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1 results of the study conducted under subsection (a). The
2 report shall include recommendations of means to meet the
3 needs identified in such study.

4 SEC. 606. HEALTH INSURANCE COVERAGE FOR DRUG AND ALCOHOL
5 TREATMENT.

6 (a) Findings.--The Congress finds that--

7 (1) drug and alcohol abuse are problems of grave
8 concern and consequence in American society;

9 (2) over 500,000 individuals are known heroin
10 addicts; 5 million individuals use cocaine; and at least
11 7 million individuals regularly use prescription drugs,
12 mostly addictive ones, without medical supervision;

13 (3) 10 million adults and 3 million children and
14 adolescents abuse alcohol, and an additional 30 to 40
15 million people are adversely affected because of close
16 family ties to alcoholics;

17 (4) the total cost of drug abuse to the nation in
18 1983 was over \$60,000,000,000; and

19 (5) the vast majority of health benefits plans
20 provide only limited coverage for treatment of drug and
21 alcohol addiction, which is a fact that can discourage
22 the abuser from seeking treatment or, if the abuser does
23 seek treatment, can cause the abuser to face significant
24 out of pocket expenses for the treatment.

25 (b) Sense of Congress.--It is the sense of Congress

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1 that--
2 ^{employers providing} (1) all health insurance policies should ^{ensure that the policies} provide
3 adequate coverage for treatment of drug and alcohol
4 addiction in recognition that the health consequences and
5 costs for individuals and society can be as formidable as
6 those resulting from other diseases and illnesses for
7 which insurance coverage is much more adequate; and
8 (2) State insurance commissioners should encourage ^{employers provide}
9 health benefits plans ^{ensure that the policies} to provide more adequate coverage
10 for treatment of drug and alcohol addiction.

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1 TITLE VII--NATIONAL ANTIDRUG REORGANIZATION AND COORDINATION
2 SEC. 7001. SHORT TITLE.

3 This title may be cited as the "National Antidrug
4 Reorganization and Coordination Act".

5 SEC. 7002. FINDINGS.

6 The Congress finds that--

7 (1) the Federal Government's response to drug
8 trafficking and drug abuse is divided among several dozen
9 agencies and bureaus of the Government, ranging from the
10 Department of Defense to the Department of Health and
11 Human Services;

12 (2) numerous recent congressional hearings and
13 reports, reports by the Comptroller General, and studies
14 by Executive branch agencies have documented the waste
15 and inefficiency caused by this division of
16 responsibilities;

17 (3) interagency competition for credit and budget
18 dollars imposes critical obstacles to efficient
19 application of national resources in combating drug
20 trafficking and drug abuse; and

21 (4) successfully combating such trafficking and drug
22 abuse requires coherent planning that includes
23 intelligent organization and operations of Executive
24 branch agencies.

25 SEC. 7003. SUBMISSION OF LEGISLATION.

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1 Not later than 6 months after the date of enactment of
2 this title, the President shall submit to each House of
3 Congress recommendations for legislation to reorganize the
4 Executive branch of the Government to more effectively combat
5 drug traffic and drug abuse. In the preparation of such
6 recommendations, the President shall consult with the
7 Comptroller General, State and local law enforcement
8 authorities, relevant committees of the Congress, and the
9 Attorney General and the Secretaries of State, the Treasury,
10 Transportation, Health and Human Services, Defense, and
11 Education.

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1 TITLE VIII--PRESIDENT'S MEDIA COMMISSION ON ALCOHOL AND DRUG
2 ABUSE PREVENTION

3 SEC. 8001. SHORT TITLE.

4 This title may be cited as the ``President's Media
5 Commission on Alcohol and Drug Abuse Prevention Act``.

6 SEC. 8002. ESTABLISHMENT.

7 There is established a commission to be known as the
8 President's Media Commission on Alcohol and Drug Abuse
9 Prevention (hereinafter in this title referred to as the
10 ``Commission``).

