

and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Florida" (FRL6167-4) received on October 16, 1998; to the Committee on Environment and Public Works.

EC-7568. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the cumulative report on rescissions and deferrals dated October 15, 1998; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, and to the Committee on Energy and Natural Resources.

EC-7569. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mexican Fruit Fly Regulations; Addition of Regulated Area" (Docket 98-082-2) received on October 19, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7570. A communication from the Secretary of Defense, transmitting, notice of a routine military retirement; to the Committee on Armed Services.

EC-7571. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the Administration's report entitled "Management of the Supplemental Security Income Program: Today and in the Future"; to the Committee on Finance.

EC-7572. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, notice of a proposed license for the export of U2 Self-Propelled Howitzers to Singapore (DTC 130-98); to the Committee on Foreign Relations.

EC-7573. A communication from the Acting Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the Attorney General's reports to Congress on the Administration of the Foreign Agents Registration Act for calendar year 1997; to the Committee on Foreign Relations.

EC-7574. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Subtitle D Regulated Facilities; State Permit Program Determination of Adequacy; State Implementation Rule" (FRL6178-8) received on October 19, 1998; to the Committee on Environment and Public Works.

EC-7575. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Standards Applicable to Owners and Operators of Closed and Closing Hazardous Waste Management Facilities; Post-Closure Permit Requirement; Closure" (FRL6178-7) received on October 19, 1998; to the Committee on Environment and Public Works.

EC-7576. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule regarding dose limits for certain spent fuel storage installations (RIN3150-AF84) received on October 19, 1998; to the Committee on Environment and Public Works.

EC-7577. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Metric Conversion" (RIN2127-AG55) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7578. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Two Harbors, MN" (Docket 98-AGL-43) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7579. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Granite Falls, MN" (Docket 98-AGL-46) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7580. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Orr, MN" (Docket 98-AGL-47) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7581. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Menomonie, MN" (Docket 98-AGL-45) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7582. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Park Falls, WI" (Docket 98-AGL-44) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7583. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300, A310, and A300-600 Series Airplanes" (Docket 98-NM-74-AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7584. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; British Aerospace Jetstream Model 3101 and 3201 Airplanes" (Docket 98-CE-28-AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7585. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Mooney Aircraft Corporation Model M20J, M20K, M20M, and M20R Airplanes" (Docket 98-CE-47-AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7586. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bob Fields Aerocessories Inflatable Door Seals" (Docket 98-CE-88-AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7587. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes" (Docket 98-CE-63-AD) received on October 19, 1998; to the Committee on Commerce, Science, and Transportation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second time by unanimous consent, and referred as indicated:

By Mr. CAMPBELL:

S. 2641. A bill to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, relitigation of, precedents established in the Federal judicial courts; to the Committee on the Judiciary.

By Mr. ASHCROFT (for himself and Mr. DASCHLE):

S. 2642. A bill to establish a Chief Agricultural Negotiator in the Office of the United States Trade Representative; to the Committee on Finance.

By Mr. TORRICELLI:

S. 2643. A bill to provide increased funding to combat drug offenses, and for other purposes; to the Committee on the Judiciary.

S. 2644. A bill to amend the Internal Revenue Code of 1986 to exclude certain severance payment amounts from income; to the Committee on Finance.

By Mr. THOMAS:

S. 2645. A bill to create an official parliamentary station in the United States fully to participate in the Global Legal Information Network; to the Committee on Rules and Administration.

By Mr. MCCAIN:

S. 2646. A bill to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 2647. A bill 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; to the Committee on Labor and Human Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. D'AMATO:

S. Res. 311. A resolution expressing the sense of the Senate that the Secretary of the Interior should the establishment of a memorial to Thomas Paine on the National Park Service property in Constitution Gardens within the 1700 block of Constitution Avenue, N.W., in the District of Columbia, and that the memorial should specifically include the structure known as the "Canal House"; to the Committee on Energy and Natural Resources.

By Mr. MURKOWSKI:

S. Con. Res. 129. A concurrent resolution to correct a technical error in the enrollment of H.R. 3910; considered and agreed to.

By Mr. REED:

S. Con. Res. 130. A concurrent resolution to correct the enrollment of H.R. 4328; to the Committee on Appropriations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CAMPBELL:

S. 2641. A bill to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in relitigation of precedents established in the Federal judicial courts; to the Committee on the Judiciary.

