL PROVISIONS

- "Sec.
- "201. Establishment of Office.
- "202. Appointment of Director.
- "203. Appointment of Deputy Director.
- "204. Delegation.
- "205. Officers and employees.
- "206. Employment of experts and consultants.
- "207. Acceptance of uncompensated services.
- "208. Notice relating to the control of dangerous drugs.
- "209. Compensation of Director and Deputy Director.
- "210. Statutory authority unaffected.
- "211. Appropriations authorized.

Drug Abuse  
Office and  
Treatment  
Act of 1972,  
amendments.

21 USC 1103.  
"Drug abuse  
function."



**"§ 207. Acceptance of uncompensated services**

21 USC 1117.

"The Director is authorized to accept and employ in furtherance of the purpose of this Act voluntary and uncompensated services notwithstanding the provisions of section 3679(b) of the Revised Statutes (21 U.S.C. 665(b)).

**"§ 208. Notice relating to the control of dangerous drugs**

21 USC 1118.

"Whenever the Attorney General determines that there is evidence that—

"(1) a drug or other substance, which is not a controlled substance (as defined in section 102(6) of the Controlled Substances Act), has a potential for abuse, or

21 USC 902.

"(2) a controlled substance should be transferred or removed from a schedule under section 202 of such Act,

21 USC 812.

he shall, prior to initiating any proceeding under section 201(a) of such Act, give the Director timely notice of such determination. Information forwarded to the Attorney General pursuant to section 201(f) of such Act shall also be forwarded by the Secretary of Health, Education, and Welfare to the Director.

21 USC 811.

**"§ 209. Compensation of Director and Deputy Director**

"(a) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(64) Director of the Office of Drug Abuse Policy.:

"(b) Paragraph (95) of section 5315 of such title is amended to read as follows:

5 USC 5315.

"(95) Deputy Director of the Office of Drug Abuse Policy.:

**"§ 210. Statutory authority unaffected**

21 USC 1119.

"Nothing in this title shall be construed to limit the authority of the Secretary of Defense with respect to the operation of the Armed Forces or the authority of the Administrator of Veterans' Affairs with respect to the furnishing of health care and related services to veterans.

**"§ 211. Appropriations authorized**

21 USC 1120.

"For purposes of carrying out this title, there is authorized to be appropriated \$700,000 for the fiscal year ending June 30, 1976, \$500,000 for the period July 1, 1976, through September 30, 1976, \$2,000,000 for the fiscal year ending September 30, 1977, and \$2,000,000 for the fiscal year ending September 30, 1978.

**"Chapter 2.—FUNCTIONS OF THE DIRECTOR**

"Sec.

"221. Concentration of Federal effort.

"222. International negotiations.

"223. Annual report.

**"§ 221. Concentration of Federal effort**

21 USC 1151.

"(a) The Director shall make recommendations to the President with respect to policies for, objectives of, and establishment of priorities for, Federal drug abuse functions and shall coordinate the performance of such functions by Federal departments and agencies. Recommendations under this subsection shall include recommendations for changes in the organization, management, and personnel of Federal departments and agencies performing drug abuse functions to implement the policies, priorities, and objectives recommended under this subsection.

Recommendations to President.

"(b) To carry out subsection (a), the Director shall—

"(1) review the regulations, guidelines, requirements, criteria, and procedures of Federal departments and agencies applicable to the performance of drug abuse functions;

"(2) conduct, or provide for, evaluations of (A) the performance of drug abuse functions by Federal departments and agencies, and (B) the results achieved by such departments and agencies in the performance of such functions; and

"(3) seek to assure that Federal departments and agencies, in the performance of drug abuse functions, construe drug abuse as a health problem.

"(c) Federal departments and agencies engaged in drug abuse functions shall submit to the Director such information and reports with respect to such functions as he may reasonably require to carry out the purposes of this title.

21 USC 1132. "§ 222. International negotiations

"The President may designate the Director to represent the Government of the United States in discussions and negotiations relating to drug abuse functions.

21 USC 1133. "§ 223. Annual report

"The Director shall submit to the President and the Congress, prior to March 1 of each year which begins after the enactment of this title, a written report on the activities of the Office. The report shall specify the objectives, activities, and accomplishments of the Office, and shall contain an accounting of funds expended under this title."

Repeal.

21 USC 1104.

21 USC 1152.

(c) (1) Section 104 of the Act is repealed.

