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Leg[islative] Review - 1/99 - S.295 - Jail-Based Substance Abuse TX [Texas]

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LRM ID: REJ5

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Tuesday, January 26, 1999

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: *Richard E. Green*
Richard E. Green (for) Assistant Director for Legislative Reference

OMB CONTACT: Ronald E. Jones
PHONE: (202)395-3386 FAX: (202)395-3109

SUBJECT: OMB Request for Views on \$295 Jail-based Substance Abuse Treatment Program

DEADLINE: Wednesday, February 3, 1999

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS:
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*If you cannot read the attach, see
the 1/22/99 Congressional Record, pp. 5896-897*

AGENCIES:

61-JUSTICE - Dennis Burke - (202) 514-2141
52-HHS - Sondra S. Wallace - (202) 690-7760
89-Office of National Drug Control Policy - John Carnevale - (202) 395-6736

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Jose Cerda III
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Ellen J. Balis

Bassi

LRM ID: REJ5 SUBJECT: OMB Request for Views on \$295 Jail-based Substance Abuse Treatment Program

**RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM**

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

(1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or

(2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Ronald E. Jones Phone: 395-3386 Fax: 395-3109
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-3454

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

Concur

 No Objection

 No Comment

_____ See proposed edits on pages _____

Other: _____

_____ FAX RETURN of _____ pages, attached to this response sheet

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CONGRESSIONAL RECORD—SENATE

January 22, 1999

they need help to do so. This bill will give them the help they need and will greatly benefit the current efforts of local irrigation districts and watershed councils to conserve and protect our fish runs.

I am pleased that this legislation is cosponsored by Senator GORDON SMITH and has support from all the Northwest irrigation groups and literally dozens of Northwest and national conservation and sport fishing groups, including National Audubon Society, Natural Resources Defense Council, Oregon Trout, Trout Unlimited, American Rivers, Pacific Coast Federation of Fishermen's Associations, and Northwest Sportfishing Industries Association.

Despite our best efforts to restore these salmon runs, they continue to decline year after year. We need a fresh approach to this problem—one that involves the participation of the local folks who are affected by conservation efforts. This bill takes that approach.

Of course, a fish screen program alone is not the missing clue to solve our salmon problem. But this program, along with others like the Clean Water bill I introduced last session with Senator BURNS are pieces of the complete puzzle.

Ultimately, it will take the integrated efforts of all interests in our region to recover our salmon successfully. State, Tribal and local governments, local watershed councils, private landowners and the Federal government will all need to work together. Initiatives like this fish screen bill will help forge the partnerships upon which successful salmon recovery will be based. I urge your support for this legislation, so that the people of the Pacific Northwest can continue their important work to restore this precious natural resource.

By Mr. LUGAR:

S. 295. A bill to amend part B of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to permit the use of certain amounts for assistance to jail-based substance treatment programs, and for other purposes; to the Committee on the Judiciary.

JAIL-BASED SUBSTANCE ABUSE TREATMENT PROGRAM

• Mr. LUGAR. Mr. President, I rise today to offer legislation amending the Residential Substance Abuse Treatment program, known as R-SAT, to enable jurisdictions below the state level to realize greater benefits from the program. The R-SAT program allows the Attorney General to make grants for the establishment of treatment programs within local correctional facilities, but only a few jurisdictions have been able to take advantage of these grants.

The legislation I am offering today will solve this problem by establishing a separate Jail-Based Substance Abuse Treatment Program, or J-SAT. Under this new program, states will be explicitly authorized to devote up to ten percent of the funds they receive under R-SAT to qualifying J-SAT programs.