THE FEDERAL AGENCY COMPLIANCE ACT

Mr. CAMPBELL. Mr. President, today I introduce the Federal Agency

Compliance Act. This legislation is the redraft of prior legislation that I introduced, S. 1166, the Federal Agency Compliance Act, which was the subject of a hearing on June 15, 1998 before the Senate Judiciary Subcommittee on Administrative Oversight and the Courts, chaired by Senator GRASSLEY.

At the June 15 hearing, Lynn Conforti from Denver, CO, testified on behalf of the thousands of Social Security disability claimants, who are denied their claims not on the basis of Federal circuit court opinions but on the basis of agency policy that is contrary to Federal law. In November 1996, Ms. Conforti was forced to quit work because of severe pain due to failed surgery on her back to correct curvature of the spine, scoliosis. Until that time, Ms. Conforti had been employed her entire life since she was 19 years old and paid her FICA taxes into the Social Security Disability Program for 27 years. At the hearing, she described her 32-month struggle with the Social Security Administration that had twice denied her benefits, because they did not give due weight to the medical opinion of her treating physicians or the severity of her pain, contrary to Federal court decisions. Ms. Conforti described her physical ordeal, having two back surgeries, removing 10 discs, two sets of surgical rods and screws, 38 days in the hospital, 334 physical therapy visits, 128 physician visits, and 16 months of chronic pain. Despite her disability, Ms. Conforti hopes to be able to return to work in the future, but she needs the disability resources to continue rehabilitation efforts.

Finally, in July 1998, Ms. Conforti was awarded her disability benefits by an administrative law judge (ALJ) in an on-the-record determination. The ALJ, unlike lower level decision-makers at SSA, was able to apply Federal court decisions to her case. For this reason, the bill I am introducing today contains a provision included in a similar bill, H.R. 1544, that states that agency employees and ALJ's shall adhere to court of appeals precedent within the circuit, insuring that Ms. Conforti and thousands of other claimants will no longer be victims of agency intracircuit nonacquiescence with the passage of this legislation.

I want to thank my colleagues, Senator SESSIONS and Senator DURBIN, for their support for this important legislation and for their assistance in revising the legislation that I introduce today. Through the effort of Senator SESSIONS, the bill clarifies that adherence by agencies to court of appeals precedent shall be in civil cases and there is no prohibition on an agency relitigating a matter in more than three circuits if such relitigation is necessary. Also, Senator DURBIN clarified that certain agencies, such as the National Labor Relations Board [NLRB], are not bound by adherence to court of appeals precedent when it is not certain that the court of appeals that established the NLRB precedent has ex-

clusive jurisdiction over the matter or by another circuit. Again, I want to thank my colleagues for these clarifications and for their support of the bill I introduce today.

Intracircuit agency nonacquiescence to appellate precedent is not limited to the Social Security Administration, which was described at our hearing, but has been a long-term problem with all agencies and one that the Congress has struggled with since the early 1980's. Finally, we have a consensus on legislation that will solve this problem and return us to the rule of law that we expect and that citizens deserve. I ask my colleagues to support this legislation to ensure Federal agencies follow the law.

Mr. President, I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 2641

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

**SECTION 1. PROHIBITING INTRACIRCUIT AGENCY NON-ACQUIESCENCE IN APPELLATE PRECEDENT.**

(a) **SHORT TITLE.**—This Act may be cited as the “Federal Agency Compliance Act”.

(b) **IN GENERAL.**—Chapter 7 of title 5, United States Code, is amended by adding at the end the following:

**“§ 707. Adherence to court of appeals precedent**

“(a) Except as provided in subsection (b), an agency (as defined in section 701(b)(1) of this title) shall in civil cases, in administering a statute, rule, regulation, program, or policy within a judicial circuit, adhere to the existing precedent respecting the interpretation and application of such statute, rule, regulation, program, or policy, as established by the decisions of the United States court of appeals for that circuit. All officers and employees of an agency, including administrative law judges, shall adhere to such precedent.

“(b) An agency is not precluded under subsection (a) from taking a position, either in administrative or litigation, that is at variance with precedent established by a United States court of appeals if—

“(1) it is not certain whether the administration of the statute, rule, regulation, program, or policy will be subject to review exclusively by the court of appeals that established that precedent or a court of appeals for another circuit;

“(2) the Government did not seek further review of the case in which that precedent was first established, in that court of appeals or the United States Supreme Court, because—

“(A) neither the United States nor any agency or officer thereof was a party to the case; or

“(B) the decision establishing that precedent was otherwise substantially favorable to the Government; or

“(3) it is reasonable to question the continued validity of that precedent in light of a subsequent decision of that court of appeals or the United States Supreme Court, a subsequent change in any pertinent statute or regulation, or any other subsequent change in the public policy or circumstances on which that precedent was based.”.

