

CRS Issue Brief

Drug Control: 102nd Congress

Updated December 14, 1992
(Archived)

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SUMMARY

How to prevent the nonmedical use of dependency-producing drugs has been a public policy concern for at least a century. A large part of the responsibility for controlling such substances has been assumed by the Federal Government. Historically based on a decision to restrict availability through a system of close regulation, including selective prohibition, the current Federal anti-drug strategy relies on activities and programs in the following major areas: (1) regulation and other "enforcement" efforts; (2) support for international control and for control efforts of individual drug-producing and drug-transiting countries; (3) education and other prevention activities; (4) treatment and rehabilitation for drug-dependent persons; and (5) research on drugs, drug dependency, and prevention and treatment methods.

Although the basic policy of restriction has been criticized, it seems to enjoy general national support. A renewed discussion of the merits of legalization or "decriminalization" has not yet been reflected, to any significant degree, in congressional concerns over drug matters. Instead, today's policy questions are more likely to focus on the

degree of priority assigned to the problem, the level of resources devoted, the emphasis given to each of the major components of the anti-drug strategy, and the effectiveness of policy implementation (including overall coordination and direction).

Included among anti-drug enactments of the 101st Congress was an omnibus crime and drug control bill (S. 3266, P.L. 101-647) passed at the close of the second session. This 1990 measure followed the passage of similar omnibus bills in 1984, 1986, and 1988, of which the latter two included authorizations for large increases in anti-drug appropriations. A number of significant drug-related provisions were dropped from the final version of the 1990 statute, and these proposals again became focal points in the 102d Congress. On July 11, 1991, the Senate passed the Violent Crime Control Act (S. 1241), a 49-title bill with many drug-related provisions, and the House passed a related proposal (H.R. 3371) on Oct. 22, 1991. A conference agreement was approved by the House before the end of the first session, but three failed cloture motions in the Senate kept it from enactment.

ISSUE DEFINITION

The nonmedical use of narcotics and other dangerous drugs has been a national problem since the latter part of the nineteenth century. A large part of the responsibility for controlling such substances has been assumed by the Federal Government. Currently embracing a broad spectrum of approaches, the Federal commitment to anti-drug efforts has expanded rapidly in recent years. At the most general level, the major issue is whether the policy of preventing the abuse of drugs through restrictive and even prohibitory controls is the best possible. Assuming that it is, the second-level policy questions are: is the drug problem accorded an appropriate position in the list of national priorities? Are we pursuing the most effective strategies for carrying the policy out? Are these strategies being properly implemented? If not, how can they be improved? Do the strategies conflict with other national or public interests?

BACKGROUND AND ANALYSIS

General Background

How to prevent the nontherapeutic use of dependency-producing drugs has been a public policy issue in the United States for over a century. Interest in the question has been especially strong in the past 25 years. During this period, an apparently sharp increase in heroin use in many inner cities has been augmented by the growing abuse of other drugs -- including cocaine and, more recently, cocaine base ("crack" and "rock").

Current estimates of retail dollar value of the three principal illicit drugs consumed annually in the United States (cocaine, marihuana, and heroin) range from \$50 billion to \$150 billion. Although various indicators point to a significant decline in drug abuse within some population groups during the past decade, there is also evidence of a significant increase in chronic use -- especially of cocaine and "crack" -- among other groups. Additionally, there are indications that heroin imports and use are again on the rise.

Statistics concerning the drug problem are controversial. Even the extent of abuse, past and present, is disputed -- and, concomitantly, any attempt to depict the long-range trends of abuse. However, most authorities agree that there was a surge in drug use generally in the 1960s with an apparent moderation of heroin dependency in the early 1970s; the two decades were distinguished by spread of the problem to population groups not previously associated with it. Many analysts believe the recent data indicate a "two-tier drug problem" in the United States, characterized by a decline in use among a substantial segment of the middle class, but by an escalation among some lower socioeconomic groups.

On the Federal level, both the Executive and the Congress have reacted to public concern with new initiatives -- legislative and administrative -- as well as with the expansion of existing programs. Many approaches have been taken: "demand reduction" programs for treatment, prevention, and related research; "supply reduction" efforts such as regulation of commerce in the drugs in question, investigation and

prosecution of drug traffickers, drug interdiction, and the development of international accords.

It was during the 1960s and early 1970s that the more traditional Federal emphasis on supply reduction was challenged in Congress, and the trend of legislation in that period reflected a greater concern for reduction in demand through provision of treatment and rehabilitation services to users, along with educational and other activities to prevent or reduce drug use. The Community Mental Health Centers Act of 1963, administered by the Public Health Service, became the vehicle for establishing (in 1968) a specialized grant program for treatment of drug dependence and for prevention efforts. Subsequently, other prevention grant programs, emphasizing school-based education, were added to the mandate of the Department of Education.

Currently, three dozen or more Federal agencies are involved in some aspect of drug control. In Congress, approximately 75 committees or subcommittees have an interest in the issue. Budget totals in particular provide a measure of the level and trend of the growing Federal commitment in this area: spending for all such efforts rose from \$82 million in FY1969 to \$10.8 billion in FY1991. Appropriations for FY1992 were close to \$12 billion, and the Administration requested \$12.7 billion for FY1993.

