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THE WHITE HOUSE

Office of the Press Secretary

For Release at 8:00 P.M. EDT

September 14, 1986

Address by the President and First Lady
On America's Crusade Against Drug Abuse

Sunday, September 14, 1986

FACT SHEET

In a nationally-televised address from the Residence of the White House, the President and Mrs. Reagan called upon all Americans to join in a national crusade against drug abuse. The President said, "In this crusade, let us not forget who we are. Drug abuse is a repudiation of everything America is. The destructiveness and human wreckage mock our heritage." Mrs. Reagan stated, "Drugs take away the dream from every child's heart and replace it with a nightmare. And it's time we in America stand up and replace those dreams."

The President restated his six goals in the national crusade to lead us toward a drug-free America:

- **Drug-Free Workplaces** for all Americans;
- **Drug-Free Schools** from elementary to university level;
- **Expanded Drug Abuse Treatment and Research** to tackle the health dangers posed by drugs;
- **Improved International Cooperation** to achieve full involvement by every country in defeating international drug trafficking;
- **Strengthened Drug Law Enforcement** to take additional initiatives which will hit drug traffickers with renewed force; and
- **Increased Public Awareness and Prevention** -- the goal on which success ultimately depends -- to help every citizen understand the stakes and get involved in fighting the drug menace.

The President and Mrs. Reagan called for a relentless effort by every segment of society to free the drug user from drugs and prevent others from becoming users. The President stated, "Let us not forget that in America, people solve problems and no national crusade has ever succeeded without human investment." Recalling how America swung into action when we were attacked in World War II, the President said, "Now we're in another war for our freedom, and it's time for all of us to pull together again."

THE REAGAN COMMITMENT

The national crusade is the latest phase in the President's comprehensive strategy to stop drug abuse. Early in his Administration, the President implemented a tough foreign policy to cut off drugs at their source. Today, 14 countries are eradicating drug plants, compared to one in 1981. Vice President Bush is coordinating the massive interdiction effort at our borders, and the Attorney General is directing an aggressive attack on the drug traffickers.

In 1981, Mrs. Reagan began a personal campaign to increase public awareness of drug abuse and to get people involved in helping young people "Just Say No" to drugs. Since the First Lady became involved, the number of parent groups has increased from 1,000 to 9,000, and the Nation's children have formed over 10,000 "Just Say No" Clubs. Mrs. Reagan has hosted two international conferences and has become the national leader in the effort to stop drug abuse by young people.

ILLEGAL DRUG USE IN AMERICA

Despite gains in many areas, illegal drug use remains widespread -- an estimated 5 million people are cocaine users, roughly 19 million are marijuana users, and 500,000 are heroin users. In addition, millions of individuals try an illicit drug each year. The use of illegal drugs is becoming increasingly intensive and dangerous. There are new, more dangerous forms of illegal drugs, including crack cocaine, black tar heroin, and the deadly "designer drugs."

ILLEGAL DRUG USE CAN BE STOPPED

America is recognizing that success is possible when illegal drug use becomes unacceptable in our society. Public attitudes have strengthened against the use of illegal drugs. Employers are recognizing the tremendous cost of drugs in the workplace; parents and students are recognizing how illegal drugs in the schools erode the quality of education. Drug abuse poses an obvious threat to public safety and national security. A new understanding exists: Drug abuse is not a so-called "victimless crime" -- the costs are paid by all of society.

The First Lady set the tone of the national crusade when she stated, "There is no moral middle ground. Indifference is not an option. We want you to help us create an outspoken intolerance for drug use." The drug criminals "prosper on our unwillingness to act. So, we must be smarter and stronger and tougher than they are. It's up to us to change attitudes and just simply dry up their markets."

WORKING TOWARD A DRUG-FREE SOCIETY

President Reagan has asked all Americans to join the national crusade for a drug-free America, and he has committed the Federal Government to do all in its power to help. The initiatives stress leadership and cooperative action with state and local governments and grass-roots efforts to get everyone involved in working toward a drug-free society.

Goal #1 - Drug-Free Workplaces:

During the last 25 years, the escalation in illegal drug use has brought significant risks to workers, public safety, and the economy. The Department of Defense, in the forefront with their aggressive program of testing, education and rehabilitation, has reduced illegal drug use in the military by 67 percent since 1981. Also, many companies have established drug-free policies. Such measures have brought gains in productivity and reductions in health costs, on-the-job crime, and accidents.

The President's initiatives will accelerate work toward a drug-free Federal workplace, encourage state and local governments to develop drug free-workplaces, work with government contractors to establish drug-free policies, and mobilize the Nation to fight illegal drugs in the workplace.

Goal #2 - Drug-Free Schools:

Drug abuse has spread among American students, not only in secondary schools and universities, but in elementary schools as well. The use of drugs by students constitutes a grave threat to their well-being and significantly impedes the learning process. Prompt action by our Nation's schools, assisted by parents and the community, will bring us much closer to the goal of a drug-free generation.

The President's initiatives to encourage drug-free schools include communicating practical information on how to achieve a drug-free school and encouraging all schools to establish a policy of being drug free. President Reagan has called on all teachers to take a

pledge to be drug free and to do all within their capabilities to stop drugs on school campuses.

Goal #3 - Expanded Drug Treatment and Research:

A drug-free society requires not only that we prevent illegal drug use by potential users, but also that we do what is necessary to have current drug users stop using illegal drugs. While it may improve an individual workplace or school to force out an illegal drug user, effective treatment and rehabilitation could restore the individual to a productive role in society.

The President's initiatives will assist states and communities in providing appropriate treatment to illegal drug users who are experiencing health damage and addiction. In addition, drug-related rehabilitation and research at the Federal level will be expanded.

Goal #4 - Improved International Cooperation:

President Reagan has implemented a foreign policy that vigorously seeks to interdict and eradicate illegal drugs in foreign source and transshipment countries. Earlier this year, the President identified international trafficking of illegal drugs as a threat to national security.

The new initiatives will build on what has already been accomplished and move forward with drug enforcement and prevention programs. One such initiative, announced by the President on August 6, 1986, is a conference for U.S. Ambassadors in October 1986 to convey an international sense of urgency and to discuss increased regional cooperation.

Goal #5 - Strengthened Law Enforcement:

Strong and visible drug law enforcement reduces the availability of illegal drugs and deters drug-related crime. The Administration is taking additional initiatives to pursue drug traffickers and expand border interdiction.

The National Narcotics Border Interdiction System, headed by Vice President Bush, has been successful in achieving unprecedented agency coordination in drug interdiction efforts, such as Hat Trick I and II, and in involving the Department of Defense and the intelligence community in supporting the offensive against the drug traffic.

Operation Alliance, a new initiative announced on August 14, 1986, is a major cooperative drug law enforcement effort along the 2,000-mile United States-Mexico border.

Goal #6 - Increased Public Awareness and Prevention:

Ultimately, the demand for illegal drugs will be stopped only when all Americans recognize the personal dangers and societal harms which result from the use of illegal drugs and take action. The answer to the drug problem is as simple as Mrs. Reagan's message to young people: "Say yes to your life. And when it comes to drugs and alcohol: Just say no."

As the President said in his address:

"...America must stand for something. And...our heritage lets us stand with a strength of character made more steely by each layer of challenge pressed upon the Nation. We Americans have never been morally neutral against any form of tyranny. Tonight, we are asking no more than that we honor what we have been and what we are by standing together."



