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THE WHITE HOUSE

WASHINGTON

September 1, 1986

MEMORANDUM FOR RALPH BLEDSOE

FROM: RICK DAVIS 

SUBJECT: Kingon conversation on Drug Policy

I spoke briefly with Al before he left for New York this afternoon and he wanted me to coordinate with you on three items relating to Drug Policy.

I. DPC meeting

Al mentioned that you were working with the DPC working group to come up with a "outline of the President's Drug Policy." He wanted me to make sure that some form of that outline makes its way to L.A. before Monday's meeting.

I suggest that you do a summary for the people in L.A. and send it out on Friday.

II. Bi-Partisan Congressional Leadership Meeting

On Tuesday at 11:00 am the President will meet with the Bi-Partisan Congressional Leadership to discuss his Drug Policy. Al want you to do some talking points for the President for that meeting.

III. RR/NR Speech

The major drug speech scheduled for the 14th needs meat. Al asked that you (and Carlton) come up with some news items that can be inserted in the speech.

Let me know what I can do to help, otherwise I'll check in later this week, thanks.

PRIVATE SECTOR TASK FORCE
Report to the
DRUG USE PREVENTION WORKING GROUP
September 2, 1986

PRIVATE SECTOR TASK FORCE

Implementation of Drug Prevention Plan (Total Estimated Interagency Cost Projection- \$3,585,000)

The following projections reflect the estimated cost of implementing a public/private sector plan for drug use prevention. Since this plan is predominantly focused on private sector initiatives and public/private partnerships, it should be noted that all cost projections are estimates and are largely dependent on the agencies' abilities to encourage, foster and promote such activities within the private sector.

Private sector support often requires months to come to fruition. For this reason, the Task Force has endeavored to provide a projected budget based on conservative expectation of private sector support. Actual cost to government agencies will decrease in proportion to the level of that support.

The Private Sector Task Force Plan has three distinct components:

- projects to be implemented by every federal agency
- projects to be implemented by a central federal prevention center
- projects to be implemented by the private sector with technical assistance from the federal government.

In order to implement this plan, certain federal resources will be required. However, since much of the plan calls for a reorganization and reprioritizing of each agency's resources and activities, it is reasonable that many of these activities can be performed with existing resources.

For those activities and projects requiring significant funding, unavailable at the agency assigned the tasks, funds might be obtained from other agencies' resources and transferred or reprogrammed appropriately. The Task Force did not seek to identify such resources, but rather submits its recommendations and projected costs for implementation of the plan. Additionally, the following projected budget includes basic programmatic costs and does not include staffing and general support monies, except in the case of the nationwide toll-free number for referrals.

GENERAL RECOMMENDATIONS

A fundamental concern addressed by the Task Force is the need for a coordinated federal and private sector effort in drug use prevention, which avoids duplication and provides a strong, consistent message to the general public. In order to address these issues, the Task Force makes the following general recommendations.

1. All federal and private drug prevention programs should be encouraged to utilize positive peer pressure by adopting the theme of "Just Say No" to provide a consistent message in campaigns against the use of illegal drugs.

Projected Cost - minimal

2. The Reagan Administration should ensure that federal drug programs effectively respond to the needs which exist within communities and federal resources work in coordination and cooperation with officials at all levels of government and with grassroots organizations. To assure that these goals are accomplished, this Task Force recommends that a Presidential Task Force for Drug Prevention composed of representatives of the various federal agencies be established to act as the coordinating body for federal programs and to provide guidance and technical assistance to the private sector when requested.

Projected Cost - minimal

3. A Presidentially appointed private sector commission should be established to promote awareness, replication of successful programs, prevention and education campaigns and to support other organizations working for the elimination of drug abuse.

Projected Cost - includes twenty (20) member commission, quarterly meetings with expenses and travel, meals, publications distribution, recognition event, etc.

Projected Cost - \$25,000

PROPOSAL FOR THE INVOLVEMENT OF PRESIDENT REAGAN

The following recommendations by the Task Force are for the involvement of the President in national drug use prevention efforts.

1. Address a letter to the Chief Executive Officers of the Fortune 500 companies and selected foundations requesting their assistance in supporting drug prevention activities.

Projected Cost - minimal

2. In conjunction with the release of the letter, launch a major media campaign of public service announcements featuring the President, First Lady, Cabinet Officers, national celebrities and athletes. The President could tape two separate spots, one targeting the general public and calling for support for an overall "War on Drugs," the other aimed at the corporate community, highlighting productivity rates, accidents on the job, absenteeism and general community problems. This spot would encourage corporations to get involved in the program to prevent drug use in the workplace, in their communities, and across the country. In addition, a PSA with both the President and Mrs. Reagan could be produced to emphasize the "family's" role in drug use prevention.

Projected Cost - includes twenty (20) PSA's for major media campaign

Projected Cost - \$400,000

3. Request the White House Office of Private Sector Initiatives to develop an incentive program for companies that contribute significant dollars or "in-kind" contributions in the area of drug use prevention. This could be along the lines of a "Presidential Honor Roll" which models the "Eagle" program of the Republican party.

Projected Cost - minimal

4. Present a Presidential message to the general public on drug abuse on all three television networks. This would include film clips and statistics and a general call to arms.

Projected Cost - minimal

5. Conduct a national drug prevention essay and poster contest with the nation's students.

Projected Cost - includes travel for three students from each state to the White House, production and distribution of promotional materials.

Projected Cost - \$150,000

6. Host, with Mrs. Reagan, a series of White House conferences and briefings in Washington and around the country, targeting specific networks of individuals such as religious leaders, corporate leaders, youth group leaders, etc.

Projected Cost - includes five White House Conferences with religious, corporate and civic groups; ten regional workshops and materials for statewide conferences.

Projected Cost - \$250,000

PRESIDENT'S TASK FORCE FOR DRUG PREVENTION

To assure a coordinated, productive and cost effective federal drug prevention effort, a Presidential task force should be established to accomplish the following:

- o Insure consistency in articulation of Administration drug prevention policies
- o Oversee assignments of specific roles, tasks and projects to appropriate federal agencies
- o Coordinate interagency prevention programs to evaluate and share successes, set-backs and recommendations
- o Coordinate the President and First Lady's drug prevention activities
- o Coordinate Administration public drug prevention statements.

The task force should consist of representatives from each federal agency, who will report to the President on a quarterly basis, their agency's activities including successful initiatives, problems areas and the agency's intentions to launch new initiatives. This would also be a mechanism through which to assign specific tasks and projects and could be modeled after the President's Task Force on Legal Equity for Women.