(c) **CLERICAL AMENDMENT.**—The table of sections for chapter 7 of title 5, United

States Code, is amended by adding at the end the following new item:

“707. Adherence to court of appeals precedent.”.

By Mr. THOMAS:

S. 2645. A bill to create an official parliamentary station in the United States fully to participate in the Global Legal Information Network; to the Committee on Rules and Administration.

**GLOBAL LEGAL INFORMATION NETWORK PARTICIPATION ACT OF 1998**

Mr. THOMAS. Mr. President, as the world is catapulted into the electronic information age, the United States has a rare opportunity not only to participate in a truly international legal database but also to sustain a leadership role in setting the highest standard for the creation and maintenance of such a database. It is also a fortuitous moment for the Congress to encourage and support an effort that will inure to the direct benefit of the Congress in its legislative functions by having access to foreign laws contemporaneously with or shortly after publication in the country of origin. This effort, conceived and developed by our own Law Library of Congress, is the Global Legal Information Network, popularly referred to as “GLIN.”

GLIN is an international, cooperative, non-commercial database of legal information contributed to by governments of member nations in Africa, Asia, Europe, and the Americas. As a mission-driven project, GLIN was developed by the Law Library as a way to organize and gain access to legal information so that the Law Library could respond to requests from Congress in a timely, efficient manner since the Law Library is responsible for doing research and analysis on the laws of other nations, comparative law, and international law. This continues to be the goal of the Law Library's participation in GLIN.

The database comprises abstracts of legal material, full texts of laws and regulations, and a legal thesaurus. The GLIN database is structured so that the full range of legal material including constitutions, laws and regulations, judicial decisions, parliamentary debates, scholarly writings, and legal miscellanea can be added to the database over time as countries are able to make these contributions.

Since 1995, GLIN has become a truly “global” legal information network and the Law Library has trained technical and legal teams from numerous countries plus a team from the United Nations. These countries are at various stages of compliance with the GLIN standards for organizational, technical, and telecommunications capabilities.

GLIN is the centerpiece of the Law Library's transition from a paper-based library to one that effectively exploits the advantages of electronic sources of information. The amount of time and resources needed to acquire, process, and store foreign legal material make

GLIN a top priority for the Law Library, and as the United States station for the network it has also undertaken the task of putting United States law into the database using the same high standards demanded of other nations. To date, the Law Library has not received appropriated funds for work on GLIN.

What other Parliaments around the world are doing concerning many of the issues we face is vital for our legislative functions. A 1886 treaty, still in force today, recognized the important need for the exchange of official journals, parliamentary annals, and documents. Congress needs access to the most reliable, current legal information available. GLIN can provide this information, but only if it is developed and maintained properly. With limited resources, and using the only technology and technological support available from an already strapped technology support staff in the Library of Congress which is consumed by other Library programs, participation by the Law Library in GLIN is at a critical point. The system now requires urgent updating and upgrading to enhance the performance of the Network and to attract additional countries, particularly those that are of interest to Congress. To best serve Congress, it is essential that the Law Library retain a leadership role technologically and content-wise. To facilitate such participation, the Law Library needs a special appropriation to bolster its staff and technological infrastructure on its own without being dependent or in competition with other Library of Congress programs.

Besides affording the Law Library the ability to bolster resources to meet this important growing initiative, this special appropriation will permit the Law Library through development and training to fulfill its natural role as the largest law library in the world to set the highest of standards for the form and content of legal information to be exchanged between nations to ensure that such material is accurate and complete, and thereby totally reliable. It also fosters interparliamentary cooperation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2645

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

#### SECTION 1. SHORT TITLE.

The Act may cited as the "Global Legal Information Network Participation Act of 1998."

#### SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATIONS OF PURPOSE.

The Congress makes the following findings and declarations:

(1) It is the policy of the United States to promote the reasonable, timely and authentic exchange of official legal information between parliaments of nations of the world as

originally expressed in the 1886 Convention for the Immediate Exchange of the Official Journals, Parliamentary Annals, and Documents:

(2) participation by the United States in an international, cooperative, noncommercial legal database contributed to by governments of member nations, the "Global Legal Information Network" (GLIN), which would be available over the Internet, contributes to the promotion of security and international understanding through the exchange of legal information and promotes the rule of law, and therefore is in the interests of the United States;

(3) the timely and accurate availability of laws and regulations of the United States and other legislatures around the world is of the utmost importance to the Congress, both in its own work as well as in the interests of developing and nurturing interparliamentary cooperation; and

(4) the centralization of the function and control of participation by the United States in such an international legal database will assist in establishing uniformity for the electronic exchange and retrieval of legal information.