National Drug Control Strategy

The present Federal strategy for preventing abuse of dangerous drugs is multifaceted, based on domestic laws to closely regulate the commerce in such drugs -- in some instances effectively banning them. Those laws are complemented by a system of international production controls and by a complex of multilateral and bilateral agreements, covering not only production but also general domestic regulation and other aspects of government efforts to prevent illicit commerce. Efforts to reduce the supply of drugs are supplemented by a demand reduction strategy of support for treatment and prevention programs through grants-in-aid; a program of research, both extra- and intra-mural, related to the abuse of drugs and methods of curbing it; and enforcement and promotion of certain "user accountability" measures. The latter are designed to discourage drug use by subjecting the user to certain civil sanctions in addition to possible criminal charges.

Most of the above elements, with the exception of the "user accountability" features, have been followed to some degree for a number of decades. In the early 1970s, the notion of a comprehensive "strategy" was formalized by statute, and the first official "Federal Strategy for Drug Abuse and Drug Traffic Prevention" was coordinated by a group known as the Strategy Council on Drug Abuse. Similar documents continued to be issued periodically under various names, and the concept of such a unified strategy was included as a requirement in the Anti-Drug Abuse Act of 1988, specifically as a responsibility of the newly created Office of National Drug Control Policy (ONDCP).

The first of the strategies prepared by ONDCP was released in September 1989, followed by an amplifying second document in January 1990. The third and fourth of the series were submitted in February 1991 and 1992 respectively. The statute provides that the strategy:

- "(A) include comprehensive, research-based, long-range goals for reducing drug abuse in the United States;
- (B) include short-term, measurable objectives that the Director determines may be realistically achieved in the 2-year period beginning on the date of the submission of the strategy;
- (C) describe the balance between resources devoted to supply reduction and demand reduction; and
- (D) review State and local drug control activities to ensure that the United States pursues well-coordinated and effective drug control at all levels of government."

Conceptually, the 1989-92 strategies are characterized by a continuing commitment to the principle of attacking both supply of and demand for drugs. Increased support for demand reduction through treatment and prevention is a major feature. The strategies have proposed no significant resource increases for interdiction, a fact interpreted by some analysts as signaling a deemphasis of that aspect. Many recommendations in the reports could be interpreted as implying that "street level" enforcement is more important in the long run than large-scale seizures and "busts."

User Accountability. In the 1989-92 strategies, a striking difference from past drug strategies is the degree of emphasis on the theme that society needs to apply greater pressure to the casual drug user. Making the point that continuing legal, institutional, and social pressures are also a form of "demand reduction," the strategies now see the user as the base on which the illegal drug industry rests and spreads. Although stressing that drug use is but one manifestation of more general dislocations in society, they nevertheless hold that a number of things can be done to deter use and change attitudes. Recommended are such "accountability" measures as State laws providing civil penalties for simple possession, publication of the names of persons convicted of possession, greater use of forfeiture laws to seize property (such as motor vehicles) of persons arrested for possession, and more punitive treatment of drugs users in public schools and colleges. In general, the reports affirm the value of the user accountability provisions of the Anti-Drug Abuse Act of 1988 and call upon States to adopt similar policies.

Andean Initiative. An emphasis of U.S. anti-drug policy for the past decade has been a mix of efforts aimed at curbing the importation of the drug cocaine and its variants into the United States. One feature of the Bush Administration's strategy is a plan to provide enhanced law enforcement, economic, and military assistance to the three Latin American countries (Bolivia, Colombia, and Peru) accounting for the production of most of the cocaine on the world market. As outlined in the two strategy reports and further amplified by President Bush at the Feb. 15, 1990 "anti-drug summit" in Cartagena, Colombia, the proposal called for expenditures of some \$2 billion over 5 years for a variety of activities designed to suppress coca production and disrupt processing and trafficking operations. (See CRS Issue Brief 88093: *Drug Control: International Policy and Options*.)

Broad Policy Questions

The following outline indicates a range of possible answers to these general questions: Is the basic policy of restriction the right one? Are we pursuing the right set of strategies to carry out the policy? Are they properly implemented? How could they be improved?

1. The basic policy is wrong. We should legalize drugs because:
 - a. The black market would collapse and along with it the accompanying potential for corruption of the society, and
 - b. Experience demonstrates that we can't stop the illicit traffic in any case.
2. Both policy and implementation are about right.
3. Continue basic policy of regulation and selective prohibition, but:
 - a. Substantially increase resources committed --
 - (1) all around.
 - (2) selectively.
 - b. Reduce commitment.
 - (1) We're spending too much, and we're uncertain about the effectiveness of what we're doing.
 - (2) Rely on demand-reduction efforts to make the problem more manageable.
 - (3) Rely on time to solve the problem. America (as well as other countries) has experienced drug epidemics before, and they eventually subsided; they have a natural life cycle that must run its course, followed by a period of reaction.
 - c. Change the emphasis.
 - (1) Current policy puts too much emphasis on supply reduction. Concentrate on demand reduction ("it's the user who keeps the market going") through more education and other prevention efforts; more and better treatment of those already dependent on drugs; more emphasis on deterrence by random testing for drug use in the workplace and in schools, followed by appropriate action; more determined enforcement of "simple" possession statutes by the police; imposition of higher penalties by the courts; or various other sanctions designed to "recreate a stigma." (Demand-reduction advocates do not necessarily agree on the relative effectiveness or advisability of these courses.)
 - (2) Current policy puts too much (or not enough) emphasis on solving the problem "at the source." Overseas efforts to reduce the production of poppies, coca, and cannabis are unrealistic and doomed to fail (or, alternatively, offer the major hope, justifying an even greater commitment to the International Narcotics Control program under the Foreign Assistance Act and to related efforts).
 - (3) Concentrate on interdiction; it's more efficient to seize drugs before they enter the country or at the border than after they have been moved into the interior.
 - (4) The breakup of trafficking organizations is, in the long run, the best way to disrupt the flow of drugs; and it is the result of vigorous investigation and prosecution activities.