This legislation will provide matching funds to jail-based treatment programs that meet several criteria. First, the program must be at least three months in length. This is the minimum amount of time for a treatment program to have the desired effect. To qualify for funding, a program must also have been in existence for at least two years. This criterion is intended to ensure that jurisdictions which have already demonstrated a commitment to treatment programs at the local level receive first priority for funding. It also ensures that scarce treatment resources are allocated to programs with a demonstrable track record of success. The third criterion for programs seeking J-SAT funding is that the treatment regimen must include regular drug testing. This is necessary to ensure that some objective measure of the program's success is available. Grant recipients are also encouraged to provide the widest range of aftercare services possible, including job training, education and self-help programs. These steps are necessary to leverage the resources devoted to solving the problem of substance abuse, and to give individuals involved in treatment the best possible chance for successful rehabilitation.

I am offering this legislation because substance abuse and problems arising from it are putting a severe strain on the resources of local jurisdictions throughout the nation. This is not a minor problem. The Office of National Drug Control Policy indicates that approximately three-fourths of prison inmates—and over half of those in jails or on probation—are substance abusers, yet only a small percentage of inmates participate in treatment programs while they are incarcerated. The time during which drug-using offenders are in custody or under post-release correctional supervision presents a unique opportunity to reduce drug use and crime through effective drug testing and treatment programs.

Research indicates that programs like J-SAT can help to reduce the strain on our communities by cutting drug use in half; by reducing other criminal activity like shoplifting, assault, and drug sales by up to 80 percent; and by reducing arrests for all crimes by up to 64 percent.

I would also note that jail-based treatment programs are cost effective. In 1994, the American Correctional Association estimated the annual cost of incarceration at \$18,330. The Office of National Drug Control Policy states that treatment while in prison and under post-incarceration supervision can reduce recidivism by roughly 50 percent. Thus, for every \$1,800 the government invests in treatment, it saves more than \$9,000. Former Assistant Health Secretary Philip Lee has estimated that every dollar invested in treatment can save \$7 in societal and medical costs.

For these reasons, I ask my colleagues to support the Jail-Based Sub-

stance Abuse Treatment legislation I am introducing today. I also ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 295

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JAIL-BASED SUBSTANCE ABUSE TREATMENT PROGRAMS.

(a) IN GENERAL.—Part B of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3795f et seq.) is amended by adding at the end the following:

"SEC. 1995. JAIL-BASED SUBSTANCE ABUSE TREATMENT.

"(a) DEFINITIONS.—In this section—

"(1) the term 'jail-based substance abuse treatment program' means a course of individual and group activities, lasting for a period of not less than 3 months, in an area of a correctional facility set apart from the general population of the correctional facility, if those activities are—

"(A) directed at the substance abuse problems of prisoners; and

"(B) intended to develop the cognitive, behavioral, social, vocational, and other skills of prisoners in order to address the substance abuse and related problems of prisoners; and

"(2) the term 'local correctional facility' means any correctional facility operated by a unit of local government.

"(b) AUTHORIZATION.—

"(1) IN GENERAL.—Not less than 10 percent of the total amount made available to a State under section 1904(a) for any fiscal year may be used by the State to make grants to local correctional facilities in the State for the purpose of assisting jail-based substance abuse treatment programs established by those local correctional facilities.

"(2) FEDERAL SHARE.—The Federal share of a grant made by a State under this section to a local correctional facility may not exceed 75 percent of the total cost of the jail-based substance abuse treatment program described in the application submitted under subsection (c) for the fiscal year for which the program receives assistance under this section.

"(c) APPLICATIONS.—

"(1) IN GENERAL.—To be eligible to receive a grant from a State under this section for a jail-based substance abuse treatment program, the chief executive of a local correctional facility shall submit to the State, in such form and containing such information as the State may reasonably require, an application that meets the requirements of paragraph (2).