As a member of the Task Force the Alcohol, Drug Abuse and Mental Health Administration (ADAMHA) should establish the following:

- o A centralized location with a toll-free number for technical assistance, information and general referrals.
Projected Cost - includes toll-free number and long distance billings and staff.
Projected Cost - \$500,000
- o A Presidential or Nancy Reagan Speakers' Bureau which consists of expert government speakers on a variety of specific subject areas (i.e. urinalysis, health research, voluntarism, etc.) for the purpose of addressing conferences, meetings and general media requests. A separate list of private sector speakers could also be developed (i.e. business leaders who have launched model programs, physicians, celebrities, etc.) It is important that this speakers' bureau not be in conflict with the previously established Nancy Reagan Speakers' Bureau established by the National Federation of Parents for Drug-Free Youth, consisting of volunteer parent group leaders. This new speakers' bureau would coordinate its assignments with the existing bureau.
Projected Cost - includes development and distribution of promotional materials.
Projected Cost - \$15,000

- o A mechanism to review all materials developed by the various agencies for accuracy, credibility and consistency in message.
- o Talking points, sample speeches and general information for distribution through the Task Force to the federal agencies.

PRIVATE SECTOR INITIATIVES

President Reagan has issued a general call to the country to share in the responsibility of implementing a national strategy for prevention of drug abuse. Many within the private sector community have rallied to the cause and have contributed funds, manpower or "in-kind" services in support of specific causes or programs. Some government agencies have entered into "public/private partnerships" in cooperation with private industry in an effort to expand or create new programs.

An example of the value and cost effectiveness of such ventures is the "Pharmacists Against Drug Abuse" (PADA) program designed by ACTION, the national volunteer agency, in conjunction with the White House Office of Drug Abuse Policy. The federal government designed the concept and the materials for the program which include free brochures for distribution to the general public in every pharmacy across the country and a detailed manual and training program for pharmacists, posters, public service announcements, etc. McNeil Pharmaceuticals and the Johnson and Johnson Family of Companies have paid for the reproduction, promotion and distribution of the materials. To date, this multi-million dollar program has distributed over 50 million free brochures, trained over 5000 pharmacists as volunteers to their community and utilizes the services of 65,000 pharmacies. The cost to the federal government was less than \$15,000 for the development of the camera-ready materials.

There are numerous other examples of the value of public/private partnerships. The following recommendations are based on the premise that these activities are indeed cost effective, productive and extremely effective in mobilizing manpower, increasing available funding sources and raising awareness in industry.

Clearly technical assistance provided by government to the private sector is crucial in order to assure accuracy and consistency in the message being conveyed through these programs.

Recommendations:

1. A Presidential private sector task force should be established and charged with specific responsibilities. This Presidential task force would identify opportunities for private sector initiatives and potential sources of support within the private sector for drug prevention activities. The group would report their findings, recommendations and accomplishments to the President on a quarterly basis. Each federal agency would be asked to prepare and submit a list of projects and activities recommended for funding by the private sector to this task force.

Projected Cost - includes a twenty (20) member task force, quarterly meetings with expenses and travel, meals, publications distribution, recognition event, etc.

Projected Cost - \$25,000

2. Each federal agency should develop a catalog of private sector programs to be submitted to either the White House PSI Office or the newly proposed Presidential task force for publication; thus, offering further incentive to the private sector and greater information for consumers regarding model programs.

Projected Cost - minimal

3. Each federal agency should develop a list of corporations, organizations and foundations with whom they have contact and develop strategies for encouraging drug prevention support among these contacts. Additionally, each agency should develop its own incentive and recognition programs for companies who support such activities.

Projected Cost - minimal

4. Every private sector initiative or public/private partnership which involves a U.S. based, multi-national corporation should encourage programmatic assistance in other countries in which they operate, particularly source countries.

Projected Cost - none

5. Foreign corporations operating in the U.S. should be approached and encouraged to launch or support private sector initiatives in drug use prevention both within the U.S. and their countries of origin.

Projected Cost - none

6. An annual drug prevention symposium should be held for community affairs/public affairs representatives from major corporations and their foundation counterparts in an effort to share the materials, films, goals and objectives of drug prevention programs, thus stimulating awareness and support.

Projected Cost - includes promotional material and some travel for speakers.

Projected Cost - \$25,000

7. Drug prevention experts should be scheduled to address major business conferences, trade association meetings, national conventions, etc.

Projected Cost - includes some financial commitment from each agency's re-prioritized travel budget.

Projected Cost - minimal

8. National corporations specializing in children's services such as Mattel, Walt Disney Productions, Shakey's, Wendys, etc. should be encouraged to review their available resources and assist in launching drug prevention/education programs for young people.

Projected Cost - minimal

9. Each agency should develop incentive and recognition programs for its employees who work with the private sector in the development of new and innovative programs.

Projected Cost - minimal

10. Employee Assistance Programs (EAP) should be encouraged to broaden counseling programs to include prevention/education for their employees, their families and their communities.

Projected Cost - minimal

11. The Nancy Reagan Fund, previously established, has traditionally served to assist low income children in receiving proper treatment services. There is a need for another fund specifically for prevention purposes... the "Nancy Reagan Drug Prevention Fund."

Projected Cost - includes development and distribution of promotional materials.

Projected Cost - \$15,000

COMMUNITY-BASED VOLUNTARISM AND PRIVATE SECTOR INITIATIVES

In the spirit of neighbor helping neighbor, individuals around the country have rallied to help make their communities a better place in which to live... a better place to raise their children. It is in this spirit that many thousands of volunteer parent and youth groups have formed across our nation to prevent the abuse of legal drugs and the use of illegal drugs by young people. The National Federation of Parents for Drug-Free Youth, the Parents' Resource Institute for Drug Education (PRIDE), Reach America, America's PRIDE, and "Just Say No" are a few of the outstanding groups that have organized to help raise awareness about and prevent drug abuse.

In many cases these groups have organized with no federal money but with technical assistance, information and guidance from various agencies. In some cases, the federal government has offered a small amount of grant money to the organizations to help establish their programs. Consistently, the use of volunteers to expand federal programs and the support of volunteer groups have been extremely successful and cost effective.

An example of the value of such efforts is seen in the "Elks Drug Awareness Program," a program involving the 1.6 million members of the Benevolent and Protective Order of the Elks nationwide. A government agency designed a training manual for the Elks and conducted several regional training seminars for their membership. The program cost the agency virtually nothing, but to date the Elks have contributed over \$3 million to the campaign. Additionally, members of the Elks are volunteering through their Elk Lodges, located in most communities across the country, to help in the fight against drug abuse.

The value of this campaign can be measured not only in dollars spent but also in the large amount of voluntary manpower mobilized.

The following recommendations are for the purpose of expanding voluntarism and community-based private sector initiatives in partnership with the government and ultimately for the private sector to assume this role independently. As with the corporate programs, it is important that the value of technical assistance offered by the agencies not be underestimated in order to assure credibility and accuracy of the drug information and effectiveness of the program.