#### SEC. 3. THE UNITED STATES GLIN STATION.

In order to carry out the purposes of this Act,

(a) The United States station for the Global Legal Information Network shall be the Law Library of Congress in the Library of Congress;

(b) The Director of the United States GLIN station shall be the Law Librarian of Congress.

By Mr. MCCAIN:

S. 2646. A bill to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs, and for other purposes; to the Committee on Energy and Natural Resources.

#### TO AUTHORIZE A DISABLED VETERANS MEMORIAL IN WASHINGTON, DC

Mr. MCCAIN. Mr. President, I rise to offer legislation to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial on Federal land in the District of Columbia to honor all disabled American veterans. This legislation is not controversial, costs nothing, and deserves immediate consideration and passage as the 105th Congress prepares to adjourn for the year.

As a nation, we owe a debt of gratitude to all Americans who have worn their country's uniform in the defense of her core ideals and interests. We honor their service with holidays, like Veterans Day and Memorial Day, and with memorials, including the Vietnam Wall and the Iwo Jima Memorial. But nowhere in Washington can be found a material tribute to those veterans whose physical or psychological health was forever lost to a sniper's bullet, a landmine, a mortar round, or the pure terror of modern warfare.

To these individuals we owe a measure of devotion not accorded those who served honorably but without permanent damage to limb or spirit. For these individuals, a memorial in Washington, DC, would stand as testament to the sum of their sacrifices, and as proof that the country they served values their contribution to its cause.

We cannot restore the health of those Americans who incurred a disability as a result of their military service. It is within our power, however, to authorize a memorial that would clearly signal the nation's gratitude to all whose disabilities serve as a living reminder of the toll war takes on its victims.

Under the terms of this legislation, the Disabled Veterans' LIFE Memorial Foundation would be solely responsible for raising the necessary funding. Our bill explicitly requires that no Federal funds be used to pay any expense for the memorial's establishment.

I urge my colleagues to join me and Senators CLELAND, COVERDELL, and KERREY in support of this legislation. America's disabled veterans, of whom Senator CLELAND himself is one of our most distinguished, deserve a lasting tribute to their sacrifice. They honored us with their service; let us honor them with our support today.

Mr. KERREY. Mr. President, I rise as a proud original cosponsor of legislation to establish a national Disabled Veterans Memorial here in Washington, DC.

I am honored to join my fellow colleagues, veterans and friends Senators MCCAIN and CLELAND in establishing a memorial to the brave men and women who have served our Nation with honor and dignity, but have paid a grave price.

I look forward to working with my colleagues in the Senate to establish and construct a memorial that is not only a tribute to our veterans, but will also serve the residents of the District as a place of civic and national pride.

I will insist on an open and fair process as we move forward, and will be diligent in representing the best interests of the veterans, the District, the Nation, and the American people.

By Mr. HATCH:

S. 2647. A bill 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; to the Committee on Labor and Human Resources.

#### DRUG DEMAND REDUCTION ACT

Mr. HATCH. Mr. President, I rise today to introduce the "Drug Demand Reduction Act," a bill that improves demand reduction efforts by focusing on the anti-drug media campaign, drug-free jails, and drug-free schools. The bill also contains several congressional resolutions aimed at encouraging community involvement, rejecting efforts to legalize illegal drugs, and streamlining prevention and treatment programs.

This legislation is supported by General Barry McCaffrey, Director of the Office of National Drug Control Policy. The original companion bill was introduced in the House of Representatives by Congressman PORTMAN and Congressman BARRETT on September 16, 1998, and passed with overwhelming bipartisan support, 396-9. I commend

them for their leadership and thank them for their efforts.

As many of you know, I worked hand in hand with my colleagues in the House on this issue, I held hearings in the Senate Committee on the Judiciary concerning these issues, and more recently, I worked with the Leadership to include this bill into the legislative package of anti-drug bills that is being incorporated into the Omnibus Appropriations bill for Fiscal 1999. This bill represents a substantial step toward reducing the rates of drug abuse in our country.

According to the respected Monitoring the Future from 1991 to 1997, the lifetime use of marijuana—the gateway to harder drugs—has increased among school-age youth. The lifetime use of marijuana by 8th graders—that is those 8th graders who have ever used marijuana—increased by 122% from 1991 to 1997. For 10th graders, marijuana use increased by 81% and for 12th graders, 35%.