"(2) APPLICATION REQUIREMENTS.—Each application submitted under paragraph (1) shall include—

"(A) with respect to the jail-based substance abuse treatment program for which assistance is sought, a description of the program and a written certification that—

"(i) the program has been in effect for not less than 2 consecutive years before the date on which the application is submitted; and

"(ii) the local correctional facility will—

"(I) coordinate the design and implementation of the program between local correctional facility representatives and the appropriate State and local alcohol and substance abuse agencies;

"(II) implement (or continue to require) urinalysis or other proven reliable forms of substance abuse testing of individuals participating in the program, including the testing of individuals released from the jail-based substance abuse treatment program

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who remain in the custody of the local correctional facility; and

"(III) carry out the program in accordance with guidelines, which shall be established by the State, in order to guarantee each participant in the program access to consistent, continual care if transferred to a different local correctional facility within the State;

"(B) written assurances that Federal funds received by the local correctional facility from the State under this section will be used to supplement, and not to supplant, non-Federal funds that would otherwise be available for jail-based substance abuse treatment programs assisted with amounts made available to the local correctional facility under this section; and

"(C) a description of the manner in which amounts received by the local correctional facility from the State under this section will be coordinated with Federal assistance for substance abuse treatment and aftercare services provided to the local correctional facility by the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services.

"(d) REVIEW OF APPLICATIONS.—

"(1) IN GENERAL.—Upon receipt of an application under subsection (c), the State shall—

"(A) review the application to ensure that the application, and the jail-based residential substance abuse treatment program for which a grant under this section is sought, meet the requirements of this section; and

"(B) if so, make an affirmative finding in writing that the jail-based substance abuse treatment program for which assistance is sought meets the requirements of this section.

"(2) APPROVAL.—Based on the review conducted under paragraph (1), not later than 90 days after the date on which an application is submitted under subsection (c), the State shall—

"(A) approve the application, disapprove the application, or request a continued evaluation of the application for an additional period of 90 days; and

"(B) notify the applicant of the action taken under subparagraph (A) and, with respect to any denial of an application under subparagraph (A), afford the applicant an opportunity for reconsideration.

"(3) ELIGIBILITY FOR PREFERENCE WITH AFTERCARE COMPONENT.—

"(A) IN GENERAL.—In making grants under this section, a State shall give preference to applications from local correctional facilities that ensure that each participant in the jail-based substance abuse treatment program for which a grant under this section is sought, is required to participate in an aftercare services program that meets the requirements of subparagraph (B), for a period of not less than 1 year following the earlier of—

"(i) the date on which the participant completes the jail-based substance abuse treatment program; or

"(ii) the date on which the participant is released from the correctional facility at the end of the participant's sentence or is released on parole.

"(B) AFTERCARE SERVICES PROGRAM REQUIREMENTS.—For purposes of subparagraph (A), an aftercare services program meets the requirements of this paragraph if the program—

"(i) in selecting individuals for participation in the program, gives priority to individuals who have completed a jail-based substance abuse treatment program;

"(ii) requires each participant in the program to submit to periodic substance abuse testing; and

"(iii) involves the coordination between the jail-based substance abuse treatment program and other human service and rehabilitation programs that may assist in the

rehabilitation of program participants, such as—

"(i) educational and job training programs;

"(ii) parole supervision programs;

"(iii) half-way house programs; and

"(iv) participation in self-help and peer group programs; and

"(v) assists in placing jail-based substance abuse treatment program participants with appropriate community substance abuse treatment facilities upon release from the correctional facility at the end of a sentence or on parole.

"(e) COORDINATION AND CONSULTATION.—

"(1) COORDINATION.—Each State that makes 1 or more grants under this section in any fiscal year shall, to the maximum extent practicable, implement a statewide communications network with the capacity to track the participants in jail-based substance abuse treatment programs established by local correctional facilities in the State as those participants move between local correctional facilities within the State.

"(2) CONSULTATION.—Each State described in paragraph (1) shall consult with the Attorney General and the Secretary of Health and Human Services to ensure that each jail-based substance abuse treatment program assisted with a grant made by the State under this section incorporates applicable components of comprehensive approaches, including relapse prevention and aftercare services.

