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1 and may be amended annually as may be necessary to reflect  
2 changes without filing a new application.

3 **Subtitle B—Federal Programs of Drug Abuse Education**  
4 **and Prevention**

5 **SEC. 831. NATIONAL PROGRAMS OF DRUG ABUSE EDUCATION**  
6 **AND PREVENTION.**

7 (a) NATIONAL PROGRAMS OF DRUG ABUSE EDUCA-  
8 TION AND PREVENTION.—From sums reserved by the Sec-  
9 retary under section 805(a)(3) the Secretary shall carry out  
10 the purposes of this section.

11 (b) NATIONAL EDUCATION PROGRAM.—The Secretary  
12 of Education in conjunction with the Secretary of Health and  
13 Human Services shall establish a national education and pre-  
14 vention program on drug abuse. The Secretary shall coordi-  
15 nate such drug abuse education and prevention program with  
16 other appropriate Federal programs related to drug abuse.  
17 The Secretary shall—

18 (1) provide information on drug abuse education  
19 and prevention to the Secretary of Health and Human  
20 Services for dissemination by the clearinghouse for al-  
21 cohool and drug abuse information established under  
22 section 507 of the Public Health Service Act (as added  
23 by section 905 of this Act);

24 (2) provide technical assistance to State, local,  
25 and intermediate educational agencies and consortia in

1 the selection and implementation of drug abuse educa-  
2 tion and prevention curricula, approaches, and pro-  
3 grams to address most effectively the needs of the ele-  
4 mentary and secondary schools served by such agen-  
5 cies; and

6 (3) identify research and development priorities  
7 with regard to school-based drug abuse education and  
8 prevention, particularly age-appropriate programs fo-  
9 cusing on kindergarten through grade 4.

10 (c) NATIONAL STUDY OF DRUG ABUSE EDUCATION  
11 AND PREVENTION.—The Secretary of Education in conjunc-  
12 tion with the Secretary of Health and Human Services shall  
13 conduct, directly or by contract, a study of the nature and  
14 effectiveness of existing Federal, State, and local programs of  
15 drug abuse education and prevention and shall submit a  
16 report of the findings of such study to the President and to  
17 the appropriate committees of the Congress not later than  
18 one year after the date of the enactment of this title.

19 SEC. 832. GRANTS TO INSTITUTIONS OF HIGHER EDUCATION.

20 (a) USES OF FUNDS.—

21 (1) From sums reserved by the Secretary under  
22 section 805(a)(4) for the purposes of this section, the  
23 Secretary shall make grants to or enter into contracts  
24 with institutions of higher education for drug abuse  
25 education and prevention programs under this section.

1           (2) The Secretary shall make financial assistance  
2           available on a competitive basis to institutions of  
3           higher education which apply under this section. An in-  
4           stitution of higher education which desires to receive a  
5           grant or enter into a contract under this section shall  
6           file an application with the Secretary at such time, in  
7           such manner, and containing or accompanied by such  
8           information as the Secretary may reasonably require.

9           (3) The Secretary shall make every effort to  
10          ensure the equitable participation of private and public  
11          institutions of higher education (including community  
12          and junior colleges) and to ensure the equitable geo-  
13          graphic participation of such institutions. In the award  
14          of grants and contracts under this section, the Secre-  
15          tary shall give appropriate consideration to colleges  
16          and universities of limited enrollment.

17          (4) Not less than 50 percent of sums available for  
18          the purposes of this section shall be used to make  
19          grants under subsection (d).

20          (b) TRAINING.— Training grants shall be available  
21          for—

22               (1) preservice and inservice training and instruc-  
23               tion of teachers and other personnel in the field of drug  
24               abuse education and prevention in elementary and sec-  
25               ondary schools;



1           (2) summer institutes and workshops in instruction  
2           in the field of drug abuse education and prevention;

3           (3) research and demonstration programs for  
4           teacher training and retraining in drug abuse education  
5           and prevention;

6           (4) training programs for law enforcement offi-  
7           cials, community leaders, parents, and government  
8           officials.

9           (c) CURRICULA DEVELOPMENT PROGRAMS.—Grants  
10          shall be available for model demonstration programs to be  
11          coordinated with local elementary and secondary schools for  
12          the development and implementation of quality drug abuse  
13          education curricula. In the award of grants under this subsec-  
14          tion, the Secretary shall give priority consideration to joint  
15          projects involving faculty of institutions of higher education  
16          and teachers in elementary and secondary schools in the  
17          practical application of the findings of educational research  
18          and evaluation and the integration of such research into drug  
19          abuse education and prevention programs.

20          (d) STUDENT PROGRAMS OF DRUG ABUSE EDUCATION  
21          AND PREVENTION.—Grants shall be available under this  
22          subsection to develop, implement, operate, and improve pro-  
23          grams of drug abuse education and prevention (including re-  
24          habilitation referral) for students enrolled in institutions of  
25          higher education.

## 1 SEC. 833. PROGRAMS FOR INDIAN CHILDREN.

## 2 (a) PROGRAMS UNDER THIS TITLE.—

3 (1) From the funds reserved pursuant to section  
4 805(a)(2), the Secretary shall make payments and  
5 grants and enter into other financial arrangements for  
6 Indian programs in accordance with this subsection.

7 (2) The Secretary of Education shall enter into  
8 such financial arrangements as the Secretary deter-  
9 mines will best carry out the purposes of this title to  
10 meet the needs of Indian children on reservations serv-  
11 iced by elementary and secondary schools operated for  
12 Indian children by the Department of the Interior.  
13 Such arrangements shall be made pursuant to an  
14 agreement between the Secretary of Education and the  
15 Secretary of the Interior containing such assurances  
16 and terms as the Secretary of Education determines  
17 will best achieve the purposes of this title.

18 (3) The Secretary of Education may, upon request  
19 of any Indian tribe which is eligible to contract with  
20 the Secretary of the Interior for the administration of  
21 programs under the Indian Self-Determination Act or  
22 under the Act of April 16, 1934, enter into grants or  
23 contracts with any tribal organization of any such  
24 Indian tribe to plan, conduct, and administer programs  
25 which are authorized and consistent with the purposes  
26 of this title (particularly programs for Indian children

1 who are school dropouts), except that such grants or  
 2 contracts shall be subject to the terms and conditions  
 3 of section 102 of the Indian Self-Determination Act  
 4 and shall be conducted in accordance with sections 4,  
 5 5, and 6 of the Act of April 16, 1934, which are  
 6 relevant to the programs administered under this  
 7 paragraph.

8 (4) Programs funded under this subsection shall be  
 9 in addition to such other programs, services, and ac-  
 10 tivities as are made available to eligible Indians under  
 11 other provisions of this subtitle.

12 (b) PROGRAMS FOR INDIAN CHILDREN UNDER OTHER  
 13 LAWS.—

14 (1) Section 304 of the Indian Elementary and  
 15 Secondary School Assistance Act (20 U.S.C. 241cc) is  
 16 amended by—

17 (A) striking out “and” at the end of para-  
 18 graph (1);

19 (B) striking out the period at the end of  
 20 paragraph (2) and inserting in lieu thereof “;  
 21 and”; and

22 (C) adding at the end the following new  
 23 paragraph:

24 “(3) the training of counselors at schools eligible  
 25 for funding under this title in counseling techniques rel-



1       evant to the treatment of alcohol and substance  
2       abuse.”.

3               (2) Section 423 of the Indian Education Act (20  
4       U.S.C. 3385b) is amended by—

5                       (A) in subsection (a), by inserting “clinical  
6       psychology,” after “medicine,”; and

7                       (B) adding at the end of the section the fol-  
8       lowing new subsection:

9       “(e) Not more than 10 percent of the fellowships award-  
10      ed under subsection (a) shall be awarded, on a priority basis,  
11      to persons receiving training in guidance counseling with a  
12      specialty in the area of alcohol and substance abuse counsel-  
13      ing and education.”.

14               (3) Section 1121 of the Education Amendments of  
15      1978 is amended by adding at the end the following  
16      new subsection:

17       “(i)(1) All schools funded by the Bureau of Indian Af-  
18      fairs shall include within their curriculum a program of in-  
19      struction relating to alcohol and substance abuse prevention  
20      and treatment. The Assistant Secretary shall provide the  
21      technical assistance necessary to develop and implement such  
22      a program for students in kindergarten and grades 1 through  
23      12, at the request of—

24                       “(A) any Bureau of Indian Affairs school (subject  
25      to the approval of the school board of such school); or



1           “(B) any school board of a school operating under  
2           a contract entered into under the Indian Self-Determi-  
3           nation and Education Assistance Act (25 U.S.C. 450  
4           et seq.).

5           “(2) In schools operated directly by the Bureau of  
6           Indian Affairs, the Secretary shall, not later than 120 days  
7           after the date of the enactment of this subsection, provide  
8           for—

9           “(A) accurate reporting of all incidents relating to  
10          alcohol and substance abuse; and

11          “(B) individual student crisis intervention.

12          “(3) The programs requested under paragraph (1) shall  
13          be developed in consultation with the Indian tribe that is to  
14          be served by such program and health personnel in the local  
15          community of such tribe.

16          “(4) Schools requesting program assistance under this  
17          subsection are encouraged to involve family units and, where  
18          appropriate, tribal elders and Native healers in such in-  
19          structions.”

20                 (4) Section 1129 of the Education Amendments of  
21                 1978 is amended by adding at the end the following  
22                 new subsection:

23                 “(e)(1) A financial plan under subsection (b) for a school  
24                 may include, at the discretion of the local administrator and  
25                 the school board of such school, a provision for a summer

1 program of academic and support services for students of the  
2 school. Any such program may include activities related to  
3 the prevention of alcohol and substance abuse. The Assistant  
4 Secretary of Indian Affairs shall provide for the utilization of  
5 any such school facility during any summer in which such  
6 utilization is requested.

7 “(2) Notwithstanding any other provision of law, funds  
8 authorized under the Act of April 16, 1934 (25 U.S.C. 452  
9 et seq.) and the Indian Education Act may be used to aug-  
10 ment the services provided in each summer program at the  
11 option, and under the control, of the tribe or Indian con-  
12 trolled school receiving such funds.

13 “(3) The Assistant Secretary of Indian Affairs, acting  
14 through the Director of the Office of Indian Education Pro-  
15 grams, shall provide technical assistance and coordination for  
16 any program described in paragraph (1) and shall, to the  
17 extent possible, encourage the coordination of such programs  
18 with any other summer programs that might benefit Indian  
19 youth, regardless of the funding source or administrative  
20 entity of any such program.”.

## 21 **Subtitle C—General Provisions**

### 22 **SEC. 841. DEFINITIONS.**

23 (a) GENERAL PROVISION—Except as otherwise provid-  
24 ed, the terms used in this title shall have the meaning provid-

1 ed under section 595 of the Education Consolidation and Im-  
2 provement Act of 1981.

3 (b) OTHER DEFINITIONS.—For the purposes of this  
4 title, the following terms have the following meanings:

5 (1) The term “drug abuse education and preven-  
6 tion” means prevention, early intervention, rehabilita-  
7 tion referral, and education related to the abuse of al-  
8 cohool and the use and abuse of controlled, illegal, ad-  
9 dictive, or harmful substances, as determined by the  
10 Secretary in consultation with the Secretary of Health  
11 and Human Services.

12 (2) The term “Secretary” means the Secretary of  
13 Education.

14 (3) The term “school-age population” means the  
15 population aged five through eighteen, as determined  
16 by the Secretary on the basis of the most recent satis-  
17 factory data available from the Department of  
18 Commerce.

19 (4) The term “school dropout” means an individ-  
20 ual aged five through eighteen who is not attending  
21 any school and who has not received a secondary  
22 school diploma or a certificate from a program of  
23 equivalency for such a diploma.

24 (5) The term “State” means a State, the District  
25 of Columbia, Puerto Rico, Guam, American Samoa,

1 the Northern Mariana Islands, the Trust Territory of  
2 the Pacific Islands, or the Virgin Islands.

3 (6) The terms "institution of higher education",  
4 "secondary school", and "nonprofit" have the mean-  
5 ings provided in section 1001 of the Elementary and  
6 Secondary Education Act of 1965 in effect prior to Oc-  
7 tober 1, 1981.

8 (7) The term "consortia" means consortia of local  
9 educational agencies or local educational agencies and  
10 an intermediate educational agency.

11 (8) The term "community-based organization"  
12 means a private nonprofit organization which is repre-  
13 sentative of a community or significant segments of a  
14 community and which provides educational or related  
15 services to individuals in the community.

16 **SEC. 842. FUNCTIONS OF THE SECRETARY OF EDUCATION.**

17 (a) **ADMINISTRATION.**—The Secretary shall be respon-  
18 sible for the administration of the programs authorized by this  
19 title.

20 (b) **APPLICABILITY OF GENERAL EDUCATION PROVI-**  
21 **SIONS ACT.**—Except as otherwise provided, the General  
22 Education Provisions Act shall apply to programs authorized  
23 by this title.

24 (c) **PAYMENTS; FEDERAL SHARE.**—



1           (1) For any fiscal year for which a State has an  
2 approved application, the Secretary shall pay from the  
3 allotment for that State under section 805 the Federal  
4 share of the costs of carrying out the State and local  
5 programs under such application.