Advocates of legalization have not succeeded, to any significant degree, in influencing Congress on anti-drug strategy. Instead, today's broad policy questions are more likely to concern the degree of priority assigned to the problem, the level of resources devoted, the emphasis given each of the major components of the strategy, and the effectiveness of implementation.

The question as to whether anti-drug strategies conflict with other national or public interests or legal requirements could be asked in connection with (1) the use of sanctions or other forms of pressure on foreign countries where the United States has other major interests that might thereby be compromised; (2) practices, such as random employee testing, that might threaten a constitutional right; (3) selective law enforcement approaches based on "profiles," again perhaps conflicting with constitutional principles; and (4) the expenditure of large sums of money at a time when the Federal Government is burdened with a massive budget deficit.

Additional policy questions are posed in connection with almost every aspect of the Federal drug control program. In the case of prevention efforts, for example, the overriding concern is whether they are effective. Particularly with respect to curricula-based efforts in the schools, critics contend they have often proved counterproductive, e.g., by stimulating an interest that ends in experimentation. Advocates, however, view the schools as an obvious place to begin, a primary source of information and behavioral guidance for many adolescents.

Questions also continue to be raised about long-run results of treatment and rehabilitation regimens, as well as about the relative effectiveness of various treatment modalities. Although support for the general concept of providing treatment remains high, doubts have caused some policymakers to challenge calls for greater commitment.

Some support alternative avenues to demand reduction, e.g., testing workers and students for drug use and other proposals often called "user accountability" measures. Those who favor such policies, which are allied to calls for a return to stricter enforcement of simple possession laws, believe it is necessary to make life more uncomfortable for the users -- to make them fear the legal consequences of their behavior and also, partly through those consequences, to re-stigmatize that behavior within the culture. This approach is more likely to be emphasized by those who view the drug problem as a manifestation of deeper societal displacements of recent times.

As suggested above, major questions have also been raised in recent years as to the efficacy of interdiction and overseas control measures in reducing supply. While a 1987 study commissioned by the Customs Service has been interpreted to show that it is more cost-effective to remove illegal drugs before they enter the country, other analyses conclude that it may be impossible to police U.S. borders to the extent required to produce a significant impact on drug smuggling. Although a policy of "stamping out drugs at the source" still has strong adherents in Congress, critics question whether such efforts can ever be sufficiently successful to reduce drug flow into the United States, the premier market in the world. Finally, those who question the wisdom of emphasizing overseas and interdiction strategies ask why we should assume that success in blocking the entry of foreign drug products would not drive drug users to domestically produced synthetic drugs.

Perhaps the most central of all drug policy questions, since it bears strongly on the selection of strategies for solution, concerns causality. What phenomenon has created criminal drug empires, with all their potential for political and social subversion? Why do people use drugs?

Hypotheses range widely. On one level, analysts offer such reasons as peer pressure, escape from unhappiness, quest for excitement, and imitation of what is perceived as the glamorous life; on another, they point to more general conditions that may have made the society vulnerable to such motivations.

Of the broad "root cause" theories, one that has been influential for many years sees poverty, discrimination, and lack of economic opportunity as the principal reasons for drug abuse and many other forms of anti-social behavior. In contrast, another creates a case that economic affluence is precisely the condition most conducive to the development of pleasure-seeking societies. Yet another points to the ascendancy of radical skepticism and philosophical relativism, which challenge traditional beliefs and authority in all aspects of intellectual and social life. A variant of the latter cites in particular the long, gradual disintegration in the West of the basic communities that in the past imposed limitations on unacceptable behavior. According to this perspective, family, church, neighborhood, guild -- all have seen their one-time strength diminished, and the consequent increase in freedom for the individual has created a variety of new social problems, including the misuse of intoxicating and mood-altering substances. Another view stresses that it is human nature, even animal nature, to seek intoxication.

Whatever broad cultural or biological theory is accepted, only a minority of individuals subject to the same negative influences become drug users. Many people continue to respect socially or legally imposed limitations on behavior or succeed in imposing their own. If there exists a "natural" urge toward intoxication, most people choose to forego it or to use intoxicating substances only in moderation. What factors make the difference? This is one of the most important questions asked by researchers and policymakers.