"(f) USE OF GRANT AMOUNTS.—

"(1) IN GENERAL.—Each local correctional facility that receives a grant under this section shall use the grant amount solely for the purpose of carrying out the jail-based substance abuse treatment program described in the application submitted under subsection (c).

"(2) ADMINISTRATION.—Each local correctional facility that receives a grant under this section shall carry out all activities relating to the administration of the grant amount, including reviewing the manner in which the amount is expended, processing, monitoring the progress of the program assisted, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.

"(3) RESTRICTIONS.—A local correctional facility may not use any amount of a grant under this section for land acquisition or a construction project.

"(g) REPORTING REQUIREMENTS; PERFORMANCE REVIEW.—

"(1) REPORTING REQUIREMENTS.—Not later than March 1 of each year, each local correctional facility that receives a grant under this section shall submit to the Attorney General, through the State, a description and evaluation of the jail-based substance abuse treatment program carried out by the local correctional facility with the grant amount, in such form and containing such information as the Attorney General may reasonably require.

"(2) PERFORMANCE REVIEW.—The Attorney General shall conduct an annual review of each jail-based substance abuse treatment program assisted under this section, in order to verify the compliance of local correctional facilities with the requirements of this section.

"(h) NO EFFECT ON STATE ALLOCATION.—Nothing in this section shall be construed to affect the allocation of amounts to States under section 1904(a).

"(b) TECHNICAL AMENDMENT.—The table of contents for title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended, in the matter relating to part 2, by adding at the end the following:

"1904. Jail-based substance abuse treatment."

By Mr. FRIST (for himself, Mr. ROCKEFELLER, Mr. DOMENICI, Mr. LIEBERMAN, Mr. GRAMM, Mr. EDWARDS, Mr. BURNS, Mr. BREAUX, Mrs. HUTCHISON, Mr. CLELAND, Mr. THOMPSON, Mr. KERRY, Mr. DEWIDE, Mr. KERREY, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mrs. BOXER, Mr. ROBERTS, and Mr. ROHR):

S. 298. A bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes; to the Committee on Commerce, Science, and Transportation.

FEDERAL RESEARCH INVESTMENT ACT OF 1999

Mr. FRIST. Mr. President, I rise today to introduce legislation that would elevate Congress' commitment to technological innovation and long-term economic growth. The Federal Research Investment Act specifically targets federally-funded, civilian research and development (R&D), while establishing greater accountability mechanisms for both Congress and the White House. The bill would bolster the aggregate amount of federal funding for R&D over an 11-year period. Although this legislation passed the Senate by unanimous consent last year, the rush to finish the 1999 federal budget kept it from reaching the floor of the House of Representatives and the President's desk.

Senator ROCKEFELLER, my partner in this endeavor, and I are not discouraged. We believe that we laid a solid foundation to build on by getting this legislation through the Senate last year. Now, we intend to persistently advocate for increased funding levels for basic R&D until they are realized. This legislation is the product of numerous hearings, caucus events, forums, and meetings with scientists and scholars from across the country. We have been working closely together on this legislation and feel that now, more than ever, Congress must advocate for greater R&D funding to preserve the future economic prosperity of our nation.

Innovation is a key element of economic growth in the United States. Economists widely agree that more than 50 percent of our economic growth is directly linked to technological innovation. It is the principle driving force behind our long-term growth and our rising standard of living. Technology contributes to economic growth through the creation of new jobs, new goods and services, new capital and even new industries.

The Federal Government plays a critical role in driving the innovation process in the United States. The majority of the Federal Government's basic R&D is directed toward critical missions to serve the public interest in areas including health, environmental pollution control, space exploration,

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INTRODUCTION OF BILLS AND JOINT RESOLUTIONS (Senate - January 22, 1999)

[Page: S895]

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself and Mr. **Smith** of Oregon):

S. 294. A bill to direct the Secretary of the Army to develop and implement a comprehensive program for fish screens and passage devices; to the Committee on Environment and Public Works.

