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February 21, 1974

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TO THE CONGRESS OF THE UNITED STATES:

One of the leading concerns of this Administration over the past five years has been the problem of drug abuse in America. In the 1960's, the number of heroin users increased substantially, reaching more than a half-million by 1971, and we saw an increase in the abuse of other narcotic and non-narcotic drugs.

With the cooperation of the Congress, and with the assistance of many foreign nations that were involved, we have undertaken a massive response to a problem which was assuming massive proportions. Our response has been balanced between rehabilitation for drug users, and strong enforcement against drug traffickers. It is compassionate, thorough and tough -- and it has been highly effective.

Rehabilitation

In 1971, Federally-financed treatment programs for drug abuse were assisting 20,000 people. Today, these programs, linked with State and local drug abuse treatment programs have a capacity for helping more than 160,000 people.

In 1972, we had some 30,000 people on waiting lists for treatment of heroin addiction. Today, these waiting lists have been virtually eliminated. Those who formerly resorted to crime to support a drug habit because treatment was unavailable no longer have that excuse for their criminal activities. Those who want help can get that help.

There are those who need help but are unwilling to seek it. We are doing everything possible to encourage them to come in out of the cold. As an incentive to those who are not motivated to seek help on their own, Federal agencies are increasing their support of local programs to provide treatment for addicts and abusers who become involved in the criminal justice system.

Delivered to Congress: 2/21/74 (1:45 pm)

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Enforcement

Federal drug investigation and intelligence responsibilities have been consolidated in the new Drug Enforcement Administration of the Justice Department to provide the strongest possible spearhead in the attack on America's number one public enemy.

International seizures of opiates have increased sharply in the last year. The number of Federal drug-related arrests has jumped from over 15,000 in fiscal year 1972 to almost 25,000 in fiscal year 1973.

The continuing heroin shortage in the East Coast is an encouraging sign of success in the effort to stem the flow of this dangerous drug into our country. I am informed that the price of a miligram of heroin in New York City has tripled in the past 24 months. The purity of that heroin which is available was reduced by almost half in the same period. While we cannot solve the drug problem without treating those who are addicted, the most important factor in seeking a solution will be continued reduction of illicit drug supplies. If we are to eliminate the supply of illicit drugs we must remove from our society those who deal in these drugs.

I am determined to maintain and increase the pressure on those who traffic in human misery. Despite the very positive evidence that we are on the right track in removing the menace of drug abuse from our society, more remains to be done.

In my message to the Congress of June 17, 1971, requesting legislation for the present full-scale Federal offensive against drug abuse, I made it clear that there was much we did not know about this problem. I noted in that message that "it is impossible to say that the

enforcement legislation I have asked for here will be conclusive -- that we will not need further legislation. We cannot fully know at this time what further steps will be necessary. As those steps define themselves, we will be prepared to seek further legislation to take any action and every action necessary to wipe out the menace of drug addiction in America."

While our enforcement efforts are proving effective in finding drug traffickers, our system of criminal justice is not as effective in dealing with them after they are arrested. Justice Department studies show that more than a quarter of those who are convicted of narcotics trafficking do not serve a single day behind bars. These studies also indicate that nearly half of those arrested for drug trafficking may be continuing their criminal activities while out on bail. Further, because of the enormous sums of money involved in trafficking, a drug law violator finds it easier to post a high bail than do persons involved in other types of crime.

We have identified these loopholes in the criminal justice system, and now we must close them. I will submit shortly to the Congress legislative proposals which would increase the penalties for those who traffick in narcotics, provide mandatory minimum sentencing of narcotic traffickers for first time offenses, and enable judges to deny bail, under certain conditions, pending trial.

New Legislation Aimed at Drug Traffickers

The new penalties for narcotics trafficking would provide minimum Federal sentences of not less than three nor more than fifteen years for a first offense. It would provide not less than ten nor more than thirty years for a second offense. Additionally, the proposal would increase

the maximum Federal penalty for illicit trafficking in other dangerous drugs from the present five years for a first offense to ten years; and for the second offense, the minimum penalty would be three years and the maximum penalty would be increased from ten to fifteen years.

This proposal would also enable judges to deny bail in the absence of compelling circumstances if a defendant arrested for trafficking dangerous drugs is found (1) to have previously been convicted of a drug felony, (2) to be presently free on parole, probation, or bail in connection with another felony, (3) to be a non-resident alien, (4) to have been arrested in possession of a false passport, or (5) to be a fugitive or previously convicted of having been a fugitive. The defendant must be brought to trial within 60 days or the matter of bail would be reopened, without regard to the earlier findings.

Conclusion

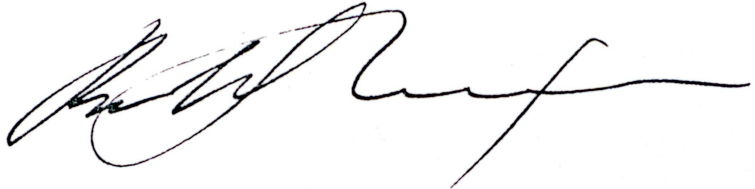
Drug abuse is a problem that we are solving in America. We have already turned the corner on heroin. But the task ahead will be long and difficult, and the closer we come to success, the more difficult the task will be. We can never afford to relax our vigilance and we must be willing to adjust our methods as experience tells us they should be adjusted.

We will continue to support treatment and rehabilitation of abusers with all the generosity and compassion which victims of drug abuse require.

But there can be no compassion for those who make others victims of their own greed. Drug traffickers must be dealt with harshly, and where the law is not sufficient

to the task, we must provide new laws, and we must do so rapidly.

I urge the earliest possible consideration and passage of the legislation which I am proposing to strengthen our drug enforcement efforts by closing the loopholes in our criminal justice system.

A handwritten signature in dark ink, appearing to be "R. Nixon", written in a cursive, flowing style.

THE WHITE HOUSE,
February 21, 1974