

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF NATIONAL DRUG CONTROL POLICY,

Washington, DC, October 21, 1997.

Hon. RICHARD A. GEPHARDT,  
Democratic Leader, U.S. House of Representatives, Washington, DC.

DEAR MR. LEADER: Thank you for your consideration of H.R. 2610 to reauthorize ONDCP. While the Administration strongly supports reauthorization of ONDCP, we have grave reservations about H.R. 2610 in its present form. The attached Statement of Administration Policy provides full details; the purpose of this letter is to highlight those of greatest importance.

First and foremost, we must construct a realistic roadmap to victory. ONDCP and the federal drug-control agencies have been working diligently to develop a performance measurement system that will lay out targets and measures designed to take the U.S. to historical low levels of drug use (as measured by official government data) within the next ten years. This performance measurement system already reflects thousands of hours of analysis. We are developing a final plan which will establish numerical targets that are both ambitious and achievable. The final plan will take into account known obstacles, such as the two- to three-year lag between noticeable changes in attitudes towards drugs and noticeable changes in behavior, and the time needed to hire and train law-enforcement, drug-treatment, and drug-prevention personnel. We believe the unrealistic targets set forth in H.R. 2610 could hurt our efforts against drug use when the public, seeing the inevitable failure to meet these goals, becomes convinced the effort is lost.

Second, the two-year reauthorization is an inadequate commitment to the national drug control strategy. A two year period does not provide adequate time to implement the ten-year plan supported by five-year budgets outlined in the 1997 National Drug Control Strategy. Nor is it of sufficient duration to allow ONDCP to compile data and evaluate the effectiveness of drug control programs through the performance measurement system we are developing. Finally, our ability to coordinate the efforts of federal agencies responsible for implementing the Strategy depends, in part, on ONDCP's long-term viability.

We appreciate your consideration and look forward to working with you to achieve a reauthorization bill that all of us can embrace.

Respectfully,

BARRY R. McCAFFREY,  
Director.

Enclosure.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, October 21, 1997.

STATEMENT OF ADMINISTRATION POLICY  
H.R. 2610—NATIONAL NARCOTICS LEADERSHIP ACT OF 1997

The Administration strongly supports reauthorization legislation for the Office of National Drug Control Policy (ONDCP), and has proposed legislation (H.R. 2407) for this purpose. Although H.R. 2610 contains several features of the Administration's proposal, the Administration opposes the bill as reported because it:

*Establishes numerical statutory targets for reducing drug use by the year 2001 that are unrealistic and unattainable in such a short time period.* The proposed goals do not take into consideration budget constraints, the two- to three-year lag between noticeable changes in attitudes toward drugs and noticeable changes in behavior, and the time needed to

hire and train law enforcement, drug treatment, and drug prevention personnel. The Administration's bill, in contrast, would codify a process for establishing meaningful performance measures without enacting inflexible specific numerical targets into law. That bill, H.R. 2407, would require ONDCP to develop a Performance Measurement System that includes a comprehensive set of objectives, measures, and targets, and that works in conjunction with agency performance plans required by the Government Performance and Results Act of 1993. The specifics of this system will be submitted to the Congress by early 1998.

*Reauthorizes ONDCP for only two years.* The Administration's proposal included a 12-year authorization, which is critical to implementation of the 10-year strategy, supported by five-year budgets, announced in the 1997 National Drug Control Strategy. Reauthorization must be of sufficient duration to allow ONDCP to compile data and evaluate the effectiveness of the drug control program through the Performance Measurement System it is developing. A two-year reauthorization is also inconsistent with the four-year goals established in H.R. 2610.

*Raises Constitutional questions.* The bill would authorize the Director of ONDCP to transfer funds among National Drug Control Program (NDCP) agencies with the advance approval of specified congressional committees. The committee approval mechanism is a violation of the Constitution's bicameral, and presentment requirements under the Supreme Court's *INS v. Chadha* decision. Other provisions that raise Constitutional questions include: the requirement that NDPC agency budget requests be provided to the Congress prior to review by the Office of Management and Budget, the statutory designation of the Director of ONDCP as a member of the President's cabinet; and the designation of the Director of ONDCP as the "primary spokesperson of the President on drug issues."