Assistant Attorney General

Washington, D.C. 20530

SEP 12 1986

TO: Alfred H. Kingon
Ralph Bledsoe
Joseph R. Wright, Jr.
Carlton E. Turner

FROM: *RKW* Richard K. Willard

Attached are some draft Qs & As on the proposed Executive Order. These will be revised to reflect changes in the Order and your comments, if any.

DRAFT: Sept. 12, 1986
4:00 p.m.

EXECUTIVE ORDER ON THE DRUG FREE FEDERAL WORKPLACE
QUESTIONS AND ANSWERS

I. DRUGS IN THE WORKFORCE - BACKGROUND

Q: How many employees actually use drugs while on the job?

-It is estimated that between 10 to 23 percent of all workers in this country use illegal drugs on the job; these figures are misleading, however, because it has been widely recognized that even weekend or "recreational" drug users impose a continuing cost to the employer. (National Institute on Drug Abuse National Household Survey.)

-Moreover, young adults aged 18-25, representing those now coming into the workforce, are the segment in our society using illegal drugs most extensively. (Charles R. Schuster, Ph.D., Director of National Institute on Drug Abuse, Statement on Drug Abuse In The Workplace Before The House Select Committee on Narcotics Abuse and Control, May 7, 1986 based on national NIDA Study.)

-Of this group of young adults, 65 percent have used illegal drugs, 44 percent within the past year. (Id.)

Q: Do you think there is a drug problem among federal employees?

-We know there is a drug problem in the private sector and there is no reason that the federal workforce would be insulated from this problem. (National Institute on Drug Abuse.)

Q: By focusing on reducing illegal drug use by requiring a drug-free federal workforce, is the President moving away from his earlier focus on the supply side of the control equation?

-Absolutely not; this Administration will continue its strenuous efforts to reduce the supply of illegal drugs in this country by reducing overseas production in drug-producing countries, intercepting drug imports through stepped-up enforcement procedures and increased personnel at major border areas and cracking down on organized crime connections with the drug trade.

-The drug-free federal workforce requirement simply augments the President's continuing efforts to reduce illegal drug use by striking at the demand, as well as the supply of illegal drugs.

II. DRUG-FREE FEDERAL WORKFORCE - THE POLICY

Q: Why has the President chosen to fight illegal drug use in the context of requiring a drug-free federal workforce?

-While the legal system and social service agencies have long been struggling with the major problems of illegal drug use, they have been able to attack only part of the problem; law enforcement has focused on traffickers, not users.

-As long as sanctions for drug use appear to be unlikely, there will be a continuing demand for drugs that produces a financial incentive for people to smuggle and deal in drugs.

-One of the most effective places where this problem can be addressed is the workplace; the prospect of being fired for illegal drug use is a realistic sanction that can cause workers to "say no" to "recreational" drug use.

-The workplace is a logical environment for society to make it clear that illegal drug use is not acceptable; users can endanger their fellow workers and the public; the debilitating effects of drugs prevents a user from doing the same honest day's work as his or her co-workers.

-A careful balance of disciplinary action and rehabilitation at the institutional level, combined with the disapproval of drug use, yet personal support and encouragement, of employers and co-workers, helps create the most effective incentive for an individual to stop using drugs.

-As the nation's single largest employer, the federal government should provide an example to all employers to require that their employees refrain from the illegal use of drugs.

Q: How does an employee's use of drugs off duty effect performance on the job?

-It is a serious myth that only on-the-job drug use effects an employee's performance on the job; a study by the Alcohol, Drug Abuse and Mental Health Administration estimates that such substance abuse costs employers nearly \$100 billion in lost productivity each year.

-The impact of illegal drug use is also reflected by unnecessary accidents in the workplace, employee absenteeism, higher job turnover rates, deteriorating performance, increased health costs and other costs to employers.

- For example, employees who use illegal drugs are only two-thirds as productive as employees who do not use illegal drugs. (Carlton E. Turner, Director, White House Drug Abuse Policy Office, "Tests For Drugs On All Workers Needed in U.S.," Newsday, April 2, 1986.)
- Employees who use illegal drugs have 3 times as many accidents on the job as employees who do not use drugs. (Id.; Peter Bensinger, "Drugs In The Workplace: Employer's Rights and Responsibilities," The Washington Legal Foundation, 1984; The Conference Board Research Report, "Corporate Strategies for Controlling Substance Abuse" 1986.)
- Employees who use illegal drugs have an absenteeism rate from sickness or injury 3 times greater than employees who do not use illegal drugs. (Id.)
- Employees who use illegal drugs cost 3 times as much in medical benefits as employees who do not use drugs. (Id.)
- Employees who use illegal drugs file 5 times as many workmen's compensation claims as employees who do not use drugs. (Id.)
- Employees who use illegal drugs have 7 times as high a rate of garnishment of wages as employees who are drug free. (Id.)
- Employees who use illegal drugs have been found to have "cut" or skipped work approximately 3 times as often as employees who are drug free. (National Institute On Drug Abuse National Survey.)

Q: Are there any special considerations that make federal employees different from employees in the private sector?

-Drug use is illegal; all citizens are expected to obey the law; government employees who use drugs, in addition, violate the special trust they have as servants of the public.

-Large numbers of government employees regularly work with, or handle, dangerous equipment or weaponry; an employee who uses drugs poses a unique health or safety threat to fellow employees and the public generally.

-Thousands of government employees must exercise judgment and make decisions every day that affect the nation's well-being

and security in innumerable ways, whether that employee is an FDA scientist approving new medicines, an FBI agent investigating organized crime, or an Air Force pilot flying combat aircraft; drug use in such important contexts has unforeseeable consequences.

-Federal employees have access to a range of classified or otherwise sensitive information; illegal drug use simply is inconsistent with the reliability and good judgment needed for such access; it creates the possibility of coercion, improper influence, and irresponsible action under pressure, posing a serious risk to national security, public safety, and law enforcement.

-In addition to the problems of individual impaired performance, illegal drug use impairs group morale; awareness of significant drug use even among a minority of employees in a group can lead to schisms that substantially diminish employee performance.

-Drug use by public employees undermines the confidence of the public in their government, and makes it more difficult for government employees who do not use drugs to perform their jobs effectively.

Q: What are the legal constraints on requiring federal employees to refrain from using illegal drugs?

-The law now requires all persons, including federal employees, to refrain from using illegal drugs; neither the Constitution nor any statute bars the government, as an employer, from requiring its employees to obey the law.

-While the Civil Service laws and provisions of the Civil Service Reform Act generally prohibit any adverse action to be taken against a federal employee on the basis of conduct unrelated to the performance of his or her duties, the President has determined that illegal drug use, whether on or off the job, has a substantial adverse impact on employee performance and productivity.

-The statistics cited above on employee productivity and reliability not only support the President's finding but also conclusively establish the nexus between illegal drug use and employee performance required by Civil Service laws.

III. THE DRUG-FREE WORKFORCE - ENFORCING THE STANDARD

Q: How will this Order be enforced?

-Under the Executive Order, the head of each agency must develop a plan for achieving a drug-free workplace.

-Each agency plan must not only be molded to the specific needs of each agency, but also take into account the rights of employees and the general public.

Q: What must be in an agency's plan?

