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War on Drugs: The National Youth Anti-Drug Media Campaign

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Summary

Authorization of the National Youth Anti-Drug Media Campaign, a multi-media federal program to persuade America's youth not to use drugs, expired at the end of FY2002. H.R. 2086, which has been reported by the House Government Reform Committee, would reauthorize the media campaign for an additional 5 years through FY2008. The campaign's effectiveness has been questioned, and the program has engendered its share of controversy. Nevertheless, the Office of National Drug Control Policy, which runs the campaign, is optimistic that recent changes in campaign strategy will reduce youth drug use. This report will be updated as legislative activity occurs.

Background

Although it accounts for less than one percent of the federal drug-control budget, the National Youth Anti-Drug Media Campaign is, for many Americans, the most visible aspect of the war on drugs. This is by design. The campaign's strategy is based on the belief that its efforts to persuade young people not to use illegal drugs will work only if its advertisements are seen repeatedly by large numbers of youth and those who influence them, such as their parents, teachers, clergy, and mentors. According to recent congressional testimony, the campaign's broadcast, print, and Internet ads reach about 90% of all teens at least four times per week at a cost to taxpayers of less than \$8 per teenager per year.¹

The media campaign was authorized by the Drug-Free Media Campaign Act of 1998. This law, less than two pages in length, instructed the Director of the Office of National Drug Control Policy (commonly referred to as the "Drug Czar") to "conduct a national media campaign ... for the purpose of reducing and preventing drug abuse among young

¹ The facts cited in this paper, unless otherwise noted, are drawn from testimony presented at the hearing on the media campaign held on Mar. 27, 2003, by the House Government Reform Subcommittee on Criminal Justice, Drug Policy, and Human Resources.

people in the United States.”² The anti-drug advertising campaign is an attempt at behavior change, forms of which have been used in other government campaigns and are used by non-governmental organizations and commercial marketers. It seeks to reinforce existing anti-drug attitudes in youth and adults and reverse the attitudes of those who have positive ideas about illegal drugs, thereby reducing the number of drug-using youth.

The media campaign is a public-private partnership. Most of the campaign’s advertisements have been produced by the Partnership for a Drug Free America (PDFA), a non-profit organization that recruits advertising agencies to develop creative concepts on a pro bono basis. Appropriated media campaign funds are then used to cover the costs of actually making the finished ads. The Partnership itself receives no federal funding. Its relationship with the Office of National Drug Control Policy (ONDCP) has made PDFA the single largest public service initiative in the history of advertising.

Program Funding

The Drug-Free Media Campaign Act authorized appropriations to ONDCP of \$195 million for each fiscal year from 1999 through 2002 – a total of \$975 million – to pay for the campaign. The Administration had originally proposed a somewhat less generous \$175 million per year budget, for a total of \$875 million, although subsequent budget requests were for larger amounts. Actual appropriations through FY2002 of \$930 million amounted to \$55 million more than ONDCP originally sought and \$45 million less than the authorized level. Although the authorization expired at the end of FY2002, funds were appropriated to continue the campaign in FY2003, albeit at a reduced level. (See **Table 1**.) In total, over the past 6 years, Congress has provided \$1.08 billion to the media campaign, making it one of the country’s largest advertisers.

Table 1. Media Campaign Appropriations, by Fiscal Year
(\$ in millions)

Fiscal year	Authorized	Administration request	House passed	Senate passed	Final appropriation
1998	\$195.0	\$175.0	\$195.0	\$110.0	\$195.0
1999	\$195.0	\$195.0	\$185.0	\$110.0	\$185.0
2000	\$195.0	\$185.0	\$195.0	\$96.5	\$185.0
2001	\$195.0	\$185.0	\$185.0	\$98.7	\$185.0
2002	\$195.0	\$185.0	\$180.0	\$185.0	\$180.0
2003	\$0.0	\$180.0	\$170.0	\$100.0	\$150.0
2004	\$0.0	\$170.0			

Source: Table prepared by Congressional Research Service (CRS) from Administration budget requests and appropriations bills.

² P.L. 105-277, Division D, Title I Sect. 102, Oct. 21, 1998; 112 Stat. 2681-752; 21 U.S.C. 1801.

The President's budget submission for FY2004 provides the following comment about the campaign (Appendix, p. 1053):

In 2002, the Office of Management and Budget (OMB) conducted a systematic review of more than 200 Federal programs to assess their performance in a number of areas. The National Youth Anti-Drug Media Campaign has not demonstrated the results sought and does not yet have adequate performance measures and related goals. The OMB recommended actions include: (1) continued emphasis on developing acceptable performance measures and goals; (2) allowing sufficient time for the effects of recent ONDCP actions to be realized before pursuing changes to the program; (3) seeking no funding increases for the program; and (4) making FY2005 funding contingent upon improved results.

Early Implementation of the Campaign

Phase I of the campaign, January-July 1998, consisted of a 12-city test pilot of ads addressed to various ethnic and geographic audiences. Audience awareness surveys and focus groups were conducted. Phase II, August 1998-July 1999, moved the campaign's testing and evaluation to the national stage with anti-drug ads on television, radio, print, and outdoor media. Internet sites for youth, parents, and community partners were launched. Partnerships were begun with corporations, community anti-drug coalitions, and state and local governments. Research efforts continued.

