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LEG REVIEW - 10/98 -
H.R. 4550 - Drug Demand
Reduction Act

105TH CONGRESS
2D SESSION

H. R. 4550

AN ACT

To provide for programs to facilitate a significant reduction in the incidence and prevalence of substance abuse through reducing the demand for illegal drugs and the inappropriate use of legal drugs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “Drug Demand Reduction Act”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
 5 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—TARGETED SUBSTANCE ABUSE PREVENTION AND
TREATMENT PROGRAMS**

Subtitle A—National Youth Anti-Drug Media Campaign

Sec. 101. Short title.
 Sec. 102. Requirement to conduct national media campaign.
 Sec. 103. Use of funds.
 Sec. 104. Reports to Congress.
 Sec. 105. Authorization of appropriations.

Subtitle B—Drug-Free Workplace Act

Sec. 111. Short title.
 Sec. 112. Findings; purposes.
 Sec. 113. Sense of the Congress.
 Sec. 114. Drug-free workplace demonstration program.
 Sec. 115. Small business development centers.
 Sec. 116. Contract authority.

Subtitle C—Drug-Free Teen Drivers

Sec. 121. Short title.
 Sec. 122. Model program.
 Sec. 123. Incentive grant program.
 Sec. 124. Technical assistance.
 Sec. 125. Authorization of appropriations.

Subtitle D—Drug-Free Prisons and Jails

Sec. 131. Short title.
 Sec. 132. Purpose.
 Sec. 133. Program authorization.
 Sec. 134. Grant application.
 Sec. 135. Uses of funds.
 Sec. 136. Evaluation and recommendation report to Congress.
 Sec. 137. Definitions.
 Sec. 138. Authorization of appropriations.

Subtitle E—Drug-Free Schools Quality Assurance

Sec. 151. Short title.
 Sec. 152. Amendment to Safe and Drug-Free Schools and Communities Act.

Subtitle F—Drug-Free National Clearinghouse

Sec. 161. Short title.
 Sec. 162. Establishment of clearinghouse; functions.
 Sec. 163. Director.
 Sec. 164. Cooperation by national drug control program agencies.

Subtitle G—Drug-Free Parents Empowerment

Sec. 171. Short title.
 Sec. 172. Drug-free parents empowerment.

TITLE II—PRIVATE SECTOR ANTI-DRUG PARTNERSHIPS

Subtitle A—Antiaddiction Medications

Sec. 201. Short title.
 Sec. 202. Facilitation of approval for commercial distribution of antiaddiction drugs developed by National Institute of Drug Abuse.
 Sec. 203. Report regarding incentives for development of antiaddiction drugs.

Subtitle B—Commission on Role of Medication Education in Reducing Substance Abuse

Sec. 211. National Commission on the Role of Medical Education in Reducing Substance Abuse.

TITLE III—STATEMENT OF NATIONAL ANTIDRUG POLICY

Subtitle A—Congressional Leadership in Community Coalitions

Sec. 301. Sense of the Congress.

Subtitle B—Rejection of Legalization of Drugs

Sec. 311. Sense of the Congress.

Subtitle C—Report on Streamlining Federal Prevention and Treatment Efforts

Sec. 321. Report on streamlining Federal prevention and treatment efforts.

1 TITLE I—TARGETED SUBSTANCE
2 ABUSE PREVENTION AND
3 TREATMENT PROGRAMS

4 Subtitle A—National Youth Anti-
5 Drug Media Campaign

6 SEC. 101. SHORT TITLE.

7 This subtitle may be cited as the “Drug-Free Media
8 Campaign Act of 1998”.

1 **SEC. 102. REQUIREMENT TO CONDUCT NATIONAL MEDIA**
2 **CAMPAIGN.**

3 (a) **IN GENERAL.**—The Director of the Office of Na-
4 tional Drug Control Policy (in this subtitle referred to as
5 the “Director”) shall conduct a national media campaign
6 for the purpose of reducing and preventing drug abuse
7 among young people in the United States.

8 (b) **LOCAL TARGET REQUIREMENT.**—The Director
9 shall, to the maximum extent feasible, use the funds ap-
10 propriated pursuant to the authorization in section 105
11 for media that focuses on, or includes specific information
12 on, prevention or treatment resources for consumers with-
13 in specific local areas.

14 **SEC. 103. USE OF FUNDS.**

15 (a) **AUTHORIZED USES.**—The funds authorized to be
16 appropriated in section 105 for the support of a national
17 media campaign may be used to fund—

- 18 (1) the purchase of media time and space;
19 (2) reimbursement of out of pocket advertising
20 production costs for agencies that provide all cre-
21 ative development on a pro bono basis;
22 (3) the negotiated fee for the contract buying
23 agency; and
24 (4) the evaluation of the effectiveness of the na-
25 tional media campaign.

*What about
market analysis?*

1 (b) PROHIBITIONS.—None of the funds authorized to
2 be appropriated in section 105 may be obligated or ex-
3 pended for the following purposes:

4 (1) To supplant current anti-drug community
5 based coalitions.

6 (2) To supplant current pro bono public service
7 time donated by national and local broadcasting net-
8 works.

9 (3) For partisan political purposes.

10 (4) To fund media campaigns that feature any
11 elected officials, persons seeking elected office, cabi-
12 net level officials, or other Federal officials employed
13 pursuant to section 213 of Schedule C of title 5,
14 Code of Federal Regulations, unless the Director
15 provides advance notice to the Committees on Ap-
16 propriations of the House of Representatives and the
17 Senate and the Committee on the Judiciary of the
18 Senate.

19 (c) MATCHING REQUIREMENT.—Funds appropriated
20 pursuant to the authorization in section 105 shall be
21 matched by an equal amount of non-Federal funds for the
22 campaign, or be matched with in-kind contributions to the
23 campaign of the same value.

24 **SEC. 104. REPORTS TO CONGRESS.**

25 The Director shall—

12 SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

17 **Subtitle B—Drug-Free Workplace**
18 **Act**

20 This subtitle may be cited as the “Drug-Free Work-
21 place Act of 1998”.

23 (a) FINDINGS.—Congress finds that—

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1 (2) small business concerns employ over 50 per-
2 cent of the Nation's workforce;

3 (3) in over 88 percent of families with children
4 under the age of 18, at least 1 parent is employed;
5 and

6 (4) employees who use drugs increase costs for
7 businesses and risk the health and safety of all em-
8 ployees because—

9 (A) absenteeism is 66 percent higher
10 among drug users than nondrug users;

11 (B) health benefit utilization is 300
12 percent higher among drug users than
13 nondrug users;

14 (C) 47 percent of workplace accidents
15 are drug-related;

16 (D) disciplinary actions are 90 per-
17 cent higher among drug users than
18 nondrug users; and

19 (E) employee turnover is significantly
20 higher among drug users than nondrug
21 users.

22 (b) PURPOSES.—The purposes of this subtitle are
23 to—

24 (1) educate small business concerns about the
25 advantages of a drug-free workplace;

1 (2) provide financial incentives and technical
2 assistance to enable small business concerns to cre-
3 ate a drug-free workplace; and

4 (3) assist working parents in keeping their chil-
5 dren drug-free.

6 **SEC. 113. SENSE OF THE CONGRESS.**

7 It is the sense of the Congress that—

8 (1) businesses should adopt drug-free workplace
9 programs; and

10 (2) States should consider financial incentives,
11 such as reductions in workers' compensation pre-
12 miums, to encourage businesses to adopt drug-free
13 workplace programs.

14 **SEC. 114. DRUG-FREE WORKPLACE DEMONSTRATION PRO-**
15 **GRAM.**

16 The Small Business Act (15 U.S.C. 636 et seq.) is
17 amended by—

18 (1) redesignating sections (30) and (31) as sec-
19 tions (31) and (32), respectively; and

20 (2) inserting the following new section:

21 **“SEC. 30. DRUG-FREE WORKPLACE DEMONSTRATION PRO-**
22 **GRAM.**

23 “(a) ESTABLISHMENT.—There is established a drug-
24 free workplace demonstration program, under which the
25 Administration may make grants to eligible intermediaries

1 for the purpose of providing financial and technical assist-
2 ance to small business concerns seeking to start a drug-
3 free workplace program.