6           (2) The Federal share of the costs for State and  
7 local programs assisted under subtitle A shall be 100  
8 percent for the first year and 75 percent for the second  
9 and any subsequent year of assistance. The non-Federal  
10 share of the costs of programs, services, and activities  
11 under subtitle A may be public or private assistance  
12 and contributions, in cash or in kind, fairly  
13 valued.

14          (3) The Secretary may waive the Federal share  
15 requirement under this section upon making a determination  
16 that the local applicant serves a distressed area  
17 and is unable to meet such requirement or that the  
18 waiver would be equitable due to exceptional or uncontrollable  
19 circumstances affecting the ability of the applicant  
20 to meet such requirements, such as a natural  
21 disaster or an unforeseen and precipitous decline in financial  
22 resources.

1 SEC. 843. PARTICIPATION OF CHILDREN AND TEACHERS  
2 FROM PRIVATE NONPROFIT SCHOOLS.

3 (a) PARTICIPATION OF CHILDREN.—To the extent con-  
4 sistent with the number of school-age children in the State or  
5 in the school attendance area of a local or intermediate edu-  
6 cational agency or consortium receiving financial assistance  
7 under subtitle A who are enrolled in private nonprofit ele-  
8 mentary and secondary schools, such State, agency, or con-  
9 sortium shall, after consultation with appropriate private  
10 school representatives, make provision for including services  
11 and arrangements for the benefit of such children as will  
12 assure the equitable participation of such children in the pur-  
13 poses and benefits of this title.

14 (b) PARTICIPATION OF TEACHERS.—To the extent  
15 consistent with the number of school-age children in the  
16 State or in the school attendance area of a local or intermedi-  
17 ate educational agency or consortium receiving financial as-  
18 sistance under subtitle A who are enrolled in private nonprof-  
19 it elementary and secondary schools, such State, State edu-  
20 cational agency, or State agency for higher education shall,  
21 after consultation with appropriate private school representa-  
22 tives, make provision, for the benefit of such teachers in such  
23 schools, for such teacher training as will assure equitable par-  
24 ticipation of such teachers in the purposes and benefits of this  
25 title.

1       (c) **WAIVER.**—If by reason of any provision of law a  
2 State, local, or intermediate educational agency or consorti-  
3 um is prohibited from providing for the participation of chil-  
4 dren or teachers from private nonprofit schools as required by  
5 subsections (a) and (b), or, if the Secretary determines that a  
6 State, local, or intermediate educational agency or consorti-  
7 um has substantially failed or is unwilling to provide for such  
8 participation on an equitable basis, the Secretary shall waive  
9 such requirements and shall arrange for the provision of serv-  
10 ices to such children or teachers which shall be subject to the  
11 requirements of this section. Such waivers shall be subject to  
12 consultation, withholding, notice, and judicial review require-  
13 ments in accordance with paragraphs (3) and (4) of section  
14 557(b) of the Education Consolidation and Improvement Act  
15 of 1981.

16 **SEC. 844. STUDY OF DRUG ABUSE AT THE WORKPLACE.**

17       (a) **STUDY BY SECRETARY OF LABOR.**—The Secretary  
18 of Labor shall conduct a study concerning the incidence, se-  
19 verity, and impact of drug abuse at the workplace. The Sec-  
20 retary shall investigate the availability and extent of counsel-  
21 ing and rehabilitation services and other employer programs  
22 of prevention and assistance. Not later than two years after  
23 the date of the enactment of this title, the Secretary of Labor  
24 shall submit a report of the findings of such study to the  
25 Committee on Education and Labor of the House of Repre-



1    representatives and the Committee on Labor and Human Re-  
2    sources of the Senate.

3        (b)    SPECIFIC AUTHORIZATION OF APPROPRIA-  
4    TIONS.—In addition to any other sums authorized to be ap-  
5    propriated under this title, there are authorized to be appro-  
6    priated \$3,000,000 for fiscal year 1987 to enable the Secre-  
7    tary of Labor to carry out the purposes of this section.

8    SEC. 845. AUTHORIZATION OF APPROPRIATIONS.

9        (a) AUTHORIZATION OF APPROPRIATIONS.—There are  
10   authorized to be appropriated \$350,000,000 for each of the  
11   fiscal years 1987, 1988, and 1989 to carry out the purposes  
12   of this title.

13        (b) AVAILABILITY OF APPROPRIATIONS ON SCHOOL-  
14   YEAR BASIS.—Appropriations for any fiscal year for pay-  
15   ments made under this title in accordance with regulations of  
16   the Secretary may be made available for obligation or ex-  
17   penditure by the agency or institution concerned on the basis  
18   of an academic or school year differing from such fiscal year.

19        (c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-  
20   propriated for any fiscal year under this title shall remain  
21   available for obligation and expenditure until the end of the  
22   fiscal year succeeding the fiscal year for which such funds  
23   were appropriated.

24        (d) OBLIGATIONAL AUTHORITY.—Notwithstanding any  
25   other provision of this title, no authority to enter into con-



1 tracts or financial assistance agreements under this title shall  
 2 be effective except to such extent or in such amount as are  
 3 provided in advance in appropriation Acts.

4 SEC. 846. EFFECTIVE DATE.

5 This title shall take effect October 1, 1986.

## 6 **TITLE IX—COMMITTEE ON** 7 **ENERGY AND COMMERCE**

8 SECTION 901. SHORT TITLE.

9 This title may be cited as the “Drug Abuse Prevention  
 10 and Treatment Act of 1986”.

## 11 **PART A—FINANCIAL ASSISTANCE TO** 12 **STATES AND COMMUNITIES**

13 SEC. 902. ALLOTMENTS TO STATES.

14 Title XIX of the Public Health Service Act is amended  
 15 by adding at the end the following:

### 16 **“PART D—EMERGENCY SUBSTANCE ABUSE TREATMENT** 17 **AND PREVENTION**

18 **“AUTHORIZATION OF APPROPRIATIONS**

19 **“SEC. 1935. For the purpose of the Agency for Sub-**  
 20 **stance Abuse Prevention and for allotments under sections**  
 21 **1937 and 1938, there is authorized to be appropriated**  
 22 **\$180,000,000 for fiscal year 1987.**

23 **“AGENCY FOR SUBSTANCE ABUSE PREVENTION**

24 **“SEC. 1936. Of the funds appropriated under section**  
 25 **1935, \$30,000,000 shall be made available for the Agency**

1 for Substance Abuse Prevention established under section  
2 507.

3 "ALLOTMENTS FOR TREATMENT SERVICES FOR DRUG  
4 ABUSE

5 "SEC. 1937. (a) From two thirds of the amount appropri-  
6 ated under section 1935 and available for allotments, the  
7 Secretary shall allot to each State an amount determined by  
8 a formula prescribed by the Secretary which is based equally  
9 on the population of each State and on the population of each  
10 State weighted by its relative per capita income. Any amount  
11 paid to a State from its allotment and remaining unobligated  
12 at the end of fiscal year 1987 shall be returned to the  
13 Treasury.

14 "(b) Amounts paid to a State under its allotment under  
15 subsection (a) shall be used to provide treatment and rehabili-  
16 tation services for persons suffering from drug abuse. In  
17 using its allotment under subsection (a), a State shall give  
18 priority, to the extent practicable, to treatment and rehabili-  
19 tation services for individuals in the age group 15 to 24.

20 "(c) In order to receive an allotment under subsection  
21 (a) each State shall transmit an application to the Secretary.  
22 Each such application shall be in such form and transmitted  
23 by such date as the Secretary shall require. Each such appli-  
24 cation shall contain a plan for the use of amounts paid to the  
25 State under its allotment in accordance with this section and  
26 section 1939.

1 "ALLOTMENTS FOR COMMUNITY-BASED PREVENTION  
2 ACTIVITIES

3 "SEC. 1938. (a) From one third of the amounts appro-  
4 priated under section 1935 and available for allotments, the  
5 Secretary, acting through the Agency for Substance Abuse  
6 Prevention established under section 507, shall allot to each  
7 State an amount determined on the basis of the relative pop-  
8 ulation of each State in the age group of 5 through 24.

9 "(b) Amounts paid to a State under its allotment under  
10 subsection (a) shall be used for—

11 "(1) the development by the State of a substance  
12 abuse prevention education program,

13 "(2) the development of community-based sub-  
14 stance abuse prevention activities among school-aged  
15 children which will make the use of drugs unattractive  
16 to such children,

17 "(3) the development by the State of educational  
18 programs relating to the risks presented by alcohol and  
19 drug abuse to pregnant women and children, and

20 "(4) the development by the State of an education  
21 program relating to the risks of acquired immune defi-  
22 ciency syndrome among individuals who use drugs in-  
23 travenously and relating to the transmittal of acquired  
24 immune deficiency syndrome from pregnant women to  
25 unborn children.



1       “(c) In order to receive an allotment under subsection  
2 (a) each State shall transmit an application to the Secretary.  
3 Each such application shall be in such form and transmitted  
4 by such date as the Secretary shall require. Each such appli-  
5 cation shall contain a plan for the use of amounts paid to the  
6 State under its allotment in accordance with this section and  
7 section 1939.

8                               “GENERAL PROVISIONS

9       “SEC. 1939. (a) A State may not use amounts paid to it  
10 under its allotment under section 1937 or 1938 to—

11                   “(1) provide inpatient hospital services,

12                   “(2) make cash payments to intended recipients of  
13 health services,

14                   “(3) purchase or improve land, purchase, con-  
15 struct, or permanently improve (other than minor re-  
16 modeling) any building or other facility, or purchase  
17 major medical equipment,

18                   “(4) satisfy any requirement for the expenditure of  
19 non-Federal funds as a condition for the receipt of Fed-  
20 eral funds,

21                   “(5) pay administrative costs, or

22                   “(6) provide financial assistance to any entity  
23 other than a public or nonprofit private entity.

24       “(b) The provisions of part B which are not inconsistent  
25 with subsection (a) or sections 1937 or 1938 shall apply with  
26 respect to allotments made under sections 1937 and 1938.”.



1   **PART B—AGENCY FOR SUBSTANCE ABUSE**  
2                   **PREVENTION; STUDY**

3   **SEC. 905. AGENCY FOR SUBSTANCE ABUSE PREVENTION.**

4       Part A of title V of the Public Health Service Act is  
5 amended by adding at the end the following:

6       “AGENCY FOR SUBSTANCE ABUSE PREVENTION

7       “SEC. 507. (a) There is established in the Alcohol, Drug  
8 Abuse, and Mental Health Administration the Agency for  
9 Substance Abuse Prevention. The Agency shall be headed by  
10 a Director appointed by the Secretary from individuals with  
11 extensive experience or academic qualifications in the pre-  
12 vention of drug or alcohol abuse.

13       “(b) The Director of the Office shall—

14           “(1) sponsor regional workshops on the prevention  
15 of drug and alcohol abuse,

16           “(2) coordinate the findings of research sponsored  
17 by agencies of the Service on the prevention of drug  
18 and alcohol abuse,

19           “(3) develop effective drug and alcohol abuse pre-  
20 vention literature (including literature on the adverse  
21 effects of cocaine free base (known as ‘crack’),

22           “(4) create public service announcements for radio  
23 and television broadcasting on the prevention of drug  
24 and alcohol abuse,

25           “(5) in cooperation with the Secretary of Educa-  
26 tion, assure the widespread dissemination of prevention

1 materials among States, political subdivisions, and  
2 school systems,

3 “(6) support programs of clinical training of sub-  
4 stance abuse counselors and other health professionals,

5 “(7) in cooperation with the Director of the Cen-  
6 ters for Disease Control, develop educational materials  
7 to reduce the risks of acquired immune deficiency syn-  
8 drome among intravenous drug abusers, and

9 “(8) administer the allotment programs under part  
10 D of title XIX.

11 “(c) The Secretary, acting through the Director of the  
12 Office, shall establish a clearinghouse for alcohol and drug  
13 abuse information to assure the widespread dissemination of  
14 such information to States, political subdivisions, school sys-  
15 tems, and the general public. The clearinghouse shall—

16 “(1) disseminate of publications by the National  
17 Institute of Alcohol Abuse and Alcoholism, the Nation-  
18 al Institute of Drug Abuse, and the Secretary of Edu-  
19 cation concerning alcohol and drug abuse,

20 “(2) disseminate of accurate information concern-  
21 ing the health effects of alcohol and drug abuse,

22 “(3) collect and disseminate information concern-  
23 ing successful drug abuse education and prevention  
24 curricula, and

1           “(4) collect and disseminate information on effec-  
2           tive and ineffective school-based drug abuse education  
3           and prevention programs.