Recommendations:

1. White House conferences and briefings could be held to share information, ideas and model programs in drug use prevention with target groups such as religious leaders, youth group leaders, civic group leaders, etc.

Projected Cost - (Please refer back to page three, number six)

2. Each agency should hold follow up mini-conferences or workshops on the local and regional levels.
Projected Cost - \$15,000 per conference (Note: each agency should produce its' own budget for these purposes).

3. Each agency should examine its own constituency groups and determine opportunities to train members of these groups in drug use prevention through workshops, previously scheduled meetings, special events and material distributions.
Projected Cost - minimal

4. The White House Office of Public Liaison should include in each of its upcoming events presentations regarding drug use prevention.
Projected Cost - minimal

5. Training and educational materials specifically geared towards targeted groups (i.e. ethnic groups, physicians, parents, teachers, etc.) should be developed and distributed.
Projected Cost - includes \$15,000 per for research and development of target kit (averaging twelve kits per year).
Projected Cost - \$180,000

REGULATORY RESTRICTIONS/LEGISLATIVE INITIATIVES

In order to successfully embark upon a more pro-active role in seeking out and encouraging private sector support for various initiatives, it is important to examine the regulatory restrictions of such activities. Agencies interpret the various restrictions regarding solicitation for funds and program support differently. Oftentimes, it is easier for an agency or federal official to simply not seek private assistance than to sift through, interpret or maneuver around the bureaucratic red tape and technical restrictions to this activity. While the law appears to clearly prohibit a federal employee from soliciting for funds in order to 1) increase their agency or program's budget or 2) gain personally, it is unclear regarding a federal employee's ability to seek private support for various private sector groups and programs and public/private partnerships. This is an extremely important issue to resolve. Realistically, it is rare that corporations seek out government agencies or programs to support; thus, regulatory and legislative restrictions affect each agency's ability to encourage corporate private sector initiatives.

Additionally, there are numerous restrictions and regulatory problems confronting the agencies relating to the "Competition and Contracting Act of 1984." For instance, a company that will donate its services in order to produce a major program but wishes the government to pay the "out of pocket" expenses, apparently has to wait for the agency to advertise its ideas for this project to the general public and compete for the award of a contract. More importantly, they have to be listed on the Department of Defense's approved list of contractors before they can bid on a government contract. Some major firms (i.e. film producers, etc.) would not be on such a list and therefore could not donate their services to the federal government.

Finally, both the Department of Defense (DOD) and the United States Information Agency (USIA) have certain restrictions on the domestic use of educational materials developed for the Armed Services Network and for international consumption. DOD may develop some public service announcements (PSAs) which would be appropriate for use by the general public or might agree to enter into an interagency agreement to share expenses with another agency in production of PSAs and documentaries if these restrictions were lifted. Similarly, USIA materials cannot be utilized domestically. USIA can be of great value in developing materials for Spanish speaking audiences abroad but these same materials cannot be used in the U.S., even though they were paid for with U.S. taxpayers' dollars.

Recommendations:

In order to address these issues and concerns, the Task Force recommends the following:

1. The White House prepare and issue government-wide guidelines which clarify the federal employee's limitations in seeking corporate support and funds for various programs.
2. The White House request that OMB reevaluate the "Competition and Contracting Act of 1984," specifically the exceptions to full and open competition and request any necessary legislative changes or exemptions in order to facilitate a more conducive environment for corporate private sector initiatives. One suggestion might be to consider that any project where more than 50% of the "actual, reasonable costs" are being donated would be exempt from the competitive process.
3. The restrictions for limited use of materials developed by DOD and USIA be reexamined and reconsidered and any legislative changes or exemptions be considered.

SPECIAL PROJECTS
Projected Cost - \$2,000,000

The following is a list of special projects in the private sector in need of expansion or development.

1. PRIDE National Resource Center - an Atlanta-based, nationwide resource center with toll-free number, is organizing an international youth movement, conducts school surveys and conducts an annual international conference.
2. National Federation of Parents for Drug-Free Youth - operates as an umbrella organization for networks of volunteer parent groups, nationwide; has a toll-free number; offers technical assistance to concerned parents and supports a youth movement.
3. State Parent Group Networks - groups of concerned volunteer citizens who have organized to establish coordinated statewide drug prevention programs.
4. Local Parent Groups - groups of concerned volunteer citizens who have organized to establish effective drug prevention programs, locally.
5. National Youth Movement
 - a. College Challenge - a youth group dedicated to organizing volunteer college students on every college campus.
 - b. High School Groups and Just Say No Clubs - various local and national volunteer youth groups who are organizing drug prevention programs.
6. Dissemination and development of materials and films for targeted audiences such as parents, physicians, students, pharmacists, teachers, etc.
7. State, regional and national prevention conferences.
8. National Media Campaign - consisting of public service announcements for radio, television and print media; documentaries; etc.
9. Provide experts to all major talk shows.
10. Conduct media training conferences (to educate journalists).
11. Statewide toll-free numbers in conjunction with volunteer parent groups featuring taped messages for after hours.
12. Workshops on self-sufficiency and private sector initiatives for volunteer parent groups in each state (Note: this could be a SWAT team approach).
13. School text books on drug use prevention and the health consequences of illegal drug use.

14. Resource centers for libraries including films, books, articles, and brochures on drug abuse.
15. Send speakers and trainers for Legislators' and Governors' conferences.
16. Launch educational/informational program through the churches.
17. National fundraising campaigns such as the 7-Eleven campaign for muscular dystrophy.
18. Provide drug prevention comic books to elementary schools.
19. Conduct PRIDE survey on prevalence of drug use in every school.
20. Computerize PRIDE, NFP and Families in Action for greater efficiency in responding to general inquiries.
21. Establish Nancy Reagan scholarships for medical students who wish to follow a career in drug abuse prevention.
22. Encourage civic group activities in drug use prevention.
23. Eliminate paraphernalia and magazines promoting drug use from places of business.
24. Promote campaign with nationwide distribution of T-shirts, bumper stickers, posters, etc.
25. Support and assist in expanding the Drug Enforcement Administration's program to educate all coaches.
26. Support international youth conference at PRIDE.
27. Comic Relief Day - encourage writers of newspaper comic strips to produce a day of drug-free and anti-drug messages through their comic strips.

General Recommendation:

1. Withdraw federal funding if a state enacts legislation which allows for decriminalization, cultivation or possession of any controlled substance which otherwise is deemed an illegal activity by federal law.