4 “(b) ELIGIBILITY FOR PARTICIPATION.—An inter-
5 mediary shall be eligible to receive a grant under sub-
6 section (a) if it meets the following criteria:

7 “(1) It is an organization described in section
8 501(c)(3) of the Internal Revenue Code of 1986 that
9 is exempt from tax under section 5(a) of such Act,
10 a program of such organization, or provides services
11 to such organization.

12 “(2) Its primary purpose is to develop com-
13 prehensive drug-free workplace programs or to sup-
14 ply drug-free workplace services.

15 “(3) It has at least 2 years of experience in
16 drug-free workplace programs.

17 “(4) It has a drug-free workplace policy in ef-
18 fect.

19 “(c) REQUIREMENTS FOR PROGRAM.—Any drug-free
20 workplace program established as a result of this section
21 shall include—

22 “(1) a written policy, including a clear state-
23 ment of expectations for workplace behavior, prohibi-
24 tions against substances in the workplace, and the

1 consequences of violating such expectations and pro-
2 hibitions;

3 “(2) training for at least 60 minutes for em-
4 ployees and supervisors;

5 “(3) additional training for supervisors and em-
6 ployees who are parents;

7 “(4) employee drug testing by a drug testing
8 laboratory certified by the Substance Abuse and
9 Mental Health Services Administration, or the Col-
10 lege of American Pathologists, and each positive test
11 result shall be reviewed by a Licensed Medical Re-
12 view Officer; and

13 “(5) employee access to an employee assistance
14 program, including assessment, referral, treatment,
15 and problem resolution.

16 “(d) AUTHORIZATION.—There are authorized to be
17 appropriated to carry out the provisions of this section,
18 \$10,000,000 for fiscal year 1999 and such sums may re-
19 main available until expended.

20 **SEC. 115. SMALL BUSINESS DEVELOPMENT CENTERS.**

21 Section 21(c)(3) of the Small Business Act (15
22 U.S.C. 648(c)(3)) is amended—

23 (1) in subparagraph (R) by striking “and”;

24 (2) in subparagraph (S) by striking the period
25 and inserting “; and”; and

1 (3) by inserting after subparagraph (S) the fol-
2 lowing new subparagraph:

3 “(T) providing information and assistance to
4 small business concerns with respect to developing
5 drug-free workplace programs.”.

6 **SEC. 116. CONTRACT AUTHORITY.**

7 The Small Business Administrator may contract with
8 and compensate government and private agencies or per-
9 sons for services related to carrying out the provisions of
10 this subtitle.

11 **Subtitle C—Drug-Free Teen**
12 **Drivers**

13 **SEC. 121. SHORT TITLE.**

14 This subtitle may be cited as the “Drug Free Teen-
15 age Drivers Act”.

16 **SEC. 122. MODEL PROGRAM.**

17 (a) ESTABLISHMENT.—Not later than 1 year after
18 the date of enactment of this Act, the Secretary of Trans-
19 portation shall establish a model program to provide for
20 the voluntary drug testing of all teenage applicants for a
21 driver’s license and, if a State adopting the model program
22 elects, other first time applicants for a driver’s license re-
23 gardless of age.

24 (b) MINIMUM ELEMENTS.—The model program es-
25 tablished under this section shall provide, at a minimum—

1 (1) that information respecting an applicant's
2 choice not to take a drug test under the program or
3 the result of a drug test on the applicant will be
4 made available to the applicant's automobile insur-
5 ance company, if any, or the parent of a teenage ap-
6 plicant, or both, as determined by a State that
7 adopts the program; and

8 (2) if an applicant tests positive in the drug
9 test, the State will not issue a license to the appli-
10 cant and will require the applicant to complete a
11 drug treatment program approved by the State and
12 not test positive in a drug test before reapplying for
13 a license.

14 (c) **ADOPTION BY STATES.**—The States may adopt
15 and implement the model program established under this
16 section. If a State adopts the model program, the State
17 shall in carrying out subsection (b)(2) provide the treat-
18 ment described in such subsection to low-income individ-
19 uals who apply for drivers' licenses.

20 **SEC. 123. INCENTIVE GRANT PROGRAM.**

21 (a) **IN GENERAL.**—The Secretary of Transportation
22 shall establish an incentive grant program to assist States
23 in improving their laws relating to controlled substances
24 and driving.

1 (b) GRANT REQUIREMENTS.—To qualify for a grant
2 under subsection (a), a State shall meet each of the follow-
3 ing requirements:

4 (1) Enact, actively enforce, and publicize a law
5 that makes unlawful throughout the State the oper-
6 ation of a motor vehicle if the driver has any meas-
7 urable amount of an illegal controlled substance in
8 the driver's body. Individuals who are convicted of a
9 violation of such law shall be referred to appropriate
10 services, including intervention, counseling, and
11 treatment.

12 (2) Enact, actively enforce, and publicize a law
13 that makes unlawful throughout the State the oper-
14 ation of a motor vehicle if the ability of the driver
15 to operate the vehicle is impaired by an illegal con-
16 trolled substance. The State shall provide that in the
17 enforcement of such law the driver shall be tested
18 for the presence of an illegal controlled substance
19 when there is evidence of impaired driving. Individ-
20 uals who are convicted of a violation of such law
21 shall have their driver's license suspended and shall
22 be referred to appropriate services, including inter-
23 vention, counseling, and treatment.

24 (3) Enact, actively enforce, and publicize a law
25 that requires the suspension of the driver's license of

1 an individual who is convicted of any criminal of-
2 fense relating to drugs.

3 (4) Enact a law that provides that individuals
4 applying for, and individuals renewing, a driver's li-
5 cense will be provided information about the laws re-
6 ferred to in paragraphs (1), (2), and (3) and will be
7 required to answer drug-related questions on their
8 applications.

9 (c) USE.—A State may use a grant under subsection
10 (a) only to implement, enforce, and publicize laws de-
11 scribed in subsection (b).

12 (d) GRANT AMOUNTS.—The amount of a grant made
13 to a State under this section in a fiscal year shall be deter-
14 mined by multiplying the total amount of funds made
15 available to carry out this section for such fiscal year by
16 the ratio of the amount of funds made available to the
17 State under section 402 of title 23, United States Code,
18 for such fiscal year to the aggregate amount of funds
19 made available to carry out such section 402 for such fis-
20 cal year to all States to which grants will be made under
21 this section in such fiscal year.

22 (e) DEFINITIONS.—In this section, the following defi-
23 nitions apply:

24 (1) CONTROLLED SUBSTANCES.—The term
25 “controlled substances” has the meaning given such

1 term in section 102(6) of the Controlled Substances
2 Act (21 U.S.C. 802(6)).

3 (2) ILLEGAL CONTROLLED SUBSTANCE.—The
4 term “illegal controlled substance” means a con-
5 trolled substance for which an individual does not
6 have a legal written prescription.

7 **SEC. 124. TECHNICAL ASSISTANCE.**

8 The Secretary of Transportation shall provide to the
9 States technical assistance for—

10 (1) training law enforcement officers in the
11 standardized field sobriety testing techniques to de-
12 tect impaired drivers;

13 (2) expanding drug information and training by
14 involving prosecutors in community drugged driving
15 prevention programs; and

16 (3) promoting uniform sanctions for drugged
17 driving offenses, referring drugged driving offenders
18 to assessment and treatment programs, and involv-
19 ing judges in community drugged driving prevention
20 programs.

21 **SEC. 125. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated such sums as
23 may be necessary to carry out this subtitle for fiscal years
24 1999 and 2000.

1 **Subtitle D—Drug-Free Prisons and**
2 **Jails**

3 **SEC. 131. SHORT TITLE.**

4 This subtitle may be cited as the “Drug-Free Prisons
5 and Jails Act of 1998”.

6 **SEC. 132. PURPOSE.**

7 The purpose of this subtitle is to provide model pro-
8 grams for comprehensive treatment of substance-involved
9 offenders in the criminal justice system to reduce drug
10 abuse and drug-related crime, and reduce the costs of the
11 criminal justice system, that can be successfully replicated
12 by States and local units of government through a com-
13 prehensive evaluation.