-There are five general elements required:

- 1) a statement of agency policy concerning drug use and of the action to be taken against users;
- 2) employee assistance programs for counseling and rehabilitation, coordinated with available community resources;
- 3) training for supervisors concerning identifying and addressing illegal drug use by employees;
- 4) procedures for individual employees to voluntarily seek counseling or rehabilitation services and for supervisors to make such referrals which protect personal privacy, consistent with safety and security concerns; and
- 5) procedures for identifying illegal drug users.

Q: How will agencies determine which employees are illegal drug users?

-Determinations that an employee is an illegal drug user may be made on the basis of any appropriate evidence, including direct observation of drug use, conviction of a criminal offense involving drugs, the results of an administrative inquiry, or the results of an authorized testing program.

-If a drug test is involved, positive drug test results may be rebutted by other evidence that an employee has not used illegal drugs.

Q: What measures will be taken against an employee who is determined to be using illegal drugs?

-All employees who are found to use illegal drugs will be referred to the Employee Assistance Program in their agency for counseling and appropriate treatment or rehabilitation, regardless of any disciplinary action that may also be taken.

-First-time drug users will also be subject to appropriate discipline (such as reprimand or suspension) unless they voluntarily come forward and seek assistance before being caught.

-Employees who use illegal drugs and who refuse to obtain counseling or rehabilitation and who don't stay clean after a

rehabilitation effort will be removed from the federal service. (This is the "two strikes and you're out" rule.)

-Employees in sensitive positions who are found to use illegal drugs will not be permitted to remain on duty in that sensitive position prior to their successful completion of rehabilitation unless the head of the agency decides a return to duty during the rehabilitation program will not pose a danger to national security or safety.

Q: How does the Executive Order affect applicants for federal jobs?

-No current drug user can be hired.

-Any applicant may be tested for drug use, at the discretion of the hiring agency.

IV. DRUG TESTING

Q: Why is drug testing necessary?

-Drug testing is one of the most effective devices we have to enforce the drug-free policy. It provides an objective, ready and largely uncontestable means of identifying the illegal drug abuser. Its deterrent capacity in the federal sector already has a proven track record. Since drug testing was introduced in the military in 1980, drug abuse has dropped from 27% to 9%.

-Employee drug testing already is being legally, accurately and safely conducted in the private sector. 25% of the Fortune 500 companies today are testing for illegal drug use. There is no reason why the federal government must represent a safe harbor for illegal drug use, and should not be following the lead of the private sector in utilizing an efficient test to weed out illegal drug abuse.

Q: When will federal employees be subjected to drug testing?

-The head of an agency can order the testing of any employee (1) when there is a reasonable suspicion that an employee uses drugs, (2) as part of an investigation of an accident or unsafe practice, and (3) as part of follow-up counseling or rehabilitation through an employee assistance program.

-The head of an agency must establish a testing program for employees in sensitive positions based on the agency's mission, the employees' duties, available resources, and the potential consequences of employee drug use to public health and safety or to national security.

-Voluntary testing programs will be set up for nonsensitive employees.

Q: Will agency drug testing programs vary from agency to agency?

-While the Executive Order imposes a government-wide standard of a drug-free workforce, agencies have been given a great deal of flexibility in establishing effective programs to ensure compliance with the drug-free requirement.

Q: In general, how will the testing programs work?

-In the case of a new testing program, an agency must notify employees of the program, its procedures, and the availability of counseling or rehabilitation 60 days before the program begins.

-Employees who are legitimately using drugs will be given an opportunity to submit documentation to support their use of such medication.

-Production of urine specimens will be done in private, unless there is a reason to believe that an individual may alter the specimen, or substitute a "clean" sample.

-Test results and related medical and rehabilitation records will be kept confidential.

-Specimens and records will be retained for future re-analysis.

-HHS will promulgate scientific and technical guidelines for testing that all agencies must follow.

Q: Other than taking an adverse personnel action against an employee found to be using illegal drugs, what use will be made of an employee's positive drug test results?

-Drug testing will only be conducted for administrative purposes.

-Testing pursuant to the Order cannot be done to gather criminal evidence, and agencies are not required to report any such evidence, found as result of a testing program, to the Attorney General for criminal action.

Q: Are there any safeguards to protect an employee from being disciplined as the result of a "false positive"?

-Preliminary positive test results will not be used as a basis to discipline any employee unless they are confirmed by a second analysis of the same sample or unless the employee confirms the accuracy of the initial test by admitting the use of illegal drugs.

-Any disciplinary action taken against an employee found to use illegal drugs will be taken in compliance with otherwise applicable procedures, including the Civil Service Reform Act; an employee will be able to challenge any finding that he uses drugs, including the results of any underlying drug test.

Q: Isn't drug testing too unreliable to use?

-We will be building into the system safeguards to ensure reliability. The first and most important safeguard is that confirmatory testing will be required. Because one test alone will produce a small percentage of "false positives," we are requiring that there always be a second test to confirm a positive result. This should take care of general concerns regarding reliability which are predicated upon testing that does not employ two different tests to determine illegal drug use.

-The second safeguard is that all testing will be done in accordance with technical and scientific guidelines issued by the Department of Health and Human Services. Secretary Bowen will be monitoring any testing to ensure the integrity and reliability of the results.

Q: What drug tests are in use, and what are their scientific bases?

-There are four basic methods of testing. Two methods, EMIT and RIA, are generally used as initial screening tests. They are not completely reliable used alone, but, because they are inexpensive and convenient to use, can serve as a screening device to identify what samples should be subject to more expensive and more precise confirmatory testing.

- EMIT is used by the Bureau of Prisons and the Navy, and is the most widely used test today. It is an enzyme immunoassay test in which urine is combined with antibodies that cause a "clump" to be seen if there are traces of illegal drugs. It has a 95% confidence level, meaning that at least 95% of the time, it will properly detect drug use at the lowest levels for which the test is designed to detect. In practice, under proper testing conditions, 97% to 99% reliability is expected (Center for Disease Control).
- RIA is a similar screening test in which antibodies are introduced to produce a physical reaction which is measured for its radioactivity. This is the screening test of the uniformed services with the exception of the Navy. Properly administered, it has the same expected reliability as EMIT.
- A third test that is used is thin layer

chromatography (TLC). Urine is mixed with solvent on a glass plate and the extent of the reaction if drug traces are present can then be seen. Studies (1/1/85 Journal of Analytical Toxicology) report the procedure to be completely reliable. However, this assumes a fully trained technician, and thus, it is almost always used in combination with a second test.

The fourth test which is recognized as completely reliable is gas chromatography and mass spectrometry (GC/MS), which is, in fact, two separate tests. GS reveals the presence of drugs by measuring their rate of movement, and MS sorts out chemicals by their molecular weight.

-We know that there are reports of much higher error rates. The key is not only to require two tests, but to maintain quality controls. Proper testing conditions, proper handling of samples, proper training of technicians, and proper controls to continually monitor the testing are required and will be required. That is one reason why HHS will be closely involved in setting up this program. Our strong committment to drug testing requires a similarly strong committment to quality control.

-The military learned to remove the bugs from their system; we are building on their experience. In the past three years, the Navy has not reported a single false positive. Each week, each lab receives 36 samples used as controls (24 negative, 12 spiked) mixed with other samples. With 20,000 samples, the Navy reports not one false positive.