4           “(d)(1) There is established an advisory board to advise  
5           the Director of the Office in carrying out subsections (b) and  
6           (c). The Board shall—

7           “(A) advise the Director and the White House  
8           Conference on Drug Abuse and Drug Trafficking Con-  
9           trol and other governmental agencies to promote an  
10          awareness among the general public about the prob-  
11          lems of drug abuse and the need to prevent drug abuse  
12          among young people,

13          “(B) advise the Director with respect to establish-  
14          ing priorities in conducting an informational program  
15          aimed at preventing drug abuse,

16          “(C) advise the Director on the most effective  
17          means of communicating to the public the problems as-  
18          sociated with drug abuse and of providing information  
19          that will contribute towards the prevention of drug  
20          abuse,

21          “(D) promote an awareness among the media  
22          throughout the country about problems relating to drug  
23          abuse,

24          “(E) encourage media outlets throughout the  
25          country to provide information, including public service



1 announcements, aimed at assisting in the prevention of  
2 drug abuse,

3 “(F) advise the Director and media entities in the  
4 preparation and production of material, including public  
5 service announcements, aimed at discouraging drug  
6 abuse by young people,

7 “(G) encourage private sector initiatives aimed at  
8 drug abuse prevention,

9 “(H) encourage local broadcasters, newspapers,  
10 cable systems, and other media outlets to work closely  
11 with their local community, including representatives of  
12 schools, business, and religious and parent groups, to  
13 devise effective means of disseminating information  
14 about the need to discourage drug abuse by young  
15 people, and

16 “(I) aid in coordinating the efforts of all Federal  
17 agencies to provide information to the public on the  
18 need for drug abuse prevention and on the problems  
19 related to drug abuse.

20 “(2) The advisory board shall be composed of 15 mem-  
21 bers appointed by the Secretary and shall include representa-  
22 tives from radio and television broadcasting, cable communi-  
23 cations, media productions, the print media, and professional  
24 sports associations. A member of the advisory board shall



1 receive no compensation by virtue of the member's appoint-  
2 ment to the advisory board.

3       “(3) The Secretary shall provide the advisory board  
4 with such administrative support services as it may require to  
5 carry out paragraph (1).

6       “(4) The advisory board shall terminate upon the expi-  
7 ration of 3 years after the date of the enactment of this sec-  
8 tion unless the President extends it by Executive Order.”.

9 **SEC. 906. COVERAGE STUDY.**

10       The Secretary of Health and Human Services shall con-  
11 tract with the Institute of Medicine of the National Academy  
12 of Sciences to conduct a study of (1) the extent of the cover-  
13 age of drug abuse treatment provided by private insurance,  
14 public programs, and other sources of payment for such treat-  
15 ment, and (2) the adequacy of such coverage in rehabilitating  
16 drug abusers. Not later than one year after the date of the  
17 enactment of this title the Secretary shall transmit to the  
18 Congress a report of the results of the study conducted under  
19 this section. The report shall include recommendations for  
20 the means of meeting identified needs.

1 PART C—ADVISORY COMMISSION ON THE  
2 COMPREHENSIVE EDUCATION OF  
3 INTERCOLLEGIATE ATHLETES

4 SEC. 910. ESTABLISHMENT.

5 There is established a commission to be known as the  
6 Advisory Commission on the Comprehensive Education of  
7 Intercollegiate Athletes (hereafter in this title referred to as  
8 the "Commission").

9 SEC. 911. DUTIES OF COMMISSION.

10 The Commission shall investigate and advise Congress  
11 regarding issues related to athletic programs at colleges and  
12 universities in the United States, including—

13 (1) the use of drugs by athletes, examining in par-  
14 ticular the role of colleges and universities in discour-  
15 aging the illegal use of drugs by athletes, and

16 (2) the impact of television on athletics, examining  
17 in particular both the negative and positive effects on  
18 colleges and universities and their athletes of revenues  
19 received by televising athletic events,

20 (3) the balance between athletics and academics,  
21 examining in particular—

22 (A) the need for—

23 (i) establishing stricter eligibility and  
24 academic requirements for athletes, and

1 (ii) less frequent and fewer competitive  
2 events to allow for greater pursuit of aca-  
3 demic goals by athletes, and

4 (B) the role of regulation and enforcement in  
5 the areas of athletic recruiting, financing, and  
6 scheduling, and

7 (4) the extent of the involvement of Federal and  
8 State government in intercollegiate athletics, including  
9 involvement in the form of taxation, grants, and stu-  
10 dent loans.

11 SEC. 912. MEMBERSHIP.

12 (a) NUMBER AND APPOINTMENT.—The Commission  
13 shall be composed of 16 members, appointed jointly by the  
14 Speaker of the House of Representatives and the majority  
15 leader of the Senate within 30 days after the date of the  
16 enactment of this title in a manner that insures balanced geo-  
17 graphic representation, as follows:

18 (1) 1 member who is the President of a college or  
19 university.

20 (2) 2 members who are college or university  
21 professors.

22 (3) 2 members who are college or university ad-  
23 missions officers.

1 (4) 1 member who is a college or university aca-  
2 demic advisor.

3 (5) 1 member who is a former or current college  
4 or university coach.

5 (6) 1 member who is a former or current college  
6 or university athletic director.

7 (7) 1 member who is a high school principal, guid-  
8 ance counselor, or teacher with special knowledge of  
9 high school academics and athletics.

10 (8) 1 member who is a current student athlete at  
11 a college or university.

12 (9) 1 member who is associated with one of the  
13 major regional college accrediting associations.

14 (10) 1 member who is associated with the Nation-  
15 al Collegiate Athletic Association.

16 (11) 1 member who is a physician with special  
17 knowledge of sports medicine and drug abuse problems.

18 (12) 1 member who is a former or current  
19 member of the House of Representatives and 1  
20 member who is a former or current member of the  
21 Senate.

22 (13) 1 member who is not associated with college  
23 and university academics or athletics.

24 Appointments may be made under this subsection without  
25 regard to section 5311(b) of title 5, United States Code.



1 (b) TERMS.—Members shall be appointed for the life of  
2 the Commission.

3 (c) PAY.—(1) Members of the Commission shall serve  
4 without pay.

5 (2) While away from their homes or regular place of  
6 business in the performance of services for the Commission,  
7 members shall be allowed travel expenses, including a per  
8 diem allowance in lieu of subsistence, in the same manner as  
9 persons serving intermittently in the Government service are  
10 allowed travel expenses under section 5703 of title 5 of the  
11 United States Code.

12 (d) CHAIRMAN.—(1) The member of the Commission  
13 who is a former or current member of the House of Repre-  
14 sentatives shall serve as Chairman of the Commission.

15 (2) The member of the Commission who is a former or  
16 current member of the Senate shall serve as Vice Chairman  
17 of the Commission.

18 SEC. 913. MEETINGS.

19 (a) ORGANIZATIONAL MEETING.—Not later than 30  
20 days after all members have been appointed to the Commis-  
21 sion, the Commission shall hold an organizational meeting to  
22 establish the rules and procedures under which it will carry  
23 out its responsibilities.

24 (b) RULES AND PROCEDURES.—The rules and proce-  
25 dures referred to in subsection (a) shall provide that—

1 (1) half of the total Commission membership shall  
2 constitute a quorum, and

3 (2) a majority of those voting at a properly called  
4 meeting shall be required to authorize any recommen-  
5 dation or other official action of the Commission.

6 **SEC. 914. STAFF OF COMMISSION; EXPERTS AND CON-**  
7 **SULTANTS.**

8 (a) **STAFF.**—Subject to such rules as may be prescribed  
9 by the Commission and subsection (b), the Chairman may  
10 appoint and fix the pay of such personnel as the Chairman  
11 considers appropriate.

12 (b) **APPLICABILITY OF CERTAIN CIVIL SERVICE**  
13 **LAWS.**—The staff of the Commission shall—

14 (1) be appointed without regard to the provisions  
15 of title 5, United States Code, governing appointments  
16 in the competitive service; and

17 (2) be paid in accordance with the provisions of  
18 chapter 51 and subchapter III of chapter 53 of such  
19 title relating to classification and General Schedule pay  
20 rates.

21 (c) **EXPERTS AND CONSULTANTS.**—Subject to such  
22 rules as may be prescribed by the Commission, the Chairman  
23 may procure temporary and intermittent services under sec-  
24 tion 3109(b) of title 5 of the United States Code.

1 (d) **STAFF OF FEDERAL AGENCIES.**—Upon request of  
2 the Chairman, the head of any Federal agency shall detail  
3 any of the personnel of such agency to the Commission to  
4 assist the Commission in carrying out its duties under section  
5 911.

6 **SEC. 915. POWERS OF COMMISSION.**

7 (a) **HEARINGS AND SESSIONS.**—(1) The Commission  
8 may, for the purpose of carrying out section 911, hold such  
9 hearings, sit and act at such times and places, take such tes-  
10 timony, and receive such evidence, as the Commission con-  
11 siders appropriate.

12 (2) Hearings, meetings, and other sessions of the Com-  
13 mission may be closed to the public only by vote of the  
14 Commission.

15 (b) **OBTAINING OFFICIAL DATA.**—The Commission  
16 may secure directly from any department or agency of the  
17 United States information necessary to enable it to carry out  
18 section 911. Upon request of the Chairman of the Commis-  
19 sion, the head of such department or agency shall furnish  
20 such information to the Commission.

21 (c) **MAILS.**—The Commission may use the United  
22 States mails in the same manner and under the same condi-  
23 tions as other departments and agencies of the United States.

24 (d) **ADMINISTRATIVE SUPPORT SERVICES.**—The head  
25 of any department or agency of the United States shall pro-



1 vide to the Commission such administrative support services  
2 as the Chairman may request.

3 (e) OFFICE SPACE.—The Administrator for General  
4 Services shall provide the Commission with appropriate office  
5 space, at no expense to the Commission, to enable it to carry  
6 out its responsibilities under section 911.

7 **SEC. 916. REPORT.**

8 The Commission shall transmit to the Congress not  
9 later than 18 months after the organizational meeting of the  
10 Commission is held under section 913 a report which shall  
11 contain a detailed statement of the findings and conclusions  
12 of the Commission as it considers appropriate.

13 **SEC. 917. TERMINATION.**

14 The Commission shall cease to exist 60 days after sub-  
15 mitting its report under section 916.

16 **SEC. 918. AUTHORIZATION OF APPROPRIATIONS**

17 There is authorized to be appropriated for fiscal years  
18 beginning after fiscal year 1986 not to exceed \$650,000 to  
19 carry out this title.

20 **PART D—ALKYL NITRITES**

21 **SEC. 920. REGULATION OF ALKYL NITRITES BY THE FOOD**  
22 **AND DRUG ADMINISTRATION.**

23 Alkyl nitrites and their isomers shall be treated as a  
24 drug for purposes of the Federal Food, Drug, and Cosmetic  
25 Act.



1     **TITLE X—COMMITTEE ON POST**  
2     **OFFICE AND CIVIL SERVICE**

3     SEC. 1001. PROGRAMS TO PROVIDE PREVENTION, TREAT-  
4                   MENT, AND REHABILITATION SERVICES TO  
5                   FEDERAL EMPLOYEES WITH RESPECT TO  
6                   DRUG AND ALCOHOL ABUSE.

7       (a) IN GENERAL.—(1) Chapter 73 of title 5, United  
8     States Code, is amended by adding at the end the following:  
9     “SUBCHAPTER VI—DRUG ABUSE AND ALCOHOL  
10            ABUSE AND ALCOHOLISM

11    “§ 7361. Drug abuse

12       “(a) The Office of Personnel Management shall be re-  
13     sponsible for developing and maintaining, in cooperation with  
14     the President, with the Secretary of Health and Human  
15     Services (acting through the National Institute on Drug  
16     Abuse), and with other agencies, and in accordance with ap-  
17     plicable provisions of this subpart, appropriate prevention,  
18     treatment, and rehabilitation programs and services for drug  
19     abuse among employees. Such agencies are encouraged to  
20     extend, to the extent feasible, these programs and services to  
21     the families of employees and to employees who have family  
22     members who are drug abusers. Such programs and services  
23     shall make optimal use of existing governmental facilities,  
24     services, and skills.

1       “(b) Section 527 of the Public Health Service Act (re-  
2       lating to confidentiality of records), and any regulations pre-  
3       scribed thereunder, shall apply with respect to records under  
4       this section.

5       “(c) Each agency shall, with respect to any programs or  
6       services provided by such agency, submit such written re-  
7       ports as the Office may require in connection with any report  
8       required under section 7363.

9       “(d) For the purpose of this section, the term ‘agency’  
10      means an Executive agency.

11      **“§ 7362. Alcohol abuse and alcoholism**

12      “(a) The Office of Personnel Management shall be re-  
13      sponsible for developing and maintaining, in cooperation with  
14      the Secretary of Health and Human Services and with other  
15      agencies, and in accordance with applicable provisions of this  
16      subpart, appropriate prevention, treatment, and rehabilitation  
17      programs and services for alcohol abuse and alcoholism  
18      among employees. Such agencies are encouraged to extend,  
19      to the extent feasible, these programs and services to the  
20      families of alcoholic employees and to employees who have  
21      family members who are alcoholics. Such programs and serv-  
22      ices shall make optimal use of existing governmental facili-  
23      ties, services, and skills.

24      “(b) Section 523 of the Public Health Service Act (re-  
25      lating to confidentiality of records), and any regulations pre-

1 scribed thereunder, shall apply with respect to records under  
2 this section.

3 “(c) Each agency shall, with respect to any programs or  
4 services provided by such agency, submit such written re-  
5 ports as the Office may require in connection with any report  
6 required under section 7363.

7 “(d) For the purpose of this section, the term ‘agency’  
8 means an Executive agency.