14 **SEC. 133. PROGRAM AUTHORIZATION.**

15 (a) ESTABLISHMENT.—The Director of the Bureau
16 of Justice Assistance shall establish a model substance
17 abuse treatment program for substance-involved offenders
18 by—

19 (1) providing financial assistance to grant re-
20 cipients selected in accordance with section 134(b);
21 and

22 (2) evaluating the success of programs con-
23 ducted pursuant to this subtitle.

1 (b) GRANT AWARDS.—The Director may award not
2 more than 5 grants to units of local government and not
3 more than 5 grants to States.

4 (c) ADMINISTRATIVE COSTS.—Not more than 5 per-
5 cent of a grant award made pursuant to this subtitle may
6 be used for administrative costs.

7 **SEC. 134. GRANT APPLICATION.**

8 (a) CONTENTS.—An application submitted by a unit
9 of local government or a State for a grant award under
10 this subtitle shall include the following:

11 (1) STRATEGY.—A strategy to coordinate pro-
12 grams and services for substance-involved offenders
13 provided by the unit of local government or the
14 State, as the case may be, developed in consultation
15 with representatives from all components of the
16 criminal justice system within the jurisdiction, in-
17 cluding judges, law enforcement personnel, prosecu-
18 tors, corrections personnel, probation personnel, pa-
19 role personnel, substance abuse treatment personnel,
20 and substance abuse prevention personnel.

21 (2) CERTIFICATION.—Certification that—

22 (A) Federal funds made available under
23 this subtitle will not be used to supplant State
24 or local funds, but will be used to increase the
25 amounts of such funds that would, in the ab-

1 sence of Federal funds, be made available for
2 law enforcement activities; and

3 (B) the programs developed pursuant to
4 this subtitle meet all requirements of this sub-
5 title.

6 (b) REVIEW AND APPROVAL.—Subject to section
7 133(b), the Director shall approve applications and make
8 grant awards to units of local governments and States
9 that show the most promise for accomplishing the pur-
10 poses of this subtitle consistent with the provisions of sec-
11 tion 135.

12 **SEC. 135. USES OF FUNDS.**

13 A unit of local government or State that receives a
14 grant award under this subtitle shall use such funds to
15 provide comprehensive treatment programs to inmates in
16 prisons or jails, including not less than 3 of the follow-
17 ing—

18 (1) tailored treatment programs to meet the
19 special needs of different types of substance-involved
20 offenders;

21 (2) random and frequent drug testing, includ-
22 ing a system of sanctions;

23 (3) training and assistance for corrections offi-
24 cers and personnel to assist substance-involved of-
25 fenders in correctional facilities;

1 (4) clinical assessment of incoming substance-
2 involved offenders;

3 (5) availability of religious and spiritual activity
4 and counseling to provide an environment that en-
5 courages recovery from substance involvement in
6 correctional facilities;

7 (6) education and vocational training; and

8 (7) a substance-free correctional facility policy.

9 **SEC. 136. EVALUATION AND RECOMMENDATION REPORT**
10 **TO CONGRESS.**

11 (a) **EVALUATION.**—

12 (1) **IN GENERAL.**—The Director shall enter into
13 a contract, with an evaluating agency that has dem-
14 onstrated experience in the evaluation of substance
15 abuse treatment, to conduct an evaluation that in-
16 corporates the criteria described in paragraph (2).

17 (2) **EVALUATION CRITERIA.**—The Director, in
18 consultation with the Directors of the appropriate
19 National Institutes of Health, shall establish mini-
20 mum criteria for evaluating each program. Such cri-
21 teria shall include—

22 (A) reducing substance abuse among par-
23 ticipants;

24 (B) reducing recidivism among partici-
25 pants;

1 (C) cost effectiveness of providing services
2 to participants; and

3 (D) a data collection system that will
4 produce data comparable to that used by the
5 Office of Applied Studies of the Substance
6 Abuse and Mental Health Services Administra-
7 tion and the Bureau of Justice Statistics of the
8 Office of Justice Programs.

9 (b) REPORT.—The Director shall submit to the ap-
10 propriate committees of Congress, at the same time as the
11 President’s budget for fiscal year 2001 is submitted, a re-
12 port that—

13 (1) describes the activities funded by grant
14 awards under this subtitle;

15 (2) includes the evaluation submitted pursuant
16 to subsection (a); and

17 (3) makes recommendations regarding revisions
18 to the authorization of the program, including exten-
19 sion, expansion, application requirements, reduction,
20 and termination.

21 **SEC. 137. DEFINITIONS.**

22 For purposes of this subtitle:

23 (1) **SUBSTANCE-INVOLVED OFFENDER.**—The
24 term “substance-involved offender” means an indi-
25 vidual under the supervision of a State or local

1 criminal justice system, awaiting trial or serving a
2 sentence imposed by the criminal justice system,
3 who—

4 (A) violated or has been arrested for violat-
5 ing a drug or alcohol law;

6 (B) was under the influence of alcohol or
7 an illegal drug at the time the crime was com-
8 mitted;

9 (C) stole property to buy illegal drugs; or

10 (D) has a history of substance abuse and
11 addiction.

12 (2) DIRECTOR.—The term “Director” means
13 the Director of the Bureau of Justice Assistance;

14 (3) UNIT OF LOCAL GOVERNMENT.—The term
15 “unit of local government” means any city, county,
16 township, town, borough, parish, village, or other
17 general purpose political subdivision of a State, an
18 Indian tribe which performs law enforcement func-
19 tions as determined by the Secretary of the Interior
20 and any agency of the District of Columbia govern-
21 ment or the United States Government performing
22 law enforcement functions in and for the District of
23 Columbia, and the Trust Territory of the Pacific Is-
24 lands.

1 (4) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEE.—The term “appropriate Congressional Com-
3 mittee” means the Committees on the Judiciary and
4 the Committees on Appropriations of the House of
5 Representatives and the Senate.

6 **SEC. 138. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—There are authorized to be appro-
8 priated to carry out this subtitle from the Violent Crime
9 Reduction Trust Fund as authorized by title 31 of the Vio-
10 lent Crime and Control and Law Enforcement Act of 1994
11 (Public Law 103–322) (42 U.S.C. 14211)—

12 (1) for fiscal year 1999, \$30,000,000; and

13 (2) for fiscal year 2000, \$20,000,000.

14 (b) RESERVATION.—The Director may reserve each
15 fiscal year not more than 20 percent of the funds appro-
16 priated pursuant to subsection (a) for activities required
17 under section 136.

18 **Subtitle E—Drug-Free Schools**
19 **Quality Assurance**

20 **SEC. 151. SHORT TITLE.**

21 This subtitle may be cited as the “Drug-Free Schools
22 Quality Assurance Act”.

1 **SEC. 152. AMENDMENT TO SAFE AND DRUG-FREE SCHOOLS**
2 **AND COMMUNITIES ACT.**

3 Subpart 3 of title IV of the Elementary and Second-
4 ary Education Act of 1965 is amended by adding at the
5 end the following:

6 **“SEC. 4134. QUALITY RATING.**

7 “(a) IN GENERAL.—The chief executive officer of
8 each State, or in the case of a State in which the constitu-
9 tion or law of such State designates another individual,
10 entity, or agency in the State to be responsible for edu-
11 cation activities, such individual, entity, or agency shall—

12 “(1) establish a standard of quality for drug
13 prevention programs implemented in public schools
14 in the States in accordance with subsection (b); and

15 “(2) identify and designate, upon application by
16 a school, any public school that achieves such stand-
17 ard as a quality program school.

18 “(b) CRITERIA.—The standard referred to in sub-
19 section (a) shall address, at a minimum—

20 “(1) a comparison of the rate of illegal use of
21 alcohol, tobacco, and drugs by students enrolled in
22 the school for a period of time to be determined by
23 the chief executive officer of the State;

24 “(2) the rate of suspensions or expulsions of
25 students enrolled in the school for drug or alcohol
26 related offenses;

1 “(3) the effectiveness of the program as proven
2 by research;

3 “(4) the involvement of parents and community
4 members in the design of the drug prevention pro-
5 gram; and

6 “(5) the extent of review of existing community
7 drug prevention programs before implementation of
8 a public school program.