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DHHS
PUBLIC HEALTH SERVICE
FISCAL YEAR 1988 LEGISLATIVE PROPOSAL

EXTEND AND AMEND THE ALCOHOL AND DRUG ABUSE AND
MENTAL HEALTH SERVICES BLOCK GRANT

Extend and Amend the Alcohol and Drug Abuse and Mental Health
Services Block Grant

Current Law: The Alcohol and Drug Abuse and Mental Health Services (ADMS) Block Grant, authorized under title XIX, part B, of the Public Health Services Act, imposes several significant earmarks on the States' use of block grant funds.

Three of these date from the original enactment of this title in the Omnibus Budget Reconciliation Act of 1981:

- (a) 35 percent of substance abuse funds is to be spent for alcohol abuse programs (sec. 1916(c)(7)(A));
- (b) 35 percent of substance abuse funds is to be spent for alcohol abuse programs (sec. 1916(c)(B)); and
- (c) 20 percent of substance abuse funds is to be spent for prevention and early intervention activities (sec. 1916(c)(8)).

Two more were imposed by the Alcohol Abuse, Drug Abuse, and Mental Health Amendments of 1984:

- (a) 5 percent of the total grant is to be spent for substance abuse programs for women (sec. 1916(9c)(14)); and
- (b) 10 percent of the mental health portion of the grant is to be spent for mental health programs for underserved populations and adolescents (sec. 1916(c)(15)).

Proposal: Extend the ADMS Block Grant for an additional five fiscal years and eliminate those earmarks which are counterproductive.

Rationale: It is now time to let the States enjoy the intended advantage of New Federalism by deciding fully how they will use funds under this block grant. The major purpose of the earmarks in the original legislation was to insure that programs which had been previously funded by categorical grants would continue to receive some support under the ADMS Block Grant. This was particularly important during the early transitional phase to block grants when States were still trying to determine the effect of the new funding process on their programs. The later impositions were included to ensure the establishment of programs in specific areas.

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All recipients of ADMS Block Grant funds have reported progress in meeting the statutorily-imposed earmarks. When the current authorization ends at the end of FY 1987, the ADMS Block Grant recipients will have had six years' experience in meeting the earmarks contained in the original legislation and four years of accomplishment toward establishing new programs to meet the 1984 requirements. There has not been a precipitous de-funding of one program area at the expense of the others.

Because Federal funds are a limited and precious commodity States must be as free as possible to utilize these funds as current conditions dictate. For example, States which have an urgent unmet treatment or prevention services need in drug abuse should not be statutorily prohibited from shifting federally provided alcohol abuse funds, prevention funds, and up to 25 percent of their total block grant fund (which includes mental health funds in this base) for those purposes. Similarly, if the State's most pressing need were for alcohol or mental health services, it should not be unduly restricted by having to spend statutorily fixed minimum percentages for services which are less critical or for which other funding sources might be available.

This proposal would extend the ADMS Block Grant for an additional five fiscal years and retain in the law only those provisions which allow the States needed flexibility to administer their programs, while still assuring that the major purpose of providing mental health and alcohol and drug abuse services will be accomplished. Therefore, the proposal would repeal all of the percentage earmarks and the limitation listed above but would retain: (1) the requirement for allocation within States of certain percentages for mental health activities and for substance abuse activities; (2) State discretion to shift up to 25 percent of its total allotment to either the mental health or alcohol and drug abuse portion of its program; and (3) State discretion to use up to ten percent of its allocation to meet administrative costs. State experience has shown that these provisions are sufficiently flexible to meet foreseeable needs within the objectives of the block grant.

This proposal leaves to the States the full measure of flexibility promised in the New Federalism which gave birth to the block grants.

Effect on Beneficiaries: By removing the earmarks from the legislation, the States, territories, and Indian tribes will be provided further opportunity to identify and develop programs needed by their populations. Thus, individuals can be provided the most critical services they need. States have documented in applications and annual reports that because of the restrictive nature of the earmarks, States are unable to provide specific services as their priority setting would indicate. With further removal of earmarks and limitations, States and their citizens will realize the full benefit of the flexibility intended by New Federalism.

Cost:

FY 1988

FY 1989

FY 1990

FY 1991

FY 1992

(TO BE INSERTED BY OMB/DPC)

DHHS
FISCAL YEAR 1988 LEGISLATIVE PROPOSAL

Create An Agency for Substance Abuse
Prevention Within the Alcohol, Drug Abuse,
and Mental Health Administration

Enhance the Federal effort in Drug Abuse Prevention and Education by establishing an Agency for Substance Abuse Prevention within the Alcohol, Drug Abuse, and Mental Health Administration

Current Law: Current law, section 501(e)(1) of the Public Health Service Act, provides that there shall be an Associate Administrator for Prevention within the Office of the Administrator, ADAMHA. The Associate Administrator for Prevention is charged with coordinating the prevention activities of the National Institute of Mental Health, National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse, and submitting an annual report to the Congress on these activities.

Proposal: Upgrade the current position of Associate Administrator by establishing an Agency for Substance Abuse Prevention with the existing Alcohol, Drug Abuse, and Mental Health Administration. The director or administrator of this Agency would be selected by the Secretary, DHHS, and report to the Administrator, ADAMHA.

The Agency for Substance Abuse Prevention would be initially authorized at \$15 million per fiscal year in order to carry out a national program of prevention, education, and early intervention activities designed to strengthen coordination of Federal activities with public and private sector activities. The Agency would also be charged with disseminating knowledge gained from prevention and treatment research through statewide prevention networks and providing immediate aid to communities in drug crisis through rapid response technical assistance, needs assessment, and other appropriate strategies.

Rationale: The current position and structure of the Office of the Associate Administrator is insufficient to meet the needs of a successful campaign against substance abuse. The problem is large and pervasive nationwide, yet the current office has no funding of its own. Rather, it must rely on "tapping" other funds throughout the ADAMHA.

A new Agency for Substance Abuse Prevention with its own source of funding would elevate the visibility of the Administration's efforts in this area, provide important coordination and leadership to the substance abuse prevention field, and be able to have maximum impact and effectiveness without needing to resort to "budgetary raiding" of other important program activities.

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Effect on Beneficiaries: Beneficiaries would be State, community, and school-based programs who would have one place to turn to for state-of-the-art assistance. The Agency would also serve as a primary resource for other Federal Departments involved in prevention, education and early intervention activities.

Cost:

FY 1987

\$15 million

FY 1988 and Beyond

"such sums as may be
necessary"

DRAFT

DHHS
PUBLIC HEALTH SERVICE
LEGISLATIVE PROPOSAL

Supplement Drug Abuse Research Appropriation

To Raise Appropriation Levels For Drug Abuse Research For Community Systems Development Projects, Epidemiology and Surveillance Projects, and Prevention, Detection, Diagnoses and Treatment Projects

The Senate Committee on Appropriations has recommended \$115,533,00 for drug abuse research. The House Committee on Appropriation has not as yet recommended a level for drug abuse research because an authorization bill (H.R. 5259) is still awaiting floor action.