11 SEC. 8003. DUTIES OF COMMISSION.

12 The Commission shall--

13 (1) examine public education programs in effect on
14 the date of the enactment of this title which are--

15 (A) implemented through various segments of mass
16 media; and

17 (B) intended to prevent alcohol and drug abuse;

18 (2) act as an administrative and coordinating body
19 for the voluntary donation of resources from--

20 (A) television, radio, motion picture, cable
21 communications, and print media;

22 (B) the recording industry;

23 (C) the advertising industry;

24 (D) the business sector of the United States; and

25 (E) professional sports organizations and

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1 associations;
2 to assist the implementation of new programs and national
3 strategies for dissemination of information intended to
4 prevent alcohol and drug abuse;

5 (3) encourage media outlets throughout the country to
6 provide information aimed at preventing alcohol and drug
7 abuse, including public service announcements,
8 documentary films, and advertisements; and

9 (4) evaluate the effectiveness and assist in the
10 update of programs and national strategies formulated
11 with the assistance of the Commission.

12 SEC. 8004. MEMBERSHIP.

13 (a) NUMBER AND APPOINTMENT.--The Commission shall be
14 composed of 12 members appointed by the President within 30
15 days after the date of the enactment of this title, and
16 should include representatives of--

17 (1) advertising agencies;

18 (2) motion picture, television, radio, cable
19 communications, and print media;

20 (3) the recording industry;

21 (4) other segments of the business sector of the
22 United States;

23 (5) experts in the prevention of alcohol and drug
24 abuse;

25 (6) professional sports organizations and

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1 associations; and

2 (7) other Federal agencies, as designated by the
3 President, including the Director of the Agency for
4 Substance Abuse Prevention of the Department of Health
5 and Human Services.

6 (b) TERMS.--(1) Except as provided in paragraphs (2) and
7 (3), members shall be appointed for terms of 3 years.

8 (2) Any member appointed to fill a vacancy occurring
9 before the expiration of the term for which his predecessor
10 was appointed shall be appointed only for the remainder of
11 such term.

12 (3) A member may serve after the expiration of his term
13 until his successor has taken office.

14 (c) BASIC PAY AND EXPENSES.--(1) Except as provided in
15 paragraph (2), members of the Commission shall serve without
16 pay.

17 (2) While away from their homes or regular places of
18 business in the performance of services for the Commission,
19 members shall be allowed travel expenses, including a per
20 diem allowance in lieu of subsistence, in the same manner as
21 persons serving intermittently in the Government service are
22 allowed travel expenses under section 5703 of title 5, United
23 States Code.

24 SEC. 8005. MEETINGS.

25 (a) IN GENERAL.--(1) The Commission shall meet at the

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1 call of the Moderator.

2 (2) The Moderator shall convene the 1st meeting of the
3 Commission within 30 days after the date of the completion of
4 appointments under section 4(a).

5 (b) MODERATOR.--One member of the Commission shall be
6 designated by the President to serve as Moderator of the
7 Commission.

8 (c) QUORUM AND PROCEDURE.--The Commission shall adopt
9 rules regarding quorum requirements and meeting procedures as
10 the Commission deems appropriate at the 1st meeting of the
11 Commission.

12 (d) VOTING.--Decisions and official acts of the Commission
13 shall be according to the vote of a majority of members at a
14 properly called meeting.

15 SEC. 8006. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

16 (a) DIRECTOR AND STAFF.--(1) Subject to paragraph (2),
17 the Moderator, with the approval of the Commission, may
18 employ and set the rate of pay for a Director and such staff
19 as the Moderator deems necessary.

20 (2) Rates of pay set under paragraph (1) shall be less
21 than the rate of basic pay payable under section 5316 of
22 title 5, United States Code.

23 (b) EXPERTS AND CONSULTANTS.--The Moderator, with the
24 approval of the Commission, may procure temporary and
25 intermittent services under section 3109(b) of title 5,

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MAILS

1 United States Code.

2 (c) STAFF OF FEDERAL AGENCIES.--Upon request of the
3 Commission, the head of any Federal agency is authorized to
4 detail, on a reimbursable basis, any of the personnel of such
5 agency to the Commission to assist the Commission in carrying
6 out its duties under this title.