The Administration will seek amendments to address the objections cited above and in the attachment.

#### ATTACHMENT

##### ADDITIONAL OBJECTIONS TO H.R. 2610

Other Administration objections to H.R. 2610 include the bill's:

*Excessively burdensome reporting requirements.* For example, the bill would require each National Drug Control Program (NDCP) agency to submit semi-annual reports to ONDCP on the agency's progress with respect to the numerical goals established for reducing drug use. ONDCP would be required to submit a semi-annual summary of these reports to Congress. The requirement for semi-annual reporting will provide little additional useful information since most of the relevant data are available for annually or even less frequently. The reporting requirement would only divert attention and resources away from efforts to reduce drug use and its consequences.

*Prohibition of or creation of substantial obstacles to Federal funding for legitimate scientific research into potential uses of controlled substances.* H.R. 2610 would require the Director of ONDCP to ensure that no Federal funds are used for research relating to the legalization of a Schedule I substance for any purpose, including medicinal use. This provision could impair legitimate scientific research. Previous research that H.R. 2610 might have prohibited includes work on marinol, a synthetic THC compound that has been found to stimulate the appetite of AIDS patients, and on ibogaine, which is currently being studied for use in treating cocaine- and heroin-dependent addictions.

*Conflicts between the proposed responsibilities of the Director of ONDCP and those of other*

*agencies.* H.R. 2610 creates a new Deputy Director for Intelligence but neither delineates the responsibilities of this new position nor distinguishes them from those of the Director of Central Intelligence, thus creating the potential for confusion and duplication of effort. The bill also authorizes the Director of ONDCP to consult with "appropriate representatives of foreign governments" without recognizing the role of the State Department, the agency principally responsible for the conduct of foreign policy, or other agencies with authority for conducting or coordinating activities overseas. Finally, the requirement that ONDCP establish performance measures for drug control programs could conflict with the performance measures already developed or under development by NDPC agencies as required by the Government Performance Review Act (GPRA).

*Involvement of the Director of ONDCP in the internal management of other agencies.* H.R. 2610 requires the heads of NDPC agencies to provide the Director of ONDCP with unspecified "information" about any position (before an individual is nominated for such position) in National Drug Control Program offices or to any position at or above the level of Deputy Assistant Secretary. Although the bill does not specify a formal review or approval responsibility, it suggests a role for the Director that undercuts the authority of other Presidential appointees to manage their agencies.

*Prohibition on the use of High Intensity Drug Trafficking Areas (HIDTA) funds from being used to expand treatment programs.* Although the primary goal of HIDTA funding is to improve the coordination of law enforcement activities, it is critical to maintain and improve linkages between the criminal justice system and effective treatment programs.

*Failure to address the under-age use of tobacco and alcohol.* The 1991 Drug Strategy issued by ONDCP during the Bush Administration, and every Strategy issued since that time, has included the reduction of under-age use of alcohol and tobacco because these substances are recognized as gateways to illicit drug use. It is critical to codify reducing the under-age use of these substances within the scope of national drug control activities.

*Duplication of Clearinghouse Activities.* H.R. 2610 would require ONDCP to develop an interagency clearinghouse to distribute demand-related drug information, thereby duplicating the efforts of existing clearinghouses. This would be a poor use of limited drug control resources.

#### TRIBUTE TO RUDY DEMAREST

##### HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 29, 1997

Mr. PASCRELL. Mr. Speaker, I would like to call your attention to Mr. Rudy Demarest as he is honored by the Old Timers Athletic Association of Greater Paterson. He is the recipient of the 1997 Lou Costello Athletic Memorial Award. This prestigious award is presented annually to individuals who have made a life-long contribution to the sporting community of the Greater Paterson area. Rudy Demarest has earned this honor by serving as a baseball coach for over 60 years and providing a positive role model for the children of Paterson.