9 **“§ 7363. Reports to Congress**

10 “(a) The Office of Personnel Management shall, within  
11 6 months after the date of the enactment of this section and  
12 annually thereafter, submit to each House of Congress a  
13 report containing the matter under subsection (b).

14 “(b) Each report under this section shall include—

15 “(1) a description of any programs or services  
16 provided under section 7361 or 7362, including the  
17 costs associated with each such program or service and  
18 the source and adequacy of any funding therefor;

19 “(2) information as to the levels of participation in  
20 the programs and services provided under sections  
21 7361 and 7362, and the efficacy of such programs and  
22 services;

23 “(3) a description of the training and qualification  
24 requirements of the personnel providing the programs  
25 and services under sections 7361 and 7362;



1           “(4) a description of the training given to supervi-  
 2       sory personnel in connection with recognizing the  
 3       symptoms of drug or alcohol abuse and the procedures  
 4       (including those relating to confidentiality) under which  
 5       individuals are referred for treatment, rehabilitation, or  
 6       other assistance;

7           “(5) recommendations for any legislation or ad-  
 8       ministrative action; and

9           “(6) information relating to any related, separate  
 10      activities under section 7904 of this title, and any  
 11      other matter which the Office considers appropriate.”.

12      (2) The analysis for chapter 73 of title 5, United States  
 13      Code, is amended by adding at the end the following:

“SUBCHAPTER VI—DRUG ABUSE AND ALCOHOL ABUSE AND  
 ALCOHOLISM

“Sec.

“7361. Drug abuse.

“7362. Alcohol abuse and alcoholism.

“7363. Reports to Congress.”.

14      (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
 15      Subsection (a) of sections 521 and 525 of the Public Health  
 16      Service Act (42 U.S.C. 290dd-1(a) and 290ee-1(a)) is re-  
 17      pealed, subsection (b)(1) of each such section is amended by  
 18      striking out “similar”, and subsections (b), (c), and (d) of each  
 19      such section are redesignated as subsections (a), (b), and (c),  
 20      respectively.

1 SEC. 1002. EDUCATIONAL PROGRAM FOR FEDERAL EMPLOY-  
2 EES RELATING TO DRUG AND ALCOHOL ABUSE.

3 (a) ESTABLISHMENT.—The Director of the Office of  
4 Personnel Management shall, in consultation with the Secre-  
5 tary of Health and Human Services, establish a Government-  
6 wide education program, using seminars and such other  
7 methods as the Director considers appropriate, to carry out  
8 the purposes set forth in subsection (b).

9 (b) PURPOSES.—The program established under this  
10 section shall be designed so as to provide information to Fed-  
11 eral employees with respect to—

12 (1) the short-term and long-term health hazards  
13 associated with alcohol abuse and drug abuse;

14 (2) the symptoms of alcohol abuse and drug abuse;

15 (3) the availability of any prevention, treatment,  
16 or rehabilitation programs or services relating to alco-  
17 hol abuse or drug abuse, whether provided by the Fed-  
18 eral Government or otherwise;

19 (4) confidentiality protections afforded in connec-  
20 tion with any prevention, treatment, or rehabilitation  
21 programs or services;

22 (5) any penalties provided under law, rule, or reg-  
23 ulation, and any administrative actions (permissive or  
24 mandatory), relating to the use of alcohol or drugs by a  
25 Federal employee or the failure to seek or receive ap-  
26 propriate treatment or rehabilitation services; and

1 (6) any other matter which the Director considers  
2 appropriate.

3 **SEC. 1003. EMPLOYEE ASSISTANCE PROGRAMS RELATING TO**  
4 **DRUG ABUSE AND ALCOHOL ABUSE.**

5 (a) **IN GENERAL.**—Chapter 79 of title 5, United States  
6 Code, is amended by adding at the end the following:

7 **“§ 7904. Employee assistance programs relating to drug**  
8 **abuse and alcohol abuse**

9 “(a) The head of each Executive agency shall, in a  
10 manner consistent with guidelines under subsection (b) and  
11 applicable provisions of this subpart, establish appropriate  
12 prevention, treatment, and rehabilitation programs and serv-  
13 ices for drug abuse and alcohol abuse for employees in or  
14 under such agency.

15 “(b) The Office of Personnel Management shall, after  
16 such consultations as the Office considers appropriate, pre-  
17 pare guidelines for programs and services under this section.

18 “(c) The Secretary of Health and Human Services, on  
19 request of the head of an Executive agency, shall review any  
20 program or service provided under this section and shall  
21 submit comments and recommendations to the head of the  
22 agency concerned.”.

23 (b) **CHAPTER ANALYSIS.**—The analysis for chapter 79  
24 of title 5, United States Code, is amended by adding at the  
25 end the following:

“7904. Employee assistance programs relating to drug abuse and alcohol abuse.”.



1 SEC. 1004. DEMONSTRATION PROJECT RELATING TO TREAT-  
 2 MENT FOR DRUG ABUSE AND ALCOHOL ABUSE  
 3 UNDER THE FEDERAL EMPLOYEES HEALTH  
 4 BENEFITS PROGRAM.

5 (a) DEFINITIONS.—For the purpose of this section—

6 (1) the term “enrollee” means an individual en-  
 7 rolled in a health benefits plan; and

8 (2) the terms “health benefits plan”, “employee”,  
 9 “annuitant”, “carrier”, and “family member” each has  
 10 the meaning given such term under chapter 89 of title  
 11 5, United States Code.

12 (b) IN GENERAL.—The Office of Personnel Manage-  
 13 ment shall, during calendar years 1988, 1989, and 1990,  
 14 conduct a demonstration project to provide a basis for deter-  
 15 mining the feasibility and desirability of including certain ben-  
 16 efits relating to the treatment of drug abuse and alcohol  
 17 abuse among the types of benefits generally provided for  
 18 under chapter 89 of title 5, United States Code (relating to  
 19 health insurance for Federal employees).

20 (c) SCOPE OF THE PROJECT.—(1) The demonstration  
 21 project—

22 (A) shall involve—

23 (i) the service benefit plan under section  
 24 8903(1) of title 5, United States Code;

25 (ii) the indemnity benefit plan under section  
 26 8903(2) of title 5, United States Code;



1 (iii) the 2 employee organization plans under  
2 section 8903(3) of title 5, United States Code,  
3 with the largest number of enrollments, as deter-  
4 mined by the Office; and

5 (iv) the carrier operating the 2 comprehen-  
6 sive medical plans under section 8903(4) of title  
7 5, United States Code, with the largest number of  
8 enrollments, as determined by the Office; and

9 (B) shall cover a sufficient number of enrollees  
10 and family members to provide an adequate basis on  
11 which to make any determination referred to in subsec-  
12 tion (b).

13 (2) The demonstration project shall—

14 (A) to the extent that it involves the plans under  
15 clauses (i) through (iii) of paragraph (1)(A), be conduct-  
16 ed within at least 1, and not more than 4, standard  
17 metropolitan statistical areas, as determined by the  
18 Office; and

19 (B) to the extent that it involves the carrier re-  
20 ferred to in clause (iv) of paragraph (1)(A), be conduct-  
21 ed within the standard metropolitan statistical area  
22 which includes Portland, Oregon.

23 A standard metropolitan statistical area may not be selected  
24 for inclusion under subparagraph (A) unless such area is one

1 within which not less than 10,000, and not more than  
2 25,000, employees and annuitants reside.

3 (d) BENEFITS.—Under the demonstration project, any  
4 contract under chapter 89 of title 5, United States Code,  
5 between the Office and the carrier offering a plan described  
6 in subsection (c)(1)(A)—

7 (1) shall, to the extent that such contract relates  
8 to individuals covered by the demonstration project, in-  
9 clude benefits relating to—

10 (A) inpatient detoxification;

11 (B) patient assessment;

12 (C) outpatient therapy, including, wherever  
13 appropriate, worksite-based evening and weekend  
14 treatment programs, individual therapy, and group  
15 therapy;

16 (D) inpatient therapy;

17 (E) follow-up patient counselling; and

18 (F) counselling for family members of the in-  
19 dividual having the abuse problem; and

20 (2) may, to the extent that such contract relates  
21 to individuals covered by the demonstration project, in-  
22 clude benefits for related support services, including  
23 child care or other dependent care.

24 (e) CONSULTATION.—The Office shall consult with ap-  
25 propriate representatives of carriers, labor organizations rep-

1 resenting Government employees, and agency heads with  
2 regard to—

3 (1) the determinations required under subsection  
4 (c)(2)(A);

5 (2) any maximums, limitations, exclusions, or  
6 other terms or conditions relating to the benefits de-  
7 scribed in subsection (d); and

8 (3) any other matter relating to the design, con-  
9 duct, or evaluation of the demonstration project which  
10 the Office considers appropriate.

11 (f) COORDINATION WITH OTHER GOVERNMENT PRO-  
12 GRAMS.—The Office shall coordinate the demonstration  
13 project with any activities carried out under—

14 (1) section 7904 of title 5, United States Code (as  
15 added by section 1003), relating to employee assistance  
16 programs offered by Executive agencies with respect to  
17 drug abuse and alcohol abuse;

18 (2) subchapter VI of chapter 73 of title 5, United  
19 States Code (as added by section 1001), relating to  
20 programs and services for drug abuse and alcohol  
21 abuse;

22 (3) section 1002, relating to an educational pro-  
23 gram for Federal employees with respect to drug abuse  
24 and alcohol abuse; and

25 (4) other related programs.

1 (g) EVALUATION AND REPORTING REQUIREMENTS.—

2 (1) The Office shall by contract provide for the periodic eval-  
3 uation of the demonstration project with respect to—

4 (A) cost and efficacy;

5 (B) effects on employee productivity; and

6 (C) the feasibility and desirability of offering the  
7 benefits provided under the demonstration project on a  
8 general basis under chapter 89 of title 5, United States  
9 Code.

10 (2)(A) The Office shall—

11 (i) not later than March 15, 1990, submit an in-  
12 terim report to the Committee on Post Office and Civil  
13 Service of the House of Representatives and the Com-  
14 mittee on Governmental Affairs of the Senate on the  
15 demonstration project; and

16 (ii) not later than April 1, 1991, submit to each of  
17 the committees referred to in clause (i) a final report  
18 on the project.

19 (B) Each report submitted under subparagraph (A) shall  
20 include a copy of the most recent evaluation received by the  
21 Office under paragraph (1).

22 (h) FUNDING.—(1) Notwithstanding any other provision  
23 of law, individual contributions and Government contribu-  
24 tions under section 8906 of title 5, United States Code, shall



1 be determined as if the preceding provisions of this section  
2 had not been enacted.

3 (2) There is authorized to be appropriated such sums as  
4 may be necessary to carry out this section (including any  
5 additional administrative costs).

6 **SEC. 1005. CONTROLLED SUBSTANCES AS NONMAILABLE**  
7 **MATTER.**

8 Section 1716(a) of title 18, United States Code, is  
9 amended by inserting "and all controlled substances (as de-  
10 fined by section 102(6) of the Controlled Substances Act),"   
11 after "ignite or explode,".

12 **TITLE XI—COMMITTEE ON INTE-**  
13 **RIOR AND INSULAR AFFAIRS**

14 **Subtitle A—Indians and Alaska Natives**

15 **SEC. 1101. SHORT TITLE.**

16 This subtitle may be cited as the "Indian Alcohol and  
17 Substance Abuse Prevention and Treatment Act of 1986".

18 **PART I—GENERAL PROVISIONS**

19 **SEC. 1102. FINDINGS.**

20 The Congress finds and declares that—

21 (1) the Federal Government has a historical rela-  
22 tionship and unique legal and moral responsibility to  
23 Indian tribes and their members,

24 (2) included in this responsibility is the treaty,  
25 statutory, and historical obligation to assist the Indian

1 tribes in meeting the health and social needs of their  
2 members,

3 (3) alcoholism and alcohol and substance abuse is  
4 the most severe health and social problem facing  
5 Indian tribes and people today and nothing is more  
6 costly to Indian people than the consequences of alco-  
7 hol and substance abuse measured in phsical, mental,  
8 social, and economic terms,

9 (4) alcohol and substance abuse is the leading ge-  
10 neric risk factor among Indians and Indians die from  
11 alcoholism at over 4 times the age-adjusted rates for  
12 the United States population and alcohol and substance  
13 misuse results in a rate of years of potential life lost  
14 nearly 5 times that of the United States,

15 (5) 4 of the top 10 causes of death among Indians  
16 are alcohol and drug related injuries (18 percent of all  
17 deaths), chronic liver disease and cirrhosis (5 percent),  
18 suicide (3 percent), and homicide (3 percent),

19 (6) primarily because deaths from unintentional in-  
20 juries and violence occur disproportionately among  
21 young people, the age-specific death rate for Indians is  
22 approximately double the United States rate for the 15  
23 to 45 age group,

24 (7) Indians between the ages of 15 and 24 years  
25 of age are more than 2 times as likely to commit sui-

1       cide as the general population and approximately 80  
2       percent of those suicides are alcohol-related,

3           (8) Indians between the ages of 15 and 24 years  
4       of age are twice as likely as the general population to  
5       die in automobile accidents, 75 percent of which are  
6       alcohol-related,

7           (9) the Indian Health Service, which is charged  
8       with treatment and rehabilitation efforts, has directed  
9       only 1 percent of its budget for alcohol and substance  
10      abuse problems, and

11          (10) the Bureau of Indian Affairs, which has re-  
12      sponsibility for coordinating its various efforts to focus  
13      on the epidemic of alcohol and substance abuse among  
14      Indian people.