9 “(c) REQUEST FOR QUALITY PROGRAM DESIGNA-
10 TION.—A school that wishes to receive a quality program
11 designation shall submit a request and documentation of
12 compliance with this section to the chief executive officer
13 of the State or the individual, entity, or agency described
14 in subsection (a), as the case may be.

15 “(d) PUBLIC NOTIFICATION.—Not less than once a
16 year, the chief executive officer of each State or the indi-
17 vidual, entity, or agency described in subsection (a), as
18 the case may be, shall make available to the public a list
19 of the names of each public school in the State that has
20 received a quality program designation in accordance with
21 this section.”.

1 **Subtitle F—Drug-Free National**
2 **Clearinghouse**

3 **SEC. 161. SHORT TITLE.**

4 This subtitle may be cited as the “Drug-Free Na-
5 tional Clearinghouse Act of 1998”.

6 **SEC. 162. ESTABLISHMENT OF CLEARINGHOUSE; FUNC-**
7 **TIONS.**

8 (a) ESTABLISHMENT.—(1) There shall be established
9 in the Office of National Drug Control Policy an office
10 to be known as Drug-Free National Clearinghouse (in this
11 subtitle referred to as the “Clearinghouse”).

12 (2) The Clearinghouse shall be established pursuant
13 to paragraph (1) not later than 90 days after the date
14 of the enactment of this Act.

15 (b) FUNCTIONS.—The functions of the Clearinghouse
16 shall be—

17 (1) to consolidate and assume the drug preven-
18 tion and drug treatment information clearinghouse
19 roles currently performed by National Drug Control
20 Program agencies (as that term is defined in section
21 1010(6) of the National Narcotics Leadership Act of
22 1988 (21 U.S.C. 1507(6))); and

23 (2) to ensure that drug prevention and drug
24 treatment information is effectively disseminated by
25 such agencies to individuals, State and local govern-

1 ments, and nongovernmental entities involved in de-
2 mand reduction (as that term is defined in section
3 1010(4) of such Act (21 U.S.C. 1507(4))).

4 **SEC. 163. DIRECTOR.**

5 (a) APPOINTMENT.—There shall be at the head of the
6 Clearinghouse a director, who shall be appointed by the
7 Director of the Office of National Drug Control Policy in
8 consultation with the Director of the National Institute
9 on Drug Abuse.

10 (b) DUTIES.—The director of the Clearinghouse
11 shall—

12 (1) encourage consultation between any Na-
13 tional Drug Control Program agency that conducts
14 or sponsors research on drug prevention or drug
15 treatment, and any National Drug Control Program
16 agency that disseminates such information;

17 (2) encourage, as appropriate, National Drug
18 Control Program agencies to develop and implement
19 drug prevention and drug treatment information dis-
20 semination plans that specifically target individuals,
21 State and local governments, and nongovernmental
22 entities involved in demand reduction; and

23 (3) coordinate the dissemination of drug pre-
24 vention and drug treatment information by such
25 agencies to individuals, State and local governments,

1 and nongovernmental entities involved in demand re-
2 duction.

3 **SEC. 164. COOPERATION BY NATIONAL DRUG CONTROL**
4 **PROGRAM AGENCIES.**

5 Each National Drug Control Program agency shall
6 cooperate with the director of the Clearinghouse in carry-
7 ing out the provisions of this subtitle.

8 **Subtitle G—Drug-Free Parents**
9 **Empowerment**

10 **SEC. 171. SHORT TITLE.**

11 This subtitle may be cited as the “Drug-Free Parents
12 Empowerment Act”.

13 **SEC. 172. DRUG-FREE PARENTS EMPOWERMENT.**

14 (a) **ESTABLISHMENT.**—The Secretary of Health and
15 Human Services (in this section referred to as the “Sec-
16 retary”) shall make grants to support the efforts of parent
17 organizations to develop and promote efforts to reduce ille-
18 gal drug use among children in their communities.

19 (b) **REQUIREMENTS.**—A parent organization may re-
20 ceive a grant under subsection (a) only if the following
21 conditions are met:

22 (1) The organization is a nonprofit organization
23 that is exempt from taxation under section 501(c)(3)
24 of the Internal Revenue Code of 1986.

1 (2) The organization is governed primarily by
2 parents of children who reside in the community in-
3 volved.

4 (3) The organization has not less than five
5 years experience in training, informing, and involv-
6 ing parents in substance-abuse prevention activities
7 within such community.

8 (4) The application submitted pursuant to sub-
9 section (c) by the organization includes a strategy
10 for increasing the involvement of parents in preven-
11 tion activities, including parent training, that are
12 carried out in such community and that complement
13 the work of other parts of the community regarding
14 such activities.

15 (5) The application contains an agreement by
16 the organization that the organization will not ex-
17 pend more than 10 percent of the grant for adminis-
18 trative expenses involved in carrying out the purpose
19 for which the grant is made.

20 (6) Such application has been approved pursu-
21 ant to a process of peer review established by the
22 Secretary.

23 (c) APPLICATION FOR GRANT.—The Secretary may
24 make a grant under subsection (a) only if an application
25 for the grant is submitted to the Secretary and the appli-

1 cation is in such form, is made in such manner, and con-
2 tains such agreements, assurances, and information as the
3 Secretary determines to be necessary to carry out this sec-
4 tion.

5 (d) LIMITATION ON AMOUNT OF GRANT.—A grant
6 under subsection (a) for a fiscal year may not be made
7 in an amount exceeding \$50,000.

8 (e) AUTHORIZATION OF APPROPRIATIONS.—For the
9 purpose of carrying out this section, there is authorized
10 to be appropriated \$10,000,000 for each of the fiscal years
11 1999 through 2001.

12 **TITLE II—PRIVATE SECTOR**
13 **ANTI-DRUG PARTNERSHIPS**
14 **Subtitle A—Antiaddiction**
15 **Medications**

16 **SEC. 201. SHORT TITLE.**

17 This subtitle may be cited as the “Antiaddiction
18 Medication Development Act”.

19 **SEC. 202. FACILITATION OF APPROVAL FOR COMMERCIAL**
20 **DISTRIBUTION OF ANTIADDICTION DRUGS**
21 **DEVELOPED BY NATIONAL INSTITUTE OF**
22 **DRUG ABUSE.**

23 (a) IN GENERAL.—The Commissioner of Food and
24 Drugs and the Attorney General of the United States
25 shall, respectively, promptly provide to the Director of the

1 National Institute on Drug Abuse a response to any re-
2 quest described in subsection (b) that is submitted to the
3 Commissioner or the Attorney General by the Director re-
4 garding a drug—

5 (1) that is being developed by the Director as
6 a maintenance or detoxification treatment for addic-
7 tion to one or more narcotic substances;

8 (2) for which clinical trials are being or have
9 been conducted to determine the safety and effec-
10 tiveness of the drug;

11 (3) for which the Director seeks or has ap-
12 proved a private entity to submit for the drug an ap-
13 plication under section 505(b) of the Federal Food,
14 Drug, and Cosmetic Act; and

15 (4) that likely will be added to one of the sched-
16 ules of controlled substances pursuant to section 201
17 of the Controlled Substances Act.

18 (b) DESCRIPTION OF REQUEST.—For purposes of
19 subsection (a), a request by the Director is a request that,
20 with respect to a drug described in subsection (a), the
21 Commissioner and the Attorney General exercise their dis-
22 cretion under the Federal Food, Drug, and Cosmetic Act,
23 and the Controlled Substances Act, to accomplish one or
24 more of the following (as applicable under the request):

1 (1) To carry out promptly section 201(b) of the
2 Controlled Substances Act with respect to the drug
3 (relating to the decision regarding on which of the
4 schedules of controlled substances a drug is to be in-
5 cluded).

6 (2) To advise the Director, and the sponsor of
7 the application under section 505(b) of the Federal
8 Food, Drug, and Cosmetic Act, on the actions that
9 can be taken by the Director and the sponsor to fa-
10 cilitate the approval of the application.

11 (3) To designate the drug as a fast track prod-
12 uct for purposes of section 506 of such Act.

