

Ronald Reagan Presidential Library
Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Sprinkel, Beryl W.: Files
Folder Title: 07/22/1986 (2:00 pm) Roosevelt
Room - DPC Meeting re: Drug Abuse Policy
Box: OA 17746

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

Note 7/29/86
Booklet on Employee Drug
Screening by U.S. Dept
of Health & Human Services
loaned to Arlene Holen. AMW



Office of the Director

UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, D.C. 20415

July 18, 1986

MEMORANDUM FOR: EDWIN MEESE III
ATTORNEY GENERAL

FROM: CONSTANCE HORNER
DIRECTOR *Constance Horner*

SUBJECT: OPM DISCUSSION PAPER
ON SUBSTANCE DRUG POLICY

A General Approach to Policy

The operating principle in a new Federal substance abuse policy has been well articulated in the Organized Crime Commission's report. Policies should be framed that express the "utter unacceptability" of illegal drug use in the Federal workplace.

The principle of "utter unacceptability" can be operationalized a variety of ways beyond "suitable" testing for certain types of high-risk jobs: rehabilitation, education, illegal drug use prevention programs, employee assistance programs, public relations, revised security and suitability inquiries and the invocation of adverse action procedures for illegal drug users.

Any Federal substance abuse policy must be grounded in the distinction between Federal applicants and Federal employees. In pursuing a goal of a safe, healthful, drug-free workplace, we should seek to prevent the entry of users of illegal narcotics into the Federal workforce while simultaneously continuing a rehabilitational program for on-board employees. But, if on-board employees who use drugs illegally, test "positive" a second time, resist rehabilitation, or otherwise undermine the efficiency of the service, adverse action should be invoked, including dismissal.

There are no uniform, Governmentwide policies and standards encompassing various measures, such as drug testing, to exclude drug abusers from the Federal workplace. There is no systematic and uniform program of screening applicants for certain types of jobs Governmentwide, nor for testing employees in those areas. There is a Governmentwide policy geared toward rehabilitating drug and alcohol abusers once they are found in the workplace.

The following specific proposals are tentative, submitted for deliberation and further discussion and appropriate refinement. They are an attempt to provide a program of narcotics prevention, in consonance with the "utter unacceptability" criteria, as well as a program of rehabilitation.

Suggested OPM Proposals

Recommendation No. 1: Propose Legislative changes to make current illegal drug use an absolute disqualifier for entry into Federal employment and a basis for termination, regardless of a claimed "handicapping" condition or effect on job performance. First, add a new section to Title V: "Notwithstanding any other provision of law, an individual who uses illegal narcotics or drugs without a prescription may not be employed in the competitive service." Second, amend the Rehabilitation Act to exclude illegal drug users as a category to be included among those who are deemed to be "handicapped" and strike the nexus between job performance and illegal drug usage.

Rationale: The President's Commission proposes the issuance of policy guidance that would communicate the "utter unacceptability" of illegal drug use in the workplace. At the same time, Federal law forbids the deprivation of Federal employment to any person solely on the grounds of prior drug abuse. The object of current law is rehabilitative. While the rehabilitative spirit of current law is laudable, the public has a right to expect not only the highest level of performance and productivity on the part of Federal applicants, but also their devotion to the laws of the country.

While there is no requirement to hire current drug abusers, and they are normally excluded under OPM "suitability" criteria, such applicants and employees can claim to be handicapped and come under the protective language of the Rehabilitation Act. It then becomes the taxpayers' duty to accommodate a disabling condition brought on by an illegal personal vice. The Federal government is forbidden to discriminate against the handicapped in hiring.

OPM should seek the removal of the "handicapped" protection from illegal drug users because such use is, after all, illegal and, moreover, it is a voluntary act. Those who persistently and voluntarily engage in illegal acts should not be permitted to enter or remain in the Federal workforce. They should be permitted re-entry only after demonstrated rehabilitation. Because of the legal status of alcohol consumption, the traditional nexus between alcoholism or alcohol abuse and performance criteria and its designation as a "handicapping condition" would be retained.

Section 7352 of Title V declares: "An individual who habitually uses intoxicating beverages to excess may not be employed in the competitive service." The same bar to employment should be imposed on drug abuse, with a clarification that current illegal drug use will not be considered a "handicapping condition" nor an absolute bar to future

Federal employment. The enactment of such provisions will send a strong, clear message to the general public that drug abuse and Federal employment are incompatible.