15   **SEC. 1103. PURPOSE.**

16      It is the purpose of this subtitle to—

17          (1) authorize and develop a comprehensive, co-  
18      ordinated attack upon the illegal narcotics traffic in  
19      Indian country and the deleterious impact of alcohol  
20      and substance abuse upon Indian tribes and their  
21      members,

22          (2) provide needed direction and guidance to those  
23      Federal agencies responsible for Indian programs to  
24      identify and focus existing programs and resources, in-

1 cluding those made available by this subtitle, upon this  
2 problem.

3 (3) provide authority and opportunities for Indian  
4 tribes to develop and implement a coordinated program  
5 for the prevention and treatment of alcohol and sub-  
6 stance abuse at the local level, and

7 (4) to modify or supplement existing programs and  
8 authorities in the areas of education, family and social  
9 services, law enforcement and judicial services, and  
10 health services to further the purposes of this subtitle.

11 **SEC. 1104. DEFINITIONS.**

12 For purposes of this subtitle:

13 (1) The term "agency" means the local adminis-  
14 trative entity of the Bureau of Indian Affairs serving  
15 one or more Indian tribes within a defined geographic  
16 area.

17 (2) The term "youth" shall have the meaning  
18 given it in any particular Tribal Action Plan adopted  
19 pursuant to section 1105, except that, for purposes of  
20 statistical reporting under this subtitle, it shall mean a  
21 person who is 18 years or younger or who is in attend-  
22 ance at a secondary school.

23 (3) The term "Indian tribe" means any Indian  
24 tribe, band, nation, or other organized group or com-  
25 munity of Indians (including any Alaska Native village



1 or regional or village corporation as defined in, or es-  
2 tablished pursuant to, the Alaska Native Claims Settle-  
3 ment Act (43 U.S.C. 1601 et seq.) which is recog-  
4 nized as eligible for special programs and services pro-  
5 vided by the United States to Indians because of their  
6 status as Indians.

7 (4) The term "prevention and treatment" in-  
8 cludes, as appropriate—

9 (A) efforts to identify, and the identification  
10 of, youth who are at risk with respect to, or who  
11 are abusers of, alcohol or controlled substances,

12 (B) intervention into cases of on-going alco-  
13 hol and substance abuse to halt a further progres-  
14 sion of such abuse,

15 (C) prevention through education and the  
16 provision of alternative activities,

17 (D) treatment for alcohol and substance  
18 abusers to help abstain from, and alleviate the ef-  
19 fects of, abuse,

20 (E) rehabilitation to provide on-going assist-  
21 ance, either on an inpatient or outpatient basis, to  
22 help youth reform or abstain from alcohol or sub-  
23 stance abuse,

1 (F) follow-up or after-care to provide the ap-  
 2 propriate counseling and assistance on an outpa-  
 3 tient basis, and

4 (G) referral to other sources of assistance or  
 5 resources.

6 (5) The term "service unit" means an administra-  
 7 tive entity within the Indian Health Service or a tribe  
 8 or tribal organization operating health care programs  
 9 or facilities with funds from the Indian Health Service  
 10 under the Indian Self-Determination Act through  
 11 which the services are provided, directly or by con-  
 12 tract, to the eligible Indian population within a defined  
 13 geographic area.

14 **PART II—COORDINATION OF RESOURCES AND**  
 15 **PROGRAMS**

16 **SEC. 1105. INTER-DEPARTMENTAL MEMORANDUM OF AGREE-**  
 17 **MENT.**

18 (a) **IN GENERAL.**—Not later than 180 days after the  
 19 date of enactment of this subtitle, the Secretary of the Interi-  
 20 or and the Secretary of Health and Human Services shall  
 21 develop and enter into a Memorandum of Agreement which  
 22 shall, among other things—

23 (1) determine and define the scope of the problem  
 24 of alcohol and substance abuse for Indian tribes and  
 25 their members and its financial and human costs, and

1 specifically identify such problems affecting Indian  
2 youth,

3 (2) identify and assess—

4 (A) the resources and programs of the  
5 Bureau of Indian Affairs and Indian Health Serv-  
6 ice, and

7 (B) other Federal, tribal, State and local, and  
8 private resources and programs,

9 which would be relevant to a coordinated effort to  
10 combat alcohol and substance abuse among Indian  
11 people, and specifically among Indian youth, including  
12 those programs and resources made available by this  
13 subtitle,

14 (3) develop and establish appropriate minimum  
15 standards for each agency's program responsibilities  
16 under the Memorandum of Agreement which may be—

17 (A) the existing Federal or State standards  
18 in effect, or

19 (B) in the absence of such standards, new  
20 standards which will be developed and established  
21 in consultation with Indian tribes,

22 (4) coordinate the Bureau of Indian Affairs and  
23 Indian Health Service alcohol and substance abuse  
24 programs existing on the date of the enactment of this

1 subtitle with programs or efforts established by this  
2 subtitle,

3 (5) delineate the responsibilities of the Bureau of  
4 Indian Affairs and the Indian Health Service to coordi-  
5 nate alcohol and substance abuse-related services at  
6 the central, area, agency, and service unit levels,

7 (6) direct Bureau of Indian Affairs agency and  
8 education superintendents and the Indian Health Serv-  
9 ice service unit directors to cooperate fully with tribal  
10 requests made pursuant to section 1106, and

11 (7) provide for an annual review of such agree-  
12 ments by the Secretary of the Interior and the Secre-  
13 tary of Health and Human Services.

14 (b) CHARACTER OF ACTIVITIES.—To the extent that  
15 there are new activities undertaken pursuant to this subtitle,  
16 those activities shall supplement, not supplant, activities, pro-  
17 grams, and local actions that are ongoing on the date of the  
18 enactment of this subtitle. Such activities shall be undertaken  
19 in the manner least disruptive to tribal control, in accordance  
20 with the Indian Self-Determination and Education Assist-  
21 ance Act (25 U.S.C. 450 et seq.), and local control, in ac-  
22 cordance with section 1130 of the Education Amendments of  
23 1978 (25 U.S.C. 2010).

24 (c) CONSULTATION.—The Secretary of the Interior and  
25 the Secretary of Health and Human Services shall, in devel-



1 oping the Memorandum of Agreement under subsection (a),  
2 consult with and solicit the comments of—

- 3 (1) interested Indian tribes,
- 4 (2) Indian individuals,
- 5 (3) Indian organizations, and
- 6 (4) professionals in the treatment of alcohol and  
7 substance abuse.

8 (d) PUBLICATION.—The Memorandum of Agreement  
9 under subsection (a) shall be submitted to Congress and pub-  
10 lished in the Federal Register not later than 190 days after  
11 the date of enactment of this subtitle. At the same time as  
12 publication in the Federal Register, the Secretary of the In-  
13 terior shall provide a copy of this subtitle and the Memoran-  
14 dum of Agreement under subsection (a) to each Indian tribe.

15 **SEC. 1106. TRIBAL ACTION PLANS.**

16 (a) IN GENERAL.—The governing body of any Indian  
17 tribe may, at its discretion, adopt a resolution for the estab-  
18 lishment of a Tribal Action Plan to coordinate available re-  
19 sources and programs, including programs and resources  
20 made available by this subtitle, in an effort to combat alcohol  
21 and substance abuse among its members. Such resolution  
22 shall be the basis for the implementation of this subtitle and  
23 the Memorandum of Agreement under section 1105.

24 (b) COOPERATION.—At the request of any Indian tribe  
25 pursuant to a resolution adopted under subsection (a), the

1 Bureau of Indian Affairs agency and education superintend-  
2 ents and the Indian Health Service service unit director pro-  
3 viding services to such tribe shall cooperate with the tribe in  
4 the development of a Tribal Action Plan to coordinate re-  
5 sources and programs relevant to alcohol and substance  
6 abuse prevention and treatment. Upon the development of  
7 such a plan, such superintendents and director, as directed by  
8 the Memorandum of Agreement established under section  
9 1105, shall enter into an agreement with the tribe for the  
10 implementation of the Tribal Action Plan under subsection  
11 (a).

12 (c) PROVISIONS.—

13 (1) Any Tribal Action Plan entered into under  
14 subsection (b) shall provide for—

15 (A) the establishment of a Tribal Coordinat-  
16 ing Committee which shall—

17 (i) at a minimum, have as members a  
18 tribal representative who shall serve as  
19 Chairman and the Bureau of Indian Affairs  
20 agency and education superintendents and  
21 the Indian Health Service service unit direc-  
22 tor, or their representatives,

23 (ii) have primary responsibility for the  
24 implementation of the Tribal Action Plan,

1 (iii) have the responsibility for on-going  
2 review and evaluation of, and the making of  
3 recommendations to the tribe relating to, the  
4 Tribal Action Plan, and

5 (iv) have the responsibility for designat-  
6 ing key Federal, tribal or other personnel for  
7 training in the prevention and treatment of  
8 Indians affected by alcohol and substance  
9 abuse as provided under section 1127, and

10 (B) the incorporation of the minimum stand-  
11 ards for those programs and services which it en-  
12 compasses which shall be—

13 (i) the Federal or State standards as  
14 provided in section 1105(a)(4), or

15 (ii) applicable tribal standards, if such  
16 standards are no less stringent than the Fed-  
17 eral or State standards.

18 (2) Any Tribal Action Plan may, among other  
19 things, provide for—

20 (A) an assessment of the scope of the prob-  
21 lem of alcohol and substance abuse for the Indian  
22 tribe which adopted a resolution for the adoption  
23 of the Tribal Action Plan and its members,

24 (2) the identification and coordination of the  
25 range of available programs and resources rele-

1           vant to a program of alcohol and substance abuse  
2           prevention and treatment for tribal members,

3                   (3) the establishment and prioritization of  
4           goals and efforts needed to meet those goals, and

5                   (4) the identification of the community and  
6           family roles in any of the efforts undertaken as  
7           part of the Tribal Action Plan.

8       (d) GRANTS.—The Secretary of the Interior may make  
9       grants to Indian tribes adopting a resolution pursuant to sub-  
10      section (a) to provide technical assistance in the development  
11      of a Tribal Action Plan. In allocating funds appropriated for  
12      such grants, the Secretary shall take into consideration—

13               (1) the population of the Indian tribe receiving the  
14      grant,

15               (2) the size of the tribe's reservation or service  
16      area,

17               (3) the scope of intended efforts under a Tribal  
18      Action Plan as identified by the tribe in its resolution  
19      adopted pursuant to subsection (a), and

20               (4) the commitment of the Indian tribe as meas-  
21      ured by the tribal funds or other tribal resources made  
22      available to carry out the purposes of this subtitle.

23      There is authorized to be appropriated not to exceed  
24      \$8,000,000 for each of the fiscal years 1987, 1988, and 1989  
25      for grants under this subsection.



1       (e) **FEDERAL ACTION.**—If any Indian tribe does not  
2 adopt a resolution as provided in subsection (a) within 180  
3 days after the publication of the Memorandum of Agreement  
4 in the Federal Register as provided in section 1105, the Sec-  
5 retary of the Interior and the Secretary of Health and  
6 Human Services shall require the Bureau of Indian Affairs  
7 agency and education superintendents and the Indian Health  
8 Service service unit director serving such tribe to enter into  
9 an agreement to identify and coordinate available programs  
10 and resources to carry out the purposes of this subtitle for  
11 such tribe. After such an agreement has been entered into for  
12 a tribe such tribe may adopt a resolution under subsection (a).

13 **SEC. 1107. DEPARTMENTAL RESPONSIBILITY.**

14       (a) **IMPLEMENTATION.**—The Secretary of the Interior,  
15 acting through the Bureau of Indian Affairs, and the Secre-  
16 tary of Health and Human Services, acting through the  
17 Indian Health Service, shall bear equal responsibility for the  
18 implementation of this subtitle in cooperation with Indian  
19 tribes.

20       (b) **OFFICE OF ALCOHOL AND SUBSTANCE ABUSE.**—

21               (1) In order to better coordinate the various pro-  
22 grams of the Bureau of Indian Affairs in carrying out  
23 this subtitle, there is established within the Office of  
24 the Assistant Secretary of Indian Affairs an Office of  
25 Alcohol and Substance Abuse. The director of such

1 office shall be appointed by the Assistant Secretary on  
2 a permanent basis at no less than a grade GS-15 of  
3 the General Schedule.

4 (2) In addition to other responsibilities which may  
5 be assigned to such Office, it shall be responsible for—

6 (A) monitoring the performance and compli-  
7 ance of programs of the Bureau of Indian Affairs  
8 in meeting the goals and purposes of this subtitle  
9 and the Memorandum of Agreement entered into  
10 under section 1105, and

11 (B) serving as a point of contact within the  
12 Bureau of Indian Affairs for Indian tribes and the  
13 Tribal Coordinating Committee regarding the im-  
14 plementation of this subtitle, the Memorandum of  
15 Agreement, and any Tribal Action Plan estab-  
16 lished under section 1106.