13 (4) To provide the drug to physicians who re-
14 quest the drug for treatment purposes under section
15 561 of such Act (relating to the provision of inves-
16 tigational new drugs to patients who are not partici-
17 pating in clinical trials).

18 (5) To advise the Director and the sponsor of
19 the application on the actions that can be taken to
20 facilitate the designation of the drug under section
21 526 of such Act as being a drug for a rare disease
22 or condition (commonly referred to as an orphan
23 drug).

24 (c) PROCEDURES REGARDING SUBMISSION OF RE-
25 QUEST; RESPONSE TO REQUEST.—

1 (1) REQUEST.—In making a request described
2 in subsection (b), the Director shall—

3 (A) provide such information as the Com-
4 missioner or the Attorney General (as applica-
5 ble) determines is necessary with respect to the
6 request; and

7 (B) if the request is described in any of
8 paragraphs (3) through (5) of such subsection,
9 state the reasons underlying the determination
10 of the Director that the drug involved may
11 qualify for the status described in the para-
12 graph involved.

13 (2) RESPONSE.—In providing a response to a
14 request described in subsection (b), the Commis-
15 sioner and the Attorney General shall state the rea-
16 sons underlying the response, including as applica-
17 ble, the reasons underlying any determination by the
18 Secretary that providing a status described in any of
19 paragraphs (3) through (5) of such subsection for
20 the drug involved would be inconsistent with applica-
21 ble law.

22 (d) DEFINITIONS.—For purposes of this section:

23 (1) The term “Commissioner” means the Com-
24 missioner of Food and Drugs.

1 (2) The term “Director” means the Director of
2 the National Institute on Drug Abuse.

3 (3) The term “Attorney General” means the
4 Attorney General of the United States.

5 **SEC. 203. REPORT REGARDING INCENTIVES FOR DEVELOP-**
6 **MENT OF ANTIADDICTION DRUGS.**

7 (a) IN GENERAL.—The Secretary of Health and
8 Human Services (in this section referred to as the “Sec-
9 retary”), in collaboration with the officials specified in
10 subsection (b), shall conduct a study for the purpose of
11 determining whether there is a need to establish particu-
12 larized incentives for the development of drugs to treat
13 dependence on alcohol or on any controlled substance as
14 defined in section 102 of the Controlled Substances Act
15 (referred to in this section as “qualifying antiaddiction
16 drugs”).

17 (b) COLLABORATION AMONG AGENCIES.—For pur-
18 poses of subsection (a), the officials specified in this sub-
19 section are as follows:

20 (1) The Commissioner of Food and Drugs.

21 (2) The Director of the National Institute on
22 Alcohol Abuse and Alcoholism.

23 (3) The Director of the National Institute on
24 Drug Abuse.

1 (4) The Director of the National Institute of
2 Mental Health.

3 (5) The Administrator of the Substance Abuse
4 and Mental Health Services Administration.

5 (c) CERTAIN ELEMENTS OF STUDY.—If in conduct-
6 ing the study under subsection (a) the Secretary deter-
7 mines that there is a need to establish particularized in-
8 centives for the development of qualifying antiaddiction
9 drugs, the Secretary shall determine whether the incen-
10 tives should include one or both of the following:

11 (1) Providing for increased cooperation among
12 the agencies referred to in subsection (b) in order to
13 facilitate the development and approval of such
14 drugs.

15 (2) Establishing under the Federal Food, Drug,
16 and Cosmetic Act particularized financial incentives
17 for the development of such drugs.

18 (d) REPORT.—Not later than one year after the date
19 of the enactment of this Act, the Secretary shall complete
20 the study required in subsection (a) and submit to the
21 Committee on Commerce of the House of Representatives,
22 and to the Committee on Labor and Human Resources
23 of the Senate, a report describing the findings made in
24 the study.

1 **Subtitle B—Commission on Role of**
2 **Medication Education in Reduc-**
3 **ing Substance Abuse**

4 **SEC. 211. NATIONAL COMMISSION ON THE ROLE OF MEDI-**
5 **CAL EDUCATION IN REDUCING SUBSTANCE**
6 **ABUSE.**

7 (a) IN GENERAL.—The Secretary of Health and
8 Human Services shall establish an advisory commission to
9 be known as the National Commission on the Role of Med-
10 ical Education in Reducing Substance Abuse.

11 (b) DUTIES.—

12 (1) IN GENERAL.—The Commission shall con-
13 duct a study for the purpose of determining the
14 manner in which programs of initial and continuing
15 medical education can be modified to improve the ef-
16 forts of health professionals in preventing, diagnos-
17 ing, and treating cases of substance abuse.

18 (2) DATE CERTAIN FOR COMPLETION.—Not
19 later than one year after the date of the enactment
20 of this Act, the Commission shall complete the study
21 required in paragraph (1).

22 (3) REPORT.—Upon completing the study re-
23 quired in paragraph (1), the Commission shall pre-
24 pare a report describing the findings made as a re-
25 sult of the study. The report shall be submitted to

1 the President, to the appropriate departments and
2 Federal agencies, and to the appropriate committees
3 of the Congress. The Commission may include in the
4 report any recommendations of the Commission re-
5 garding administrative or legislative actions. The
6 Secretary shall disseminate the report to the public
7 health officers of the States with the request that
8 the States disseminate the report to public and pri-
9 vate programs within the State that provide edu-
10 cation in the health professions.

11 (c) MEMBERSHIP.—

12 (1) IN GENERAL.—The Commission shall be
13 composed of 13 voting members appointed in accord-
14 ance with paragraph (2) and the nonvoting, ex offi-
15 cio members designated under paragraph (3).

16 (2) APPOINTMENT OF NON-FEDERAL INDIVID-
17 UALS.—Subject to paragraph (3), the voting mem-
18 bers of the Commission under paragraph (1) shall be
19 appointed by the Secretary, and shall be appointed
20 from among individuals who on the day before being
21 appointed were not officers or employees of the Fed-
22 eral Government. Of such members—

23 (A) one shall be a representative of the
24 American College of Physicians;

1 (B) one shall be a representative of the
2 American Medical Association;

3 (C) one shall be a representative of the As-
4 sociation of Professors of Medicine;

5 (D) one shall be a representative of the
6 American Academy of Pediatrics;

7 (E) one shall be a representative of the As-
8 sociation of American Medical Colleges;

9 (F) one shall be a representative of the As-
10 sociation for Substance Abuse Medicine;

11 (G) one shall be a representative of the
12 American Society of Addiction Medicine;

13 (H) one shall be a representative of the
14 American Academy of Family Physicians;

15 (I) one shall be a representative of the
16 American Academy of Neurology;

17 (J) one shall be a representative of the
18 American College of Preventive Medicine.

19 (K) one shall be a representative of the
20 American Psychiatric Association;

21 (L) one shall be a representative of the
22 American Academy of Child and Adolescent
23 Psychiatry; and

24 (M) one shall be a representative of the
25 American Academy of Addiction Psychiatry.

1 (3) EX OFFICIO MEMBERS.—Each of the follow-
2 ing officials (or the designees of the officials) shall
3 serve as the ex officio members of the Commission
4 under paragraph (1):

5 (A) The Director of the National Institutes
6 of Health.

7 (B) The Director of National Drug Control
8 Policy.

9 (C) The Director of the Center on Sub-
10 stance Abuse Prevention.

11 (D) The Director of the Center on Sub-
12 stance Abuse Treatment.

13 (E) The Surgeon General of the Public
14 Health Service.

15 (d) CHAIR.—The Commission shall, from among the
16 members appointed under subsection (c)(2), designate an
17 individual to serve as the chair of the Commission.

18 (e) TERMS.—The term of a member of the Commis-
19 sion appointed under subsection (c)(2) is for the duration
20 of the Commission.

21 (f) VACANCIES.—

22 (1) AUTHORITY OF COMMISSION.—A vacancy in
23 the membership of the Commission does not affect
24 the power of the remaining members to carry out
25 the duties under subsection (b).

1 (2) APPOINTMENT OF SUCCESSORS.—A vacancy
2 in the membership of the Commission shall be filled
3 in the manner in which the original appointment was
4 made.

