

106TH CONGRESS
2D SESSION

H. R. 5137

To amend the Public Health Service Act to provide for a national media campaign to reduce and prevent underage drinking in the United States.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 2000

Mr. MICA (for himself, Ms. ROYBAL-ALLARD, Mr. WOLF, Mr. WAXMAN, Ms. PELOSI, Mr. HOYER, Mr. WAMP, Mr. RAMSTAD, Mr. PORTMAN, Mr. BROWN of Ohio, Mr. MARKEY, Mr. DAVIS of Virginia, Mrs. CAPPS, Mr. HINCHEY, Mrs. LOWEY, Mr. REYES, and Mrs. MORELLA) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Public Health Service Act to provide for a national media campaign to reduce and prevent underage drinking in the United States.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Media Cam-
5 paign to Prevent Underage Drinking Act of 2000”.

1 **SEC. 2. DEPARTMENT OF HEALTH AND HUMAN SERVICES,**
2 **OFFICE OF PUBLIC HEALTH AND SCIENCE;**
3 **PROGRAM FOR NATIONAL MEDIA CAMPAIGN**
4 **TO PREVENT UNDERAGE DRINKING.**

5 Title XVII of the Public Health Service Act is amend-
6 ed by adding at the end the following section:

7 “NATIONAL MEDIA CAMPAIGN TO PREVENT UNDERAGE
8 DRINKING

9 “SEC. 1711. (a) REQUIREMENT TO CONDUCT A NA-
10 TIONAL MEDIA CAMPAIGN.—

11 “(1) IN GENERAL.—The Secretary shall de-
12 velop, implement, and conduct a national media
13 campaign in accordance with this section for the
14 purpose of reducing and preventing underage drink-
15 ing in the United States.

16 “(2) ADMINISTRATION.—The Secretary shall
17 carry out this section through the Office of Public
18 Health and Science and in consultation with the
19 Surgeon General of the Public Health Service.

20 “(3) BASED ON SCIENCE.—The Secretary shall
21 develop, implement, and conduct the national media
22 campaign based upon reputable academic and sci-
23 entific research on youth attitudes and the preva-
24 lence of underage drinking in the United States, as
25 well as on the science and research on mass media
26 prevention campaigns.

1 “(4) SUPPLEMENT; NOT SUPPLANT.—In devel-
2 oping, implementing, and conducting the national
3 media campaign, the Secretary shall supplement
4 (and not supplant) existing efforts by State, local,
5 private, and nonprofit entities to reduce and prevent
6 underage drinking in the United States and shall co-
7 ordinate with other Federal agencies and depart-
8 ments, including the Centers for Disease Control
9 and Prevention, the National Institute on Alcohol
10 Abuse and Alcoholism, the Substance Abuse and
11 Mental Health Services Administration, the National
12 Institute on Drug Abuse, the Department of Justice,
13 the Department of Transportation, and the Office of
14 National Drug Control Policy.

15 “(5) TARGETING.—The Secretary shall, to the
16 maximum extent feasible, use amounts available
17 under subsection (e) for media that focuses on, or
18 includes specific information on, prevention or treat-
19 ment resources for consumers within specific geo-
20 graphic local areas. The Secretary shall ensure that
21 the national media campaign includes messages that
22 are language-appropriate and culturally competent
23 to reach minority groups.

24 “(b) USE OF FUNDS.—

1 “(1) ADVERTISING.—Of the amounts available
2 under subsection (e), the Secretary shall devote suf-
3 ficient funds to the advertising portion of the na-
4 tional media campaign to meet the stated reach and
5 frequency goals of the campaign.

6 “(2) AUTHORIZED USES.—

7 “(A) IN GENERAL.—Amounts available
8 under subsection (e) for the national media
9 campaign may only be used for the development
10 of the campaign and—

11 “(i) the development of a comprehen-
12 sive strategy planning document;

13 “(ii) the purchase of media time and
14 space;

15 “(iii) talent reuse payments;

16 “(iv) out-of-pocket advertising produc-
17 tion costs;

18 “(v) testing and evaluation of adver-
19 tising;

20 “(vi) evaluation of the effectiveness of
21 the media campaign; and

22 “(vii) the negotiated fees for the win-
23 ning bidder on request for proposals issued
24 by the Assistant Secretary for Health.