Cocaine use among our youth has also seen staggering increases. From 1991 to 1997, the lifetime use of cocaine increased by 91% for 8th graders. The lifetime use of cocaine by 10th graders increased by 73% during the same time period. The number of 8th graders who have used cocaine within the past year increased by 154% from 1991 to 1997.

Heroin use has also exploded since 1991. The reported lifetime use of heroin for both 8th and 10th graders increased by 75%. For 12th graders, heroin use increased by 133%. The number of 8th graders who have used heroin within the past year has increased by 86% from 1991 to 1997. For 10th and 12th graders, heroin use increased by 180% and 120%, respectively.

These figures are staggering when you consider that each percentage point represents thousands of teens who are much more likely to become bigger problems for society as they become adults.

The drug abuse situation in our country is an issue about which I care deeply. In June of this year, the Judiciary Committee held a hearing on the growing national crisis of drug abuse among our children. I think it is clear from all the available information and from the testimony heard at the hearing that youth drug abuse is not stable, but is instead rising sharply. Several of the witnesses who testified described how accessible drugs were to our young people.

For example, Chris who works as an undercover investigator in high schools in Dayton, Ohio, described to the Committee how easy it was to get drugs in today's high schools. "Within the first investigation, I was approached within three weeks, by someone offering to sell to me. The second investigation, I was approached in a week-and-a-half by someone again wanting to sell to me. In high schools, you don't have to do a lot of seeking, you know. . . . Pretty much, they are going to come to you."

What is the reason behind this surge in teen drug consumption? I believe

several things. First, there has been a decline in anti-drug messages from elected leaders—like President Clinton and similar messages in homes, schools, and—until recently with the airing of anti-drug messages developed for the Youth Media Campaign—the media. Second, the debate over the legalization of marijuana and the glorification of drugs in popular culture has caused confusion in our young people. Third, disapproval of drugs and perception of risk has declined among young people. The percent of 8th, 10th and 12th graders who "disapproved" or "strongly disapproved" of use of various drugs declined steadily from 1991 to 1995. In 1992, 92% of 8th graders, 90% of 10th graders, and 89% of 12th graders disapproved of people who smoked marijuana regularly. By 1996, however, those figures had dropped significantly.

We must change tactics and find a way to do something to stop this epidemic from continuing and destroying the future of our children. This bill, which I expect will be enacted as part of the Omnibus Appropriation bill, will begin to address these problems and offer incentives to help schools, and communities to reinforce the message that drugs are dangerous. I urge all of my colleagues to support this bill. I ask 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. 2647

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

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

(a) **SHORT TITLE.**—This Act may be cited as the "Drug Demand Reduction Act".

(b) **TABLE OF CONTENTS.**—The table of contents for 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 Prisons and Jails
        - Sec. 111. Short title.
        - Sec. 112. Purpose.
        - Sec. 113. Program authorization.
        - Sec. 114. Grant application.
        - Sec. 115. Uses of funds.
        - Sec. 116. Evaluation and recommendation report to Congress.
      - Sec. 117. Definitions.
      - Sec. 118. Authorization of appropriations.
        - Subtitle C—Drug-Free Schools Quality Assurance
          - Sec. 121. Short title.
          - Sec. 122. Amendment to Safe and Drug-Free Schools and Communities Act.
  - TITLE II—STATEMENT OF NATIONAL ANTIDRUG POLICY**
    - Subtitle A—Congressional Leadership in Community Coalitions
      - Sec. 201. Sense of Congress.

- Subtitle B—Rejection of Legalization of Drugs
  - Sec. 211. Sense of Congress.
- Subtitle C—Report on Streamlining Federal Prevention and Treatment Efforts
  - Sec. 221. Report on streamlining Federal prevention and treatment efforts.

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

**Subtitle A—National Youth Anti-Drug Media Campaign**

**SEC. 101. SHORT TITLE.**  
This subtitle may be cited as the "Drug-Free Media Campaign Act of 1998".

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

(a) **IN GENERAL.**—The Director of the Office of National Drug Control Policy (in this subtitle referred to as the "Director") shall conduct a national media campaign in accordance with this subtitle for the purpose of reducing and preventing drug abuse among young people in the United States.

(b) **LOCAL TARGET REQUIREMENT.**—The Director shall, to the maximum extent feasible, use amounts made available to carry out this subtitle under section 105 for media that focuses on, or includes specific information on, prevention or treatment resources for consumers within specific local areas.