By Mr. LUGAR:

S. 295. A bill to amend part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to permit the use of certain amounts for assistance to jail-based substance treatment programs, and for other purposes; to the Committee on the Judiciary.

By Mr. FRIST (for himself, Mr. **Rockefeller**, Mr. **Domenici**, Mr. **Lieberman**, Mr. **Gramm**, Mr. **Bingaman**, Mr. **Burns**, Mr. **Breaux**, Mrs. **Hutchison**, Mr. **Cleland**, Mr. **Thompson**, Mr. **Kerry**, Mr. **DeWine**, Mr. **Kerrey**, Mr. **Abraham**, Mr. **Akaka**, Mr. **Allard**, Mrs. **Boxer**, Mr. **Roberts**, and Mr. **Robb**):

S. 296. A bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SHELBY:

S. 297. A bill to amend title 37, United States Code, to authorize members of the uniformed services to participate in the Thrift Savings Plan, and for other purposes; to the Committee on Governmental Affairs.

S. 298. A bill to amend the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) to clarify that donations of hard and soft money by foreign nationals are prohibited; to the Committee on Rules and Administration.

By Mr. **McCAIN** (for himself, Mr. **Inouye**, and Mr. **Conrad**):

S. 299. A bill to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and

for other purposes; to the Committee on Indian Affairs.

By Mr. LOTT (for himself, Mr. Nickles, Ms. Collins, Mr. Frist, Mr. Gramm, Mr. Hagel, Mr. Jeffords, Mr. Roth, Mr. Santorum, Mr. Mack, Mr. Craig, Mr. Coverdell, Mr. McConnell, Mr. Abraham, Mr. Allard, Mr. Ashcroft, Mr. Bennett, Mr. Bond, Mr. Brownback, Mr. Bunning, Mr. Burns, Mr. Campbell, Mr. Cochran, Mr. DeWine, Mr. Domenici, Mr. Enzi, Mr. Gorton, Mr. Grams, Mr. Grassley, Mr. Gregg, Mr. Hatch, Mr. Helms, Mr. Hutchinson, Mrs. Hutchison, Mr. Inhofe, Mr. Lugar, Mr. McCain, Mr. Murkowski, Mr. Roberts, Mr. Sessions, Mr. Shelby, Mr. Smith of New Hampshire, Mr. Smith of Oregon, Ms. Snowe, Mr. Stevens, Mr. Thomas, Mr. Thompson, Mr. Thurmond, Mr. Voinovich, and Mr. Warner):

S. 300. A bill to improve access and choice of patients to quality, affordable health care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CAMPBELL:

S. 301. A bill to amend title 39, United States Code, relating to mailability, false representations, civil penalties, and for other purposes; to the Committee on Governmental Affairs.

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Bill Summary & Status for the 106th Congress**Item 1 of 1****PREVIOUS BILL:ALL | NEXT BILL:ALL**
NEW SEARCH | HOME | HELP**S.295****SPONSOR:** Sen Lugar, Richard G. (introduced 01/22/99)Jump to: Titles, Status, Committees, Amendments, Cosponsors, Summary**TITLE(S):**

- **OFFICIAL TITLE AS INTRODUCED:**
A bill to amend part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to permit the use of certain amounts for assistance to jail-based substance treatment programs, and for other purposes.

STATUS: Floor Actions

NONE

STATUS: Detailed Legislative Status**Senate Actions****Jan 22, 99:**

Read twice and referred to the Committee on Judiciary.