ROUTING AND TRANSMITTAL SLIP

Date

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1. Ralph Bledsoe		
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Action	File	Note and Return
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REMARKS

Recent suggested speech material for the Drug Speech

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OPTIONAL FORM 41 (Rev. 7-76)
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 FPMR (41 CFR) 101-11.206

DRAFT STATEMENT FOR WHITE HOUSE

In our concern about the volume of illicit drugs coming into our country, there is another issue that warrants our attention as well. That is the entry of hundreds of thousands of illegal aliens. These two issues are virtually inseparable, for many of the illegal aliens crossing our Southern border are also carrying drugs heroin, cocaine and marijuana. Nearly one-third of the drug smugglers caught by the Border Patrol this year were illegal aliens.

We have just launched Operation Alliance, a massive law enforcement effort to hit the drug dealers and restrict their easy entry into the United States. The funding we have requested from the Congress will support this effort. There is legislation pending in Congress as well to reform our immigration laws, and that is also essential to stopping the flow of drugs across our border.

Time is short for Congress to act on both of these vital pieces of legislation, and I urge the leadership to move quickly on both the funding for drug interdiction and immigration reform.

DRAFT STATEMENT FOR PRESS CONFERENCE

Less than a month ago Vice President Bush and Attorney General Meese met with the news media to announce the launching of Operation Alliance, the most widespread interdiction program on our land borders in law enforcement history.

Today I would like to go a step further and bring to your attention another problem closely linked with the smuggling of drugs into this country. That is illegal immigration. If we are going to be successful in stemming the flow of illicit drugs into the United States, we are going to have to stem the flow of illegal aliens, for the two are closely intertwined.

I am calling on Congress for assistance in this effort by asking the leadership to move quickly on the Immigration Reform Legislation. The bill is now ready for floor action in the House of Representatives, and immediate action is necessary if Congress is to pass this vital legislation during this term.

I will explain to you why I say these two issues are so closely linked as to be inseparable. During the first half of this fiscal year nearly one-third of the persons caught carrying illegal drugs by the INS Border Patrol were illegal aliens.

Narcotics seizures by Border Patrol officers, whose prime mission has not been drugs, soared to 1,023 "busts" during the first ten months of this fiscal year, compared with only 885 for all of last year. For that

ten month period those seizures are up almost 50 percent over the first ten months of Fiscal Year 1985. We are projecting more than 1,200 seizures for all of this year.

Just last month at the Border Patrol checkpoint in San Clemente, California on Interstate 5, INS officers found 217 kilos (477 pounds) of cocaine in a pickup camper truck occupied by a Mexican national and an illegal alien from El Salvador. The value of this shipment was \$53 million.

This was just one of numerous such seizures of illicit drugs which involve illegal aliens. In April of last year INS special agents arrested three Colombians, two of whom were illegally in the country, at a cocaine processing facility on a remote farm in Minden, New York. This laboratory, the largest ever found outside of Colombia, had stored in it some 250 fifty-five gallon drums of chemicals capable of converting 2,800 kilograms of cocaine, with a street value of \$700 million.

Also last year, twenty INS Special Agents worked with DEA and local law enforcement agents in breaking up an operation in Passaic, New Jersey that distributed 20 kilograms of cocaine a month. Of the 27 persons arrested, 23 were aliens, and six illegal aliens were involved as well.

More recently, last May INS officers broke up a marriage fraud organization with the arrest of 56 Indian nationals in Seattle, Washington, that led to the seizure by Royal Canadian Mounted Police in British Columbia of \$35 million dollars worth of Asian heroin. The same organization that was bringing aliens illegally into the United States through a marriage scam, was also heavily involved in the heroin trade.

The extent of the involvement of illegal aliens in the drug trade was forcefully brought to public attention last winter when three illegal aliens made up part of a five member narcotics-terrorist hit team that assassinated one of the government's most valuable drug informants in Baton Rouge, Louisiana on February 19. That informant was Barry Seale.

It is only natural that illegal immigration and illegal drug smuggling across our nation's southern border is a combined operation. Mexico is a prime supplier and staging area for illegal drugs brought into this country. With the heavy traffic in illegal aliens across our border, no group is more ideally suited to move this material than the unsophisticated, poverty stricken people heading for the United States.

INS Anti-smuggling agents last month arrested three Mexican nationals in Boise, Idaho as they delivered 28 ounces of cocaine and more than 29 ounces of black tar heroin, valued at \$1.5 million.

A special operation in the Ramparts Division of the Los Angeles Police Department last year resulted in 1,600 arrests of narcotics traffickers . . . 63 percent of them were illegal aliens.

Earlier this month a pickup truck used to smuggle illegal aliens was seized by INS and sold at auction for \$1,500. When the previous owner tried to buy it back from the new owner for \$4,000, suspicions were aroused, and a search of the vehicle revealed a hidden compartment in a wheel well that contained 217 pounds of marijuana worth \$151,900.

Illegal immigration is increasing by leaps and bounds, also. In the first 10 months of this fiscal year, INS officers have apprehended 1.4 million illegal aliens, 1.3 million of these on the Southern border. That is than a 40 percent increase over the 950,000 detected in those same 10 months last year. And last year was a record high.

Again I urge the Congress to recognize that our borders are out of control, both in terms of traffic in people and in drugs. Operation Alliance is a maximum effort to correct this by exerting the forces and resources necessary to control drug smuggling. In tandem with this effort and to enhance it, Congress needs to act on the Immigration Reform Legislation. There are only a few weeks left in this legislative session, so the time for dallying is past. It is time for action.

CLOSE HOLD

Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/12/86 ACTION/CONCURRENCE/COMMENT DUE BY: 6:00 P.M. TODAYSUBJECT: LEGISLATIVE MESSAGE AND FACT SHEET ON PRESIDENT'S DRUG INITIATIVE

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MILLER - ADMIN.	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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BALL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARBOUR	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
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KING	<input type="checkbox"/>	<input type="checkbox"/>	TURNER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	GIBSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MASENG	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please provide any comments/recommendations directly to Steve Tupper (x3060) by 6:00 this evening, with an info copy to my office. Thank you.

RESPONSE:

CLOSE HOLD

Ralph Bledsoe

David L. Chew
Staff Secretary
Ext. 2702

FACT SHEET

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Introduction

The Administration is sending to Congress a legislative package comprised of six Titles to address the problem of illegal drug use and drug trafficking. This legislation is designed to curtail the use of illegal drugs by: 1) reducing the demand for illegal drugs through testing programs in both the workplace and in the schools; and 2) reducing the supply of illegal drugs by adding or amending criminal law provisions designed to punish drug traffickers and eliminate drug trafficking operations. Additional provisions extend and make improvements in substance abuse services programs.

Title I, the "Illegal Drug Use Prevention Act of 1986," ensures that there is no federal statutory bar to drug testing in the workplace or in educational institutions.

by removing legal impediments which could restrict work place and school testing for drug abuse, testing, counselling and rehabilitation.

Title II, the "Drug-Free Schools Act of 1986 (The Zero-Tolerance Act)," is designed to promote excellence in American education by achieving and maintaining a drug-free environment in our Nation's elementary and secondary schools.

Title III, the "Substance Abuse Services Amendments of 1986," extends and makes improvements in substance abuse services programs.