(2) Section 302 of the Act is amended by striking out "Special Action Office of Drug Abuse Prevention until the date specified in section 104 of this Act" and inserting in lieu thereof "Office of Drug Abuse Policy".

(3) Section 302 of the Act is amended by striking out "and" before "other officials", and by striking out the period after "appropriate" and inserting in lieu thereof "and no fewer than three members from outside the Federal Government."

21 USC 1154.

(4) Section 304 of the Act is amended by adding at the end thereof the following:

"(4) from time to time make recommendations to, and coordinate with, the Director of the Office of Drug Abuse Policy with respect to the performance of his functions under this Act."

(5) The following provisions of law are each amended by striking out "Special Action Office for Drug Abuse Prevention" and inserting in lieu thereof "Office of Drug Abuse Policy":

(A) Sections 302 and 408(g) of the Act (21 U.S.C. 1162 and 1175(g)).

(B) Subsections (b) (1) and (d) of section 303 of Public Law 93-282 (21 U.S.C. 1175 note).

(C) Section 454 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750c).

(D) Section 206(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a) (1)).

Repeal.

(6) Sections 5316(131) and 5313(21) of title 5, United States Code, are repealed.

Sec. 5. Section 305 of the Act (21 U.S.C. 1165) is amended by striking out "from time to time as the President deems appropriate, but not less often than once a year" and inserting in lieu thereof "prior to June 1 of each year".

Sec. 6. (a) Section 407 of the Act (21 U.S.C. 1174) is amended to read as follows:



(2) conduct, or provide for, evaluations of (A) the performance of drug abuse functions by Federal departments and agencies, and (B) the results achieved by such departments and agencies in the performance of such functions; and

(3) seek to assure that Federal departments and agencies, in the performance of drug abuse functions, construe drug abuse as a health problem.

(c) Federal departments and agencies engaged in drug abuse functions shall submit to the Director such information and reports with respect to such functions as he may reasonably require to carry out the purposes of this title.

21 U.S.C. 1132

### § 222. International negotiations

The President may designate the Director to represent the Government of the United States in discussions and negotiations relating to drug abuse functions.

21 U.S.C. 1133

### § 223. Annual report

The Director shall submit to the President and the Congress, prior to March 1 of each year which begins after the enactment of this title, a written report on the activities of the Office. The report shall specify the objectives, activities, and accomplishments of the Office, and shall contain an accounting of funds expended under this title.

## TITLE III—NATIONAL DRUG ABUSE STRATEGY

Sec.

301. Development of strategy required.

302. Strategy Council.

303. Content of strategy.

304. Preparation of strategy.

305. Review and revision.

21 U.S.C. 1161

### § 301. Development of strategy required

Immediately upon the enactment of this title, the President shall direct the development of a comprehensive, coordinated long-term Federal strategy (hereinafter in this title referred to as the "strategy") for all drug abuse prevention functions and all drug traffic prevention functions conducted, sponsored, or supported by any department or agency of the Federal Government. The strategy shall be initially promulgated by the President no later than nine months after the enactment of this title.

21 U.S.C. 1162

### § 302. Strategy Council.

To develop the strategy, the President shall establish a Strategy Council whose membership shall include the Di-

rector of the Office of Drug Abuse Policy, the Attorney General, the Secretaries of Health, Education, and Welfare, State, and Defense, the Administrator of Veterans' Affairs, other officials as the President may deem appropriate, and no fewer than three members from outside the Federal Government. Until the date specified in section 104 of this Act, the Director shall provide such services as are required to assure that the strategy is prepared, and thereafter such services shall be provided by such officer or agency of the United States as the President may designate. The strategy shall be subject to review and written comment by those Federal officials participating in its preparation.

### § 303. Content of strategy.

21 U.S.C. 1163

The strategy shall contain

(1) an analysis of the nature, character, and extent of the drug abuse problem in the United States, including examination of the interrelationships between various approaches to solving the drug abuse problem and their potential for interacting both positively and negatively with one another;

(2) a comprehensive Federal plan, with respect to both drug abuse prevention functions and drug traffic prevention functions, which shall specify the objectives of the Federal strategy and how all available resources, funds, programs, services, and facilities authorized under relevant Federal law should be used; and

(3) an analysis and evaluation of the major programs conducted, expenditures made, results achieved, plans developed, and problems encountered in the operation and coordination of the various Federal drug abuse prevention functions and drug traffic prevention functions.