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

(a) **AUTHORIZED USES.**—  
(1) **IN GENERAL.**—Amounts made available to carry out this subtitle for the support of the national media campaign may only be used for—

- (A) the purchase of media time and space;
- (B) talent reuse payments;
- (C) out-of-pocket advertising production costs;
- (D) testing and evaluation of advertising;
- (E) evaluation of the effectiveness of the media campaign;
- (F) the negotiated fees for the winning bidder on request for proposals issued by the Office of National Drug Control Policy;
- (G) partnerships with community, civic, and professional groups, and government organizations related to the media campaign; and
- (H) entertainment industry collaborations to fashion antidrug messages in motion pictures, television programming, popular music, interactive (Internet and new) media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

(2) **ADVERTISING.**—In carrying out this subtitle, the Director shall devote sufficient funds to the advertising portion of the national media campaign to meet the stated reach and frequency goals of the campaign.

(b) **PROHIBITIONS.**—None of the amounts made available under section 105 may be obligated or expended—

- (1) to supplant current antidrug community based coalitions;
- (2) to supplant current pro bono public service time donated by national and local broadcasting networks;
- (3) for partisan political purposes; or
- (4) to fund media campaigns that feature any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations, unless the Director provides advance notice to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform and Oversight of the House of Representatives and the Committee on the Judiciary of the Senate.

(c) **MATCHING REQUIREMENT.**—Amounts made available under section 105 should be

matched by an equal amount of non-Federal funds for the national media campaign, or be matched with in-kind contributions to the campaign of the same value.

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

The Director shall—

(1) submit to Congress on an annual basis a report on the activities for which amounts made available under section 105 have been obligated during the preceding year, including information for each quarter of such year, and on the specific parameters of the national media campaign; and

(2) not later than 1 year after the date of enactment of this Act, submit to Congress a report on the effectiveness of the national media campaign based on measurable outcomes provided to Congress previously.

**SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this subtitle \$195,000,000 for each of fiscal years 1999 through 2002.

**Subtitle B—Drug-Free Prisons and Jails**

**SEC. 111. SHORT TITLE.**

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

**SEC. 112. PURPOSE.**

The purpose of this subtitle is to provide for the establishment of model programs for comprehensive treatment of substance-involved offenders in the criminal justice system to reduce drug abuse and drug-related crime, and reduce the costs of the criminal justice system, that can be successfully replicated by States and local units of government through a comprehensive evaluation.

**SEC. 113. PROGRAM AUTHORIZATION.**

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

(1) providing financial assistance to grant recipients selected in accordance with section 114(b); and

(2) evaluating the success of programs conducted pursuant to this subtitle.

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

(c) **ADMINISTRATIVE COSTS.**—Not more than 5 percent of a grant award made pursuant to this subtitle may be used for administrative costs.

**SEC. 114. GRANT APPLICATION.**

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

(1) **STRATEGY.**—A strategy to coordinate programs and services for substance-involved offenders provided by the unit of local government or the State, as the case may be, developed in consultation with representatives from all components of the criminal justice system within the jurisdiction, including judges, law enforcement personnel, prosecutors, corrections personnel, probation personnel, parole personnel, substance abuse treatment personnel, and substance abuse prevention personnel.

(2) **CERTIFICATION.**—A certification that—

(A) Federal funds made available under this subtitle will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities; and

(B) the programs developed pursuant to this subtitle meet all requirements of this subtitle.

(b) **REVIEW AND APPROVAL.**—Subject to section 113(b), the Director shall approve applications and make grant awards to units of local governments and States that show the

most promise for accomplishing the purposes of this subtitle consistent with the provisions of section 115.

**SEC. 115. USES OF FUNDS.**

A unit of local government or State that receives a grant award under this subtitle shall use such funds to provide comprehensive treatment programs to inmates in prisons or jails, including not less than 3 of the following:

(1) Tailored treatment programs to meet the special needs of different types of substance-involved offenders.

(2) Random and frequent drug testing, including a system of sanctions.

(3) Training and assistance for corrections officers and personnel to assist substance-involved offenders in correctional facilities.

(4) Clinical assessment of incoming substance-involved offenders.

(5) Availability of religious and spiritual activity and counseling to provide an environment that encourages recovery from substance involvement in correctional facilities.

(6) Education and vocational training.

(7) A substance-free correctional facility policy.

**SEC. 116. EVALUATION AND RECOMMENDATION REPORT TO CONGRESS.**

(a) **EVALUATION.**—

(1) **IN GENERAL.**—The Director shall enter into a contract, with an evaluating agency that has demonstrated experience in the evaluation of substance abuse treatment, to conduct an evaluation that incorporates the criteria described in paragraph (2).