Title IV, "International Cooperation Against Illicit Drugs," amends the Controlled Substances Act to provide forfeiture provisions relating to foreign unlawful drug activities; repeals the "Mansfield Amendment" which prohibits officers or employees of the United States from, among other things, participating in narcotics arrests in foreign countries; and removes the unnecessary dichotomy that presently exists between offenses involving various drugs and other controlled substances for purposes of deportation under the immigration statutes.

Title V, "Law Enforcement Enhancement Provisions," provides a series of statutory amendments enhancing: 1) penalties for large-scale domestic drug trafficking; 2) punishment for simple possession of controlled substances; 3) the punishment of persons found to be major leaders of very large scale continuing drug enterprises; and 4) the punishment of those who engage the services of minors in drug. Additional provisions in Title V are designed to combat money laundering; and establish a system of recordkeeping and identification requirements to keep precursor and essential chemicals out of the hands of drug traffickers and to identify suspicious purchasers of these chemicals.

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Title VI, the "Public Education and Private Sector Initiatives Act of 1986," provides two amendments that are designed to remove statutory impediments to ongoing efforts to recruit private sector groups for volunteer programs to educate the public about the dangers of drug use.

TITLE I

The "Illegal Drug Use Prevention Act of 1986" amends two statutes, the Rehabilitation Act and the Civil Service Reform Act, to make clear that they do not bar drug testing in the federal workplace.

The statement of findings recognizes that illegal drug use is having alarming and tragic effects on the national workforce and costs billions of dollars each year in lost productivity. It further notes that the federal government is the largest employer and ought to lead the way in lending a helping hand to employees who are using illegal drugs while at the same time making clear that drug use in the federal workplace will not be tolerated.

The bill amends the Rehabilitation Act to provide that the term "handicapped individual" (ie. those who are entitled to benefits and protections under the Act) does not include someone whose only "handicap" is his addiction to or use of, illegal drugs. This would ensure that if the federal government attempted to take disciplinary action against an individual for his use of drugs, he could not claim that such discipline against him was on account of his "handicap," and hence constituted prohibited discrimination under the Rehabilitation Act.

Also, the Act is amended to provide that, with respect to federal contractors and recipients of federal financial assistance, the term "handicapped individual" does not include an alcoholic whose use of alcohol prevents such individual from performing the duties of the job in question or whose employment, by reason of current alcohol abuse, would constitute a direct threat to property or the safety of others.

The bill also makes a similar conforming change to the Civil Service Reform Act to make clear that nothing in that Act would "permit or require the employment of an applicant or employee" who uses illegal drugs. Absent this change, a drug-using employee could argue that his off duty drug use has no "nexus" or relationship to the performance on the job, hence, under section 2302(b)(10) of title 5, it would be a "prohibited personnel practice" to take disciplinary action against him.

Finally, the Act would become effective on its date of enactment and would apply to all pending litigation. There are currently several suits challenging existing drug testing programs which are based, in part, on these two statutes.

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TITLE II

The "Drug Free Schools Act of 1986 (The Zero-Tolerance 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 bill would also make clear that federal law would not bar an educational institution from initiating a program of drug testing.

The bill authorizes the appropriation of \$100 million for fiscal year 1987 and such sums as may be necessary thereafter through fiscal year 1991, and it prescribes how funds would be allotted.

The bill also authorizes 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 schools and law enforcement agencies and drug and alcohol treatment programs; and collection and dissemination of information about drug and alcohol use by students.

The bill authorizes funds for local projects to be undertaken by educational agencies. An agency must first submit to the State educational agency a three-year plan (described in the bill) for achieving and maintaining drug-free elementary and secondary schools. The bill establishes the Federal share of the cost of local projects as no more than 67 per centum.

The bill requires 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 this Act could not be used for religious worship or to provide or improve any program of religious instruction.

The bill authorizes 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

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education, and other public and private agencies, organizations, and institutions and to coordinate activities with the Secretary of Health and Human Services, when appropriate.

The bill specifies that it shall not be unlawful under federal law for any educational institution to require as a condition of admission or continued enrollment that students refrain from the use of illegal drugs. The bill also provides that it shall not be unlawful under federal law for any educational institution to conduct drug testing of its students or applicants for admission to determine if they use illegal drugs and to refuse enrollment to applicants for admission who use illegal drugs.

The bill provides that it shall not be unlawful under federal law for an educational institution to take disciplinary action against a student, including suspension or expulsion, who uses illegal drugs (whether or not committed at the educational institution) or who refuses to participate in drug testing.

Finally, the bill requires 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.

TITLE III

The **"Substance Abuse Services Amendments of 1986"** make some technical amendments to block grant provisions within the Public Health Service Act. *and authorizes \$490 million in FY 1988.*

TITLE IV

The **"International Forfeiture Enabling Act of 1986"** adds a new section to the Controlled Substances Act to implement the forfeiture provisions of the Treaty between the United States and the Italian Republic on Mutual Assistance in Criminal Matters. The Treaty contemplates authority whereby the United States could, for example, request that Italy seize moneys deposited in an Italian bank that were profits of an operation smuggling heroin into the United States, profits that would clearly be subject to forfeiture under our laws if they had remained in the United States. Italy could then forfeit these profits and transfer them to the United States. The United States would exercise similar authority where, for example, forfeitable profits of an Italian crime were deposited in a United States bank. However, legislation is needed to implement the seizure

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and forfeiture article. Present forfeiture authority extends only to property which is used in, or is the product of, a violation of the laws of the United States.

The **"Mansfield Amendment Repeal Act"** repeals the **"Mansfield amendment"** which prohibits officers or employees of the United States from participating in narcotics arrests in foreign countries, or from interrogating or being present at the interrogation of a United States person arrested in a foreign country with respect to narcotics control without the written consent of the person being interrogated.

The **"Narcotic Traffickers Deportation Act of 1986"** removes the unnecessary dichotomy that presently exists between offenses involving narcotic drugs, cocaine, or marihuana and other controlled substance offenses in Title 21, United States Code, for purposes of deportation under the immigration statutes. Presently, a sentencing judge has statutory authority to make a binding recommendation to the Attorney General that aliens convicted of a variety of federal offenses not be deported. One exception to this authority involves aliens who have been convicted of drug offenses explicitly listed in the immigration statutes. The revised language would expand this exception to allow deportation, without overriding judicial involvement, in all matters involving controlled substance offenses.

ADD: CUSTOMS

TITLE V

The **"Drug Penalties Enhancement Act of 1986"** contains a series of statutory amendments to the Controlled Substances Act that sets out penalties for large-scale domestic drug trafficking.

One such amendment lowers the amounts of drugs required to trigger the maximum sentences. It also increases the maximum term of imprisonment authorized for large scale drug trafficking, provides mandatory minimum terms of imprisonment and increases fines for first and repeat offenders.

The bill also contains mandatory terms of imprisonment for large scale drug traffickers in cases where death results from someone using their drugs. This provision was inspired by the death of basketball player Len Bias. The term of imprisonment for trafficking in smaller amounts of controlled substances is raised from fifteen to twenty years, and fines are also increased for trafficking in smaller amounts.

Another provision of the bill adds two new types of particularly dangerous controlled substances -- **"crack"** and **fentanyl** -- to those already listed in the United States Code.

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Finally, the bill provides statutory amendments that would give the courts authority to lower the sentences for defendants who substantially assist in the investigation or prosecution of others.