STATUS: Congressional Record Page References

NONE

COMMITTEE(S):

- **COMMITTEE(S) OF REFERRAL:**
Senate Judiciary

AMENDMENT(S):

NONE

COSPONSOR(S):

NONE

SUMMARY:

NONE

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STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS (Senate - January 22, 1999)

JAIL-BASED SUBSTANCE ABUSE TREATMENT PROGRAM

- [Begin insert]

Mr. LUGAR. Mr. President, I rise today to offer legislation amending the Residential Substance Abuse Treatment program, known as R-SAT, to enable jurisdictions below the state level to realize greater benefits from the program. The R-SAT program allows the Attorney General to make grants for the establishment of treatment programs within local correctional facilities, but only a few jurisdictions have been able to take advantage of these grants.

The legislation I am offering today will solve this problem by establishing a separate Jail-Based Substance Abuse Treatment Program, or J-SAT. Under this new program, states will be explicitly authorized to devote up to ten percent of the funds they receive under R-SAT to qualifying J-SAT programs.

This legislation will provide matching funds to jail-based treatment programs that meet several criteria. First, the program must be at least three months in length. This is the minimum amount of time for a treatment program to have the desired effect. To qualify for funding, a program must also have been in existence for at least two years. This criterion is intended to ensure that jurisdictions which have already demonstrated a commitment to treatment programs at the local level receive first priority for funding. It also ensures that scarce treatment resources are allocated to programs with a demonstrable track record of success. The third criterion for programs seeking J-SAT funding is that the treatment regimen must include regular drug testing. This is necessary to ensure that some objective measure of the program's success is available. Grant recipients are also encouraged to provide the widest range of aftercare services possible, including job training, education and self-help programs. These steps are necessary to leverage the resources devoted to solving the problem of substance abuse, and to give individuals involved in treatment the best possible chance for successful rehabilitation.

I am offering this legislation because substance abuse and problems arising from it are putting a severe strain on the resources of local jurisdictions throughout the nation. This is not a minor problem. The Office of National Drug Control Policy indicates that approximately three-fourths of prison inmates--and over half of those in jails or on probation--are substance abusers, yet only a small percentage of inmates participate in treatment programs while they are incarcerated. The time during which drug-using offenders are in custody or under post-release correctional supervision presents a unique opportunity to reduce drug use and crime through effective drug testing and treatment programs.

Research indicates that programs like J-SAT can help to reduce the strain on our

communities by cutting drug use in half; by reducing other criminal activity like shoplifting, assault, and drug sales by up to 80 percent; and by reducing arrests for all crimes by up to 64 percent.

I would also note that jail-based treatment programs are cost effective. In 1994, the American Correctional Association estimated the annual cost of incarceration at \$18,330. The Office of National Drug Control Policy states that treatment while in prison and under post-incarceration supervision can reduce recidivism by roughly 50 percent. Thus, for every \$1,800 the government invests in treatment, it saves more than \$9,000. Former Assistant Health Secretary Philip Lee has estimated that every dollar invested in treatment can save \$7 in societal and medical costs.

For these reasons, I ask my colleagues to support the Jail-Based Substance Abuse Treatment legislation I am introducing today. I also ask unanimous consent that the bill be printed in the **Record**.

There being no objection, the bill was ordered to be printed in the **Record**, as follows:

S. 295

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS (Senate - January 22, 1999)

SECTION 1. JAIL-BASED SUBSTANCE ABUSE TREATMENT PROGRAMS.

(a) **In General:** Part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.) is amended by adding at the end the following:

'SEC. 1906. JAIL-BASED SUBSTANCE ABUSE TREATMENT.

'(a) Definitions: In this section--

'(1) the term 'jail-based substance abuse treatment program' means a course of individual and group activities, lasting for a period of not less than 3 months, in an area of a correctional facility set apart from the general population of the correctional facility, if those activities are--

'(A) directed at the substance abuse problems of prisoners; and

'(B) intended to develop the cognitive, behavioral, social, vocational, and other skills of prisoners in order to address the substance abuse and related problems of prisoners; and

'(2) the term 'local correctional facility' means any correctional facility operated by a unit of local government.