Recommendation No.2: Inquire into Applicants' Past and Current Illicit Drug Usage on the SF-85 and SF-86, the Standard Suitability and Security Forms, as a means of deterring the hiring of current illegal drug users and providing appropriate information regarding past use for evaluation for security clearance.

Rationale: Just as with the habitual or excessive use of alcohol, the illegal use of narcotics, drugs or other controlled substances is potentially disqualifying for Federal employment under 5 CFR 731.202(b)(6). Despite the fact that illegal drug use is a major national problem, costing approximately \$100 billion in lost productivity each year, OPM currently does not even require a written response about the use of illicit narcotics among Federal applicants. As a first step in the prevention of the use of illicit narcotics in the Federal workplace, OPM should inquire into past, recent and current drug use or alcohol abuse on the part of applicants for Federal positions, on the SF-85 and the SF-86, i.e., forms for both sensitive and non-sensitive positions.

The questions can serve several purposes for Federal investigators and examiners in determining general fitness or access to classified

In OPM's draft revision of its SF-85 (Personnel Investigations Questionnaire for non-sensitive positions), the following questions are proposed:

Suitability Form

SF-85

Your Involvement with Alcohol and Dangerous
or Illegal Drugs, Including Marijuana

This item concerns the abuse of alcoholic beverages and the supplying or using without a prescription of marijuana, hashish, narcotics (opium, morphine, codeine, heroin, etc.), stimulants (cocaine, amphetamines, etc.), depressants (barbiturates, methaqualone, tranquilizers, etc.), or other dangerous or illegal drugs.

A. At any time in the past 5 years, have you used alcoholic beverages habitually and to excess? Yes No.

B. In the past 5 years, have you used marijuana, narcotics, hallucinogens, or other dangerous or illegal drugs?

Yes No.

C. Have you ever been a supplier or seller of marijuana, narcotics, hallucinogens, or other dangerous or illegal drugs?

_____ Yes _____ No.

D. Are you currently (within the last 3 months) using alcohol in excess or using illegal drugs, including marijuana?

_____ Yes _____ No.

If you answered yes to any of Questions A - D above, provide details including the periods of use and treatment.

Explanation (in your comments be sure to include a statement of the frequency of your use and efforts toward rehabilitation, if any, including the name,

	Type of	address, and zip code, of person
From	To	substance or institution providing
<u>mo/yr</u>	<u>mo/yr</u>	<u>used</u> <u>treatment</u>

information. First, the Executive publicly charged with the faithful execution of the laws is entitled to services of those who privately obey the laws, including the Controlled Substances Act. A Federal position is one of public trust, not private right. This principle applies to both sensitive and non-sensitive jobs. Second, the inquiries are narrowly focused to elicit recency and frequency of illegal narcotics usage. The questions are designed to segregate current from more recent drug abusers, and, in turn, from those who, in the past, have enjoyed only a casual experimentation with illicit drugs. Such focused questions will also be of direct benefit to agency adjudicators making final employment decisions by giving them more detailed information on illicit drug use on a case-by-case basis. Third, with such narrowly focused questions, eliciting recency and frequency, OPM can expect to get a higher rate of positive responses. This can broaden the base for further inquiry. If the questions are answered affirmatively, they may be disqualifying. (It is not necessarily disqualifying.) It is a matter left to adjudication. If it is answered falsely and the applicant is hired under false pretences, it is grounds for dismissal. In that respect, the initial inquiry can serve as a front line deterrent to illegal drug using applicants. It can be first step toward prevention.

In OPM's draft revision of its SF-86 (Personnel Investigations Questionnaire for Sensitive Positions), the following questions are proposed:

Security Form

SF-86

Your Involvement with Alcohol and Dangerous
or Illegal Drugs, Including Marijuana

This item concerns the abuse of alcoholic beverages and the supplying or using without a prescription of marijuana, hashish, narcotics (opium, morphine, codeine, heroin, etc.), stimulants (cocaine, amphetamines, etc.), depressants (barbiturates, methaqualone, tranquilizers, etc.), or other dangerous or illegal drugs.

A. Have you ever used alcoholic beverages habitually and to excess?

_____ Yes _____ No.

B. Have you ever used marijuana, narcotics, hallucinogens, or other dangerous or illegal drugs?

_____ Yes _____ No.

C. Have you ever been a supplier or seller of marijuana, narcotics, hallucinogens, or other dangerous or illegal drugs?

_____ Yes _____ No.

D. Are you currently (within the last 3 months) using alcohol in excess or using illegal drugs?

_____ Yes _____ No.

If you answered yes to any of Questions A - D above, provide details including the periods of use and treatment, if any.