17 (c) INDIANS YOUTH PROGRAMS OFFICER.—

18 (1) There is established in the Office of Alcohol  
19 and Substance Abuse the position to be known as the  
20 Indian Youth Programs Officer.

21 (2) The position of Indian Youth Programs Officer  
22 shall be established on a permanent basis at no less  
23 than the grade of GS-14 of the General Schedule.

24 (3) In addition to other responsibilities which may  
25 be assigned to the Indian Youth Programs Officer re-

1       lating to Indian Youth, such Officer shall be responsi-  
2       ble for—

3               (A) monitoring the performance and compli-  
4       ance of programs of the Bureau of Indian Affairs  
5       in meeting the goals and purposes of this subtitle  
6       and the Memorandum of Agreement entered into  
7       under section 1105 as they relate to Indian youth  
8       efforts, and

9               (B) providing advice and recommendations,  
10       including recommendations submitted by Indian  
11       tribes and Tribal Coordinating Committees, to the  
12       Director of the Office of Alcohol and Substance  
13       Abuse as they relate to Indian youth.

14   **SEC. 1108. CONGRESSIONAL INTENT.**

15       It is the intent of Congress that—

16               (1) specific Federal laws, and administrative regu-  
17       lations promulgated thereunder, establishing programs  
18       of the Bureau of Indian Affairs, the Indian Health  
19       Service, and other Federal agencies, and

20               (2) general Federal laws, including laws limiting  
21       augmentation of Federal appropriations or encouraging  
22       joint or cooperative funding,

23       shall be liberally construed and administered to achieve the  
24       purposes of this subtitle.



1 SEC. 1109. FEDERAL FACILITIES, PROPERTY, AND EQUIP-  
2 MENT.

3 (a) FACILITY AVAILABILITY.—In the furtherance of  
4 the purposes and goals of this subtitle, the Secretary of the  
5 Interior and the Secretary of Health and Human Services  
6 shall make available for community use, to the extent permit-  
7 ted by law and as may be provided in a Tribal Action Plan,  
8 local Federal facilities, property, and equipment, including  
9 school facilities. Such facility availability shall include school  
10 facilities under the Secretary of the Interior's jurisdiction:  
11 *Provided*, That the use of any school facilities shall be condi-  
12 tioned upon approval of the local school board with jurisdic-  
13 tion over such school.

14 (b) COSTS.—Any additional cost associated with the use  
15 of Federal facilities, property, or equipment under subsection  
16 (a) may be borne by the Secretary of the Interior and the  
17 Secretary of Health and Human Services out of available  
18 funds, by other Federal funds if not otherwise prohibited by  
19 law, or by tribal, State or local, or private funds. This sub-  
20 section does not require the Secretary of the Interior or the  
21 Secretary of Health and Human Services to expend addition-  
22 al funds to meet the additional costs which may be associated  
23 with the provision of such facilities, property, or equipment  
24 for community use. Where the use of Federal facilities, prop-  
25 erty, or equipment under subsection (a) furthers the purposes  
26 and goals of this subtitle, the use of funds other than those



1 funds appropriated to the Department of the Interior or the  
2 Department of Health and Human Services to meet the addi-  
3 tional costs associated with such use shall not constitute an  
4 augmentation of Federal appropriations.

5 (d) SECRETARY OF THE INTERIOR.—Subject to the  
6 availability of specific appropriations, the Secretary of the In-  
7 terior shall—

8 (1) establish summer recreation, employment, and  
9 counseling programs for Indian youth on reservations,

10 (2) keep open for those weeks not within the  
11 normal school year such Bureau of Indian Affairs  
12 funded or contracted schools, subject to the approval of  
13 the school board involved, and as the Secretary deter-  
14 mines to be necessary to provide facilities for the pro-  
15 grams established under paragraph (1),

16 (3) take all steps necessary to preserve any school  
17 property made available for any programs established  
18 under paragraph (1) and to defray all expenses associ-  
19 ated with such programs, including facility expenses,  
20 and

21 (4) provide, as needed, salaried coordinators for  
22 such programs.

1                   **PART III—INDIAN YOUTH PROGRAMS**

2   **SEC. 1110. REVIEW OF PROGRAMS.**

3           (a) **REVIEW.**—In the development of the Memorandum  
4 of Agreement required by section 1105, the Secretary of the  
5 Interior and the Secretary of Health and Human Services, in  
6 cooperation with the Secretary of Education shall review and  
7 consider—

8                   (1) the various programs established by Federal  
9 law providing education services or benefits to Indian  
10 children,

11                  (2) tribal, State, and local, and private educational  
12 resources and programs,

13                  (3) the various programs established by Federal  
14 law providing family and social services and benefits  
15 for Indian families and children,

16                  (4) various programs and resources established by  
17 Federal law relating to youth employment, recreation,  
18 cultural, and community activities, and

19                  (5) tribal, State, and local, and private resources  
20 for programs similar to those cited in paragraphs (3)  
21 and (4),

22 to determine their applicability and relevance in carrying out  
23 the purposes of this subtitle.

24           (b) **PUBLICATION.**—The results of the review conducted  
25 under subsection (a) shall be provided to each Indian tribe as  
26 soon as possible for their consideration and use in the devel-

1 opment or modification of a Tribal Action Plan under section  
2 1106.

3 **SEC. 1111. INDIAN EDUCATION PROGRAMS.**

4 (a) **PILOT PROGRAMS.**—The Assistant Secretary of  
5 Indian Affairs shall develop and implement a pilot program in  
6 selected schools to determine the effectiveness of summer  
7 youth programs in furthering the purposes and goals of the  
8 Indian Alcohol and Substance Abuse Prevention and Treat-  
9 ment Act of 1986. For the pilot program there are authorized  
10 to be appropriated \$5,000,000 for each of the fiscal years  
11 1987, 1988, and 1989.”.

12 (b) **USE OF FUNDS.**—Federal financial assistance made  
13 available to public or private schools because of the enroll-  
14 ment of Indian children pursuant to—

15 (1) the Act of April 16, 1934, as amended by the  
16 Indian Education Assistance Act (25 U.S.C. 452 et  
17 seq.),

18 (2) the Indian Elementary and Secondary School  
19 Assistance Act (20 U.S.C. 241aa et seq.), and

20 (3) the Indian Education Act (20 U.S.C. 3385),  
21 may be used to support a program of instruction relating to  
22 alcohol and substance abuse prevention and treatment.

23 **SEC. 1112. NEWSLETTER.**

24 The Secretary of the Interior shall, not later than 120  
25 days after the date of the enactment of this subtitle, publish

1 an alcohol and substance abuse newsletter in cooperation  
2 with the Secretary of Health and Human Services and the  
3 Secretary of Education to report on Indian alcohol and sub-  
4 stance abuse projects and programs. The newsletter shall—

5 (1) be published once in each calendar quarter,

6 (2) include reviews of programs determined by the  
7 Secretary of the Interior to be exemplary and provide  
8 sufficient information to enable interested persons to  
9 obtain further information about such programs, and

10 (3) be circulated without charge to—

11 (A) schools,

12 (B) tribal offices,

13 (C) Bureau of Indian Affairs' agency and  
14 area offices,

15 (D) Indian Health Service area and service  
16 unit offices,

17 (E) Indian Health Service alcohol programs,  
18 and

19 (F) other entities providing alcohol and sub-  
20 stance abuse related services or resources to  
21 Indian people.

22 **SEC. 1113. EMERGENCY SHELTERS.**

23 (a) **IN GENERAL.**—A Tribal Action Plan adopted pursu-  
24 ant to section 1106 may make such provisions as may be  
25 necessary and practical for the establishment, funding, licens-



1 ing, and operation of emergency shelters or half-way houses  
2 for Indian youth who are alcohol or substance abusers, in-  
3 cluding youth who have been arrested for offenses directly or  
4 indirectly related to alcohol or substance abuse.

5 (b) REFERRALS.—

6 (1) In any case where an Indian youth is arrested  
7 or detained by the Bureau of Indian Affairs or tribal  
8 law enforcement personnel for an offense relating to al-  
9 cohol or substance abuse, other than for a status of-  
10 fense as defined by the Juvenile Justice and Delin-  
11 quency Prevention Act of 1974, under circumstances  
12 where such youth may not be immediately restored to  
13 the custody of his parents or guardians and where  
14 there is space available in an appropriately licensed  
15 and supervised emergency shelter or half-way house,  
16 such youth shall be referred to such facility in lieu of  
17 incarceration in a secured facility unless such youth is  
18 deemed a danger to himself or to other persons.

19 (2) In any case where there is a space available in  
20 an appropriately licensed and supervised emergency  
21 shelter or half-way house, the Bureau of Indian Affairs  
22 and tribal courts are encouraged to refer Indian youth  
23 convicted of offenses directly or indirectly related to al-  
24 cohol and substance abuse to such facilities in

1        lieu of sentencing to incarceration in a secured ju-  
2        venile facility.

3        (c) DIRECTION TO STATES.—In the case of any State  
4        that exercises criminal jurisdiction over any part of Indian  
5        country under section 1162 of title 18 of the United States  
6        Code or section 401 of the Act of April 11, 1968 (25 U.S.C.  
7        1321), such State is urged to require its law enforcement  
8        officers to—

9            (1) place any Indian youth arrested for any of-  
10        fense related to alcohol or substance abuse in a tempo-  
11        rary emergency shelter described in subsection (d) or a  
12        community-based alcohol or substance abuse treatment  
13        facility in lieu of incarceration to the extent such facili-  
14        ties are available, and

15            (2) observe the standards promulgated under sub-  
16        section (d).

17        (d) STANDARDS.—The Assistant Secretary of Indian  
18        Affairs shall, as part of the development of the Memorandum  
19        of Agreement set out in section 1105, promulgate standards  
20        by which the emergency shelters established under a program  
21        pursuant to subsection (a) shall be established and operate.

22        (e) HOUSING INVENTORY.—Upon the request of any  
23        Indian tribe, the Bureau of Indian Affairs shall include in its  
24        housing inventory for such tribe the lack of an emergency  
25        shelter or half-way house as an unmet housing need. The

1 construction or renovation of such a facility shall be consid-  
2 ered an eligible activity under the Bureau of Indian Affairs'  
3 Housing Improvement Program.

4 (f) FINANCIAL ASSISTANCE.—To assist Indian tribes in  
5 the construction, renovation, and operation of emergency  
6 shelters, half-way houses, or foster care homes to provide  
7 emergency care for Indian youth who are affected by alcohol  
8 and substance abuse there is authorized to be appropriated  
9 not to exceed \$10,000,000 for each of the fiscal years 1987,  
10 1988, and 1989. The Secretary of the Interior shall allocate  
11 funds appropriated pursuant to this subsection on the basis of  
12 priority of need of the various Indian tribes and such funds,  
13 when allocated, shall be subject to contracting pursuant to  
14 the Indian Self-Determination Act.

15 **SEC. 1114. SOCIAL SERVICES REPORTS.**

16 (a) DATA.—The Secretary of the Interior, with respect  
17 to the administration of any family or social services program  
18 by the Bureau of Indian Affairs directly or through contracts  
19 under the Indian Self-Determination Act, shall require the  
20 compilation of data relating to the number and types of child  
21 abuse and neglect cases seen and the type of assistance pro-  
22 vided. Additionally, such data should also be categorized to  
23 reflect those cases that involve, or appear to involve, alcohol  
24 and substance abuse, those cases which are recurring, and  
25 those cases which involve other minor siblings.



(b) REFERRAL OF DATA.—The data compiled pursuant to subsection (a) shall be provided annually to the affected Indian tribe and Tribal Coordinating Committee to assist them in developing or modifying a Tribal Action Plan and shall also be submitted to the Indian Health Service service unit director who will have responsibility for compiling a tribal comprehensive report as provided in section 1129.

8 (c) CONFIDENTIALITY.—In carrying out the require-  
9 ments of subsections (a) and (b), the Secretary shall insure  
10 that the data is compiled and reported in a manner which will  
11 preserve the confidentiality of the families and individuals.

12       **PART V.—LAW ENFORCEMENT AND JUDICIAL**  
13                       **SERVICES**

## 14 SEC. 1115. REVIEW OF PROGRAMS

(a) LAW ENFORCEMENT AND JUDICIAL SERVICES.—

In the development of the Memorandum of Agreement required by section 1105, the Secretary of the Interior and the Secretary of Health and Human Services, in cooperation with the Attorney General of the United States, shall review and consider—

21 (1) the various programs established by Federal  
22 law providing law enforcement or judicial services for  
23 Indian tribes, and

24 (2) tribal and State and local law enforcement and  
25 judicial programs and systems



1 to determine their applicability and relevance in carrying out  
2 the purposes of this subtitle.

3 (b) DISSEMINATION OF REVIEW.—The results of the  
4 review conducted pursuant to subsection (a) shall be made  
5 available to every Indian tribe as soon as possible for their  
6 consideration and use in the development and modification of  
7 a Tribal Action Plan.