5 (3) INCOMPLETE TERM.—If a member of the
6 Commission does not serve the full term applicable
7 to the member, the individual appointed to fill the
8 resulting vacancy shall be appointed for the remain-
9 der of the term of the predecessor of the individual.

10 (g) MEETINGS.—

11 (1) IN GENERAL.—The Commission shall meet
12 at the call of the Chair or a majority of the mem-
13 bers. The Commission shall meet no fewer than four
14 times.

15 (2) QUORUM.—A quorum for meetings of the
16 Commission is constituted by the presence of seven
17 members.

18 (h) COMPENSATION; REIMBURSEMENT OF EX-
19 PENSES.—

20 (1) APPOINTED MEMBERS.—Members of the
21 Commission appointed under subsection (c)(2) shall
22 receive compensation for each day (including travel-
23 time) engaged in carrying out the duties of the Com-
24 mittee. Such compensation may not be in an amount
25 in excess of the daily equivalent of the annual maxi-

1 mum rate of basic pay payable under the General
2 Schedule (under title 5, United States Code) for po-
3 sitions above GS-15.

4 (2) EX OFFICIO MEMBERS.—Members of the
5 Commission who are designated under subsection
6 (a)(4) may not receive compensation for service on
7 the Commission in addition to the compensation oth-
8 erwise received for duties carried out as Federal offi-
9 cers or employees.

10 (3) REIMBURSEMENT.—Members of the Com-
11 mission may, in accordance with chapter 57 of title
12 5, United States Code, be reimbursed for travel,
13 subsistence, and other necessary expenses incurred
14 in carrying out the duties of the Commission.

15 (i) STAFF AND CONSULTANTS.—

16 (1) STAFF.—

17 (A) IN GENERAL.—The Commission may
18 appoint and determine the compensation of
19 such staff as may be necessary to carry out the
20 duties of the Commission, including an execu-
21 tive director. Such appointments and compensa-
22 tion may be made without regard to the provi-
23 sions of title 5, United States Code, that govern
24 appointments in the competitive services, and
25 the provisions of chapter 51 and subchapter III

1 of chapter 53 of such title that relate to classi-
2 fications and the General Schedule pay rates.

3 (B) LIMITATION.—Staff members ap-
4 pointed under paragraph (1) may not be com-
5 pensated in excess of the maximum rate of
6 basic pay payable for GS–15, except that the
7 executive director may not be compensated in
8 an amount exceeding the maximum rate of
9 basic pay payable under the General Schedule
10 for positions above GS–15.

11 (2) CONSULTANTS.—The Commission may pro-
12 cure such temporary and intermittent services of
13 consultants under section 3109(b) of title 5, United
14 States Code, as the Commission may determine to
15 be appropriate in carrying out the duties under sub-
16 section (b). The Commission may not procure serv-
17 ices under this subsection at any rate in excess of
18 the daily equivalent of the maximum annual rate of
19 basic pay payable under the General Schedule for
20 positions above GS–15. Consultants under this sub-
21 section may, in accordance with chapter 57 of title
22 5, United States Code, be reimbursed for travel,
23 subsistence, and other necessary expenses incurred
24 for activities carried out on behalf of the Commis-
25 sion pursuant to subsection (b).

1 (j) ADMINISTRATIVE SUPPORT.—The Administrator
2 of General Services shall, on a reimbursable basis, provide
3 for the Commission such quarters and administrative sup-
4 port as may be necessary for the Commission to carry out
5 the duties under subsection (b).

6 (k) DURATION OF COMMISSION.—The Commission
7 terminates 45 days after the date on which the report
8 under subsection (b)(3) is submitted under such sub-
9 section.

10 (l) DEFINITIONS.—For purposes of this section:

11 (1) The term “Commission” means the Na-
12 tional Commission on the Role of Medical Education
13 in Reducing Substance Abuse.

14 (2) The term “Secretary” means the Secretary
15 of Health and Human Services

16 (m) AUTHORIZATION OF APPROPRIATIONS.—For the
17 purpose of carrying out this section, there is authorized
18 to be appropriated \$1,000,000 for fiscal year 1999, to re-
19 main available until the termination of the Commission
20 under subsection (k).

1 **TITLE III—STATEMENT OF**
2 **NATIONAL ANTIDRUG POLICY**
3 **Subtitle A—Congressional Leader-**
4 **ship in Community Coalitions**

5 **SEC. 301. SENSE OF THE CONGRESS.**

6 (a) FINDINGS.—The Congress finds the following:

7 (1) Illegal drug use is dangerous to the physical
8 well-being of the Nation's youth.

9 (2) Illegal drug use can destroy the lives of the
10 Nation's youth by diminishing their sense of moral-
11 ity and with it everything in life that is important
12 and worthwhile.

13 (3) According to recently released national sur-
14 veys, drug use among the Nation's youth remains at
15 alarmingly high levels.

16 (4) National leadership is critical to conveying
17 to the Nation's youth the message that drug use is
18 dangerous and wrong.

19 (5) National leadership can help mobilize every
20 sector of the community to support the implementa-
21 tion of comprehensive, sustainable, and effective pro-
22 grams to reduce drug abuse.

23 (6) As of September 1, 1998, 76 Members of
24 the House of Representatives were establishing com-
25 munity-based anti-drug coalitions in their congres-

1 sional districts or were actively supporting such coa-
2 litions that already existed.

3 (7) The individual Members of the House of
4 Representatives can best help their constituents pre-
5 vent drug use among the Nation's youth by estab-
6 lishing community-based anti-drug coalitions in their
7 congressional districts or by actively supporting such
8 coalitions that already exist.

9 (b) SENSE OF THE CONGRESS.—It is the sense of
10 the Congress that the individual Members of the House
11 of Representatives, including the Delegates and the Resi-
12 dent Commissioner, should establish community-based
13 anti-drug coalitions in their congressional districts or
14 should actively support such coalitions that already exist.

15 **Subtitle B—Rejection of** 16 **Legalization of Drugs**

17 **SEC. 311. SENSE OF THE CONGRESS.**

18 (a) FINDINGS.—The Congress finds the following:

19 (1) Illegal drug use is harmful and wrong.

20 (2) Illegal drug use can kill the individuals in-
21 volved or cause the individuals to hurt or kill others,
22 and such use strips the individuals of their moral
23 sense.

1 (3) The greatest threat presented by such use
2 is to the youth of the United States, who are ille-
3 gally using drugs in increasingly greater numbers.

4 (4) The people of the United States are more
5 concerned about illegal drug use and crimes associ-
6 ated with such use than with any other current so-
7 cial problem.

8 (5) Efforts to legalize or otherwise legitimize
9 drug use present a message to the youth of the
10 United States that drug use is acceptable.

11 (6) Article VI, clause 2 of the Constitution of
12 the United States states that “[t]his Constitution,
13 and the laws of the United States which shall be
14 made in pursuance thereof; and all treaties made, or
15 which shall be made, under the authority of the
16 United States, shall be the supreme law of the land;
17 and judges in every state shall be bound thereby,
18 any thing in the Constitution or laws of any state
19 to the contrary notwithstanding.”.

20 (7) The courts of the United States have re-
21 peatedly found that any State law that conflicts with
22 a Federal law or treaty is preempted by such law or
23 treaty.

1 (8) The Controlled Substances Act (title II of
2 Public Law 91–513; 21 U.S.C. 801 et seq.) strictly
3 regulates the use and possession of drugs.

4 (9) The United Nations Convention Against Il-
5 licit Traffic in Narcotic Drugs and Psychotropic
6 Substances Treaty similarly regulates the use and
7 possession of drugs.

8 (10) Any attempt to authorize under State law
9 an activity prohibited under such Treaty or the Con-
10 trolled Substances Act would conflict with that Trea-
11 ty or Act.

12 (b) SENSE OF THE CONGRESS.—It is the sense of
13 the Congress that—

14 (1) the several States, and the citizens of such
15 States, should reject the legalization of drugs
16 through legislation, ballot proposition, constitutional
17 amendment, or any other means; and

18 (2) every State should make efforts to be a
19 drug-free State.