		Type of	Explanation (in your comments
		substance	be sure to include a statement
		used	of the frequency of your use
			and efforts toward rehabilita-
			tion, if any, including the
			name, address, and zip code,
From	To	of person or institution	
<u>mo/yr</u>	<u>mo/yr</u>	<u>used</u>	<u>providing treatment</u>

Because the questions are directed at applicants rather than employees, there is no perceived "negative" implication for the Federal workforce nor even a suggestion of widespread drug usage on the part of the workforce. It may be strongly supported by Federal employee organizations. It is likely to gain widespread support in Congress, particularly among members who serve on committees having jurisdiction over illegal narcotics.

Recommendation No. 3: Issue Federal Personnel Manual Guidance on the use of Drug Screening

Rationale: Certain agencies are already adopting or considering the use of drug tests as a condition for the receipt of clearances for critical or sensitive jobs. OPM can and should set forth some guidelines for the use of drug tests for personnel security reasons. Governmentwide guidance should continue to allow agency-head discretion and should indicate that national security, law enforcement, and health and safety-related positions would be likely candidates for drug testing before and during employment. The provision of security clearances is another case for serious consideration of testing, including those with access to classified information or classified facilities or materials, especially nuclear facilities and materials. In this case, guidance would remove security-related testing from the arena of labor negotiability.

- Recommend the use of corroborative, alternative tests in any case where an employee tests "positive" and establish minimal

reliability and quality control standards to enhance the protection of employees subject to any such tests. The main idea here is to prevent the use of any "positive" reading of a test for drugs or alcohol disqualification without strong confirmation. OPM's staffing experts have already developed language to ensure such confirmatory standards; including separate urinalysis or blood testing by a reputable laboratory; clinical examination by a physician; or admission by the individual. The language can later be issued as binding regulations.

Recommendation No. 4: Change Adverse Action Regulations to Mandate Termination for a Second Instance of Illegal Drug Use.

Rational: The proposal here is to specify at the conclusion of a one-time "opportunity period" for general rehabilitation, that a first instance of illegal drug use is grounds for referral to rehabilitation or confidential counseling. The second instance of illegal drug use, or being under the influence of an illegal narcotic at the Federal worksite, is to result in a mandatory dismissal from the Federal civil service. The exception to this rule would be, of course, the Agency Head's legal discretion to terminate on the basis of national security in the case of a single instance of illegal drug use. The General Rule: "Two strikes and you're out."

Recommendation No. 5: Proclaim an opportunity period for the rehabilitation of on-board employees who are using illegal drugs.

The Director, OPM, would issue a governmentwide "Employee Letter" outlining the Administration's policy of "zero tolerance" for the illegal use of drugs by Federal employees. The letter would contain an appeal to any employee who is an illegal drug user to seek help during a period of six months from the date of the letter's issuance.

The letter would:

1. Re-emphasize the role and value of employee assistance programs and their availability.
2. Make an appeal to all of those who need confidential counseling to seek it.
3. State that during the six month period, there would be no change in Federal personnel policy, but that at the end of that six months changes in policy would be expected, with a view toward mandating termination of any employees who use illegal drugs.

4. Announce:

(a) A Drug Hotline: The establishment of an OPM Drug/Alcohol "Help Hotline" for Federal employees who have a problem and need confidential professional help. The "Hotline" can be part of the governmentwide OPM Employee Assistance Program.

(b) Drug Education: A continuing Drug and Alcohol Awareness Program; the use of several hard-hitting film strips, educational materials to explain the costs and consequences of drug and alcohol abuse to Federal employees.

Recommendation No. 6: Initiate Immediate Discussion between OPM and OMB and the White House on the Feasibility of Upgraded or Increased Coverage for Alcohol and Drug Related Medical Programs in the Federal Employees Health Benefits.

Rationale: During the 1981 FEHB crisis, when OPM ordered across-the-board benefit reductions, medical benefits covering alcohol and drug abuse were included in those reductions. OPM, as a matter of policy, has nevertheless regularly pressed for the inclusion of alcohol and drug-related medical coverage as part of an overall FEHB benefit package. It has paid dividends. A national study of 3000 persons treated for alcoholism among FEHB enrollees in the Aetna plan, conducted

by NIAAA, found that over a three-year time frame (1980-83) there was a net savings to the program; and the savings increased with time. ("Alcohol and Drugs in the Workplace," ENA Special Report, 1985).

