

STIFFER DRUG LAW BACKED, FOR THE RECORD

FDA chief states support of bill to curb abuse but takes issue with approach

An Administration proposal to make it a crime just to possess hallucinogenic drugs, such as LSD, and "other depressant and stimulant drugs" without a prescription has stirred a controversy. And caught in the middle is the outspoken Commissioner of the Food and Drug Administration, Dr. James L. Goddard.

The controversy blew up even before hearings on the new bill were held by the health subcommittee of the House Interstate and Foreign Commerce Committee. Sen. Thomas Dodd (D-Conn.), chairman of the Senate juvenile delinquency subcommittee, had asked Dr. Goddard to appear at hearings on the enforcement of drug laws. The senator let it be known that he would ask him about his views on the pending Administration bill.

Dr. Goddard's views on the subject were already known. Last fall, in testifying before the House Interstate and Foreign Commerce Committee, he questioned the wisdom of existing laws that make the possession of marijuana a felony. He added at that time that he saw no useful purpose in adding penalties for possession of hallucinogens, amphetamines, and barbiturates.

Refusal and Acceptance

The FDA chief declined to appear at the Senate hearings on the grounds that he might be needed that day to help brief the press on the President's health message—which then failed to be released. Angered by the commissioner's decision, Senator Dodd canceled the hearings. Word was leaked to the press that the White House had ordered Dr. Goddard not to testify because of his personal lack of support for the drug-abuse bill.

A short time later, Dr. Goddard was called and appeared at a hearing before the House subcommittee on health, chaired by Rep. Paul D. Rogers (D-Fla.). In carefully worded, prepared testimony, the commissioner stated that, although he was on record as having "some hesitancy about attaching a criminal penalty to posses-



At hearing held by Rep. Rogers (right), Dr. Goddard gives views as an MD.

sion for personal use," he supported the President's proposal.

The commissioner did not get off the hook that easily. In answer to questions put by Rep. Tim Lee Carter (R-Ky.), a committee member and a physician, Dr. Goddard made his differences with the White House quite clear. Giving his personal view as a physician, he said that "it would be unwise to provide penalties which might mark a large number of young people, just entering adulthood, as criminals because they were found in possession of a small amount of drugs for personal use."

Representative Carter told Dr. Goddard that, as a physician, he also questions the advisability of a law that would make potential criminals of perhaps hundreds of thousands of young people. At the same time, the congressman questioned the feasibility of enforcing such a law.

The best way to combat use of dangerous drugs by young people, Dr. Goddard stressed, lies in vigorous enforcement of existing penalties against illicit manufacturers and distributors.

The AMA is not expected to support the Administration's bill—but not for the reasons given by Dr. Goddard and Representative Carter. Many physicians think the bill's language citing the illegal possession of depressant

and stimulant drugs is sufficiently broad to include the psychotropic drugs in common use, and this could pose a new headache for physicians.

After Dr. Goddard's appearance before the House subcommittee, he was called again by the Dodd subcommittee. Under questioning by Senator Dodd, the commissioner said he not only opposed laws exacting penalties for possession of LSD but felt the same about making the possession of heroin a criminal act. As a physician, Dr. Goddard said, he felt users of heroin were in need of medical treatment, not punishment.

Many health officials in the Department of Health, Education, and Welfare are known to oppose penalties for possession of drugs. But only the commissioner was placed in the position of opposing the bill. And Henry Giordano, commissioner of the federal Bureau of Narcotics, testified that he supported the Administration bill because failure to do so would, in effect, tell young people the government has no objection to improper use of drugs.

Despite the demurrers of Representative Carter, the House subcommittee voiced support for the Administration bill. And as part of Johnson's anticrime package, it is expected to have strong political appeal in this election year. ■