1 “(B) CERTAIN USES.—In support of the
2 primary goal of developing, implementing and
3 conducting an effective advertising campaign,
4 funds available under subsection (e) may be
5 used for—

6 “(i) partnerships with community,
7 civic, and professional groups, and govern-
8 ment organizations related to the media
9 campaign; and

10 “(ii) entertainment industry collabora-
11 tions to fashion underage-drinking preven-
12 tion messages in motion pictures, television
13 programming, popular music, interactive
14 (Internet and new) media projects and ac-
15 tivities, public information, news media
16 outreach, and corporate sponsorship and
17 participation.

18 “(3) PROHIBITIONS.—None of the amounts
19 available under subsection (e) may be obligated or
20 expended—

21 “(A) to supplant efforts of community-
22 based coalitions to reduce and prevent underage
23 drinking;

1 “(B) to supplant current pro bono public
2 service time donated by national and local
3 broadcasting networks;

4 “(C) for partisan political purposes;

5 “(D) to fund media campaigns that feature
6 any elected officials, persons seeking elected of-
7 fice, cabinet level officials, or other Federal offi-
8 cials employed pursuant to section 213 of
9 schedule C of title 5, Code of Federal Regula-
10 tions, unless the Assistant Secretary for Health
11 provides advance notice to the appropriations
12 committees, the oversight committees, and the
13 appropriate authorizing committees of the
14 House of Representatives and the Senate; or

15 “(E) to fund or support advertising mes-
16 sages bearing any company or brand logos or
17 other identifying corporate or trade informa-
18 tion.

19 “(4) MATCHING REQUIREMENT.—As a condi-
20 tion of each purchase of media time or space for the
21 national media campaign, the Secretary shall require
22 that the seller of the time or space provide non-Fed-
23 eral contributions to the national media campaign
24 equal to 50 percent of the purchase price of the time
25 or space, which may be contributions of funds, or in-

1 kind contributions in the form of public service an-
2 nouncements specifically directed to reducing and
3 preventing underage drinking.

4 “(c) REPORTS TO CONGRESS.—

5 “(1) COMPREHENSIVE STRATEGY.—Not later
6 than 6 months after the date of the enactment of
7 this section, the Secretary shall develop and submit
8 to the Congress a comprehensive strategy that iden-
9 tifies the nature and extent of the problem of under-
10 age drinking, the scientific basis for the strategy, in-
11 cluding a review of the existing scientific research,
12 target audiences, goals and objectives of the cam-
13 paign, message points that will be effective in chang-
14 ing attitudes and behavior, a campaign outline and
15 implementation plan, an evaluation plan, and the es-
16 timated costs of implementation.

17 “(2) ANNUAL REPORTS.—The Secretary shall
18 submit to the Congress each year a report on the ac-
19 tivities for which amounts available under subsection
20 (e) were obligated during the preceding year, includ-
21 ing information for each quarter of such year, and
22 on the specific parameters of the national media
23 campaign including whether the campaign is achiev-
24 ing identified performance goals based on an inde-
25 pendent evaluation.

1 “(3) PROGRESS REPORT.—Not later than one
2 year after the date of the enactment of this section,
3 the Secretary shall submit to the Congress a report
4 on the progress of the national media campaign
5 based on measurable outcomes provided to the Con-
6 gress previously.

7 “(d) DEFINITION.—For purposes of this section, the
8 term ‘underage drinking’ means any consumption of alco-
9 holic beverages by individuals who have not attained the
10 age at which (in the State involved) it is legal to purchase
11 such beverages.

12 “(e) FUNDING.—

13 “(1) AUTHORIZATION OF APPROPRIATIONS.—
14 For the purpose of carrying out this section, there
15 are authorized to be appropriated such sums as may
16 be necessary for each of the fiscal years 2001
17 through 2006.

18 “(2) LIMITATION REGARDING COMPREHENSIVE
19 STRATEGY ACTIVITIES.—Of the amounts appro-
20 priated under paragraph (1), the Secretary may not
21 expend more than \$1,000,000 to carry out sub-
22 section (c)(1).”.

○