In conjunction with other near-term measures, OPM may want to encourage upgraded coverage for drug and alcohol-related medical problems during this year's negotiation with carriers, consistent with market conditions and the need for a balanced benefits package for Federal employees.

Recommendation No. 7: OPM Should Upgrade and Re-emphasize the Availability of Governmentwide Employee Assistance Programs.

Rationale: In the near term, OPM can perform a valuable service in upgrading and re-emphasizing the role of Employee Assistance Programs as part of any comprehensive Administration anti-drug effort. This can be done through the issuance of a new FPM guidance; a Governmentwide "employee letter" from the Director of OPM, to advise employees of agencies' confidential counseling services, could also be issued. Any employee having such problems can obtain confidential help and return to productive work. A renewed effort on the "rehabilitative" role of OPM to curtail illegal drug use and alcohol abuse would pay bountiful dividends both psychologically and materially.

In the private sector, employee assistance programs have proven to be a valuable resource in combatting illegal drug use, and they are growing.

Approximately 30 percent of the Fortune 500 firms have established EAP's. Their purpose is to get rid of the problem, not the employee. This is a positive, constructive and humane way to deal with "on-the-job" drug and alcohol abusers. Beyond that, EAP's are cost-effective. It is less costly to retain an otherwise good and well-trained employee through an "employee assistance program," than to incur again the initial cost of hiring and training a new employee. Moreover, an effective EAP program will reduce absenteeism, and early referrals to EAP's can have a positive impact on health insurance premiums.

Recommendation No. 8: OPM and the White House Should Initiate an Aggressive Public Relations Campaign Focusing on the Incompatibility of Illicit Drug Use and Federal Employment.

Rationale: A public relations campaign focused on the incompatibility of illicit drug use and application for Federal employment could be very effective. OPM could explore incorporating such a campaign into a broad-based recruiting program. The theme can be simple and direct: "If you are using drugs, get off drugs and get help before you join us." Peer pressure, especially among the young, is a contributing factor in illicit drug use. Making it clear that one's future employment is contingent upon conformity to the law creates an effective counter to peer pressure. An effective public relations campaign conducted by OPM, in cooperation with HHS or the White House, could very well serve the

President in communicating to the public "the utter unacceptability" of drug use in the Federal workplace. Such an effort would also contribute to the cultural delegitimization of illicit drug use.

Recommendation No. 9: OPM Should Issue Regulations Requiring Referral of a Drug or Alcohol Disqualified Applicant for Counseling and Rehabilitation before Reconsideration of the Applicant.

Rationale: Under Section 3301 of Title V, the President has the plenary authority to proscribe rules and regulations for entry into the Civil Service.

OPM can require agency referral of a drug or alcohol disqualified applicant for counseling and rehabilitation and allow, after an appropriate period of time, reapplication to the Federal service only after written certification from a reputable rehabilitation service that the applicant has been successfully rehabilitated. This can be done at no cost to the government.

Recommendation No. 10:

OPM Should Initiate the Collection of Governmentwide "productivity" Data Correlated with a Qualitative and Quantitative Evaluation of the Effectiveness of Agency Employee Assistance Programs.

Rationale: Though there is no evidence of widespread illegal drug usage in the Federal workforce, available evidence does suggest that the

Federal workplace is not free of problems of alcohol addiction that affect the general society. What is needed is a strong data base to give us some idea of how well we are doing in the war against substance abuse. This data could include indices such as accidents on the job, absenteeism (particularly on Mondays) and sick leave usage. Much of the data is already collected in agencies, but the relationship of the data to alcohol or drug related problems is unclear.

Recommendation No. 11: In Consultation with HHS, OPM Should Issue Regulations Setting Forth Quality Control Standards Governing the use of any Biological Testing of Federal Employees.

Rationale: Drug testing has been a growing practice in private industry for the past two and one half years and it is growing among government agencies. Technology is evolving, but the most common method is urinalysis. Chemical reactions can reveal the presence of various narcotics or drugs, including cocaine, barbituates, amphetamines, marijuana, qualudes, PCP, and alcohol.

The major impact of the Civil Service Reform Act was the decentralization of the Federal management system. The determination as to whether such testing is appropriate and as to what class of employees should be subjected to testing should remain with the agency head.