Rudy was born and raised in Paterson. He attended Central High School and demonstrated a gift for coaching at a very young

age. As a freshman in 1933, Rudy coached the School 10 baseball team to the city championship. An athlete in his own right, Rudy was invited to train with a professional team in Florida in 1946. However, he was unwilling to leave his wife, who was pregnant with his first child, and remained in Paterson. Foregoing his own dreams of professional athletics, Rudy channeled his energies into coaching, serving the Paterson area in various capacities for 64 years. Those who have been taught the fundamentals of baseball by Rudy remember him fondly. He is well known as a coach that focused on the individual needs of each athlete, often treating them like members of his own family. Not surprisingly, Rudy often shocks former pupils by calling them by their first name, sometimes 20 or 30 years after he coached them.

Rudy's distinguished career has been an unqualified success. For 14 years, he volunteered his time as an assistant baseball coach at John F. Kennedy High School in Paterson. Still an active member of the Passaic County American Legion Baseball Committee, he coached the team for Raymond Pellington American Legion Post 260 for many years. Rudy's accomplishments have not gone unnoticed. In 1985, he was named Paterson's Youth Guidance Man of the Year. In 1987, Rudy was named the vice president of the Metropolitan Semi-Pro Baseball League. In 1993, he was named commissioner of that organization. In 1994, he was honored by the Passaic County Coaches Association, an organization of which he has been a lifelong member.

In addition to his successes in coaching, Rudy is the proud father of four. Two of his progeny, son, Al, and granddaughter, Annette, have also been honored with awards from the Old Timers Athletic Association. The former driver for the Paterson News, Rudy also serves as president of the Senior Group of Our Lady of Pompei Roman Catholic Church.

Mr. Speaker, I ask that you join me, our colleagues, Rudy's family and friends, the city of Paterson, and the hundreds of Paterson youth that have benefited from Rudy's guidance in recognizing the wisdom of the Old Timers Athletic Association's choice of Rudy Demarest as the 1997 winner of the Lou Costello Athletic Memorial Award.

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SALUTING THE 18TH ANNUAL TESTIMONIAL DINNER OF MASJID BILAL

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**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 29, 1997*

Mr. STOKES. Mr. Speaker, I rise today to recognize the 18th annual testimonial dinner of the Masjid Bilal. This event will take place on November 1, 1997, in my congressional district. The Masjid Bilal is under the direction of Imam Clyde Rahman. I take special pride in recognizing the Masjid Bilal as it marks this important juncture.

The theme for the 18th testimonial dinner is "The Lamp of Education; the Light of Reli-

gion." In selecting this theme, we will be able to focus on the importance of educating our youth as they prepare to become the leaders of tomorrow. We will also direct our attention to the role that religion plays in guiding individuals and families to assume greater responsibility within the community at large.

Mr. Speaker, one of the highlights of the testimonial dinner will be a tribute to three individuals within the Greater Cleveland community. The honorees are: Dr. Jerry Sue Thornton, president of Cuyahoga Community College; Terry Butler, principal of East Technical High School; and Imam Ahmed Abbas, a high school teacher and religious leader. Each of the individuals being honored have demonstrated an untiring commitment to youth throughout the Greater Cleveland area. I am pleased that their efforts are being acknowledged, and I extend my personal congratulations to each of them.

Over the years, I have enjoyed a close association with Imam Clyde Rahman and members of Masjid Bilal. I note with pride the fact that this is the first Masjid to be built on American soil, with financing for the project coming from the African-American community. Imam Rahman is also a leader who has reached across racial and religious lines to promote universal understanding and peace.

On the occasion of the 18th annual testimonial dinner, I join many others in applauding Imam Rahman for his continued leadership to the Greater Cleveland community. I salute him and wish Masjid Bilal continued success.