The **"Drug Possession Penalty Act of 1986"** rewrites the provisions of the Controlled Substances Act setting out the punishment for simple possession of controlled substances. These revisions are designed to demonstrate the seriousness with which the federal government views drug use. In short, it sets the federal government squarely on record as opposing any notion that "social" or "recreational" use of drugs is acceptable behavior. While normally simple possession cases are prosecuted by the States, except in cases arising on federal enclaves, such a federal law would be helpful in certain cases and would set a good precedent which could be emulated by the States and municipalities.

The **"Continuing Drug Enterprise Penalty Act of 1986"** amends the Continuing Criminal Enterprise Statute to increase fines and to provide for the death penalty for persons found to be a major leader of a very large scale continuing drug enterprise.

The **"United States Marshals Service Act of 1986"** is designed to modernize and clarify the statutory basis for the activities of the Marshals Service so that it can more effectively carry out its law enforcement responsibilities. The U.S. Marshals Service occupies a vital and pivotal role in the operation of the nation's criminal justice system and thus has a critical position in the War on Drugs. The Marshals Service is responsible to assure that dangerous prisoners are produced for trial, courts operate safely and securely, witnesses are protected from threat, fugitives are tracked down and apprehended, and drug assets are seized and managed until they can be disposed of with the proceeds ultimately returned to the U.S. Treasury.

The **"Controlled Substances Import and Export Penalties Enhancement Act of 1986"** conforms the penalties for import and export violations generally to those established in the Controlled Substances Act, as amended in the Drug Penalties Enhancement Act of 1986, supra.

The **"Juvenile Drug Trafficking Act of 1986"** provides for an enhanced fine and jail term for anyone over the the age of 21 who acts in concert with a person under 21 in violating the Controlled Substances Act. In addition, provisions of the Controlled Substances Act which prohibit the distribution of controlled substances within 1000 feet of a public, private, elementary or secondary school are strengthened to also prohibit the manufacturing of a controlled substance. The category of protected institutions is also expanded to include vocational schools, colleges and universities.

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The **"Chemical Diversion and Trafficking Act of 1986"** expands the Controlled Substances Act by establishing a system of recordkeeping and identification requirements that are designed to keep precursor and essential chemicals out of the hands of drug traffickers and identify suspicious purchasers of these chemicals.

The **"Money Laundering Crimes Act of 1986"** attacks money laundering primarily by defining that activity and directly punishing money laundering as an offense (in comparison with present law which punishes only the failure to file certain currency transaction reports). The bill also includes stiff penalties and criminal and civil forfeiture provisions as additional sanctions for money launderers. Moreover, to facilitate investigation and prosecution, the offense of money laundering would be added as a predicate for purposes of the wiretap, RICO and ITAR (Interstate Travel in Aid of Racketeering) statutes, and the Right to Financial Privacy Act would be amended to encourage financial institutions voluntarily to provide law enforcement authorities with information about suspected criminal activities. The bill also strengthens the Bank Secrecy Act.

The provisions of this bill are nearly identical to S. 2683, a bill reported by the Judiciary Committee and unanimously passed on August 9, 1986, as an amendment to H.J. Res. 668, the pending budget resolution. The changes proposed in this bill from S. 2683 are few but important and are discussed in detail in the section-by-section analysis.

The **"Controlled Substances Act Technical Amendments Act of 1986"** and the **"Controlled Substance Analogs Enforcement Act of 1986"** provides a series of technical statutory amendments.

The **"Asset Forfeiture Amendments Act of 1986"** would expand permissible uses of the Department of Justice Assets Forfeiture Fund to include certain forfeiture programs-related expenses, as distinguished from specific case-related expenses. In addition, it would extend the life of the fund through fiscal year 1991. It would authorize the use of the Fund for equipping forfeited vessels, vehicles, and aircraft for law enforcement functions for use by the Federal Bureau of Investigation, and the U.S. Marshals Service.

The bill also amends the RICO and drug forfeiture provisions, as enacted by the Comprehensive Crime Control Act of 1984, to add a provision permitting forfeiture of so-called "substitute assets" of a defendant whose property subject to forfeiture upon conviction could not be forfeited because, e.g., of its transfer to a third party, or its transfer outside the United States.

Part L is a provision to repeal the Exclusionary Rule if the search or seizure was undertaken in an objectively reasonable belief that it was in conformity with the Fourth Amendment.

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TITLE VI

The "Public Education and Private Sector Initiatives Act of 1986" makes two changes to remove statutory impediments to ongoing efforts to recruit private sector groups for volunteer programs to educate the public about the dangers of drug use. Both changes are limited in scope and do not reflect any fundamental criticism of the statutes being amended. Instead, they merely seek to change anomalies in the law, which we do not believe Congress ever intended, to ensure that they do not interfere with efforts to establish a public sector-private sector partnership to aid in the war on illegal drugs.

9/12/86 -- 8:00 a.m. -- Draft

TO THE CONGRESS OF THE UNITED STATES:

I am pleased to transmit today for your immediate consideration and enactment the "Comprehensive War Against Drugs Act of 1986." This proposal is without question one of the most important, and one of the most critically needed, pieces of legislation that my Administration has proposed. I am strongly and firmly committed to its passage before adjournment of the 99th Congress.

Drugs are menacing our nation. When Nancy and I spoke to the Nation yesterday evening about what we Americans can do to fight and win the war against illegal drugs, we said that it is time to pull together. All Americans -- in our schools, our jobs, our neighborhoods -- must work together. No one level of government, no single institution, no lone group of citizens can eliminate the horror of drug abuse. In this national crusade, each of us is a critical soldier.

From the beginning of my Administration, I pledged to make the fight against drug abuse one of my highest priorities. We have taken strong steps to turn the tide against illegal drugs. To reduce the supply of drugs available in our country, we moved

aggressively against the growers, producers, transporters, smugglers, and traffickers. My request for the portion of Federal law enforcement budget dedicated to stopping drug smugglers and traffickers was over \$2.3 billion for 1987, compared to just \$700 million in 1981. To reduce demand, we took strong steps to encourage those who use drugs to stop and those who do not, to never begin. I am especially pleased at the success that the military has experienced, reducing drug usage by over 67% among our Armed Forces. And as a direct result of Nancy's leadership and commitment, over 10,000 "Just Say No" clubs have been formed throughout the United States over the past few years to discourage drug use among our youth. I think that is remarkable.

Today I am announcing a set of initiatives that will build upon what we have already accomplished. This set of initiatives is composed of several separate budget amendments, totaling over \$ in additional resources targeted to ridding our society of drugs; a six-title bill seeking stronger authority for our law enforcement personnel, both at home and abroad, increased penalties for taking part in the sale of illegal drugs, and establishing a new program to help our schools reach our youngsters before drugs reach them; and an Executive Order setting the example for our Nation's workplaces by achieving a drug-free Federal workforce. It is a thorough attack on all fronts in the drug war.

Through separate budget amendments that I will soon transmit, I will request \$100 million for one-time State grants to enhance our capacity in this country to treat drug users. We must put a stop to the tragedy of a drug user who seeks help, and cannot get urgently needed treatment. I will request \$34 million for increased research into the most successful rehabilitation and treatment methods. Our expanded research will include a focus on better ways to intervene with high risk children and adolescents. I will also request \$68.8 million for grants to communities which show they can pull together to fight the scourge in their neighborhoods. Federal matching funds will be made available to help communities to increase education, prevention and rehabilitation efforts. Finally, I will submit a request for additional funds for other intervention, education, and prevention assistance from the federal government.

