

4. Eliminate penalty for possession of marihuana for one's personal use but retain executive seizure authority provided under DACA.

5. Increase penalty for illegal sale, manufacture, distribution, and propagation of all controlled drugs from the misdemeanor to the felony level without a mandatory sentencing provision.

6. Eliminate mandatory sentencing for all violations involving marihuana.

7. Require licensing of all marihuana growers, dealers, and handlers where sale, distribution, and propagation is intended.

The records also show that a draft departmental position paper, the recommendations of which were substantially the same as those in your original memo, was circulated by the Assistant Secretary for Health, Dr. Lee, on August 14, 1967. This draft, with the reinsertion of some language from your original memo, was endorsed by Deputy Commissioner Rankin, with your concurrence, on August 16, 1967.

A revised position paper, incorporating these suggested changes, was circulated by Dr. Silverman on September 5, 1967, and was endorsed by Mr. Rankin on September 8, 1967.

It seems to me that the subcommittee deserves an explanation of the obvious discrepancy between the facts as shown in the documents cited above and your testimony on November 14.

An early response to this letter will be appreciated.

Sincerely,

L. H. FOUNTAIN,

Chairman, Intergovernmental Relations Subcommittee.

MEMORANDUM

JULY 12, 1967.

To : James L. Goddard, Commissioner of Food and Drugs.

Thru : Director, Bureau of Drug Abuse Control, Acting Director, Division of Drug Studies and Statistics.

Subject : Discussion of preliminary approaches to the marihuana problem.

INTRODUCTION

On Wednesday, June 28, a small group of persons from NIMH, FDA, Office of Education, and HEW, discussed informally some of the problems and issues of marihuana. At the end of the discussion, it was agreed that each person would write up a couple of pages of discussion representing his current thoughts on marihuana. Subject to the review and approval of persons listed above, the discussion material will be sent to Mr. Joseph Murphy, special assistant to the assistant secretary for program coordination, HEW.

DISCUSSION

The marihuana problem that exists today should be looked at from many viewpoints at the same time to make sense of it. The groups whose views are most important are: young people as an age group; young people with high drug interest; parents; regulatory enforcement agencies; public health personnel; and so on.

For both young people as a general group and young people interested in experimenting with drugs, there are few real issues involved with marihuana other than legal controls that exist on it, societies' "inconsistent" attitudes about drugs, and their personal freedom to ingest anything as they now see fit. For the group of scientists and administrators concerned with the drug, the issues and problems are more complex and difficult. Some of these persons think we know enough about the drug to assess the proper level of social controls over it while others think this performance is not now available. The fact that those who should know about the drug disagree so much points to the conclusion that we do not have a convincing core of information.

Just as important as "the facts" is our current inability to say what an educational program should look like if the facts were available. That is, there is a big difference between having information on pharmacology, toxicity and threats to health that a drug poses and our ability to get this information across to the medium and high risk groups in such a way as to change their behavior. The