Finally, as in the case of all efforts to modify human behavior, there is the problem of how to measure the effectiveness of efforts to control drug abuse. Of the various approaches outlined, what actually works? Available data seldom provide clear answers. Indeed, a further policy issue of particular current interest concerns the reliability of official statistical indicators of the U.S. drug problem. Although those indicators have been showing favorable trends in the past several years, some policymakers remain unconvinced and charge that the Administration is "painting a rosy picture." Others, however, argue that government statistics have frequently overstated the magnitude of the problem.

Recent Congressional Context

The original Bush Administration budget for FY1990 requested an estimated \$6.4 billion in antidrug budget authority. Supplemental requests, as reflected in the 1989 National Drug Control Strategy, yielded an amended total of \$7.9 billion, nearly 40% higher than the FY1989 appropriations. Congress added another \$900 million (under the "Byrd amendment") to the Department of Transportation appropriations bill,

providing a final amount of \$9.5 billion. Appropriations are estimated to total nearly \$12 billion for FY1992, and the Administration has requested \$12.7 billion for FY1993.

In other actions of the 101st Congress, two major non-appropriations bills were enacted: H.R. 3614, amending the Drug-Free Schools and Communities Act, and H.R. 3611, authorizing \$125 million for FY1990 in new military and law enforcement assistance to Bolivia, Colombia, and Peru. Also, a major omnibus crime and drug control bill was enacted (P.L. 101-647). Although significant features were dropped from the final version -- concerning the death penalty, *habeas corpus* in capital cases, the exclusionary rule, and "semiautomatic assault weapons" -- it contained a number of provisions relating to drug law enforcement, regulation, money laundering, treatment, and prevention (including certain "user accountability" measures).

In the 102d Congress, attention was focussed on new omnibus proposals incorporating some of the elements omitted from the Crime Control Act of 1990. Both the Senate and the House passed versions of a crime, drug, and gun control bill (H.R. 3371) during the first session, but the Senate has three times failed to approve cloture so that a vote could be taken on the conference agreement.

Other major aspects of the drug issue were reflected in enactments for foreign assistance (H.R. 6187) and for reauthorizing and modifying the principal treatment and prevention programs (P.L. 102-321, S. 1306).

For additional information, see CRS Issue Briefs 88093, *Drug Control: International Policy and Options*; 88009, *Alcohol, Drug Abuse, and Mental Health Block Grant and Related Programs*; 87139, *Drug Testing in the Workplace: An Overview of Employee and Employer Interests*; and 87174, *Drug Testing in the Workplace: Federal Programs*.

LEGISLATION

P.L. 102-132, H.R. 3259

Authorizes appropriations for drug abuse education and prevention programs relating to youth gangs and to runaway and homeless youth. Introduced Aug. 2, 1991; referred to Committee on Education and Labor. Reported (H.Rept. 102-122), amended, Sept. 26. Passed House, amended, Sept. 30. Passed Senate Oct. 2. Signed into law Oct. 18, 1991.

P.L. 102-140, H.R. 2608

Justice Department Appropriations Act, FY1992. Contains a provision to make permanent the current 75%/25% Federal-State formula used for distribution of funds under the Byrne block grant program. Conference report (H.Rept. 102-233) passed House and Senate Oct. 3. Signed into law Oct. 28, 1991.

P.L. 102-143, H.R. 2942

Department of Transportation and Related Agencies Appropriations Act, 1992. Among other things, requires alcohol and drug testing of safety-sensitive rail, air, trucking and mass transit workers. Passed House, amended, July 24, 1991. Passed

Senate, amended, Sept. 17. Signed into law Oct. 28, 1991. (Related bills: H.R. 3361, S. 676-678.)

P.L. 102-190, H.R. 2100

National Defense Authorization Act, FY1992 and 1993. In addition to other drug control funding authorizations, provides for additional Department of Defense support (\$40 million total) for counter-drug activities of Federal, State, local, and foreign law enforcement agencies. Makes clear that the DOD lead role in detection and monitoring of aerial and maritime importation of illegal drugs into the U.S. is to be carried out in support of such agencies. Conference report (H.Rept. 102-311) passed House Nov. 18. Passed Senate Nov. 22. Signed into law Dec. 5, 1991.

P.L. 102-302, H.R. 5132

Dire Emergency Supplemental Appropriations, FY1992. As passed by Senate, but not by conference committee, includes appropriation of an additional \$250 million for the "Weed and Seed" program coordinated by the Justice Department, as well as funding of other programs and activities responding to recent events in Los Angeles and Chicago. Reported as an original measure (H.Rept. 102-518) by the House Committee on Appropriations May 12, 1992. Passed House May 14. Referred to Senate Committee on Appropriations May 19. Reported (without written report), amended, May 19. Passed Senate, amended, May 21. House disagreed to Senate amendments and agreed to a conference, June 3, 1992. Conference report agreed to by House and Senate June 18. Signed into law June 22, 1992. (Related bill: S. 2728.)