Agencies, thus far, have been prudent in their approach to drug testing. They have identified categories of critical or sensitive jobs where

testing is appropriate in order to safeguard the safety and security of the public. They have tended to focus on the nature of a position, its performance requirements or the mission of the agency. Few can quarrel with testing for such occupations as Air Traffic Controllers, Firefighters, Pilots, Law Enforcement Officers, Health and Safety Inspectors, and employees at nuclear facilities.

However, every employee who is subject to a test of this sort has the right to the highest degree of accuracy that is humanly possible. Even in the best programs, there is the possibility of error. OPM should set forth regulations, after consultation with the Department of Health and Human Services and the National Institute for Drug Abuse, to ensure high standards for "positive" tests, the confirmation of "positive" results, standards for claim of custody of test specimens, and a high degree of quality control in the testing process.

1. Cost-benefit os

~~2. There~~

2. Then package

3. Then Pres.

Bill Brock

1. Need strategy after C/B os .

2. Communication

3. FR

Messe

1. Move \rightarrow Use options

Darmen

1. Paper on incidents & changes over time.

Messe

1. Trace changes in PC
Gulf of America &
of all time.

Brock

1. os of component parts & os
as \rightarrow 1

Revised

Talking Points for BWS on Drug Abuse Policy
Domestic Policy Council Meeting
July 22, 1986

- o Reduction of drug abuse is one of the Administration's top priorities.
- o Any initiative, whether it applies to places of work or schools, should be sensitive to costs and freedom to make decisions with minimum Federal intervention.
- o The Federal government's role is to
 - enforce the law and support preventive activities
 - encourage employers and schools to take action
 - provide information and technical assistance.
- o Drug control in the workplace should be resolved by market forces, not Federal mandates.
- o Reduction of drug use benefits employers. Many companies have voluntarily instituted drug control programs to
 - increase productivity
 - increase safety
- o But the benefits vary across employers, as do the costs
 - for example, IBM and TWA have more to gain from drug control than MacDonalds
 - their labor turnover is lower
 - their production and safety will be improved more
- o Employers can also make better choices among drug-control activities than the government can, depending on their individual situations
 - for example, the costs and benefits of screening new hires may vary relative to programs of drug education or employee testing.
- o Federal Defense contractors may present special security problems but otherwise they should be treated like other employers.
 - sensible drug programs will reduce costs and improve output of successful bidders.

THE WHITE HOUSE

WASHINGTON

July 14, 1986

MEMORANDUM FOR THE DOMESTIC POLICY COUNCIL

FROM:

RALPH C. BLEDSOE
Executive Secretary



SUBJECT:

Meeting on July 15, 1986

Attached are an agenda and materials for the Domestic Policy Council meeting scheduled for Tuesday, July 15, 1986 at 2:00 p.m. in the Roosevelt Room. The sole agenda item is drug abuse policy.

The meeting will include a presentation by the Drug Abuse Policy Office, and discussion of policy options and issues pertaining to communication, education, health, safety/productivity and law enforcement support in the drug abuse field. A paper describing the options and issues is attached.

This will be an important meeting as it will address several major proposals related to our current extensive drug abuse efforts.

attachment

THE WHITE HOUSE
WASHINGTON

DOMESTIC POLICY COUNCIL

Tuesday, July 15, 1986

2:00 p.m.

Roosevelt Room

AGENDA

1. Drug Abuse Policy -- Carlton Turner
Deputy Assistant to the President
for Drug Abuse Policy
Office of Policy Development

THE WHITE HOUSE

WASHINGTON

July 14, 1986

MEMORANDUM FOR THE DOMESTIC POLICY COUNCIL

FROM: CARLTON E. TURNER

SUBJECT: Drug Abuse Policy Opportunities

Issue -- To determine the next major steps in the President's campaign to achieve a drug-free Nation. *(String rhetoric. Suggests high-cost effort, low prospect of success.)*

Background -- The situation in 1981 was not promising. During the previous two decades, the use of illegal drugs in the United States spread into every segment of our society. The public lacked accurate information about the hazards of some of the most widely used drugs, and government efforts to combat the use of illicit drugs lacked credibility. National programs were directed at a single drug -- heroin -- and on one strategy -- supply reduction. The ~~result~~ confusion surrounding drug abuse weakened our resolve to stop illegal drugs coming from overseas. The U.S. became a major drug producing country. Drug trafficking ~~and~~ organized crime became the Nation's number one crime problem; and use of illegal drugs expanded, especially among our young people. There was a feeling of inevitability regarding illegal drugs and uncertainty over what was the right thing to do.