### § 304. Preparation of strategy.

21 U.S.C. 1164

To facilitate the preparation of the strategy, the Council shall

(1) engage in the planning necessary to achieve the objectives of a comprehensive, coordinated long-term Federal strategy, including examination of the overall Federal investment to combat drug abuse;

(2) at the request of any member, require departments and agencies engaged in Federal drug abuse prevention functions and drug traffic prevention functions to submit such information and reports and to conduct such studies and surveys as are necessary to carry out the purposes of this title, and the departments and agencies shall submit to the Council and to the requesting member the information, reports, studies, and surveys so required.



(3) evaluate the performance and results achieved by Federal drug abuse prevention functions and drug traffic prevention functions and the prospective performance and results that might be achieved by programs and activities in addition to or in lieu of those currently being administered; and

(4) from time to time make recommendations to, and coordinate with, the Director of the Office of Drug Abuse Policy with respect to the performance of his functions under this Act.

#### § 305. Review and revision.

*Pres shall submit to Congress*  
The strategy shall be reviewed, revised as necessary, and promulgated as revised prior to June 1 of each year.  
*over before Aug 1, 84 & every 2 yrs thereafter*

### TITLE IV—OTHER FEDERAL PROGRAMS

Sec.

- 401. Community mental health centers.
- 402. Public Health Service facilities.
- 403. State plan requirements.
- 404. Drug abuse prevention function appropriations.
- 405. Special reports by the Secretary of Health, Education, and Welfare.
- 406. Additional drug abuse prevention functions of the Secretary of Health, Education, and Welfare.
- 407. Admission of drug abusers to private and public hospitals.
- 408. Confidentiality of patient records.
- 409. Formula grants.
- 410. Special project grants and contracts.
- 411. Records and audit.
- 412. National Drug Abuse Training Center.
- 413. Drug abuse among Federal civilian employees.

#### § 404. Drug abuse prevention function appropriations.

Any request for appropriations by a department or agency of the Government submitted after the date of enactment of this Act shall specify (1) on a line item basis, that part of the appropriations which the department or agency is requesting to carry out its drug abuse prevention functions, and (2) the authorization of the appropriations requested to carry out each of its drug abuse prevention functions.

#### § 405. Special reports by the Secretary of Health, Education, and Welfare.

(a) The Secretary of Health, Education, and Welfare (hereinafter in this title referred to as the "Secretary") shall develop and submit to the Congress and the Director within ninety days after the date of enactment of this Act, a written plan for the administration and coordination of all drug abuse prevention functions within the Department of Health, Education, and Welfare. Such report shall list each program conducted and each

how such programs and services are to be coordinated, and describe the steps taken or to be taken to insure that such programs and services will be administered so as to encourage the broadest possible participation of professionals and paraprofessionals in the fields of medicine, science, the social sciences, and other related disciplines. The plan shall be consistent with the policies, priorities, and objectives established by the Director under section 221 of this Act.

(b) The Secretary shall submit to the Director, for inclusion in the annual report required by section 233 of this Act, a report describing model and experimental methods and programs for the treatment and rehabilitation of drug abusers, and describing the advantages of each such method and program and an evaluation of the success or failure of each such method or program. The Secretary's report shall contain recommendations for the development of new and improved methods and programs for the treatment and rehabilitation of drug abusers, for community implementation of such methods and programs, and for such legislation and administrative action as he deems appropriate.

#### § 406. Additional drug abuse prevention functions of the Secretary of Health, Education, and Welfare.

21 U.S.C. 1173

##### (a) The Secretary shall

(1) operate an information center for the collection, preparation, and dissemination of all information relating to drug abuse prevention functions, including information concerning State and local drug abuse treatment plans, and the availability of treatment resources, training and educational programs, statistics, research, and other pertinent data and information;

(2) investigate and publish information concerning uniform methodology and technology for determining the extent and kind of drug use by individuals and effects which individuals are likely to experience from such use;

(3) gather and publish statistics pertaining to drug abuse and promulgate regulations specifying uniform statistics to be furnished, records to be maintained, and reports to be submitted, on a voluntary basis by public and private entities and individuals respecting drug abuse; and

(4) review, and publish an evaluation of, the adequacy and appropriateness of any provision relating to drug abuse prevention functions contained in the comprehensive State health, welfare, or rehabilitation plans submitted to the Federal Government

21 U.S.C. 1165

SEE REVISION  
APRIL 83  
5-126 sub 4

Should be  
"every two years"

21 U.S.C. 1171

21 U.S.C. 1172