P.L. 102-321, S. 1306

Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act of 1992. Reconstitutes ADAMHA as the Alcohol, Drug Abuse and Mental Health Services Administration (ADAMHSA), with the present agency's research functions transferred to the National Institutes of Health. Makes a number of changes in the ADAMHS block grant program, which would be administered by the new agency, most notably a revision of the formula by which funds are apportioned among the States (intended to "redress the imbalance between urban and rural interest"). Introduced June 17, 1991; referred to Committee on Labor and Human Resources. Reported (S.Rept. 102-131), amended, July 30. Passed Senate, amended, Aug. 2, 1991. Passed House, with contents of H.R. 3698 substituted, Mar. 24, 1992. Senate disagreed to House amendments Mar. 25. House disagreed to conference report (H.Rept. 102-522) May 19 and recommitted it, with instructions, May 28. Conference report (H.Rept. 102-546) passed Senate June 9. Passed House July 1. Signed into law July 10, 1992. (Related bills: H.R. 3698, S. 597.)

P.L. 102-393, H.R. 5488

Makes appropriations for the Treasury Department and other agencies for FY1993. Conference agreement contains a provision to establish a Department of the Treasury Forfeiture Fund. Conference report (H.Rept. 102-919) agreed to in House and Senate Oct. 1, 1992. Signed into law Oct. 6, 1992. [Related bill: S. 3230 (S.Rept. 102-398).]

P.L. 102-484, H.R. 5006

National Defense Authorization Act for FY1993. Under Title X, *Subtitle E -- Counter-Drug Activities*, extends authorization for DOD support to other agencies for counter-drug activities; requires the Secretary of Defense to establish requirements for detection and surveillance systems to be used by the Department; requires the

identification and evaluation of existing and proposed counter-drug surveillance and detection systems and -- based on such evaluation -- preparation of a plan for development, acquisition, and use of improved systems by the armed forces, with a report to be submitted within 6 months of enactment. Reported by House Committee on Armed Services (H.Rept. 102-527) May 19, 1992. Passed House, amended, June 5, 1992. Referred to Senate Committee on Armed Services, June 6. [S. 3114 (Nunn) reported by Armed Services Committee (S.Rept. 102-352) July 31.] Passed Senate, with language of S. 3114, Sept. 19. Conference report (H.Rept. 102-966) agreed to in House Oct. 3. Agreed to in Senate Oct. 5, 1992. Signed into law Oct. 23, 1992.

P.L. 102-XXX, H.R. 5334

Housing and Community Development Act of 1992. Under Title XV (Annunzio-Wylie Anti-Money Laundering Act), requires the Federal depository institution regulatory agencies to take additional enforcement actions against depository institutions engaging in money laundering, and for other purposes. Introduced June 5, 1992; referred to Committee on Banking, Finance, and Urban Affairs. Reported (H.Rept. 102-760), amended, July 30. Passed House, amended, Aug. 11. Passed Senate, with language of S. 3031, Sept. 10. Conference report (H.Rept. 102-1017) agreed to in House Oct. 5. Agreed to in Senate Oct. 8, 1992. Signed into law Oct. 28, 1992 (no public law number assigned yet). [Related bills: H.R. 26, H.R. 6048, S. 305, S. 2733 (S.Rept. 102-282).]

H.R. 11 (Rostenkowski)

Revenue Act of 1992. Contains provisions to establish an interagency council to provide assistance in implementing new authority relating to the establishment of enterprise zones in designated areas, include the Attorney General and the Director of the Office of National Drug Control Policy, and authorize enterprise zone assistance provided under the act to be used for carrying out certain specified anti-crime and anti-drug activities and programs. Introduced Jan. 3, 1991; referred to Committee on Ways and Means. Reported (H.Rept. 102-631), amended, June 30, 1992. Passed House, amended, July 2. Referred to Senate Committee on Finance July 21, 1992. Passed Senate, amended, Sept. 29. Conference report (H.Rept. 102-1034) agreed to in House Oct. 6. Cloture voted in Senate Oct. 8. Agreed to in Senate and cleared for White House Oct. 8, 1992.

H.R. 33 (Dingell)

Drug Testing Quality Act. Establishes standards for certification of laboratories engaged in drug testing. Introduced Jan. 3, 1991; referred to Committee on Energy and Commerce. Reported (H.Rept. 102-302), amended, Nov. 12. (Related bill: H.R. 2422.)

H.R. 463 (Rangel)

Amends Title XIX of the Social Security Act to permit States to elect the option of covering substance abuse treatment services under Medicaid. Introduced Jan. 7, 1991; referred to Committee on Energy and Commerce. (Related bills: H.R. 2489, S. 29, S. 1677.)

H.R. 464 (Rangel)

Establishes a National Commission to Study the Causes of the Demand for Drugs in the United States. Introduced Jan. 7, 1991; referred to Committee on Government Operations. Incorporated into H.R. 3371.

H.R. 548 (Schumer)

Provides for a schedule of implementation of the requirement that treatment for drug dependency be made available to all eligible Federal prisoners desiring it. Introduced Jan. 16, 1991; referred to Committee on Judiciary. Provisions incorporated into H.R. 3371.

H.R. 1264 (Snowe)

Women's Mental Health and Substance Abuse Act. Establishes an Office on Women's Mental Health within the Alcohol, Drug Abuse, and Mental Health Administration. Introduced Mar. 5, 1991; referred to Committee on Energy and Commerce. Similar provisions incorporated into H.R. 2507 as passed by House.