The President's Strategy: Early in his Administration, President Reagan launched a major campaign against drug abuse. The objectives were to improve drug law enforcement, strengthen international cooperation, expand drug abuse health functions as a private sector activity, reduce drug abuse in the military, and create a nationwide drug abuse awareness effort to strengthen public attitudes against drugs, ~~and get everyone involved.~~ His strategy was published to provide a blueprint for action.

National Leadership: President and Mrs. Reagan have led the Nation and the world in setting the right direction and encouraging both government and the private sector to join in stopping drug abuse. The Vice President is coordinating the complex functions of interdicting drugs at our borders. The Attorney General has taken charge of coordinating the overall drug law enforcement policy and activities.

The Federal Role: *(Information and technical assistance)* The Federal role is to provide national leadership, working as a catalyst in encouraging private sector and local efforts, and to pursue those drug abuse functions which lie beyond the jurisdictions and capabilities of the individual states. Federal drug programs have been oriented to meet specific regional needs. Initiatives emphasize coordination and cooperation among officials at all levels of government, ~~and use of government resources as a catalyst for grassroots action.~~ *[repeats]*

The Umbrella of Effective Enforcement: The strong law enforcement effort, including vigorous action against drug production and processing laboratories in source countries, has increased public awareness of the drug abuse problem. Eradication programs and military support have been added to the fight. The Federal budget for drug law enforcement has expanded from \$700 million to \$1.8 billion annually.

reduced the supply of drugs and

The Growth of Private Sector Efforts: Due largely to Mrs. Reagan's leadership and dedication to the youth of America and the world, private sector drug abuse awareness and prevention programs have increased significantly over the past five years. The number of parent groups has grown from 1,000 to 9,000. School-age children have formed over 10,000 "Just Say No" clubs around the country. The advertising industry, television networks, high school coaches, the medical profession, the entertainment industry, law enforcement officers and many others have joined in the national effort. Examples include over 4 million drug awareness comic books which have been distributed to elementary students, sponsored by IBM, The Keebler Company, and the National Federation of Parents. McNeil Pharmaceutical's Pharmacists Against Drug Abuse program is now firmly established across the country.

This is Federal cost alone; excludes military + State + local; half of total Fed'l law enforcement spending.

Discussion - The President's program has been successful in dealing with the drug problem. Compared to 1981, drug use is down in almost all categories. Notable is the success of the U.S. military in reducing use of illegal drugs by over 65 percent through strict policies and testing to identify users. Across the Nation, the private sector is taking a strong stand.

[Much exaggerated, Contradicted by data in National Narcotics Intelligence Estimate, scholars, and press accounts.]

Drug prices have fallen and availability has increased

Public attitudes are clearly against use of illegal drugs and drug awareness is at an all-time high. Today, drug use is front page news. Corporations are recognizing the tremendous cost of drugs in the workplace; parents and students are recognizing how illegal drugs in the schools erodes the quality of education. The consequences of drug use are becoming more severe as users turn to more potent drugs and more dangerous forms of abuse. There is increasing concern about the threat that drug abuse poses to public safety and national security. And a new understanding is evident: Drug abuse is not a private matter -- using illegal drugs is irresponsible behavior -- and the costs are paid by society.

There is broad public support for taking strong action to hold users responsible and to stop the use of drugs. Aggressive corporate and school measures to end drug abuse, including use of law enforcement, expulsions and firings, have met with strong support from workers, students and the community. According to a USA Today poll, 77 percent of the Nation's adults would not object to being tested in the workplace for drugs.

[have also encountered some strong opposition]

We have reached a new plateau with a new set of opportunities. We should pursue the limits of possibility in eliminating drug abuse. The time is right to create a national environment of intolerance for use of illegal drugs.

Issues For Consideration

The President's National Strategy continues to be a sound blueprint for the comprehensive drug abuse program. Several opportunities exist to move toward the goal of a Nation free of illegal drugs in the 1990's. The issues involve communication, education, health, the workplace, and drug law enforcement support.