In 1999, after conducting a series of panels composed of national experts in public health, social marketing, advertising, and youth behavior change, ONDCP organized Phase III of the campaign. The decision was made to target the campaign's prevention efforts toward youths aged 9 to 18 but with an emphasis on so-called "tweens," those aged 11 to 13 (7th and 8th graders). National surveys showed that drug use first began at the ages of 11 to 13, but was not yet widespread. It was believed that focusing on these younger youth would be the most effective strategy. "Stopping drug use before it starts" became a familiar refrain of then-Drug Czar Barry McCaffrey. Phase III commenced in August 1999 with all elements in place, including additional partnerships with national media, entertainment, and sports organizations as well as civic, professional, and community groups.

The Matching Requirement and an Early Controversy

The campaign's authorizing legislation has a matching requirement. Media companies that are paid by the campaign to run anti-drug ads are required to donate an equal amount of advertising time or space to the campaign. ONDCP contracts with the Advertising Council to run this National Media Match Program, which has garnered \$447 million worth of pro bono TV and radio time for public service announcements (PSAs). In addition to the campaign's core ads, the matching requirement can be met by airing the PSAs of 64 other approved agencies or groups – such as the YMCA – whose programs reinforce ONDCP's youth drug prevention strategy.

Early in the program, ONDCP began giving credit toward the matching requirement to television networks whose programs contained anti-drug story lines. The networks could then reclaim the credited time it owed to the government and resell it to commercial advertisers at the going rate. Some magazines participating in the campaign also were

credited with meeting the matching requirement by printing stories or editorials with anti-drug content. In some cases, ONDCP began reviewing scripts before filming and suggesting changes to make shows conform to the campaign's anti-drug message. Under this scheme, the networks earned \$21.8 million in FY1999 by selling air-time that, in the absence of the credits for anti-drug messages embedded in their programs, would have been donated to the campaign under the matching requirement.³

ONDCP's approach to influencing the content of television shows and magazine articles was publicized in January 2000 in an article by free-lance reporter Daniel Forbes in the online magazine *Salon*.⁴ The next day, the story appeared on the front page of the *Washington Post*⁵ and was picked up by other media outlets, resulting in congressional hearings. FY2001 appropriations language prohibited the practice of crediting media outlets on the basis of story content.⁶ At least one law review article has deemed the practice unconstitutional.⁷

Oversight and Evaluation

The campaign's authorizing and appropriations language both require rigorous evaluation of the program. ONDCP has allocated \$35 million over 5 years for measuring program performance. The National Institute on Drug Abuse (NIDA) manages the Phase III evaluation for ONDCP and awarded the prime evaluation contract to Westat, Inc. Results are derived from a nationally representative household survey of youths and parents. In May 2002, NIDA released a Westat evaluation report that found little evidence that the youth campaign had had direct, favorable effects between 2000 and 2001 on drug use by young Americans.⁸ This finding was repeated by Westat in its November 2002 report:

There is little evidence of direct favorable Campaign effects on youth. There is no statistically significant decline in marijuana use to date, and some evidence for an increase in use from 2000 to 2001. Nor are there improvements in beliefs and attitudes about marijuana use between 2000 and the first half of 2002. Contrarily, there are some unfavorable trends in youth anti-marijuana beliefs. Also there is no

³ U.S. Congress, House, Committee on Commerce, Subcommittee on Telecommunications, Trade, and Consumer Protection, *The White House, the Networks and TV Censorship*, hearing, 106th Congress, 2nd sess., Feb. 9, 2000 (Washington: GPO, 2000), p. 40.

⁴ Forbes, Daniel, "Prime-Time Propaganda," *Salon*, Jan. 13, 2000. Forbes' stories on this issue can be accessed in the archives of Salon.com.

⁵ Kurtz, Howard, and Sharon Waxman, "White House Cut Anti-Drug Deal with TV," *Washington Post*, Jan. 14, 2000, p. A1.

⁶ U.S. Congress, Conference Committees, 2000, *Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 2001*, conference report to accompany H.R. 4577, H.Rept. 106-1033, 106th Cong., 2nd sess. (Washington: GPO, 2000), pp. 390-391.

⁷ Berschadsky, Ariel, "White House Anti-Drug Policy: Statutory and Constitutional Implications," *Cardozo Arts and Entertainment Law Journal*, v. 19, 2001, p. 199.