H.R. 1355 (Schulze, Rangel, Coughlin)

Provides for certain Federal monetary awards, payable to persons who provide information leading to the arrest and conviction of individuals for the unlawful sale, or possession for sale, of a controlled substance or controlled substance analog, provides for incentive awards to States payable from certain funds proceeding from forfeitures under Federal drug laws. Introduced Mar. 7, 1991; referred to Committee on Judiciary.

H.R. 1551 (Clement)

Amends the Controlled Substances Act to increase penalties for the distribution of controlled substances at truck stops and rest areas. Introduced Mar. 21, 1991; referred to Committees on Energy and Commerce and on Judiciary. Similar provisions included in H.R. 3371 as passed by House and agreed to by conference committee.

H.R. 1657 (Wise)

Amends title I of the Omnibus Crime Control and Safe Streets Act of 1968 to prevent reprogramming of moneys available for discretionary grants and to limit the amount of the special discretionary fund that may be expended in connection with Federal entities. Introduced Mar. 22, 1991; referred to Committee on Judiciary. Provisions incorporated into H.R. 3371.

H.R. 2116 (Solomon)

Suspends Federal education benefits to individuals convicted of drug offenses. Introduced Apr. 25, 1991; referred to Committee on Education and Labor.

H.R. 2117 (Solomon)

Requires that courts, upon a criminal conviction under the Controlled Substances Act, notify the employer of the convicted person. Introduced Apr. 25, 1991; referred to Committee on Judiciary.

H.R. 2118 (Solomon)

Amends the Anti-Drug Abuse Act of 1988 to eliminate the discretion of the court in connection with the denial of certain Federal benefits upon conviction of certain drug offenses. Introduced Apr. 25, 1991; referred to Committee on Judiciary.

H.R. 2119, H.R. 2120 (Solomon)

Respectively, requires random drug testing of Federal employees and universal testing of prospective Federal employees. Introduced Apr. 25, 1991; referred to Committee on Post Office and Civil Service, with H.R. 2120 also referred to Judiciary and to House Administration. (Related bills: H.R. 2420, H.R. 2421.) [Note: Related

provisions have been offered as House floor amendments to various FY1991 and FY1992 authorization bills (e.g., H.R. 1455, which passed House on May 1, 1991, and H.R. 1988, which passed on May 2). For more detailed information and discussion, see CRS Issue Brief 87174, *Drug Testing in the Workplace: Federal Programs*.]

H.R. 2310 (Rangel)

Requires the Secretary of the Treasury to collect and maintain information concerning U.S. currency confiscated by law enforcement agencies in connection with drug seizures or drug-related money laundering. Introduced May 13, 1991; referred to Committee on Banking, Finance and Urban Affairs.

H.R. 2774 (Conyers)

Provides that one-half of the Justice Assets Forfeiture fund be available for funding community-based crime control programs for drug education, prevention, and demand reduction. Introduced June 26, 1991; referred to Committee on Judiciary.

H.R. 2810 (Michel, Coughlin, Rangel)

Contains provisions designed to expand the Nation's capacity to treat drug dependence and promote drug-free and drug-safe schools; requires statewide drug abuse prevention and treatment plans; and ensures that new Federal grant funds provided for treatment services do not displace State funds. Introduced June 27, 1991; referred jointly to Committees on Energy and Commerce and on Education and Labor.

H.R. 2956 (Mazzoli)

Amends title I of the Safe Streets Act to reduce the amount of non-Federal funds required to be provided for a grant under subpart 1 of Part E. Introduced July 18, 1991; referred to Committee on Judiciary. (Related bills: H.R. 1707, H.R. 2608.)

H.R. 3371 (Brooks, Schumer)

Violent Crime Prevention Act of 1991. As passed, contains 25 titles, with drug control provisions including those to (1) establish a new grant program of emergency assistance to State and local areas suffering a high level of drug-related problems, (2) provide for the possibility of the death penalty for trafficking in very large amounts of drugs (even where no death has resulted), (3) authorize grants and other measures for rural drug enforcement, (4) provide for new penalties for failure, by the operator of any aircraft that has crossed the U.S. border, to respond to an official order to land, (5) provide for penalty enhancement for drug trafficking in a Federal prison, (6) double penalties for drug distribution near or around truck stops or safety rest areas, (7) establish a National Commission to Examine the Root Causes of Drug Abuse in the U.S., (8) extend the special anti-drug trafficking penalties covering schools and playgrounds to include public housing, and (9) authorize grants to States for drug testing of arrestees and condition receipt of other Federal funds by States on implementation of drug testing of prisoners. Also, many provisions of a general nature have drug control implications. (For further detail, see CRS Report 91-737 GOV, *Crime, Drug, and Gun Control: Comparison of Major Omnibus Bills Pending in the 102d Congress*.) Introduced Sept. 23, 1991; referred to Committees on the Judiciary and on Ways and Means. Reported by Judiciary (H.Rept. 102-242, Part I), amended, Oct. 7. Reported by Ways and Means (H.Rept. 102-242, Part II), amended, Oct. 9. Passed House, amended, Oct. 22. Passed Senate with contents of S. 1241 substituted, Nov. 21. Conference report (H.Rept. 102-405) agreed to by House Nov. 27. Cloture motion on

conference report failed in Senate Nov. 27, 1991; second cloture motion failed Mar. 19, 1992.