The Administration believes that neither the House nor the current Senate level for drug abuse research will be sufficient to carry out certain elements of the President's program against drug abuse.

Proposal: Request a supplemental appropriation for Fiscal Year 1987 comprised as follows:

1. Community Systems Development Projects (\$70 Million)

Provide short-term financial assistance (on a matching basis with a declining Federal share) to communities to assist them in mobilizing comprehensive, integrated efforts to reduce drug use. Build on existing public and private sector institutions. Develop a permanent capability which can be sustained by the States and communities themselves. Anticipated outcomes: integration of alcohol and drug abuse into the mainstream of health care; involvement of all segments of society--the school, the workplace, the church, the health care system, the criminal justice system, civic and voluntary associations, the media, and all levels of Government--to enhance local systems capacity and capability; establishment of coordinated alcohol and drug abuse prevention and treatment systems nationwide.

2. Epidemiology and Surveillance (\$3 Million)

Develop enhanced epidemiology and surveillance systems to assure comprehensive tracking of the incidence and prevalence of alcohol and drug use and improved identification of risk factors and risk groups.

3. Research (\$33 Million)

Develop better and more effective methods of preventing, detecting, diagnosing, and treating illicit drug use and intervening with high risk children and adolescents.

Develop alternative, improved, and less costly drug detection mechanisms. Develop national accreditation system for laboratory testing.

Total Request = \$106 million for FY 1987. Fiscal Year 1988 request to be considered as part of the President's regular budget submission.

Rationale: Increased emphasis in the areas outlined above are essential components to the President's program to combat drug abuse. More knowledge and data on epidemiology is essential for targeting resources. More effective knowledge concerning drug screening methods, and effective prevention and intervention programs must be made available to communities, schools, and the worksite. It is essential to develop comprehensive strategies and systems in communities so that they may deal with their existing drug problems now and prevent drug problems in the future. Therefore, short-term financial assistance is proposed to assist communities in achieving this goal as described above.

Effect on Beneficiaries: The Federal Government will enhance its ability to provide state-of-the-art information, technical, and financial assistance to communities desiring effective means to deal with a critical problem. Concerned citizens and communities will benefit from having various forms of Federal information and assistance available to them.

Cost:

FY 1987

\$106 million

DRAFT

DHHS
LEGISLATIVE PROPOSAL

Close Drug Scheduling and Control Loopholes

Assure that controlled substances analogs ("mutant" or "designer drugs") are scheduled under the Controlled Substance Act and that alkyl nitrites and its isomers are appropriately controlled.

Current Law: There is widespread agreement by DHHS and DEA that controlled substance analogs, popularly known as "designer drugs" or "mutant drugs" need to be immediately placed in Schedule I absent the filing of an Investigational New Drug request by the manufacturer. Legislation to achieve this goal has already been introduced in Congress.

Similarly, butyl nitrite or "poppers" appear to be widely abused and have little or no medicinal value. An issue exists as to whether this class of substance should be controlled under the Controlled Substance Act or the Food, Drug and Cosmetic Act.

Proposal: DHHS and the Department of Justice will jointly propose legislative language to appropriately control these substances.

Cost: None.



UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

THE DRUG-FREE SCHOOLS ACT OF 1986
(THE ZERO TOLERANCE ACT)

Purpose

To protect our children from the threat of illegal drugs. While drug use by high school students has declined since 1980, the level of use remains unacceptably high. Drug use is now recognized as a problem in middle and in elementary grades. Our first duty is to protect our children and ensure that those who are not involved with drugs do not become involved.

Key Features of the Drug-Free School Act

1. A State set-aside for drug prevention activities at the state level. Set-aside funds would support teacher training, technical assistance to local school districts, and development of statewide programs with law enforcement agencies. The set-aside would be limited to no more than 20 percent of the total grant.
2. State discretionary grants to local school districts, which would account for "at least 80 percent of State" funds. These grants would require each district to submit to the state agency a plan to achieve "Drug-Free Schools." These grants would be made for up to three years, but funding for each year would depend on a district's demonstration of specific progress in reducing drug use.

Funds could be used for improving school security, as well as educational activities, such as the purchase of curricular materials.

The Act would require at least one-third of project funding to be supported by local, non-Federal funds.

3. Federal discretionary grants for activities such as: development and dissemination of program models and materials on alcohol and drug prevention in the schools; workshops and seminars to encourage greater cooperation between schools and community agencies, including law enforcement, the courts, and social services; research into the effects of drug use in the schools, and into the effectiveness of possible solutions to the problem.

Allocations of Funds

1. The bill would authorize the appropriation of \$100 million for fiscal years 1987 through 1991.
2. The bill would authorize the Secretary of Education to reserve \$20 million for national programs.
3. The Secretary would allot to each state the remaining funds in proportion to the number of children aged five to seventeen.

DRUG-FREE SCHOOLS ACT OF 1986 (THE ZERO-TOLERANCE ACT)

Section-by-Section Analysis

The bill, the Drug-Free Schools Act of 1986 (The Zero Tolerance Act) ("Act") would authorize a new State-administered grant program to assist State and local educational agencies to establish a drug-free learning environment within elementary and secondary schools and to prevent drug use among students in such schools. The major provisions of the Act are explained in the following section-by-section analysis.

Section 2. Section 2 of the Act would contain a statement of Congressional findings.

Section 3. Section 3 of the Act would state the purpose of the Act as assisting State and local educational agencies to establish a drug-free learning environment within elementary and secondary schools and to prevent drug use among students in such schools. To accomplish this purpose the bill would authorize national, State, and local programs.

Section 4. Section 4 of the Act would authorize the appropriation of \$ _____ million for fiscal year 1987 and such sums as may be necessary thereafter through fiscal year 1991 to carry out the Act.

Section 5. Section 5 of the Act would prescribe how funds under the Act for each fiscal year would be allotted. First, the Secretary would be authorized to reserve 20 per centum of the amount appropriated for national programs. From the remainder the Secretary would be authorized to reserve up to one per centum for programs under the Act in Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands. Finally, the Secretary would be required to allot to each State an amount which bears the same ratio to the remainder of the funds as the number of children aged five to seventeen, inclusive, in a State bears to the number of such children in all the States. Under certain circumstances, section four would also authorize the Secretary to make appropriate reallocations of funds among the States.