1 **Subtitle C—Report on Streamlining**
2 **Federal Prevention and Treat-**
3 **ment Efforts**

4 **SEC. 321. REPORT ON STREAMLINING FEDERAL PREVEN-**
5 **TION AND TREATMENT EFFORTS.**

6 (a) SENSE OF THE CONGRESS.—It is the sense of the
7 Congress that—

8 (1) the efforts of the Federal Government to re-
9 duce the demand for illegal drugs in the United
10 States are frustrated by the fragmentation of those
11 efforts across multiple departments and agencies;
12 and

13 (2) improvement of those efforts can best be
14 achieved through consolidation and coordination.

15 (b) REPORT REQUIREMENT.—

16 (1) IN GENERAL.—Not later than 18 months
17 after the date of enactment of this Act, the Director
18 of National Drug Control Policy shall prepare and
19 submit to the appropriate committee a report evalu-
20 ating options for increasing the efficacy of drug pre-
21 vention and treatment programs and activities by ✓
22 the Federal Government. Such option shall include
23 the merits of a consolidation of programs into a sin-
24 gle agency, transferring programs from one agency

1 to another, and improving coordinating mechanisms
2 and authorities.

3 (2) RECOMMENDATION AND EXPLANATORY
4 STATEMENT.—The study submitted under para-
5 graph (1) shall identify options the Director deems
6 have merit, and an explanation which options should
7 be implemented.

8 (3) AUTHORIZATION OF APPROPRIATIONS.—For
9 purposes of carrying out this section, there are au-
10 thorized to be appropriated to the Director of Na-
11 tional Drug Control Policy \$1,000,000 for contract-
12 ing, policy research, and related costs.

13 (c) APPROPRIATE COMMITTEE DEFINED.—In this
14 section, the term “appropriate committees” means the
15 Committee on Appropriations, the Committee on Com-
16 merce, and the Committee on Education and the Work-
17 force of the House of Representatives, and the Committee
18 on Appropriations, and Committee on Labor and Human
19 Resources of the Senate.

Passed the House of Representatives September 16,
1998.

Attest:

Clerk.

Bill Summary & Status for the 105th Congress

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H.R.4550 (Major Legislation)SPONSOR: Rep Portman (introduced 09/11/98)

STATUS: Detailed Legislative Status

House Actions**Sep 11, 98:**

Referred to the Committee on Commerce, and in addition to the Committees on Government Reform and Oversight, Small Business, Transportation and Infrastructure, the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Referred to the Committee on Commerce, and in addition to the Committees on Government Reform and Oversight, Small Business, Transportation and Infrastructure, the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Sep 15, 98:

Referred to the Subcommittee on National Security, International Affairs and Criminal Justice.

Sep 11, 98:

Referred to the Committee on Commerce, and in addition to the Committees on Government Reform and Oversight, Small Business, Transportation and Infrastructure, the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Referred to the Committee on Commerce, and in addition to the Committees on Government Reform and Oversight, Small Business, Transportation and Infrastructure, the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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Referred to the Committee on Commerce, and in addition to the Committees on Government Reform and Oversight, Small Business, Transportation and Infrastructure, the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Sep 15, 98:

Rules Committee Resolution H. Res. 538 Reported to House.

Sep 16, 98:

HA 892 Amendment Offered by Representative Ros-Lehtinen.

HA 894 Amendment Offered by Representative Souder.

HA 893 Amendment Offered by Representative Barrett, of WI.

HA 897 Amendment Offered by Representative Kennedy, of MA.
HA 898 Amendment Offered by Representative Latham.
HA 895 Amendment Offered by Representative Taylor, of MS.
HA 891 Amendment Offered by Representative Portman.
HA 899 Amendment Offered by Representative Portman.
HA 896 Amendment Offered by Representative Ramstad.
HA 891 On agreeing to the Portman amendment (A001) Agreed to by voice vote.
HA 892 On agreeing to the Ros-Lehtinen amendment (A002) Agreed to by voice vote.
HA 894 On agreeing to the Souder amendment (A004) Agreed to by voice vote.
HA 896 By unanimous consent, the Ramstad amendment was withdrawn.
HA 897 By unanimous consent, the Kennedy (MA) amendment was withdrawn.
HA 893 On agreeing to the Barrett (WI) amendment (A003) Agreed to by voice vote.
HA 898 Mr. Barrett (WI) raised a point of order against the Latham amendment (A008). Mr. Barrett of Wisconsin stated that the amendment offered by Mr. Latham is not germane. The Chair sustained the point of order.
HA 899 On agreeing to the Portman amendment (A009) Agreed to by voice vote.
HA 895 On agreeing to the Taylor (MS) amendment (A005) Failed by recorded vote: 123 - 281 (Roll No. 443).
Rule H. Res. 538 passed House.
Called up by House under the provisions of rule H. Res. 538.
The House adopted the remaining amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
Passed House (Amended) by recorded vote: 396 - 9 (Roll No. 444).

Senate Actions

Sep 17, 98:

Received in the Senate.

Mario Marin
690-7325

MMARIN@OS.DHHS.GOV



Ronald E. Jones

10/05/98 02:28:54 PM

Record Type: Record

To: Todd A. Summers/OPD/EOP

CC:

Subject: draft SAP for HR4550 follows

October 1, 1998
(House)

H.R. 4550 - Drug Demand Reduction Act
(Portman (R) Ohio and 16 cosponsors)

The Administration shares the Congress' commitment to reducing the incidence and prevalence of substance abuse, especially among our Nation's youth, and supports Senate passage of H.R. 4550, with the following amendments:

Expand the list of authorized activities in the National Youth Anti-Drug Media Campaign H.R. 4550, as passed by the House, contains a limited number of authorized activities that may be undertaken with funds authorized for the National Youth Anti-Drug Media Campaign, a key element of the Administration's efforts to reverse recent increases in drug use by youth. The limited activities authorized by the bill will restrict the ability of the media campaign to reach new and emerging media outlets, constrain important private sector partnerships and sponsorships, and prevent other initiatives that are integral to the media campaign. The Administration urges the Senate to adopt the language proposed in Director McCaffrey's September 30, 1998, letter to Senator Hatch and other Members of Congress.

H.R. 4550 mandates an equal match to the media campaign by non-Federal funds or in-kind contributions. The Administration believes, as Director McCaffrey stated in his letter to Senator Hatch, that ONDCP should have greater discretion to determine whether non-Federal contributions constitute an appropriate match to appropriated funds.

Eliminate the provision consolidating existing Drug Information Clearinghouses within ONDCP. The bill directs the establishment within ONDCP of a drug information clearinghouse that would "consolidate and assume" the drug information clearinghouse roles currently performed by Federal agencies. These clearinghouse efforts are

successful, and no restructuring of these roles should be undertaken without a comprehensive review of their operations.

Modify the Drug-Free Schools Quality Assurance Program. H.R. 4550 would require States to establish standards for drug prevention programs in public schools but would neither authorize new funds nor condition the receipt of current program funds on the creation of these standards. To avoid possible Constitutional objections, this provision should be revised to authorize and encourage, rather than require, State officials to establish such standards. Congress generally may not direct States to implement Federal programs. The proposed program also ignores the comprehensive statement issued by the Department of Education providing guidance to States and local communities in using Federal funds to ensure that schools are safe and drug-free.

Delete the provisions expediting the approval process for anti-addiction medications. These provisions are unnecessary and counter to procedures that the Drug Enforcement Administration; Food and Drug Administration, and the National Institute on Drug Abuse have implemented to facilitate the development of anti-addiction medication in the safest manner possible.