H.R. 3562 (Guarini)

Amends the Tariff Act of 1930 to authorize the use of certain unobligated moneys in the Customs Forfeiture Fund for use in drug treatment for individuals under criminal justice supervision and for trauma care. Introduced Oct. 15, 1991; referred to Committee on Ways and Means. Reported (H.Rept. 102-633, Part I) June 30. Failed of passage in House, amended, July 8, 1992.

H.R. 3603 (Downey)/S. 4 (Moynihan)

Contains provisions designed to promote family preservation and the prevention of foster care with emphasis on families where abuse of alcohol or drugs is present and to improve the quality and delivery of child welfare, foster care, and adoption services. Introduced Oct. 22, 1991; referred to Committee on Ways and Means. Reported (H.Rept. 102-684, Part I), amended, July 22, 1992, and referred to Committee on Education and Labor. Reported to House (H.Rept. 102-684, Part II), amended, July 31. Passed House, amended, Aug. 6. Referred to Senate Committee on Finance Aug. 11, 1992. S. 4 introduced Jan. 14, 1991; referred to Committee on Finance. (Related bill: H.R. 5600.)

H.R. 3698 (Waxman)

Community Mental Health and Substance Abuse Service Improvement Act of 1991. Reauthorizes programs and activities of the Alcohol, Drug Abuse, and Mental Health Administration. Introduced Nov. 1, 1991; referred to Committee on Energy and Commerce. Reported (H.Rept. 102-464) Mar. 24, 1992. Contents substituted for those of S. 1306, which was subsequently passed, Mar. 24. (Related bill: S. 1306.)

H.R. 4396 (Bliley)

Provides for stricter penalties for committing a crime of violence in the District of Columbia or for distributing drugs in the vicinity of schools in the District; revises standards for bail and pretrial detention in the District. Introduced Mar. 5, 1992; referred jointly to Committees on District of Columbia and on Judiciary.

H.R. 4754 (Gallegly)

Provides for 2,000 additional border patrol agents from military personnel displaced by defense cutbacks. Introduced Apr. 2, 1992; referred to Committee on Judiciary.

H.R. 4776 (Schumer)

Amends the Contract Services for Drug Dependent Federal Offenders Act to provide for additional appropriation authorizations. Introduced Apr. 7, 1992; referred to Committee on Judiciary. Reported (H.Rept. 102-824) Aug. 10. Passed House Aug. 11, 1992.

H.R. 5051 (Stark)

Allows information on prescriptions of drugs that are controlled substances in schedules II, III, and IV to be electronically transmitted to and collected by central repositories of designated State agencies. Introduced Apr. 30, 1992; referred to Committee on Energy and Commerce.

H.R. 5194 (Martinez)

Amends the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for FY1993-1996. Includes provisions establishing a new grant program for achieving gang-free schools and communities and for community-based gang intervention. Introduced May 18, 1992; referred to Committee on Education and Labor. Reported (H.Rept. 102-756), amended, July 29. Passed House, amended, Aug. 3. Referred to Senate Committee on Judiciary Aug. 6, 1992.

H.R. 5313 (English)

Omnibus bill "to eliminate the scourge of illegal drugs and fight drug abuse." Introduced June 3, 1992; referred jointly to Committees on Foreign Affairs; Ways and Means; Banking, Finance, and Urban Affairs; Judiciary; Armed Services; Intelligence; Education and Labor; Energy and Commerce; Government Operations; Public Works and Transportation; Merchant Marine and Fisheries; and Science, Space, and Technology.

H.R. 5512 (Rangel, Coughlin)/S. 3066 (D'Amato)

Amends the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to the drug fentanyl, including making certain penalties comparable to heroin violations penalties. H.R. 5512 introduced June 30, 1992; referred jointly to Committees on Energy and Commerce and on Judiciary. S. 3066 introduced July 24; referred to Committee on Judiciary.

H.R. 6187

International Narcotics Control Act of 1992. Consolidates and revises authorities and requirements pertaining to international narcotics control assistance (including the process certifying antidrug efforts of foreign aid recipients and of reporting to Congress on such efforts), with revisions generally designed to provide greater flexibility for the executive branch; exempts narcotics-related military assistance for FY1993 and FY1994 from prohibition on assistance for law enforcement agencies; requires increased reporting on money laundering and precursor chemicals countries; and provides for Export-Import Bank financing of sales of defense articles or services for antinarcotics purposes. Authorizes \$147.8 million for FY1993. Essentially similar to H.R. 6018, which was based on Title III of H.R. 2508 (which passed House June 20). Introduced Oct. 6, 1992; referred to Committee on Foreign Affairs, Committee discharged, and bill called up by House by unanimous consent. Passed House by voice vote Oct. 6. Passed Senate and cleared for White House Oct. 7, 1992. [Related bills: H.R. 2508 (H.Rept. 102-96), S. 1435.]