## 8 PART VI—BUREAU OF INDIAN AFFAIRS LAW

### 9 ENFORCEMENT

#### 10 SEC. 1116. TRIBAL COURTS, SENTENCING AND FINES.

11 To enhance the ability of tribal governments to prevent  
12 and penalize the traffic of illegal narcotics on Indian reserva-  
13 tions, paragraph (7) of section 202 of the Act of April 11,  
14 1969 (25 U.S.C. 1302) is amended by striking out “for a  
15 term of six months and a fine of \$500, or both” and inserting  
16 in lieu thereof “for a term of one year and a fine of \$5,000,  
17 or both”.

#### 18 SEC. 1117. BUREAU OF INDIAN AFFAIRS LAW ENFORCEMENT 19 AND JUDICIAL TRAINING.

20 (a) IN GENERAL.—The Secretary of the Interior shall  
21 ensure, through the establishment of a new training program  
22 or through the supplement of existing training programs, that  
23 all Bureau of Indian Affairs and tribal law enforcement and  
24 judicial personnel shall have available training in the investi-  
25 gation and prosecution of offenses relating to illegal narcotics

1 and in alcohol and substance abuse prevention and treatment.  
2 Any training provided to Bureau of Indian Affairs and tribal  
3 law enforcement and judicial personnel as provided in subsec-  
4 tion (a) shall specifically include training in the problems of  
5 youth alcohol and substance abuse prevention and treatment.  
6 Such training shall be coordinated with the Indian Health  
7 Service in the carrying out of its responsibilities under section  
8 1127.

9 (b) AUTHORIZATION.—For the purpose of providing the  
10 training required by subsection (a), there are authorized to be  
11 appropriated not to exceed \$2,500,000 for each of the fiscal  
12 years 1987, 1988, and 1989.

13 **SEC. 1118. MEDICAL ASSESSMENT AND TREATMENT OF JUVE-**  
14 **NILE OFFENDERS.**

15 The Memorandum of Agreement entered into pursuant  
16 to section 1105 shall include a specific provision for the de-  
17 velopment and implementation at each Bureau of Indian  
18 Affair agency and Indian Health Service unit of a procedure  
19 for the emergency medical assessment and treatment of every  
20 Indian youth arrested or detained by Bureau of Indian Affairs  
21 or tribal law enforcement personnel for an offense relating to  
22 or involving alcohol or substance abuse. The medical assess-  
23 ment required by this subsection—

24 (1) shall be conducted to determine the mental or  
25 physical state of the individual assessed so that appro-

1        puate steps can be taken to protect the individual's  
2        health and well-being,

3            (2) shall occur as soon as possible after the arrest  
4        or detention of an Indian youth, and

5            (3) shall be provided by the Indian Health Serv-  
6        ice, either through its direct or contract health service.

7    **SEC. 1119. SOURCE ERADICATION.**

8            (a) **MARIJUANA ERADICATION.**—The Secretary of the  
9    Interior, in cooperation with appropriate Federal, tribal, and  
10   State and local law enforcement agencies, shall establish and  
11   implement a program for the eradication of marijuana culti-  
12   vation within Indian country as defined in section 1151 of  
13   title 18, United States Code. The Secretary shall establish a  
14   priority for the use of funds appropriated under subsection (b)  
15   for those Indian reservations where the scope of the problem  
16   is most critical and such funds shall be available for contract-  
17   ing by Indian tribes pursuant to the Indian Self-Determina-  
18   tion Act.

19            (b) **AUTHORIZATION**—To carry out subsection (a),  
20   there are authorized to be appropriated not to exceed  
21   \$1,500,000 for each of the fiscal years 1987, 1988, and  
22   1989.

23    **SEC. 1120. JUVENILE DETENTION CENTERS.**

24            (a) **PLAN.**—The Secretary of the Interior shall develop  
25   and implement a plan for the construction or renovation and



1 staffing of tribal juvenile detention and rehabilitation centers  
2 for Indian tribes. In the development of the plan and in the  
3 allocation of funds appropriated under subsection (b), the Sec-  
4 retary shall insure that the construction and operation of  
5 tribal juvenile detention centers shall be consistent with the  
6 Juvenile Justice and Delinquency Prevention Act of 1974.

7 (b) AUTHORIZATION.—For the purpose of subsection  
8 (a), there are authorized to be appropriated not to exceed  
9 \$24,000,000 for each of the fiscal years 1987, 1988, and  
10 1989.

11 SEC. 1121. MODEL INDIAN JUVENILE CODE.

12 The Secretary of the Interior, either directly or by con-  
13 tract, shall provide for the development of a Model Indian  
14 Juvenile Code which shall be consistent with the Juvenile  
15 Justice and Delinquency Prevention Act of 1974 and which  
16 shall include provisions relating to the disposition of cases  
17 involving Indian youth arrested or detained by Bureau of  
18 Indian Affairs or tribal law enforcement personnel for alcohol  
19 or drug related offenses. The development of such model code  
20 shall be accomplished in cooperation with Indian organiza-  
21 tions having an expertise or knowledge in the field of law  
22 enforcement and judicial procedure and in consultation with  
23 Indian tribes. Upon completion of the Model Code, the Secre-  
24 tary shall make copies available to each Indian tribe.



## 1 SEC. 1122. LAW ENFORCEMENT AND JUDICIAL REPORT.

## 2 (a) COMPILATION OF LAW ENFORCEMENT DATA.—

3 The Secretary of the Interior, with respect to the administra-  
4 tion of any law enforcement or judicial services program by  
5 the Bureau of Indian Affairs, either directly or through con-  
6 tracts under the Indian Self-Determination Act, shall require  
7 the compilation of data relating to calls and encounters, ar-  
8 rests and detentions, and disposition of cases by Bureau of  
9 Indian Affairs or tribal law enforcement or judicial personnel  
10 involving Indians where it is determined that alcohol or drug  
11 abuse is a contributing factor.

12 (b) REFERRAL OF DATA.—The data compiled pursuant  
13 to subsection (a) shall be provided annually to the affected  
14 Indian tribe and Tribal Coordinating Committee to assist  
15 them in developing or modifying a Tribal Action Plan and  
16 shall also be submitted to the Indian Health Service unit di-  
17 rector who will have the responsibility for compiling a tribal  
18 comprehensive report as provided in section 1129.

19 (c) CONFIDENTIALITY.—In carrying out this section,  
20 the Secretary shall insure that the data is compiled and re-  
21 ported in a manner which will preserve the confidentiality of  
22 the families and individuals involved.

1       **PART VII—INDIAN ALCOHOL AND SUBSTANCE**  
2       **ABUSE TREATMENT AND REHABILITATION**

3       **SEC. 1125. REVIEW OF PROGRAMS.**

4       (a) **IN GENERAL.**—In the development of the Memorandum of Agreement required by section 1105, the Secretary of the Interior and the Secretary of Health and Human Services shall review and consider—

8               (1) the various programs established by Federal law providing health services and benefits to Indian tribes, including those relating to mental health and alcohol and substance abuse prevention and treatment, and

13              (2) tribal, State and local, and private health resources and programs,

15              (3) where facilities to provide such treatment are or should be located, and

17              (4) the effectiveness of public and private alcohol and substance abuse treatment programs in operation on the date of the enactment of this subtitle,

20 to determine their applicability and relevance in carrying out the purposes of this subtitle.

22       (b) **DISSEMINATION.**—The results of the review conducted under subsection (a) shall be provided to every Indian tribe as soon as possible for their consideration and use in the development or modification of a Tribal Action Plan.

1 **SEC. 1126. INDIAN HEALTH SERVICE RESPONSIBILITIES.**

2 The Memorandum of Agreement entered into pursuant  
3 to section 1105 shall include specific provisions pursuant to  
4 which the Indian Health Service shall assume responsibility  
5 for—

6 (1) the determination for the scope of the problem  
7 of alcohol and substance abuse among Indian people,  
8 including the number of Indians within the jurisdiction  
9 of the Indian Health Service who are directly or indi-  
10 rectly affected by alcohol and substance abuse and the  
11 financial and human cost,

12 (2) an assessment of the existing and needed re-  
13 sources necessary for the prevention alcohol and sub-  
14 stance abuse and the treatment of Indians affected by  
15 alcohol and substance abuse, and

16 (3) an estimate of the funding necessary to ade-  
17 quately support a program of prevention alcohol and  
18 substance abuse and treatment of Indians affected by  
19 alcohol and substance abuse.

20 **SEC. 1127. ALCOHOL AND SUBSTANCE ABUSE TREATMENT.**

21 (a) **IN GENERAL.**—The Secretary of Health and  
22 Human Services, acting through the Indian Health Service,  
23 shall provide a program of comprehensive alcohol and sub-  
24 stance abuse prevention and treatment which shall include—

25 (1) prevention, through educational intervention,  
26 in Indian communities,



- 1 (2) acute detoxification and treatment,
- 2 (3) community-based rehabilitation, and
- 3 (4) community education and involvement, includ-
- 4 ing extensive training of health care, educational, and
- 5 community-based personnel.

6 The target population of such a program shall be the mem-  
7 bers of Indian tribes, with particular emphasis on Indian  
8 youth. Additionally, efforts to train and educate key members  
9 of the Indian community should target those who are in-  
10 volved in the provision of health, education, judicial, law en-  
11 forcement, legal, and social services to this population.

12 (b) DETOXIFICATION AND REHABILITATION.—The  
13 Secretary shall develop and implement a program for acute  
14 detoxification and treatment for Indian youth who are alcohol  
15 and substance abusers. The program shall include regional  
16 treatment centers designed to include detoxification and reha-  
17 bilitation for both sexes on a referral basis. These regional  
18 centers shall be integrated with the intake and rehabilitation  
19 programs based in the referring Indian community.

20 (c) CENTERS.—The Secretary, with funds appropriated  
21 under this subsection, shall begin the construction of eleven  
22 regional treatment centers serving the Indian tribes under  
23 the jurisdiction of the area offices of the Indian Health Serv-  
24 ice. For purposes of the preceding sentence, the area offices  
25 of the Indian Health Service in Tucson and Phoenix, Arizo-

1 na, shall be considered one area office. The regional treat-  
2 ment centers shall be appropriately staffed with health pro-  
3 fessionals, including psychologists, alcohol and substance  
4 abuse counselors, physical fitness professionals, nutritionists,  
5 physicians, nurses and administrative and support staff.  
6 There are authorized to be appropriated for the construction  
7 of the regional treatment centers not to exceed \$4,000,000.  
8 There are also authorized to be appropriated not to exceed  
9 \$8,250,000 for each of the fiscal years 1987, 1988, and 1989  
10 to provide staff for such centers.

11 (d) REHABILITATION AND FOLLOW-UP SERVICES.—

12 (1) The Secretary in cooperation with the Secre-  
13 tary of the Interior, shall develop and implement  
14 within each Indian Health Service service unit commu-  
15 nity-based rehabilitation and follow-up services for  
16 Indian youth who are alcohol or substance sbusers  
17 which are designed to integrate long-term treatment  
18 and to monitor and support the Indian youth after their  
19 return to their home community.

20 (2) Services under paragraph (1) shall be adminis-  
21 tered within each service unit by trained staff within  
22 the community who can assist the Indian youth in con-  
23 tinuing development of self-image, positive problem-  
24 solving skills, and nonalcohol or substance abusing be-  
25 haviors. Such staff shall include alcohol and substance

1 abuse counselors, mental health professionals, and  
2 other health professionals and para-professionals, in-  
3 cluding community health representatives.

4 (3) For the purpose of providing the services au-  
5 thorized by paragraph (1), there are authorized to be  
6 appropriated \$18,000,000 for each of the fiscal years  
7 1987, 1988, and 1989.

8 (e) COMMUNITY EDUCATION.—

9 (1) The Secretary, in cooperation with the Secre-  
10 tary of the Interior, shall develop and implement  
11 within each service unit a program of community edu-  
12 cation and involvement which shall be designed to pro-  
13 vide concise and timely information to the community  
14 leadership of each tribal community. Such program  
15 shall include training in alcohol and substance abuse to  
16 the critical core of each tribal community, including po-  
17 litical leaders, tribal judges, law enforcement person-  
18 nel, members of tribal and health and education boards,  
19 and other critical parties.

20 (2) For the purpose of implementing the program  
21 established by paragraph (1), there are authorized to be  
22 appropriated \$4,000,000 for fiscal year 1987,  
23 \$1,000,000 for fiscal year 1988, and \$500,000 for  
24 fiscal year 1989.

25 (f) TRAINING.—



1           (1) The Secretary shall require that existing  
2 health staff of the Indian Health Service, particularly  
3 those at the service unit level, shall receive the neces-  
4 sary training in alcohol and substance abuse to enable  
5 the Indian Health Service to address that problem in a  
6 coordinated manner with common approaches. In car-  
7 rying out that responsibility, the Secretary shall make  
8 available to community health representatives funded  
9 by the Indian Health Service additional training in pre-  
10 vention strategies that will support a school-based pro-  
11 gram, identify early symptoms of alcohol and substance  
12 abuse for early case-identification, and support strate-  
13 gies for maintenance of alcohol and substance-free life-  
14 styles, including fitness programs, nutritional aware-  
15 ness programs, recreational alternatives, and cultural  
16 activities.

17           (2) For the purpose of providing training under  
18 paragraph (1), there are authorized to be appropriated  
19 \$4,000,000 for fiscal year 1987, \$2,000,000 for fiscal  
20 year 1988, and \$500,000 for fiscal year 1989.