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FINAL VOTE RESULTS FOR ROLL CALL 444

(Republicans in roman; Democrats in *italic*; Independents underlined)

H R 4550 RECORDED VOTE 16-SEP-1998

QUESTION: On Passage

BILL TITLE: Drug Demand Reduction Act

	<u>AYES</u>	<u>NOES</u>	<u>PRES</u>	<u>NV</u>
REPUBLICAN	216	1		10
DEMOCRATIC	179	8		19
INDEPENDENT	1			
TOTALS	396	9		29

--- AYES 396 ---

<i>Abercrombie</i>	<i>Goode</i>	Norwood
<i>Ackerman</i>	Goodlatte	Nussle
Aderholt	Goodling	<i>Oberstar</i>
<i>Allen</i>	<i>Gordon</i>	<i>Olver</i>
<i>Andrews</i>	Graham	<i>Ortiz</i>
Archer	Granger	<i>Owens</i>
Armey	<i>Green</i>	Oxley
Bachus	Greenwood	Packard
<i>Baesler</i>	<i>Gutierrez</i>	<i>Pallone</i>
Baker	Gutknecht	Pappas
<i>Baldacci</i>	<i>Hall (OH)</i>	Parker
Ballenger	<i>Hall (TX)</i>	<i>Pascrell</i>
<i>Barcia</i>	<i>Hamilton</i>	<i>Pastor</i>
Barr	Hansen	Paxon
Barrett (NE)	Hastert	<i>Payne</i>
<i>Barrett (WI)</i>	<i>Hastings (FL)</i>	Pease
Bartlett	Hastings (WA)	<i>Pelosi</i>
Barton	Hayworth	<i>Peterson (MN)</i>
Bass	Hefley	Peterson (PA)
<i>Becerra</i>	Herger	Petri
<i>Bentsen</i>	Hill	Pickering
<i>Berman</i>	Hilleary	<i>Pickett</i>
<i>Berry</i>	<i>Hilliard</i>	Pitts
Bilbray	<i>Hinchey</i>	Pombo
Bilirakis	<i>Hinojosa</i>	<i>Pomeroy</i>
<i>Bishop</i>	Hobson	Porter

<i>Blagojevich</i>	Hoekstra	Portman
Bliley	<i>Holden</i>	<i>Price (NC)</i>
<i>Blumenauer</i>	<i>Hooley</i>	Quinn
Boehlert	Hostettler	Radanovich
Boehner	Houghton	<i>Rahall</i>
Bonilla	<i>Hoyer</i>	Ramstad
<i>Bonior</i>	Hulshof	<i>Rangel</i>
Bono	Hunter	Redmond
<i>Borski</i>	Hutchinson	Regula
<i>Boswell</i>	Hyde	<i>Reyes</i>
<i>Boucher</i>	Inglis	Riley
<i>Boyd</i>	Istook	<i>Rivers</i>
<i>Brady (PA)</i>	<i>Jackson (IL)</i>	<i>Rodriguez</i>
<i>Brown (CA)</i>	<i>Jackson-Lee (TX)</i>	<i>Roemer</i>
<i>Brown (FL)</i>	<i>Jefferson</i>	Rogan
<i>Brown (OH)</i>	Jenkins	Rogers
Bryant	Johnson (CT)	Rohrabacher
Bunning	<i>Johnson (WI)</i>	Ros-Lehtinen
Burr	<i>Johnson, E. B.</i>	<i>Rothman</i>
Burton	Johnson, Sam	Roukema
Callahan	Jones	<i>Roybal-Allard</i>
Calvert	<i>Kanjorski</i>	Royce
Camp	<i>Kaptur</i>	<i>Rush</i>
Campbell	Kasich	Ryun
Canady	Kelly	<i>Sabo</i>
Cannon	<i>Kennedy (MA)</i>	Salmon
<i>Capps</i>	<i>Kennedy (RI)</i>	<i>Sanchez</i>
<i>Cardin</i>	<i>Kennelly</i>	<i>Sanders</i>
<i>Carson</i>	<i>Kildee</i>	<i>Sandlin</i>
Castle	<i>Kilpatrick</i>	Sanford
Chabot	Kim	<i>Sawyer</i>
Chambliss	<i>Kind (WI)</i>	Saxton
Chenoweth	King (NY)	Scarborough
Christensen	Kingston	Schaefer, Dan
<i>Clayton</i>	<i>Klecza</i>	Schaffer, Bob
<i>Clement</i>	<i>Klink</i>	Sensenbrenner
Coble	Klug	<i>Serrano</i>
Coburn	Knollenberg	Sessions
Collins	Kolbe	Shadegg
Combest	<i>Kucinich</i>	Shaw
<i>Condit</i>	<i>LaFalce</i>	Shays

Cook	LaHood	<i>Sherman</i>
Cooksey	<i>Lampson</i>	Shimkus
<i>Costello</i>	Largent	Shuster
Cox	Latham	<i>Sisisky</i>
<i>Coyne</i>	LaTourette	Skeen
<i>Cramer</i>	Lazio	<i>Skelton</i>
Crane	Leach	<i>Slaughter</i>
Crapo	<i>Lee</i>	Smith (MI)
Cubin	<i>Levin</i>	Smith (NJ)
<i>Cummings</i>	Lewis (CA)	Smith (OR)
Cunningham	<i>Lewis (GA)</i>	Smith (TX)
<i>Davis (FL)</i>	Lewis (KY)	<i>Smith, Adam</i>
<i>Davis (IL)</i>	Linder	Smith, Linda
Davis (VA)	<i>Lipinski</i>	Snowbarger
Deal	Livingston	<i>Snyder</i>
<i>DeFazio</i>	LoBiondo	Solomon
<i>DeGette</i>	<i>Lofgren</i>	Souder
<i>Delahunt</i>	<i>Lowey</i>	Spence
<i>DeLauro</i>	Lucas	<i>Spratt</i>
DeLay	<i>Luther</i>	<i>Stabenow</i>
<i>Deutsch</i>	<i>Maloney (CT)</i>	<i>Stark</i>
Diaz-Balart	<i>Maloney (NY)</i>	Stearns
Dickey	<i>Manton</i>	<i>Stenholm</i>
<i>Dixon</i>	Manzullo	<i>Strickland</i>
<i>Doggett</i>	<i>Markey</i>	Stump
<i>Dooley</i>	<i>Martinez</i>	<i>Stupak</i>
Doolittle	<i>Mascara</i>	Sununu
<i>Doyle</i>	<i>Matsui</i>	Talent
Dreier	<i>McCarthy (MO)</i>	<i>Tanner</i>
Duncan	<i>McCarthy (NY)</i>	<i>Tauscher</i>
Dunn	McCollum	<i>Taylor (MS)</i>
<i>Edwards</i>	McCrery	Taylor (NC)
Ehlers	McDade	Thomas
Ehrlich	<i>McDermott</i>	<i>Thompson</i>
Emerson	<i>McGovern</i>	Thornberry
<i>Engel</i>	<i>McHale</i>	Thune
English	McHugh	<i>Thurman</i>
Ensign	McInnis	Tiahrt
<i>Eshoo</i>	McIntosh	<i>Tierney</i>
<i>Etheridge</i>	<i>McIntyre</i>	<i>Torres</i>
<i>Evans</i>	McKeon	<i>Traficant</i>

Everett	McKinney	Turner
Ewing	McNulty	Upton
Farr	Meehan	Velazquez
Fattah	Meek (FL)	Vento
Fawell	Menendez	Visclosky
Filner	Metcalf	Walsh
Foley	Mica	Wamp
Forbes	Millender-McDonald	Watkins
Ford	Miller (CA)	Watt (NC)
Fossella	Miller (FL)	Watts (OK)
Fowler	Minge	Weldon (FL)
Fox	Mink	Weldon (PA)
Franks (NJ)	Moakley	Weller
Frelinghuysen	Mollohan	Weygand
Frost	Moran (KS)	White
Furse	Moran (VA)	Whitfield
Gallegly	Morella	Wicker
Ganske	Murtha	Wilson
Gekas	Myrick	Wise
Gephardt	Neal	Wolf
Gibbons	Nethercutt	Woolsey
Gilchrest	Neumann	Wynn
Gillmor	Ney	Young (AK)
Gilman	Northup	Young (FL)

--- NOES 9 ---

Conyers	Nadler	Scott
Dingell	Obey	Skaggs
Frank (MA)	Paul	Waxman

--- NOT VOTING 29 ---

Bateman	Gejdenson	Pryce (OH)
Bereuter	Gonzalez	Riggs
Blunt	Goss	Schumer
Brady (TX)	Harman	Stokes
Buyer	Hefner	Tauzin
Clay	Horn	Towns
Clyburn	John	Waters
Danner	Lantos	Wexler
Dicks	Meeks (NY)	Yates

<i>Fazio</i>	<i>Poshard</i>
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