(2) **EVALUATION CRITERIA.**—The Director, in consultation with the Directors of the appropriate National Institutes of Health, shall establish minimum criteria for evaluating each program. Such criteria shall include—

(A) reducing substance abuse among participants;

(B) reducing recidivism among participants;

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

(D) a data collection system that will produce data comparable to that used by the Office of Applied Studies of the Substance Abuse and Mental Health Services Administration and the Bureau of Justice Statistics of the Office of Justice Programs.

(b) **REPORT.**—The Director shall submit to the appropriate committees, at the same time as the President’s budget for fiscal year 2001 is submitted, a report that—

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

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

(3) makes recommendations regarding revisions to the authorization of the program, including extension, expansion, application requirements, reduction, and termination.

**SEC. 117. DEFINITIONS.**

In this subtitle:

(1) **APPROPRIATE COMMITTEES.**—The term “appropriate committees” means the Committees on the Judiciary and the Committees on Appropriations of the House of Representatives and the Senate.

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

(3) **SUBSTANCE-INVOLVED OFFENDER.**—The term “substance-involved offender” means an individual under the supervision of a State or local criminal justice system, awaiting trial or serving a sentence imposed by the criminal justice system, who—

(A) violated or has been arrested for violating a drug or alcohol law;

(B) was under the influence of alcohol or an illegal drug at the time the crime was committed;

(C) stole property to buy illegal drugs; or

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

(4) **UNIT OF LOCAL GOVERNMENT.**—The term “unit of local government” means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior and any agency of the District of Columbia government or the United States Government performing law enforcement functions in and for the District of Columbia, and the Trust Territory of the Pacific Islands.

**SEC. 118. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this subtitle from the Violent Crime Reduction Trust Fund as authorized by title 31 of the Violent Crime and Control and Law Enforcement Act of 1994 (42 U.S.C. 14211)—

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

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

(b) **RESERVATION.**—The Director may reserve each fiscal year not more than 20 percent of the funds appropriated pursuant to subsection (a) for activities required under section 116.

**Subtitle C—Drug-Free Schools Quality Assurance**

**SEC. 121. SHORT TITLE.**

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

**SEC. 122. AMENDMENT TO SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT.**

Subpart 3 of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7141 et seq.) is amended by adding at the end the following:

**“SEC. 4134. QUALITY RATING.**

“(a) **IN GENERAL.**—The chief executive officer of each State, or in the case of a State in which the constitution or law of such State designates another individual, entity, or agency in the State to be responsible for education activities, such individual, entity, or agency, is authorized and encouraged—

“(1) to establish a standard of quality for drug, alcohol, and tobacco prevention programs implemented in public elementary schools and secondary schools in the State in accordance with subsection (b); and

“(2) to identify and designate, upon application by a public elementary school or secondary school, any such school that achieves such standard as a quality program school.

“(b) **CRITERIA.**—The standard referred to in subsection (a) shall address, at a minimum—

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

“(2) the rate of suspensions or expulsions of students enrolled in the school for drug, alcohol, or tobacco-related offenses;

“(3) the effectiveness of the drug, alcohol, or tobacco prevention program as proven by research;

“(4) the involvement of parents and community members in the design of the drug, alcohol, and tobacco prevention program; and

“(5) the extent of review of existing community drug, alcohol, and tobacco prevention programs before implementation of the public school program.

“(c) **REQUEST FOR QUALITY PROGRAM SCHOOL DESIGNATION.**—A school that wishes to receive a quality program school designation shall submit a request and documentation of compliance with this section to the chief executive officer of the State or the individual, entity, or agency described in subsection (a), as the case may be.

“(d) **PUBLIC NOTIFICATION.**—Not less than once a year, the chief executive officer of

each State or the individual, entity, or agency described in subsection (a), as the case may be, shall make available to the public a list of the names of each public school in the State that has received a quality program school designation in accordance with this section.”.

**TITLE II—STATEMENT OF NATIONAL ANTIDRUG POLICY**  
**Subtitle A—Congressional Leadership in Community Coalitions**

**SEC. 201. SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

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

(2) Illegal drug use can destroy the lives of the Nation’s youth by diminishing their sense of morality and with it everything in life that is important and worthwhile.

(3) According to recently released national surveys, drug use among the Nation’s youth remains at alarmingly high levels.

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

(5) National leadership can help mobilize every sector of the community to support the implementation of comprehensive, sustainable, and effective programs to reduce drug abuse.