Our law enforcement and interdiction efforts must be increased, as well. I will propose substantial new funding -- approximately \$380 million in 1987 -- for a major new enforcement initiative along our southwest border. A similar initiative will be proposed for the southeast border, involving at least \$100 million in new funds.

In the future, I will be proposing appropriate budget amendments to ensure that the necessary funds are made available. At the same time, activities with lower priority will be scaled back in order not to add to the Federal deficit. As I said last

night, we cannot wage war on drugs by declaring war on the American taxpayer. But let there be no mistake: I am wholeheartedly committed to obtaining these funds. If time prevents the Congress from appropriating them before adjournment, I will urge that it do so immediately upon reconvening in 1987.

The legislation I transmit today is the second component of the greatly increased anti-drug abuse effort to which I have pledged my Administration. This legislation is a six-titled measure that will, when enacted, will be the cornerstone of our efforts.

With respect to the particulars of our bill, title I, the "Drug-Free Federal Workplace Act of 1986," recognizes that the Federal Government, as the Nation's largest employer, can and should set an example in ensuring a drug-free workplace. It emphasizes that the use of illegal drugs by current or prospective Federal employees will in no way be condoned.

Title II of our bill, the "Drug-Free Schools Act of 1986," authorizes a major new grant program -- at \$100 million in 1987 -- to assist State and local governments in establishing drug-free learning environments in elementary and secondary schools.

Title III, the "Substance Abuse Services Amendments of 1987," responds to the grave health threat that the use of

illegal drugs presents. It would extend, from 1988 through 1992, the block grant under which funds are made available to the States for alcohol and drug abuse and mental health programs and would eliminate several unnecessary restrictions contained in current law which limit the flexibility of the States in putting these funds to work where they are most needed.

Title IV emphasizes the need for increased and better international cooperation in the fight against drugs. This important set of proposals would improve the procedures used in seizing the proceeds of narcotics-related crimes committed in other countries, facilitate the participation of United States law enforcement personnel in drug enforcement operations abroad, and ensure that aliens in this country who are convicted of illegal drug offenses can be deported.

Title V contains several measures that will make it clear to drug traffickers that we will make whatever tools are necessary available to our law enforcement personnel and our courts to ensure that those convicted of illegal drug offenses are both suitably punished and deprived of the fruits of their unlawful labors. This title would substantially increase penalties for drug trafficking, establish additional penalties for persons who take advantage of/employ juveniles in drug trafficking, go after the manufacturers of "designer drugs," and hit drug traffickers in their pocketbooks by cracking down hard on money laundering, a practice widely used to conceal the illegal origin of large

amounts of cash.

Finally, title VI, the "Public Awareness and Private Sector Initiatives Act of 1986," urges and encourages the increased cooperation between the private sector and the government in educating the public about the hazards of drug abuse.

I do not for a moment suggest that enactment of these legislative proposals will, by itself, result in the eradication of illegal drugs in America. This can only happen when all Americans join together in our fight against drugs. Prompt passage by the Congress of the entire package of my legislative proposals is an essential step in our plan to eradicate drug abuse.

Today, I will underscore my commitment to this legislation by signing an Executive Order that supports the goal laid out in title I. It will put in place a policy that the use of drugs by Federal employees, either on-duty or off-duty, will not be tolerated. The Order directs the head of each Federal agency to develop a plan to achieve a drug-free workplace and authorizes drug testing for applicants for all Federal jobs and for employees in certain sensitive positions. Programs to counsel, treat, and rehabilitate employees found to be using illegal drugs will be established.

Over the years, our country has never hesitated to defend

itself against the attack of any enemy, however formidable and whatever the odds. In many ways, the enemy facing us now -- illegal drugs -- is as formidable as any we have ever encountered. But it is an enemy we will beat. As a result of the combined actions of all Americans we will achieve the goal we all seek -- a drug-free America for ourselves and for our children.

THE WHITE HOUSE

THE WHITE HOUSE
WASHINGTON
September 11, 1986

MEMORANDUM FOR EDWIN MEESE III

FROM:

RALPH C. BLEDSOE



SUBJECT:

Cabinet Meeting on Drug Abuse Policy

The Cabinet will meet today at 2:00 p.m. in the Cabinet Room to discuss Drug Abuse Policy. Following the Cabinet photograph, you should lead discussion of the three major decisions the Domestic Policy Council is asking the President to make. They are:

1. Approve submitting the proposed legislative package to support the President's six drug abuse policy goals.
 2. Approve development and implementation of an Executive Order to achieve a drug-free Federal workplace.
 3. Approve implementation of action steps recommended in the Working Group on Drug Abuse Policy Report.
- o You may wish to provide background on the Council's meetings on this issue and the formation of the Working Group, as well as the NDEPB participation and actions.
 - o Carlton Turner can provide further background about the Working Group, its Task Forces, and the report.
 - o Legislation - You or Richard Willard could go through the legislation title by title, pausing for discussion of issues that were raised by Council members. Two or three issues should be resolved by the President in this discussion.
 - The "tone" of Title I. This would assure those who objected to the harshness, that the President's emphasis on voluntarism and treatment will be in the transmittal language.
 - The issue of proposing repeal or modification of the Mansfield Amendment.
 - The issue of whether to include the death penalty for drug traffickers.
 - o You can discuss the legislative strategy if needed, pointing out what Congress has done, and indicate that our proposals have been cleared by OMB and are ready for submittal after the Sunday evening address.

- o Executive Order - The second topic, the Executive Order can also be discussed by you or Richard Willard. You might give an overview of the 7 sections, and then review the two issues the Council could not resolve:
 - Whether to authorize agencies the discretion to test all job applicants, or only to test applicants for sensitive positions. The President had previously expressed a preference to only test for sensitive positions, but several agencies have asked for reconsideration.
 - Options for defining sensitive positions. Three options are offered: to include all nine specific categories of positions, include a list of fewer categories, or only include a general statement.

- o Other Drug Abuse Policy Initiatives. The third topic, other initiatives proposed in the Working Group report, will be handled by Carlton Turner. He will indicate the major initiatives under each of the six goals, and describe the specific action steps recommended by the Working Group.

These include a number of Executive Branch actions to strengthen Federal programs, and to work with the private sector to support the President and Mrs. Reagan's drug prevention efforts.

- o At the end of the meeting, you might re-emphasize the overall theme: holding drug user's accountable for their actions, and seeking a drug-free America.

cc Alfred H. Kingon
Becky N. Dunlop

THE WHITE HOUSE

WASHINGTON

September 18, 1986

MEMORANDUM FOR THE WORKING GROUP ON ~~DRUG ABUSE POLICY~~

FROM: CARLTON TURNER, ~~Chairman~~

SUBJECT: Working Group Meeting on September 22, 1986

There will be a meeting of the Working Group on Drug Abuse Policy on Monday, September 22, 1986 at 2:00 p.m. in Room 208. The following agenda items will be covered:

1. Status of Legislation - Richard Willard, Debbie Steelman
2. Status of Executive Order - Richard Willard
3. Review of Other Initiatives - Carlton Turner
4. Remaining Task
 - Steps Regarding Government Contractors
5. Other Business

THE WHITE HOUSE

WASHINGTON

September 18, 1986

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4. Remaining Task
 - Steps Regarding Government Contractors
5. Other Business

320



U.S. Department of Agriculture

Assistant Secretary for Administration

DATE:

Carlton -

This may be the beginning of a "grass roots" effort in Agriculture.
Pls return
Thx Ralph

Ralph Bledsoe,

Thought you'd be interested - this was sent to EL-IV group for consideration, and use.