'(b) Authorization:

'(1) **In general:** Not less than 10 percent of the total amount made available to a State under section 1904(a) for any fiscal year may be used by the State to make grants to local correctional facilities in the State for the purpose of assisting jail-based substance abuse treatment programs established by those local correctional facilities.

'(2) **Federal share:** The Federal share of a grant made by a State under this section to a local correctional facility may not exceed 75 percent of the total cost of the jail-based substance abuse treatment program described in the application submitted under subsection (c) for the fiscal year for which the program receives assistance under this section.

'(c) Applications:

'(1) **In general:** To be eligible to receive a grant from a State under this section for a jail-based substance abuse treatment program, the chief executive of a local correctional facility shall submit to the State, in such form and containing such information as the State may reasonably require, an application that meets the requirements of paragraph (2).

'(2) **Application requirements:** Each application submitted under paragraph (1) shall include--

'(A) with respect to the jail-based substance abuse treatment program for which assistance

is sought, a description of the program and a written certification that--

`(i) the program has been in effect for not less than 2 consecutive years before the date on which the application is submitted; and

`(ii) the local correctional facility will--

`(I) coordinate the design and implementation of the program between local correctional facility representatives and the appropriate State and local alcohol and substance abuse agencies;

`(II) implement (or continue to require) urinalysis or other proven reliable forms of substance abuse testing of individuals participating in the program, including the testing of individuals released from the jail-based substance abuse treatment program who remain in the custody of the local correctional facility; and

`(III) carry out the program in accordance with guidelines, which shall be established by the State, in order to guarantee each participant in the program access to consistent, continual care if transferred to a different local correctional facility within the State;

`(B) written assurances that Federal funds received by the local correctional facility from the State under this section will be used to supplement, and not to supplant, non-Federal funds that would otherwise be available for jail-based substance abuse treatment programs assisted with amounts made available to the local correctional facility under this section; and

`(C) a description of the manner in which amounts received by the local correctional facility from the State under this section will be coordinated with Federal assistance for substance abuse treatment and aftercare services provided to the local correctional facility by the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services.

`(d) **Review of Applications:**

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STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS (Senate - January 22, 1999)

`(1) **In general:** Upon receipt of an application under subsection (c), the State shall--

`(A) review the application to ensure that the application, and the jail-based residential substance abuse treatment program for which a grant under this section is sought, meet the requirements of this section; and

`(B) if so, make an affirmative finding in writing that the jail-based substance abuse treatment program for which assistance is sought meets the requirements of this section.

`(2) **Approval:** Based on the review conducted under paragraph (1), not later than 90 days after the date on which an application is submitted under subsection (c), the State shall--

`(A) approve the application, disapprove the application, or request a continued evaluation of the application for an additional period of 90 days; and

`(B) notify the applicant of the action taken under subparagraph (A) and, with respect to any denial of an application under subparagraph (A), afford the applicant an opportunity for reconsideration.

`(3) **Eligibility for preference with aftercare component:**

`(A) **In general:** In making grants under this section, a State shall give preference to applications from local correctional facilities that ensure that each participant in the jail-based substance abuse treatment program for which a grant under this section is sought, is required to participate in an aftercare services program that meets the requirements of subparagraph (B), for a period of not less than 1 year following the earlier of--

`(i) the date on which the participant completes the jail-based substance abuse treatment program; or

`(ii) the date on which the participant is released from the correctional facility at the end of the participant's sentence or is released on parole.

`(B) **Aftercare services program requirements:** For purposes of subparagraph (A), an aftercare services program meets the requirements of this paragraph if the program--

`(i) in selecting individuals for participation in the program, gives priority to individuals who have completed a jail-based substance abuse treatment program;

`(ii) requires each participant in the program to submit to periodic substance abuse testing; and

`(iii) involves the coordination between the jail-based substance abuse treatment program and other human service and rehabilitation programs that may assist in the rehabilitation of program participants, such as--

`(I) educational and job training programs;

`(II) parole supervision programs;

`(III) half-way house programs; and

`(IV) participation in self-help and peer group programs; and

`(iv) assists in placing jail-based substance abuse treatment program participants with appropriate community substance abuse treatment facilities upon release from the correctional facility at the end of a sentence or on parole.