21           (g) PREVENTION.—

22           (1) The Secretary, in cooperation with the Secre-  
23 tary of the Interior, shall develop and implement a pro-  
24 gram of prevention of alcohol and substance abuse

1 among Indian youth through education intervention.

2 Such a program shall include—

3 (A) the training of counselors and supervisors  
4 employed in Head Start programs serving Indian  
5 tribes in methods to enhance the self-image of  
6 Indian children attending such Head Start pro-  
7 grams,

8 (B) the development and implementation of a  
9 program of instruction in alcohol and substance  
10 abuse in the curricula of Bureau of Indian Affairs'  
11 schools operated under contracts entered into pur-  
12 suant to the Indian Self-Determination Act, and

13 (C) the training of counselors, teachers, and  
14 other educational professionals in such schools in  
15 alcohol and substance abuse.

16 (2) For the purpose of carrying out—

17 (A) subparagraph (A) of paragraph (1), there  
18 are authorized to be appropriated \$1,000,000 for  
19 each of the fiscal years 1987, 1988, and 1989,

20 (B) subparagraph (B) of such paragraph,  
21 there are authorized to be appropriated  
22 \$1,000,000 for each of the fiscal years 1987,  
23 1988, and 1989, and

24 (C) subparagraph (C) of such paragraph,  
25 there are authorized to be appropriated

1           \$1,250,000 for each of the fiscal years 1987,  
2           1988, and 1989.

3           (h) FEDERALLY OWNED STRUCTURES.—

4           (1) The Secretary of Health and Human Services  
5           shall, acting through the Indian Health Service, iden-  
6           tify and use, wherever appropriate and consistent with  
7           the needs of an Indian tribe or tribal organization, ex-  
8           isting federally owned structures suitable as residential  
9           alcohol and substance abuse treatment centers for  
10          Indian youths.

11          (2) The Secretary of Health and Human Services  
12          shall, in consultation with professionals involved in the  
13          clinical treatment of alcohol and substance abuse  
14          among Indian youth, establish guidelines for determin-  
15          ing the suitability of any such federally owned struc-  
16          ture to be used as a residential alcohol and substance  
17          abuse treatment center. No clinically inappropriate or  
18          structurally unsound building shall be used as such a  
19          treatment center.

20          (3) Any structure described in paragraph (1) may  
21          be used under such terms and conditions as may be  
22          agreed upon by the Secretary of Health and Human  
23          Services and the agency having responsibility for the  
24          structure.



1           (4) The Secretary of Health and Human Services  
2           may, directly or by contract, renovate any facility de-  
3           scribed in paragraph (1). Any such renovation shall  
4           conform with—

5                   (A) such terms and conditions as have been  
6                   agreed upon under paragraph (3), and

7                   (B) such clinical requirements for alcohol and  
8                   substance abuse treatment centers as are deter-  
9                   mined to be appropriate by alcohol and substance  
10                  abuse treatment professionals.

11           (5) There are authorized to be appropriated  
12           such sums as may be necessary to carry out para-  
13           graphs (1) through (4).

14   **SEC. 1128. NAVAJO ALCOHOL REHABILITATION DEMONSTRA-**  
15                   **TION PROGRAM.**

16           (a) **DEMONSTRATION PROGRAM.**—The Secretary of  
17   Health and Human Services shall make grants to the Navajo  
18   tribe to establish a demonstration program in the city of  
19   Gallup, New Mexico, to rehabilitate adult Navajo Indians  
20   suffering from alcoholism or alcohol abuse.

21           (b) **EVALUATION AND REPORT.**—The Secretary, acting  
22   through the National Institute on Alcohol Abuse and Alco-  
23   holism, shall evaluate the program established under subsec-  
24   tion (a) and submit a report on such evaluation to the appro-  
25   priate Committees of Congress by January 1, 1990.

1 (c) AUTHORIZATION.—There are authorized to be ap-  
2 propriated for the purposes of grants under subsection (a)  
3 \$400,000 for each of the fiscal years 1988, 1989, and 1990.  
4 Not more than 10 percent of the funds appropriated for any  
5 fiscal year may be used for administrative purposes.

6 SEC. 1129. INDIAN HEALTH SERVICE REPORTS.

7 (a) COMPILATION OF DATA.—The Secretary of Health  
8 and Human Services, with respect to the administration of  
9 any health program by an Indian Health Service service unit,  
10 directly or through contract, including a contract under the  
11 Indian Self-Determination Act, shall require the compilation  
12 of data relating to the number of cases or incidents which any  
13 of the Indian Health Service personnel or services were in-  
14 volved and which were related, either directly or indirectly,  
15 to alcohol or substance abuse. Such report shall include the  
16 type of assistance provided and the disposition of these cases.

17 (b) REFERRAL OF DATA.—The data compiled under  
18 subsection (a) shall be provided annually to the affected  
19 Indian tribe and Tribal Coordinating Committee to assist  
20 them in developing or modifying a Tribal Action Plan.

21 (c) COMPREHENSIVE REPORT.—Each Indian Health  
22 Service service unit director shall be responsible for assem-  
23 bling the data compiled under this section and sections 1114  
24 and 1122 into an annual tribal comprehensive report which  
25 shall be provided to the affected tribe and to the Director of

1 the Indian Health Service who shall develop and publish a  
2 biennial national report on such tribal comprehensive reports.

3       **Subtitle B—National Park Service**  
4                               **Program**

5       SEC. 1131. NATIONAL PARK POLICE. AUTHORIZATION.

6           In order to improve Federal law enforcement activities  
7 relating to the use of narcotics and prohibited substances in  
8 national park system units there are made available to the  
9 Secretary of the Interior, in addition to sums made available  
10 under other authority of law, \$1,000,000 for the fiscal year  
11 1987, and for each fiscal year thereafter, to be used for the  
12 employment and training of additional Park Police, for equip-  
13 ment and facilities to be used by Park Police, and for ex-  
14 penses related to such employment, training, equipment, and  
15 facilities.

16       **Subtitle C—Programs in United States**  
17                               **Insular Areas**

18       SEC. 1141. ANNUAL REPORTS TO CONGRESS.

19           The President shall report annually to the Congress as  
20 to—

21                   (1) the efforts of the Customs Service and other  
22       Federal agencies to prevent the illegal entry into the  
23       United States of controlled substances from the insular  
24       areas of the United States outside the customs territory



1 of the United States and states freely associated with  
2 the United States;

3 (2) the adequacy of arrangements with states  
4 freely associated with the United States to prevent the  
5 illegal entry of controlled substances into the United  
6 States and its territories and commonwealths; and

7 (3) the efforts of Federal law enforcement agen-  
8 cies to prevent the illegal entry from other nations, in-  
9 cluding states freely associated with the United States,  
10 of controlled substances into the United States territo-  
11 ries and commonwealths from other nations for con-  
12 sumption in the territories and commonwealths or for  
13 transshipment to the United States.

14 **SEC. 1142. ENFORCEMENT AND ADMINISTRATION IN INSULAR**  
15 **AREAS.**

16 (a) **AMERICAN SAMOA.**—(1) With the approval of the  
17 Attorney General of the United States or his designee, law  
18 enforcement officers of the Government of American Samoa  
19 are authorized to—

20 (A) execute and serve warrants, subpoenas, and  
21 summons issued under the authority of the United  
22 States;

23 (B) make arrests without warrant; and

24 (C) make seizures of property to carry out the  
25 purposes of this Act, the Controlled Substances Import

1 and Export Act (21 U.S.C. 951-970), and any other  
2 narcotics laws of the United States.

3 (2) The Attorney General of the United States is au-  
4 thorized to—

5 (A) train law enforcement officers of the Govern-  
6 ment of American Samoa, and

7 (B) provide by purchase or lease law enforcement  
8 equipment, including aircraft and high-speed vessels,  
9 and technical assistance to the Government of Ameri-  
10 can Samoa to carry out the purposes of this subtitle.

11 (3) There are authorized to be appropriated such sums  
12 as may be necessary to carry out the purposes of this subsec-  
13 tion, to remain available until expended.

14 (b) GUAM.—(1)(A) The Drug Enforcement Agency and  
15 the Federal Bureau of Investigation should each assign no  
16 less than 2 narcotics enforcement agents to Guam.

17 (B) The Coast Guard should assign and maintain at  
18 least 4 patrol vessels in Guam and the Northern Mariana  
19 Islands at all times.

20 (2) The Customs Service and the Postal Service should  
21 assign officers to work in conjunction with the personnel as-  
22 signed to Guam pursuant to paragraph (1) and other narcot-  
23 ics enforcement agents in Guam.

24 (c) THE NORTHERN MARIANA ISLANDS.—(1) With the  
25 approval of the Attorney General of the United States or his

1 designee, law enforcement officers of the Government of the  
2 Northern Mariana Islands are authorized to—

3 (A) execute and serve warrants, subpoenas, and  
4 summons issued under the authority of the United  
5 States;

6 (B) make arrests without warrant; and

7 (C) make seizures of property to carry out the  
8 purposes of this Act, the Controlled Substances Import  
9 and Export Act (21 U.S.C. 951–970), and any other  
10 narcotics laws of the United States.

11 (2) The Attorney General of the United States is au-  
12 thorized to—

13 (A) train law enforcement officers of the Govern-  
14 ment of American Samoa, and

15 (B) provide by purchase or lease law enforcement  
16 equipment, including aircraft and high-speed vessels,  
17 and technical assistance to the Government of the  
18 Northern Mariana Islands to carry out the purposes of  
19 this subtitle.

20 (3) There are authorized to be appropriated such sums  
21 as may be necessary to carry out the purposes of this subsec-  
22 tion, to remain available until expended.

23 (4) Federal personnel and equipment assigned to Guam  
24 pursuant to subsection (b) of this section shall also be avail-



1 able to carry out the purposes of this subtitle in the Northern  
2 Mariana Islands.

3 (d) PUERTO RICO.—(1) There are authorized to be ap-  
4 propriated for grants to the Government of Puerto Rico—

5 (A) \$3,300,000 for the purchase of 2 helicopters;

6 (B) \$3,500,000 for the purchase of an aircraft;

7 and

8 (C) \$1,000,000 for the purchase and maintenance  
9 of 5 high-speed vessels.

10 (2) The Drug Enforcement Administration should assign  
11 and maintain no less than 26 agents in Puerto Rico.

12 (3) The Federal Bureau of Investigation should assign  
13 and maintain no less than 96 agents in Puerto Rico.

14 (4) The Customs Service should assign and maintain no  
15 less than 25 agents in Puerto Rico.

16 (5) Equipment provided to the Government of Puerto  
17 Rico pursuant to paragraph (1) of this subsection shall be  
18 made available upon request to the Federal agencies involved  
19 in drug interdiction in Puerto Rico.

20 (e) THE VIRGIN ISLANDS.—(1) There are authorized to  
21 be appropriated for grants to the Government of the Virgin  
22 Islands—

23 (A) \$3,000,000 for 2 patrol vessels, tracking  
24 equipment, supplies, and agents, and

1 (B) \$1,000,000 for programs to prevent narcotics  
2 abuse, such sums to remain available until expended.

3 (2) The Drug Enforcement Agency and the Federal  
4 Bureau of Investigation should assign no less than 2 narcot-  
5 ics enforcement agents to the United States Virgin Islands.

6 (3) The Customs Service and the Postal Service should  
7 assign officers to work in conjunction with the personnel as-  
8 signed pursuant to subsection (b) and other narcotics enforce-  
9 ment agents in the United States Virgin Islands.

10 (4) The United States Coast Guard should assign and  
11 maintain at least one patrol vessel to St. Thomas and St.  
12 John and 1 patrol vessel to St. Croix, Virgin Islands, at all  
13 times.

## 14 TITLE XII—COMMITTEE ON 15 GOVERNMENT OPERATIONS

### 16 SECTION 1201. FINDINGS.

17 The Congress finds that—

18 (1) the Federal Government's response to drug  
19 trafficking and drug abuse is divided among several  
20 dozen agencies and bureaus of the Government, rang-  
21 ing from the Department of Defense to the Department  
22 of Health and Human Services;

23 (2) numerous recent congressional hearings and  
24 reports, reports by the Comptroller General, and stud-  
25 ies by Executive branch agencies have documented the

1 waste and inefficiency caused by this division of re-  
2 sponsibilities;

3 (3) interagency competition for credit and budget  
4 dollars imposes critical obstacles to efficient application  
5 of national resources in combating drug trafficking and  
6 drug abuse; and

7 (4) successfully combating such trafficking and  
8 drug abuse requires coherent planning that includes in-  
9 telligent organization and operations of Executive  
10 branch agencies.

11 SEC. 1202. SUBMISSION OF LEGISLATION.

12 Not later than 6 months after the date of enactment of  
13 this title, the President shall submit to each House of Con-  
14 gress recommendations for legislation to reorganize the Ex-  
15 ecutive branch of the Government to more effectively combat  
16 international drug traffic and drug abuse. In the preparation  
17 of such recommendations, the President shall consult with  
18 the Comptroller General, State and local law enforcement  
19 authorities, relevant committees of the Congress, and the At-  
20 torney General and the Secretaries of State, the Treasury,  
21 Transportation, Health and Human Services, Defense, and  
22 Education.

○