Section 6. Section 6 of the Act describes the three-year State application a State would be required to submit to the Secretary in order to receive funds under the Act. Among other things, the State would be required to assure the Secretary that the State educational agency will be responsible for the administration of the State's program; that at least 90 per

total *under section 5(c)*
centum of the State's allotment will be distributed to local educational agencies on a competitive basis; and that no more than 5 per centum of the State's allotment will be used for State administration. The State would also be required to include in its State application a description of its priorities and goals for using funds under the Act; how the State has taken into account the needs of public and private elementary and secondary schools which desire to participate in the program; the procedures and criteria the State will use to select local projects; how parents, local educational agencies, private nonprofit schools, the law enforcement community, State agencies engaged in preventing drug abuse, and drug and alcohol treatment programs have been involved in the development of the State's priorities and goals; the projects the State will carry out; and the State's procedures for ensuring equitable participation for teachers, school administrators, and students in private nonprofit schools. Each State application after the first would contain information on the State and local projects carried out under the preceding application, including data on the number and characteristics of the participants and an assessment of the extent to which those projects accomplished their goals.

Section 7. Section 7 of the Act would authorize State projects, including: inservice training for teachers and school administrators relating to their authority to detect and discipline students using drugs and alcohol, the causes of drug and alcohol use by students, the identification of such students, and how to instruct or counsel them effectively; the development and implementation of curricula and teaching materials to prevent drug and alcohol use; educating parents about the symptoms and effects of drug use; cooperative programs between the schools and law enforcement agencies and drug and alcohol treatment programs; and ~~research~~ *collection and dissemination of information* about drug and alcohol use by students.

Section 8. Section 8 of the Act would authorize local projects. To receive funds under the Act, a local educational agency would be required to submit to the State educational agency a three-year plan for achieving and maintaining drug-free elementary and secondary schools. The plan must describe in detail the extent and nature of the current drug and alcohol problem in the applicant's schools; the applicant's drug and alcohol policy, including the disciplinary practices and procedures it will employ; the curricula and teaching materials it will adopt and the inservice training for teachers and school administrators it will provide; how the plan was developed and will be implemented with the involvement of local community resources, including parents; and how the plan, if successful, will be continued after Federal assistance terminates. In addition, a local educational agency must submit to the State

educational agency an annual progress report at the end of the first and second years of its plan, and, at the end of the third year of its plan, a final report which assesses the effectiveness of the plan in achieving and maintaining schools that are drug-free. Funding for the second or third year of a local educational agencies plan would be contingent upon whether the plan is accomplishing the purposes of the Act. Local educational agencies would be authorized to carry out most of the same activities authorized for State projects; while local educational agencies would not be specifically authorized to conduct research, they would be authorized to increase security in their schools. Finally, Section 8 would establish the Federal share of the cost of local projects as no more than 67 per centum.

Section 9. Section 9 of the Act would require State and local educational agencies to ensure equitable participation in the purposes and benefits of their respective projects for teachers, school administrators, and students in participating private nonprofit elementary and secondary schools, consistent with the enrollment in such schools. State and local educational agencies would be required to consult with appropriate representatives of private nonprofit schools during the design and development of projects under the Act to determine which schools desire to participate and the needs of their teachers, school administrators, and students. Funds under the Act could not be used for religious worship or to provide or improve any program of religious instruction.

Section 10. Section 10 of the Act would authorize the Secretary to carry out national programs directly, or through grants, contracts, or cooperative agreements with State or local educational agencies, postsecondary educational institutions, institutions of higher education, and other public and private agencies, organizations, and institutions. The Secretary would be authorized to collect and disseminate information about drug and alcohol use among students, as well as information on effective curricula, counseling programs, and teaching materials; ~~conduct research on drug and alcohol use by students as well as effective school-based techniques for counseling and instructing such students;~~ and conduct workshops and seminars to encourage greater cooperation between schools and the community, including parents, law-enforcement agencies, the courts, and social service agencies.

and would coordinate activities with the Secretary of Health and Human Services, when appropriate on elementary and secondary education;

the effects of

Section 11. Section 11 of the Act would require that State and local educational agencies use funds under the Act to supplement and, to the extent practicable, increase the amount of non-Federal funds that would, in the absence of Federal funds, be made available for the purposes of the Act, and not to supplant such non-Federal funds.

Section 12. Section 12 of the Act would delete as unnecessary the reference to alcohol and drug abuse education activities among the mandated priorities of the Secretary's Discretionary Program under Chapter 2 of the Education Consolidation and Improvement Act ("ECIA").

Section 13. Section 13 of the Act would incorporate the definitions of pertinent terms under Chapter 2 of the ECIA.

Section 14. Section 14 of the Act would provide for an effective date of ~~July 1, 1987~~ upon enactment.

DRAFT

AUG 20 1986

8/25 Marked up to reflect
OMB passback comments

A BILL

To promote excellence in American education by achieving and maintaining a drug-free environment in our Nation's elementary and secondary schools, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug-Free Schools Act of 1986 (The Zero-Tolerance Act)".

FINDINGS

SEC. 2. The Congress finds the following:

(1) Drug use is widespread among American students, not only in secondary schools, but increasingly in elementary schools as well;

(2) The use of drugs by students constitutes a grave threat to their physical and mental well-being and significantly impedes the learning process;

(3) The tragic consequences of drug use by students are felt not only by the students, themselves, and their families, but also by their communities and their Nation, which can ill afford to lose their skills, talents, and vitality;

(4) Among our cultural institutions, schools, assisted by parents and the community, have a special responsibility to assist in combating the scourge-of drug use by adopting and applying firm but fair drug policies; and

(5) That prompt action by our Nation's schools can bring us significantly closer to the goal of a drug-free generation.

PURPOSE

SEC. 3. The purpose of this Act is to assist State and local educational agencies to establish a drug-free learning environment within elementary and secondary schools and to prevent drug use among students in such schools.

AUTHORIZATION OF APPROPRIATIONS

SEC. 4. For the purpose of carrying out this Act there are authorized to be appropriated \$100 million for fiscal year 1987 and such sums as may be necessary for each of the four succeeding fiscal years.

RESERVATIONS AND ALLOTMENTS

SEC. 5. (a) From the funds appropriated under section 4 for any fiscal year, the Secretary shall reserve 20 per centum for national programs under section 10.

(b)(1) From the remainder of the amount appropriated to carry out this Act for each fiscal year after the application of subsection (a), the Secretary may reserve up to one per centum for projects authorized by this Act in Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

(2) The Secretary shall allot the funds reserved under paragraph (1) among Guam, American Samoa, the Virgin Islands, the

Northern Mariana Islands, and the Trust Territory of the Pacific Islands according to their respective need for assistance under this Act.

(c) (1) From the remainder of the amount appropriated to carry out this Act for each fiscal year after the application of subsections (a) and (b), the Secretary shall allot to each State an amount which bears the same ratio to that remaining amount as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States. The number of children aged five to seventeen, inclusive, in a State and in all the States shall be determined by the Secretary on the basis of the most recent available data satisfactory to the Secretary.