⁸ O'Connell, Vanessa, "Drug Czar Says Ad Campaign Has Flopped," *Wall Street Journal*, May 14, 2002, p. B1.

tendency for those reporting more exposure to Campaign messages to hold more desirable beliefs.⁹

Congressional appropriators, informed by these and other evaluations of the media campaign, have frequently expressed concern about the campaign. Most recently, after noting that total appropriations since the inception of the campaign now exceed \$1 billion, the FY2003 appropriations conference report states: “The conferees are deeply disturbed by the lack of evidence that the National Youth Anti-Drug Media Campaign has had any appreciable impact on youth drug use. ... If the campaign continues to fail to demonstrate effectiveness, then the Committees will be compelled to reevaluate the use of taxpayer money to support the Media Campaign.”¹⁰

A controversial series of ads, which began running during the 2002 Super Bowl, paint drug users as implicit supporters of terrorism by providing money that is channeled to such uses. These ads have been criticized as misleading and ineffective in media stories. Some critics contend that it is drug prohibition laws – not drug users – that make possible huge, illegal drug profits, some of which might be used to fund acts of terrorism. Moreover, the ads target young, infrequent users who do not account for the vast bulk of drug use – and therefore drug revenues. These ads, which have been dropped, also created friction between ONDCP and PDFA, with PDFA considering the ads off-target.

Changes in Strategy

ONDCP Director Walters convened a task force in February 2002 to examine strategic issues affecting campaign performance. The group agreed on significant changes in campaign strategy. Recognizing that the sharpest increase in drug use occurs among youth aged 14 to 16 (9th and 10th graders), the campaign’s focus was shifted from “tweens” to these older teens. More rigorous testing of ads was also decided upon. In the past, not all ads were tested before they ran. Now, all TV ads would be thoroughly tested against more demanding standards before being aired. There would also be earlier involvement by ONDCP in the advertising development process.

The release of Westat’s May 2002 evaluation resulted in another important change. It was decided that the campaign would concentrate its efforts against marijuana. Walters said in a hearing that “it is clear that we cannot expect to make progress toward our goal of reducing youth drug use until we significantly reduce the use of marijuana, the preponderant drug of choice among youth.”¹¹ H.R. 2086 would reinforce this anti-marijuana focus of the campaign with its congressional findings on the harmfulness of the

⁹ Hornik, Robert, et al. *Evaluation of the National Youth Anti-Drug Media Campaign: Fifth Semi-Annual Report of Findings Executive Summary*. (Rockville, MD: Westat, Nov. 2002), p. xi.

¹⁰ U.S. Congress, Conference Committees, 2003, *Making Further Continuing Appropriations for the Fiscal Year 2003, and for Other Purposes*, conference report to accompany H.J.Res. 2, H.Rept. 108-10, 108th Cong., 1st sess. (Washington: GPO, 2003), pp. 1345-1346.

¹¹ U.S. Congress, Senate Committee on Appropriations, Subcommittee on Treasury and General Government, *Effectiveness of the National Youth Anti-Drug Media Campaign*, special hearing, 107th Cong., 2nd sess., June 19, 2002 (Washington: GPO, 2002), p. 14. Actually, alcohol, followed by tobacco, is the most prevalent drug used by America’s youth, and such drug use, while legal for adults, is not legal for youth.

substance and its provision that “the Director [of ONDCP] may emphasize prevention of youth marijuana use” in the advertising and other activities of the media campaign.

Two more changes were revealed by ONDCP Chief of Staff Chris Marston at a hearing by a House Committee on Government Reform subcommittee in March 2003. Up to now, 60% of the campaign ads have been directed at adults who influence youth, with 40% directed at youth themselves. Beginning in July 2003, that ratio will be reversed. Also, Marston said that the next phase of the campaign will introduce the theme of treatment in campaign ads, beginning with an emphasis on early intervention, in an attempt to reach youth who use drugs on a regular basis.

Taken together, according to Marston’s testimony, all of these changes “mark a substantially new and essentially re-directed Media Campaign.” The next Westat evaluation, due by the end of 2003, will measure the effectiveness of the spring 2002 changes. In the meantime, a short-term evaluation by PDFA of these changes should be completed by this June. Measurement of the effectiveness of the other changes will be a longer time in coming.

Reauthorizing Legislation in the 108th Congress

H.R. 2086, the Office of National Drug Control Policy Reauthorization Act of 2003, would reauthorize the media campaign through FY2008. The bill would authorize appropriations of \$195 million each for FY2004 and FY2005 and \$210 million for each of the remaining 3 fiscal years. The House Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on the media campaign on March 27, 2003. The subcommittee marked up the bill and ordered it reported to the full committee on May 15, 2003. The full committee held a markup on June 5 and agreed to an amendment in the nature of a substitute.

Deleted was a provision that appeared to allow the ONDCP Director to use media campaign funds to oppose the passage of drug-law liberalizing voter initiatives in the states. The version of H.R. 2086 reported by the full committee would specifically prohibit use of campaign funds “[f]or partisan political purposes, or express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.”

Also dropped was a provision that would have exempted media campaign ads from a November 2002 ruling of the Federal Communications Commission requiring that all ads that are run to satisfy a media outlet’s matching requirement must state that the time has been furnished by ONDCP, even if the ads were produced by other government agencies or non-profits that object to having their ads tagged with implied ONDCP sponsorship. ONDCP, the Ad Council, and some of the non-profit organizations that participate in the National Media Match program had asked that the reauthorizing legislation statutorily exclude participants in the media campaign from this requirement.

A side-by-side comparison of the provisions of H.R. 2086 with current law is available to congressional requesters from the author of this report.