

105TH CONGRESS  
2D SESSION

# S. J. RES. 57

Expressing the sense of Congress in support of the existing Federal legal process for determining the safety and efficacy of drugs, including marijuana and other Schedule I drugs, for medicinal use.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 1998

Mr. KYL (for Mr. GRASSLEY) (for himself, Mr. KYL, and Mr. HATCH) introduced the following joint resolution; which was read twice and referred to the Committee on Labor and Human Resources

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## JOINT RESOLUTION

Expressing the sense of Congress in support of the existing Federal legal process for determining the safety and efficacy of drugs, including marijuana and other Schedule I drugs, for medicinal use.

Whereas certain drugs are listed on Schedule I of the Controlled Substances Act if they have a high potential for abuse, lack any currently accepted medical use in treatment in the United States, and there is a lack of accepted safety for their use under medical supervision;

Whereas the consequences of illegal use of Schedule I drugs are well documented, particularly with regard to physical health, highway safety, and criminal activity;

Whereas pursuant to section 401 of the Controlled Substances Act, it is illegal to manufacture, distribute, or dispense marijuana, heroin, LSD, and more than 100 other Schedule I drugs;

Whereas pursuant to section 505 of the Federal Food, Drug and Cosmetic Act, before any drug can be approved as a medication in the United States, it must meet extensive scientific and medical standards established by the Food and Drug Administration to ensure that it is safe and effective;

Whereas marijuana and other Schedule I drugs have not been approved by the Food and Drug Administration to treat any disease or condition;

Whereas the Federal Food, Drug and Cosmetic Act already prohibits the sale of any unapproved drug, including marijuana, that has not been proven safe and effective for medical purposes and grants the Food and Drug Administration the authority to enforce this prohibition through seizure and other civil action, as well as through criminal penalties;

Whereas marijuana use by children in grades 8 through 12 declined steadily from 1980 to 1992, but, from 1992 to 1996, has dramatically increased by 253 percent among 8th graders, 151 percent among 10th graders, and 84 percent among 12th graders, and the average age of first-time use of marijuana is now younger than it has ever been;

Whereas according to the 1997 survey by the Center on Addiction and Substance Abuse at Columbia University, 500,000 8th graders began using marijuana in the 6th and 7th grades;

Whereas according to that same 1997 survey, youths between the ages of 12 and 17 who use marijuana are 85 times more likely to use cocaine than those who abstain from marijuana, and 60 percent of adolescents who use marijuana before the age of 15 will later use cocaine; and

Whereas the rate of illegal drug use among youth is linked to their perceptions of the health and safety risks of those drugs, and the ambiguous cultural messages about marijuana use are contributing to a growing acceptance of marijuana use among children and teenagers: Now, therefore, be it

1       *Resolved by the Senate and House of Representatives*  
 2 *of the United States of America in Congress assembled,*  
 3 That—

4           (1) Congress continues to support the existing  
 5 Federal legal process for determining the safety and  
 6 efficacy of drugs and opposes efforts to circumvent  
 7 this process by legalizing marijuana, and other  
 8 Schedule I drugs, for medicinal use without valid  
 9 scientific evidence and the approval of the Food and  
 10 Drug Administration; and

11           (2) not later than 90 days after the date of the  
 12 adoption of this resolution—

13           (A) the Attorney General shall submit to  
 14 the Committees on the Judiciary of the House  
 15 of Representatives and the Senate a report  
 16 on—

1 (i) the total quantity of marijuana  
2 eradicated in the United States during the  
3 period from 1992 through 1997; and

4 (ii) the annual number of arrests and  
5 prosecutions for Federal marijuana of-  
6 fenses during the period described in  
7 clause (i); and

8 (B) the Commissioner of Foods and Drugs  
9 shall submit to the Committee on Commerce of  
10 the House of Representatives and the Commit-  
11 tee on Labor and Human Resources of the Sen-  
12 ate a report on the specific efforts underway to  
13 enforce sections 304 and 505 of the Federal  
14 Food, Drug and Cosmetic Act with respect to  
15 marijuana and other Schedule I drugs.

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