Also to Gerry Riso, and USDA/SEA chairman.

Jellu.

Volunteer Drug Screening Tests

As emphasized by our President and the First Lady, unless we do something about the problem of drug use and abuse, our children and our society are in jeopardy.

President Reagan has led the way to demonstrate that voluntary screening tests for drug use is an effective method to express support for a drug-free society and to emphasize our confidence that we will find very little drug usage in the Federal workforce.

We urge that you consider volunteering for such a test and maintain that leadership role so necessary to effective management. Perhaps others would follow your lead in the same manner our President has demonstrated.

Any such initiative, and our collateral support for a voluntary test, depends on the individual--you.

CLOSE HOLD

Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/12/86 ACTION/CONCURRENCE/COMMENT DUE BY: 6:00 P.M. TODAY

SUBJECT: LEGISLATIVE MESSAGE AND FACT SHEET ON PRESIDENT'S DRUG INITIATIVE

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

REMARKS: Please provide any comments/recommendations directly to Steve Tupper (x3060) by 6:00 this evening, with an info copy to my office. Thank you.

RESPONSE:

CLOSE HOLD

Ralph Bledsoe

David L. Chew
Staff Secretary
Ext. 2702

September 5, 1986

DRUG ABUSE LEGISLATION

A Summary of the Administration's Legislative Proposal

On August 4, 1986, the President announced six new goals to build upon past accomplishments to curb drug abuse, and to lead Americans toward a drug-free society. The six goals are:

- o Drug-Free Workplaces
- o Drug-Free Schools
- o Expanding Drug Treatment
- o Expanding International Cooperation
- o Strengthening Law Enforcement
- o Increasing Public Awareness and Prevention

The Administration's proposed legislation includes a separate title supporting each of the six goals.

Title I. Drug-Free Workplaces

- o The proposed bill emphasizes the unacceptability of drug use in the workplace. It states that it shall not be unlawful under Federal law for any employer, including the Federal government, to use drug screening to curb drug abuse in their workforce.

Title II. Drug-Free Schools

- o The proposed legislation requests an FY 1987 funding authorization of \$100 million for grants to State and local educational agencies to establish drug-free learning environments within elementary and secondary schools.
- o Funding is proposed through offsets in the Department of Education FY 1987 appropriation.
- o Demonstrated success is required as a condition for continued funding.
- o The proposed bill will also state that it is not unlawful under Federal law for schools to conduct drug tests, and thus remove potential Federal statutory obstacles to drug screening by the States and local school districts.

Title III. Expanding Drug Treatment

- o The proposed legislation authorizes \$170 million for demonstration grants to encourage states and communities to develop programs to treat specific drug-related health problems, and eliminates unnecessary restrictions imposed under current block grant programs.
- o (Note: A separate supplemental appropriation of \$36 million will be sought to improve research in health-related areas, including drug testing, and a \$15 million authorization will be sought to establish a Center for Substance Abuse Prevention within HHS.)

Title IV. Expanding International Cooperation

- o The legislation proposes repeal of the Mansfield Amendment, which prohibits Federal officers from participating in drug arrests in foreign countries.
- o Rules on forfeiture of property in the United States derived from violation of foreign drug laws are amended to permit confiscation of drug dealer assets.
- o Immigration requirements are amended to allow deportation of aliens involved in drug trafficking.
- o Money laundering enforcement and penalties are strengthened.

Title V. Strengthening Law Enforcement

- o The proposed legislation includes eight subtitles clarifying and strengthening penalties for drug dealing.
- o It addresses such areas as penalties for large-scale domestic drug trafficking, punishments for possession of controlled substances, increased penalties for leaders of major drug rings, import and export violations, juvenile drug trafficking, and clandestine drug manufacturing.

Title VI. Increasing Public Awareness and Prevention

- o The legislation proposes a narrow, two year exemption from Federal procurement statutes which mandate competition even when a substantial portion of the services are donated. This exemption will apply only to services donated to the government to aid in the campaign against drug abuse.
- o Authorization is included to make United States Information Agency films on the dangers of drug abuse available for domestic audiences.

September 5, 1986

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- o Expanding International Cooperation
- o Strengthening Law Enforcement
- o Increasing Public Awareness and Prevention

The Administration's proposed legislation includes a separate title supporting each of the six goals.

Title I. Drug-Free Workplaces

- o The proposed bill emphasizes the unacceptability of drug use in the workplace. It states that it shall not be unlawful under Federal law for any employer, including the Federal government, to use drug screening to curb drug abuse in their workforce.

Title II. Drug-Free Schools

- o The proposed legislation requests an FY 1987 funding authorization of \$100 million for grants to State and local educational agencies to establish drug-free learning environments within elementary and secondary schools.
- o Funding is proposed through offsets in the Department of Education FY 1987 appropriation.
- o Demonstrated success is required as a condition for continued funding.
- o The proposed bill will also state that it is not unlawful under Federal law for schools to conduct drug tests, and thus remove potential Federal statutory obstacles to drug screening by the States and local school districts.

Title III. Expanding Drug Treatment

- o The proposed legislation authorizes \$170 million for demonstration grants to encourage states and communities to develop programs to treat specific drug-related health problems, and eliminates unnecessary restrictions imposed under current block grant programs.
- o (Note: A separate supplemental appropriation of \$36 million will be sought to improve research in health-related areas, including drug testing, and a \$15 million authorization will be sought to establish a Center for Substance Abuse Prevention within HHS.)

Title IV. Expanding International Cooperation

- o The legislation proposes repeal of the Mansfield Amendment, which prohibits Federal officers from participating in drug arrests in foreign countries.
- o Rules on forfeiture of property in the United States derived from violation of foreign drug laws are amended to permit confiscation of drug dealer assets.
- o Immigration requirements are amended to allow deportation of aliens involved in drug trafficking.
- o Money laundering enforcement and penalties are strengthened.

Title V. Strengthening Law Enforcement

- o The proposed legislation includes eight subtitles clarifying and strengthening penalties for drug dealing.
- o It addresses such areas as penalties for large-scale domestic drug trafficking, punishments for possession of controlled substances, increased penalties for leaders of major drug rings, import and export violations, juvenile drug trafficking, and clandestine drug manufacturing.

Title VI. Increasing Public Awareness and Prevention

- o The legislation proposes a narrow, two year exemption from Federal procurement statutes which mandate competition even when a substantial portion of the services are donated. This exemption will apply only to services donated to the government to aid in the campaign against drug abuse.
- o Authorization is included to make United States Information Agency films on the dangers of drug abuse available for domestic audiences.

September 5, 1986

DRUG ABUSE LEGISLATION

A Summary of the Administration's Legislative Proposal

On August 4, 1986, the President announced six new goals to build upon past accomplishments to curb drug abuse, and to lead Americans toward a drug-free society. The six goals are:

- o Drug-Free Workplaces
- o Drug-Free Schools
- o Expanding Drug Treatment
- o Expanding International Cooperation
- o Strengthening Law Enforcement
- o Increasing Public Awareness and Prevention

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