(6) As of September 1, 1998, 76 Members of the House of Representatives were establishing community-based antidrug coalitions in their congressional districts or were actively supporting such coalitions that already existed.

(7) The individual Members of the House of Representatives can best help their constituents prevent drug use among the Nation’s youth by establishing community-based antidrug coalitions in their congressional districts or by actively supporting such coalitions that already exist.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the individual Members of the House of Representatives, including the Delegates and the Resident Commissioner, should establish community-based antidrug coalitions in their congressional districts or should actively support any such coalitions that have been established.

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

**SEC. 211. SENSE OF CONGRESS.**

(a) FINDINGS.—Congress finds the following:

(1) Illegal drug use is harmful and wrong.

(2) Illegal drug use can kill the individuals involved or cause the individuals to hurt or kill others, and such use strips the individuals of their moral sense.

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

(4) The people of the United States are more concerned about illegal drug use and crimes associated with such use than with any other current social problem.

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

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

(7) The courts of the United States have repeatedly found that any State law that con-

flicts with a Federal law or treaty is preempted by such law or treaty.

(8) The Controlled Substances Act (21 U.S.C. 801 et seq.) strictly regulates the use and possession of drugs.

(9) The United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances Treaty similarly regulates the use and possession of drugs.

(10) Any attempt to authorize under State law an activity prohibited under such Treaty or the Controlled Substances Act would conflict with that Treaty or Act.

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

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

(2) each State should make efforts to be a drug-free State.

**Subtitle C—Report on Streamlining Federal Prevention and Treatment Efforts**

**SEC. 221. REPORT ON STREAMLINING FEDERAL PREVENTION AND TREATMENT EFFORTS.**

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

(1) the efforts of the Federal Government to reduce the demand for illegal drugs in the United States are frustrated by the fragmentation of those efforts across multiple departments and agencies; and

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

(b) REPORT REQUIREMENT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall prepare and submit to the appropriate committees a report evaluating options for increasing the efficacy of drug prevention and treatment programs and activities by the Federal Government. Such option shall include the merits of a consolidation of programs into a single agency, transferring programs from 1 agency to another, and improving coordinating mechanisms and authorities. The report shall also include a thorough review of the activities and potential consolidation of existing Federal drug information clearinghouses.

(2) RECOMMENDATION AND EXPLANATORY STATEMENT.—The study submitted under paragraph (1) shall identify options that are determined by the Director to have merit, and an explanation which options should be implemented.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this subsection \$1,000,000 for contracting, policy research, and related costs.

(c) APPROPRIATE COMMITTEES DEFINED.—In this section, the term “appropriate committees” means the Committee on Appropriations, the Committee on Commerce, and the Committee on Education and the Workforce of the House of Representatives, and the Committee on Appropriations, and Committee on Labor and Human Resources of the Senate.

**ADDITIONAL COSPONSORS**

S. 597

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 597, a bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals.

S. 1326

At the request of Mr. DASCHLE, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1326, a bill to amend title XIX of the Social Security Act to provide for Medicaid coverage of all certified nurse practitioners and clinical nurse specialists services.

S. 1525

At the request of Mr. SPECTER, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1525, a bill to provide financial assistance for higher education to the dependents of Federal, State, and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty.

S. 2353

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2353, a bill to redesignate the legal public holiday of “Washington’s Birthday” as “Presidents’ Day” in honor of George Washington, Abraham Lincoln, and Franklin Roosevelt and in recognition of the importance of the institution of the Presidency and the contributions that Presidents have made to the development of our Nation and the principles of freedom and democracy.

S. 2623

At the request of Mr. GLENN, his name was added as a cosponsor of S. 2623, a bill to increase the efficiency and effectiveness of the Federal Government, and for other purposes.

S. 2640

At the request of Mr. D’AMATO, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 2640, a bill to extend the authorization for the Upper Delaware Citizens Advisory Council.

**SENATE RESOLUTION 199**

At the request of Mr. TORRICELLI, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of Senate Resolution 199, a resolution designating the last week of April of each calendar year as “National Youth Fitness Week.”

**SENATE CONCURRENT RESOLUTION 129—TO CORRECT A TECHNICAL ERROR IN THE ENROLLMENT OF H.R. 3910**

Mr. MURKOWSKI submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 129

*Resolved by the Senate (the House of Representatives concurring).* That in the enrollment of H.R. 3910 the Clerk of the House shall, in title IV, section 406, strike “5 years after the date of enactment of the Omnibus National Parks and Public Lands Act of 1998” and insert “5 years after the date of enactment of this Act.”