A. COMMUNICATION

The teamwork of the President and Mrs. Reagan, working together, have brought significant gains in the fight against illegal drugs. Attitudes have changed, awareness has increased and many people are ready to join in the fight. Recent deaths from cocaine use have focused attention on the issue. Yet there appears to be widespread lack of knowledge regarding the government efforts underway. A major Presidential address to the Nation could focus the issue, declaring that the national campaign against drug abuse has entered a new phase. The timing of such a speech is a factor, recognizing that some early discussions have leaked to the press.

OPTION #1 -- Recommend a Presidential address at the earliest possible time; late July or early August, follow-up with implementing action by the Cabinet.

Pros

- Move while public interest and media attention is at a peak. Likely to be most effective.
- Avoids potential criticism of politicizing the drug effort by action near the November elections.

Cons

- Possible suggestions of opportunism, reacting to recent deaths of athletes.

[*Maybe premature. Initiatives may not be sufficiently reviewed.*]
 OPTION #2 -- Recommend a Presidential address in September or October, after a number of Federal actions have been taken to strengthen the drug effort and follow up with continuing action by the Cabinet.

Pros

- Allows time for specific actions which can be reported in the speech.

Notes: "Issue" format is o.k. Options are preferable.

4

- More closely aligned with the beginning of the school year, timely for students in high schools and colleges.
- Cons**
- Current high level of interest may dissipate because of the delay.
 - Potential for criticism of being political by being closer to election.

[Optim #3 - No major address. Status quo option necessary]

B. EDUCATION

[again, very strong rhetoric - ignoring costs, diversity, achievability]

The major initiative is to establish a national objective for every educational institution, through college level, to be drug-free. To prevent drug abuse before it starts, drugs must be addressed in early school years and drug abuse prevention must continue throughout the entire school career. Teachers, school administrators, parents and individual students can share the commitment to a drug-free school. School organizations - sports, academic, drama, student government, etc. - and effective student leadership can make the difference. Schools and colleges must make the drug-free policy known and then not tolerate violations of the policy.

[Not all schools will be able or willing to implement strong enforcement.]

ISSUE # 1 -- Develop effective ways to promulgate accurate and credible information on how to achieve a drug-free school. The Secretary of Education is preparing an excellent booklet for national distribution which will respond to this issue.

[good]

ISSUE #2 -- Make it mandatory that all schools have a policy of being drug-free and direct the Secretary of Education to explore ways to withhold Federal funding from any educational institution which does not have such a policy.

[Dracm. ignores costs]

ISSUE #3 -- Instruct the Attorney General and the Secretary of Education to inform the heads of all educational institutions, public and private, of the Federal law regarding distributing drugs in or on, or within 1,000 feet of a public or private elementary or secondary schools. In summary, this law provides for penalties up to twice the normal term and second offenders are punishable by a minimum of three years imprisonment or more than life imprisonment and at least three times any special parole term.

[good. This is the law; it should be known.]

ISSUE #4 -- Explore ways to require that drug abuse be taught as part of the health curriculum instead of as a separate subject and seek funding to be made available to schools specifically to purchase new health text books which make this change.

[Questionable & costly, may detract from major educational goals.]

3

C. HEALTH

Health interests are at a peak. The dangers of drugs are more widely evident than at any time in recent history. Many people are expressing amazement regarding the long-known effects of cocaine on the heart and respiratory systems which can lead to death. Yet even more awareness is needed. There was massive public concern over allegations of negligible amounts of herbicide on marijuana, yet the same level of concern is not evident over the deadly, yet common, application of PCP to marijuana. Additionally, much remains to be done to make appropriate treatment available to those experiencing health damage and addiction. The high correlation between intravenous (IV) drug use and AIDS requires prompt action. [playing on fear of AIDS may be poorly received]

ISSUE #1 -- Develop ways to provide funding assistance to states which implement programs to support specific drug-related health problems-

[Potentially very costly]

- Develop mandatory treatment for intravenous (IV) drug users. [Impossible and expensive]
- Identify drug users and force them into appropriate treatment. [Impossible and expensive]

ISSUE #2 -- Accelerate research in critical areas-

[Pay off not clean. Is current research level not adequate?]

- Drug testing techniques and approaches.
- Highest priority to comprehensive cocaine/coca/coca paste research program. (health, herbicides, detection, etc.)

ISSUE #3 -- Develop means for limited Federal assistance to selected prevention initiatives and provide seed money for promising initiatives.

[reasonable]

- ACTION, NIDA or other approaches?