H.Con.Res. 334 (Kolbe)

Expresses the sense of the Congress that the President should take prompt diplomatic action to ensure that joint efforts by the United States and Mexico to combat illegal drug trafficking continue at the current level of cooperation. Introduced June 18, 1992; referred to Committee on Foreign Affairs.

S. 275 (Dole)/H.R. 661 (Crane)

Provides for the implementation of a tariff preference regime affecting certain articles from Andean countries. S. 275 introduced Jan. 29, 1991; referred to Committee on Finance. H.R. 661 introduced Jan. 28, 1991; referred to Committee on Ways and Means. Reported (H.Rept. 102-337), amended, Nov. 19. Similar provisions incorporated into H.R. 1724, which was enacted as P.L. 102-182, Dec. 4, 1991.

S. 676 (Hollings, Danforth)

Provides for testing for the use, in violation of law or Federal regulation, of alcohol or controlled substances by persons who operate aircraft, trains, and commercial motor vehicles. Introduced Mar. 14, 1991; referred to Committee on Commerce, Science, and Transportation. Reported (S.Rept. 102-54), amended, May 2. Passed Senate, amended, May 20. In House, referred jointly to Committees on Public Works and Transportation and to Energy and Commerce, May 21. (Related bills: S. 677, S. 678, H.R. 3361.)

S. 1241 (Biden)

Violent Crime Control Act of 1991. Omnibus, 49-title bill. Contains numerous provisions related to drug control. (For detailed summary, see CRS Report 91-581 GOV, *Crime, Drug, and Gun Control: Summary of S. 1241*; also, 91-737 GOV, *Crime, Drug, and Gun Control: Comparison of Major Omnibus Bills*.) Introduced (as replacement for S. 618) June 6, 1991; placed on the calendar. Passed Senate, amended, July 11. Contents substituted for those of H.R. 3371, and the latter passed by Senate Nov. 21, 1991. (Related bills: S. 618, S. 635/H.R. 1400, S. 1313, S. 1335, S. 1575.)

S. 1250 (Simon)

Illegal Drug Profits Act. Requires Federal and State criminal courts to report to the Internal Revenue Service any individual posting cash bail in excess of \$10,000 for criminal offenses involving controlled substances or money laundering. Introduced June 6, 1991; referred to Committee on Judiciary. Incorporated into S. 1241 as passed by Senate and H. R. 3371 as agreed to by conference.

S. 1303 (Mitchell, DeConcini)

Provides for new authority designed to curb violent and drug crimes committed by "outlaw gangs"; establishes new penalties aimed at such groups. Introduced June 17, 1991; referred to Committee on the Judiciary. (Related bill: S. 1337.)

S. 2008 (Hatch, Boren)

Quality Assurance in the Private Sector Drug Testing Act. Establishes Federal standards to ensure quality assurance in private sector drug testing programs. Introduced Nov. 21, 1991; referred to Committee on Labor and Human Resources.

S. 2305 (Thurmond)

Crime Control Act of 1992. Omnibus, 15-title bill. Contains provisions selected from both House- and Senate-passed versions of H.R. 3371, the conference agreement on which was approved during the first session by the House only. Subjects covered include: (1) habeas corpus petitions, (2) procedures for imposing the death penalty under Federal law, (3) Exclusionary Rule modification, (4) State and local law enforcement grants, (5) compensation for victims of crime, (6) use of firearms in committing Federal crimes of violence or drug trafficking crimes, (7) terrorism, (8) control of illegal drugs and precursor chemicals, and (8) sexual violence and child abuse. Provisions without counterparts in the earlier bills relate to the possibility of imposing the death penalty for aggravated murders in the District of Columbia and to additional funding for Federal prison construction. Introduced Mar. 3, 1992; referred to Committee on Judiciary. Contents proposed as an amendment (No. 1795) to S. 652 May 6. (Related bills: H.R. 1400, H.R. 3371, S. 635, and S. 1241.)

S. 2408 (DeConcini)

Limits plea agreements and cooperative agreements that promise reduced sentences or other benefits in exchange for cooperation by drug kingpins and others charged with extremely serious drug offenses. Introduced Mar. 13, 1992; referred to Committee on Judiciary. (Related bill: S. 2356.)

S. 2726 (Biden, Thurmond)

Weed and Seed Implementation Act. Authorizes appropriations for an expanded Weed and Seed Program, coordinated by the Justice Department, for FY1993 and succeeding years. Introduced May 14, 1992; referred to Committee on Judiciary. (Related bills: H.R. 11, H.R. 5678, S. 3026.)

S. 3086 (Lautenberg)

Juvenile Mentoring Act. Encourages development of mentoring programs that link children in high-crime areas with law enforcement officers and other responsible adults. Introduced July 28, 1992; referred to Committee on Judiciary.

S. 3097 (Gorton)/ H.R. 5717 (Schumer)

Chemical Control Amendments Act of 1992. Amends the Controlled Substances Act to further control the diversion of certain chemicals used in the illicit production of controlled substances and to provide greater flexibility in the regulatory controls placed on legitimate commerce in those chemicals. Both bills introduced July 29, 1992 and referred to respective Committees on Judiciary. Similar provisions incorporated into S. 1241 and H.R. 3371. (Related bill: S. 1406.)