(2) (A) The Secretary may reallocate all or a portion of a State's allotment for any fiscal year if the State does not submit a State application under section 6, or otherwise indicates to the Secretary that it does not need or cannot use the full amount of its allotment for that fiscal year. The Secretary may fix one or more dates during a fiscal year upon which to make reallocations.

(B) The Secretary may reallocate funds on a competitive basis to one or more States that demonstrate a current need for additional funds under this Act. Any funds reallocated to another State shall be deemed to be part of its allotment for the fiscal year in which the funds are reallocated.

(d) For the purpose of this section, the term "State" does not include Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands.

STATE APPLICATIONS

SEC. 6. (a) Any State desiring to receive a grant from funds allotted under section 5 for any fiscal year shall submit to the Secretary a State application which meets the requirements of this section.

(b) Each State application shall--

- (1) cover a period of three fiscal years;
- (2) be submitted at the time and in the manner specified by the Secretary; and
- (3) contain whatever information the Secretary may reasonably require, including--

(A) assurances that--

(i) the State educational agency will be responsible for the administration, including supervision, of all State and local projects supported by the State's grant and shall maintain whatever fiscal control and fund accounting procedures are necessary to ensure the proper disbursement of, and accounting for, Federal funds paid to the State under this Act;

(ii) the State educational agency will distribute at least 90 per centum of its allotment on a

competitive basis to local educational agencies to pay the Federal share of the costs of local projects under section 8; and

(iii) the State educational agency will provide for continuing administrative direction and control by a public agency over funds under this Act used to benefit teachers, school administrators, and students in private nonprofit elementary and secondary schools;

(iv) no more than 5 per centum of the amount allotted to a State under section 5(c) ~~State's allotment~~ will be used for State administration; and

(B) description of--

(i) the priorities and goals the State has selected for the use of funds under this Act during the period of the State application;

(ii) how, in establishing its priorities and goals under the State plan, the State has taken into account the needs of those public and private nonprofit elementary and secondary schools which desire to have their teachers, school administrators, and students participate in projects under this Act;

(iii) the procedures and criteria the State will use to select local projects to be supported under this Act from among the applications received;

(iv) how parents, local educational agencies, private nonprofit elementary and secondary schools, law enforcement agencies, the courts, State agencies engaged in

preventing drug abuse, drug and alcohol treatment programs, and other interested community resources have been involved in the development of the State's priorities and goals under the State application;

(v) the projects the State will carry out with the portion of its allotment not distributed to local educational agencies or used for State administration, and

(vi) the procedures the State will adopt to ensure compliance with section 9.

(c) Each State application after the first must contain information on the State and local projects carried out under the preceding State application, including data on the number and characteristics of persons who participated, and an assessment of the degree to which those projects accomplished the goals described in that State application.

STATE PROJECTS

SEC. 7. (a) The State educational agency shall use that portion of its allotment that is not distributed to local educational agencies or used for State administration for State projects under this section.

(b) Funds under this section shall be used to--

(1) provide inservice training for teachers and schools administrators relating to--

(A) the authority of teachers and school administrators to maintain an orderly school environment that is

conducive to learning, including their authority to detect and discipline students using drugs and alcohol;

(B) the causes and effects of drug and alcohol use by elementary and secondary school students;

(C) the identification and treatment of such students; and

(D) effective techniques for instructing and counseling such students;

(2) develop, disseminate, and implement curricula, counseling programs, and teaching materials to prevent drug and alcohol use;

(3) support State activities designed to enhance the involvement of parents in preventing drug and alcohol use among students, through such activities as educating parents about the symptoms and effects of drug use;

(4) establish cooperative programs between the schools and law enforcement agencies, the courts, drug and alcohol treatment programs, and other community resources;

(5) ^{collect} ~~conduct~~ research and disseminate information about drug and alcohol use by students;

(6) provide technical assistance to local educational agencies under this Act; or

(7) support any other State project, consistent with the purposes of this Act, that the State deems necessary to

achieve and maintain a drug-free environment that is conducive to learning in the elementary and secondary schools of that State.

LOCAL PROJECTS

SEC. 8. (a) To apply for an award under this Act, a local educational agency shall submit to the State educational agency a plan which describes how the local educational agency will achieve and maintain drug-free elementary and secondary schools. Each plan must be for a period of three years. In addition, the plan must describe for grades kindergarten through 12--

(1) the extent and nature of the current drug and alcohol problem in the schools of the local educational agency, including detailed information which shows--

(A) the number or percentage of students who use drugs or alcohol;

(B) the grade level of those students;

(C) the type of drugs they use; and

(D) how the local educational agency obtained this information;

(2) the local educational agency's drug and alcohol policy, including an explanation of (A) the disciplinary practices and procedures it will strictly enforce to eliminate the sale or use of drugs and alcohol on school premises; and (B) how it will inform students that drug use is both harmful and wrong;

(3) the drug and alcohol use prevention curricula, counseling programs, and teaching materials the local educational agency will adopt, including an explanation of why these curricula programs, and materials are appropriate in light of the current drug and alcohol problem in the local educational agency;

(4) the inservice training the local educational agency will provide for teachers and school administrators, including an explanation of why this inservice training is appropriate in light of the current drug and alcohol problem in the local educational agency;

(5) how the local educational agency's plan was developed and will be implemented with the involvement of local community resources, including parents, law-enforcement agencies, the courts, and drug and alcohol treatment programs;

(6) how the local educational agency will monitor the effectiveness of its plan; and

(7) how the plan, if successful, will be continued after Federal assistance under this Act terminates.

(b)(1) In order to apply for funds under this Act for the second and third year of its plan, a local educational agency shall submit to the State educational agency an annual progress report at the end of the first and second years of its plan, as appropriate. Each annual progress report must describe in detail--

(A) the local educational agency's significant accomplishments under the plan during the preceding year;

(B) the extent to which the original objectives of the plan are being achieved, including a reduction in the number of students who use drugs; and

(C) any modifications of the plan that are appropriate.

(2) No local educational agency may receive funds under this Act for the second or third year of its plan unless its annual progress report shows that the local educational agency is making reasonable progress towards accomplishing the purposes of this Act.

(3) At the end of the third year of its plan, the local educational agency shall submit to the State educational agency a final report which assesses the effectiveness of the three-year plan in meeting its objectives. Each final report must contain information which indicates the extent to which the plan has succeeded in achieving and maintaining schools that are drug-free.