`(e) Coordination and Consultation:

`(1) Coordination: Each State that makes 1 or more grants under this section in any fiscal year shall, to the maximum extent practicable, implement a statewide communications network with the capacity to track the participants in jail-based substance abuse treatment programs established by local correctional facilities in the State as those participants move between local correctional facilities within the State.

`(2) Consultation: Each State described in paragraph (1) shall consult with the Attorney General and the Secretary of Health and Human Services to ensure that each jail-based substance abuse treatment program assisted with a grant made by the State under this section incorporates applicable components of comprehensive approaches, including relapse prevention and aftercare services.

`(f) Use of Grant Amounts:

`(1) In general: Each local correctional facility that receives a grant under this section shall use the grant amount solely for the purpose of carrying out the jail-based substance abuse treatment program described in the application submitted under subsection (c).

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(2) Administration: Each local correctional facility that receives a grant under this section shall carry out all activities relating to the administration of the grant amount, including reviewing the manner in which the amount is expended, processing, monitoring the progress of the program assisted, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.

(3) Restriction: A local correctional facility may not use any amount of a grant under this section for land acquisition or a construction project.

(g) Reporting Requirement; Performance Review:

(1) Reporting requirement: Not later than March 1 of each year, each local correctional facility that receives a grant under this section shall submit to the Attorney General, through the State, a description and evaluation of the jail-based substance abuse treatment program carried out by the local correctional facility with the grant amount, in such form and containing such information as the Attorney General may reasonably require.

(2) Performance review: The Attorney General shall conduct an annual review of each jail-based substance abuse treatment program assisted under this section, in order to verify the compliance of local correctional facilities with the requirements of this section.

(h) No Effect on State Allocation: Nothing in this section shall be construed to affect the allocation of amounts to States under section 1904(a).'

(b) Technical Amendment: The table of contents for title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended, in the matter relating to part S, by adding at the end the following:

'1906. Jail-based substance abuse treatment.'

- **[End insert]**

[Page: S897]

By Mr. FRIST (for himself, Mr. Rockefeller, Mr. Domenici, Mr. Lieberman, Mr. Gramm, Mr. Bingaman, Mr. Burns, Mr. Breaux, Mrs. Hutchison, Mr. Cleland, Mr. Thompson, Mr. Kerry, Mr. DeWine, Mr. Kerrey, Mr. Abraham, Mr. Akaka, Mr. Allard, Mrs. Boxer, Mr. Roberts, and Mr. Robb):

S. 296. A bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes; to the Committee on Commerce, Science, and Transportation.

FEDERAL RESEARCH INVESTMENT ACT OF 1999

- [Begin insert]

Mr. FRIST. Mr. President, I rise today to introduce legislation that would elevate Congress' commitment to technological innovation and long-term economic growth. The Federal Research Investment Act specifically targets federally-funded, civilian research and development (R&D), while establishing greater accountability mechanisms for both Congress and the White House. The bill would bolster the aggregate amount of federal funding for R&D over an 11-year period. Although this legislation passed the Senate by unanimous consent last year, the rush to finish the 1999 federal budget kept it from reaching the floor of the House of Representatives and the President's desk.

Senator **Rockefeller**, my partner in this endeavor, and I are not discouraged. We believe that we laid a solid foundation to build on by getting this legislation through the Senate last year. Now, we intend to persistently advocate for increased funding levels for basic R&D until they are realized. This legislation is the product of numerous hearings, caucus events, forums, and meetings with scientists and scholars from across the country. We have been working closely together on this legislation and feel that now, more than ever, Congress must advocate for greater R&D funding to preserve the future economic prosperity of our nation.

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