[meaning the Federal enforcement effort? Not clear]

D. SAFETY/PRODUCTIVITY

A relatively few drug users are causing our families and our society to pay a high price for their irresponsibility. Attitude surveys show wide support for identifying users of illegal drugs and for stopping the users and the sellers of illegal drugs. A vocal minority still chooses to argue for drugs as a victimless crime and to point to the Federal government for a solution. In the interests of the American people and their future, leaders must take action.

[Paragraph doesn't fit topic]

[stated as though this were a Constitutional right.]

[Extreme statements, tone down]

A drug-free workplace is the right of every worker, Public safety considerations require prompt action to identify, remove and treat individuals who are in jobs where their drug abuse endangers the public safety. Employers must establish a clear policy, ensure that the policy is understood and applied, and include specific rules, procedures for identifying violators and uncompromising discipline consistent with the public trust. As the nation's largest single employer, the Federal government should serve as a model for dealing constructively with drug and alcohol abuse in the workplace. The Military Services have led the way in identifying drug users and moving toward a drug-free force. Several Federal agencies have begun or are planning similar programs.

where? how? fine? By what authority?

at taxpayer's expense?

[how much?]

ISSUE #1 -- Institute a testing program for pre-employment screening of all applicants for Federal jobs, with a policy that a confirmed positive test for illicit drug use disqualifies the applicant and another application may not be made for one year.

[Probably not cost-effective. Even regular users can refrain before test.]

[no appeal or retest?]

ISSUE #2 -- Require a comprehensive testing program for all Federal employees in national security positions, safety-related positions, law enforcement officers and support personnel, drug abuse organizations, and any positions designated as sensitive by regulation or by the agency head.

[Leave some room for managerial discretion.]

ISSUE #3 -- Establish a national goal of a 70% reduction in drug users within three years; ask the private sector to help in meeting the goal.

[Doomed to fail]

ISSUE #4 -- Request the Secretary of Defense to explore ways to require Defense contractors to have a policy of a drug-free workplace.

[Costly, bureaucratic, better to use market]

ISSUE #5 -- Even though overall drug use in the military has been reduced by 67 percent, 8.9 percent still use. Request the Secretary of Defense to intensify efforts to achieve drug-free military service.

[Cost?]

E. DRUG LAW ENFORCEMENT SUPPORT - Not clear what this section adds besides exhortation. NO initiatives are spelled out.

Strong and visible drug law enforcement is critical to maintaining an atmosphere in which major health programs can effectively separate the user from the drug. The success of drug law enforcement has caused significant changes in the nature of drug trafficking and in trafficking routes. Drug enforcement agencies are responding to the changes. It must be made evident to all that the drug law enforcement is flexible and relentless and will pursue the drug traffickers wherever they move.

[not clear what is meant]

As the emphasis turns to the user, it is important that the initiative be viewed as health-oriented with a strict, but caring approach. Law enforcement can make a special contribution to drug abuse prevention and education programs in two ways: by sharing ~~their~~ knowledge and prestige in a caring way, particularly with young people; and by vigorously pursuing the sellers and distributors. The entire criminal justice system must provide prompt and strong punishment to drug dealers.

ISSUE #1 -- Instruct all Law Enforcement Coordinating Committees to request every U.S. Attorney to seek and prosecute violators of 21 U.S.C. 845A (selling illegal drugs on or near school property) to emphasize seriousness of stopping drug pushers. Require special reporting on these cases.

[this is the law]

ISSUE #2 -- Expedite the development of a comprehensive Southwest border initiative to enhance ongoing operations, making appropriate use of military support and technology. Include planning to insure flexibility in the use of all law enforcement resources and, if needed, a reorganization of the operating management structure and responsibilities.

[this has been done]

THE WHITE HOUSE

WASHINGTON

July 14, 1986

MEMORANDUM FOR THE DOMESTIC POLICY COUNCIL

FROM:

RALPH C. BLEDSOE
Executive Secretary



SUBJECT:

Meeting on July 15, 1986

Attached are an agenda and materials for the Domestic Policy Council meeting scheduled for Tuesday, July 15, 1986 at 2:00 p.m. in the Roosevelt Room. The sole agenda item is drug abuse policy.

The meeting will include a presentation by the Drug Abuse Policy Office, and discussion of policy options and issues pertaining to communication, education, health, safety/productivity and law enforcement support in the drug abuse field. A paper describing the options and issues is attached.

This will be an important meeting as it will address several major proposals related to our current extensive drug abuse efforts.

attachment