(c) A local educational agency shall use funds under this section, in accordance with its plan, to--

(1) provide inservice training for teachers and school administrators relating to--

(A) the authority of teachers and school administrators to maintain an orderly school environment that is

conducive to learning, including their authority to detect and discipline students using drugs and alcohol;

(B) the causes and effects of drug and alcohol use by elementary and secondary school students;

(C) the identification and treatment of such students; and

(D) effective techniques for instructing and counseling such students;

(2) support increased security measures in schools;

(3) develop and implement curricula, counseling programs, and teaching materials to prevent drug and alcohol use;

(4) involve parents, teachers, and school administrators in preventing drug and alcohol use among students, through such activities as educating those parent, teachers, and school administrators about the symptoms and effects of drug use;

(5) establish cooperative programs between local law-enforcement agencies, the courts, drug and alcohol treatment programs, and other community resources; or

(6) any other local project consistent with the purposes of this Act, that the local educational agency deems necessary to achieve and maintain a drug-free environment that is conducive to learning in its elementary and secondary schools.

(d) The Federal share of the cost of a local project under this Act may not exceed 67 per centum.

PARTICIPATION OF PRIVATE SCHOOL TEACHERS, SCHOOL ADMINISTRATORS, AND STUDENTS

SEC. 9 (a)(1) To the extent consistent with the number of children who are enrolled in participating private nonprofit elementary and secondary schools in the State, the State educational agency shall ensure equitable participation in the purposes and benefits of State projects under section 7 for teachers, school administrators, and students in such schools.

(2) To the extent consistent with the number of children who are enrolled in participating private nonprofit elementary and secondary schools located in the school district of a local educational agency, that local educational agency shall ensure equitable participation in the purposes and benefits of local projects under section 8 for teachers, school administrators, and students in such schools.

(b) To satisfy the requirements of subsection (a), a State educational agency or a local educational agency shall--

(1) consult with appropriate private nonprofit school representatives during the design and development of the project to determine which schools desire to participate in the project and what the needs of the teachers, school administrators, and students in those participating schools are, and

(2) then provide, as appropriate, benefits authorized by this Act for teachers, school administrators, and students in such schools.

(c) No funds under this Act may be used--

(1) for any religious worship, proselytization, or activity of a school or department of divinity, or

(2) to provide or improve any program of religious instruction.

NATIONAL PROGRAMS

SEC. 10. (a) The Secretary shall use funds reserved under section 5(a) to carry out national programs designed to achieve and maintain a drug-free environment that is conducive to learning in elementary and secondary schools. The Secretary may carry out such programs directly, or through grants, contracts, or cooperative agreements with State or local educational agencies, postsecondary educational institutions, institutions of higher education, and other public and private agencies

organizations, and institutions. *The Secretary shall, when appropriate, coordinate activities under this section with the Secretary of Health and Human Services.*

(b) The Secretary shall use funds under this section to--

(1) collect and disseminate information about drug and alcohol use among students in elementary and secondary schools;

(2) collect and disseminate information on effective curricula, counseling programs, and teaching materials to prevent drug and alcohol use;

(3) conduct research on the ~~causes and~~ effects of drug and alcohol use ^{on} ~~by~~ elementary and secondary ^{education} ~~school students~~; ~~as~~

~~well as effective school-based techniques for counseling and instructing such students;~~ (duplicates activity (2))

(4) conduct workshops and seminars to encourage greater cooperation between schools and the community, including parents, law-enforcement agencies, the courts, and social service agencies; or

(5) carry out any other national level project or activity, consistent with the purposes of this Act, that the Secretary deems necessary to achieve and maintain a drug-free environment that is conducive to learning in elementary and secondary schools.

USE OF FUNDS

SEC. 11. Federal funds made available to a State or local educational agency under this Act shall be used to supplement and, to the extent practicable, increase the amount of non-Federal funds that would, in the absence of such Federal funds, be made available for the purposes of this Act, and in no case to supplant such non-Federal funds.

CONFORMING AMENDMENTS

SEC. 12. Section 583(b) of Education Consolidation and Improvement Act (20 U.S.C. 3851(b)) is amended by--

(1) inserting an "and" at the end of paragraph (2);

- (2) striking out paragraph (3); and
- (3) by redesignating paragraph (4) as paragraph (3).

DEFINITIONS

SEC. 13. The definitions of terms used in this Act shall be the same definitions given those terms under section 595 of the Education Consolidation and Improvement Act (20 U.S.C. 3875).

EFFECTIVE DATE

SEC. 14. The provisions of this Act shall take effect
upon enactment.
~~July 1, 1987~~

* * *



U.S. Department of Justice

Civil Division

Domestic Policy Council
Deliberative Document

Office of the Assistant Attorney General

Washington, D.C. 20530

SEP 2 1986

TO: Carlton E. Turner
Chairman, Drug Use Prevention Working Group
Domestic Policy Council

FROM: *RKW* Richard K. Willard
Chairman
Legislative Review Task Force

RE: *Report of the Legislative Review Task Force*

This memorandum transmits to the DPC Working Group the Legislative Review Task Force recommendations for an Administration legislative package to meet the President's strategy to win the war on illegal drugs. The titles of the bill track the six goals announced by the President. The legislation is attached at Tab A.

Title I of the bill, mandates a drug free federal workplace and authorizes a limited program of drug testing for employees in sensitive positions and for other employees in connection with accidents or when there is reasonable suspicion of illegal drug use.

Title II, Drug Free Schools, addresses the problems of drugs in our educational institutions through funding of drug prevention programs contingent on a demonstration of success in the funded programs and also includes a provision to clear potential federal statutory obstacles to drug testing programs.

Title III, Improved Research Into Prevention And Treatment, authorizes block grants for drug treatment programs and eliminates unnecessary restrictions currently imposed upon the States under block grant programs.

Title IV, International Cooperation, repeals the Mansfield Amendment which prohibits federal officers from participating in drug arrests in foreign countries, amends the rules on forfeiture of property in the United States derived from violation of foreign drug laws, and amends immigration requirements to allow deportation of aliens involved in drug trafficking.

Title V, Strengthening Law Enforcement provides eight subtitles to strengthen and clarify the penalties for drug

dealing including the imposition of the death penalty for the principal organizer of a major drug ring.

Title VI, Public Education and Private Sector Involvement, creates a narrow, one year exemption from the federal statutes mandating competition in procurement services donated to the government to aid in the campaign against drug use, and permits United States Information Agency films on the dangers of drug use available for domestic audiences.

Some parts of this legislative package have already been submitted to the OMB clearance process by the sponsoring agency, and other parts have not been referred. We encourage you to refer the entire package to OMB for their expeditious review.

At Tab B is a revised draft of our Executive Order covering sensitive employees and other employees under limited circumstances. We have incorporated some of the comments raised by OPM and HHS in the drafts they submitted last Friday night. We are prepared to discuss the remaining differences at today's meeting. Attached at Tab C is a list of unresolved issues regarding the Executive Order.

Attachments