7 SEC. 8007. POWERS OF COMMISSION.

8 (a) HEARINGS AND SESSIONS.--The Commission may, for the
9 purpose of carrying out this title, hold such hearings, sit
10 and act at such times and places, take such testimony, and
11 receive such evidence, as the Commission considers
12 appropriate.

13 (b) OBTAINING OFFICIAL DATA.--Upon the request of the
14 Moderator of the Commission, the Commission may secure
15 directly from any department or agency of the United States
16 information necessary to enable it to carry out this title.

17 (c) GIFTS.--The Commission may accept, use, and dispose
18 of gifts or donations of services or property.

19 (d) MAILS.--The Commission may use the United States
20 mails in the same manner and under the same conditions as
21 other departments and agencies of the United States.

22 (e) ADMINISTRATIVE SUPPORT SERVICES.--The Administrator
23 of General Services shall provide to the Commission on a
24 reimbursable basis such administrative support services as
25 the Commission may request.

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1 SEC. 8008. REPORT.

2 The Commission shall transmit to the President and to
3 each House of Congress a report not later than July 31 of
4 each year which contains a detailed statement of the
5 activities of the Commission during the preceding year,
6 including a summary of the number of public service
7 announcements produced by the Commission and published or
8 broadcast.

9 SEC. 8009. TERMINATION.

10 The Commission shall terminate on a date which is three
11 years after the date on which members of the Commission are
12 first appointed, unless the President, by Executive order,
13 extends the authority of the Commission.

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1 TITLE IX--DENIAL OF TRADE BENEFITS TO UNCOOPERATIVE MAJOR
2 DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES
3 SEC. 9001. TARIFF TREATMENT OF PRODUCTS OF UNCOOPERATIVE
4 MAJOR DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES.

5 The Trade Act of 1974 is amended by adding at the end
6 thereof the following:

7 ``TITLE VIII--TARIFF TREATMENT OF PRODUCTS OF UNCOOPERATIVE
8 MAJOR DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES
9 ``SEC. 801. SHORT TITLE.

10 ``This title may be cited as the `Narcotics Control Trade
11 Act`.

12 ``SEC. 802. TARIFF TREATMENT OF PRODUCTS OF UNCOOPERATIVE
13 MAJOR DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES.

14 `` (a) REQUIRED ACTION BY PRESIDENT.--Subject to
15 subsection (b), for every major drug producing country and
16 every major drug-transit country, the President shall, on or
17 after March 1, 1987, and March 1 of each succeeding year, to
18 the extent considered necessary by the President to achieve
19 the purposes of this title--

20 `` (1) deny to any or all of the products of that
21 country tariff treatment under the Generalized System of
22 Preferences, the Caribbean Basin Economic Recovery Act,
23 or any other law providing preferential tariff
24 treatment;

25 `` (2) apply to any or all of the dutiable products of

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1 that country an additional duty at a rate not to exceed
2 50 percent ad valorem or the specific rate equivalent;

3 (3) apply to one or more duty-free products of that
4 country a duty at a rate not to exceed 50 percent ad
5 valorem; or

6 (4) take any combination of the actions described
7 in paragraphs (1), (2), and (3).

8 (b) CERTIFICATIONS; CONGRESSIONAL ACTION.--(1)

9 Subsection (a) shall not apply with respect to a country if
10 the President determines and so certifies to the Congress, at
11 the time of the submission of the report required by section
12 481(e) of the Foreign Assistance Act of 1961, that during the
13 previous year that country has cooperated fully with the
14 United States, or has taken adequate steps on its own, in
15 preventing narcotic and psychotropic drugs and other
16 controlled substances produced or processed, in whole or in
17 part, in such country or transported through such country,
18 from being sold illegally within the jurisdiction of such
19 country to United States Government personnel or their
20 dependents or from being transported, directly or indirectly,
21 into the United States and in preventing and punishing the
22 laundering in that country of drug-related profits or
23 drug-related monies.

24 (2) In making the certification required by paragraph
25 (1), the President shall give foremost consideration to

1 whether the actions of the government of the country have
2 resulted in the maximum reductions in illicit drug production
3 which were determined to be achievable pursuant to section
4 481(e)(4) of the Foreign Assistance Act of 1961. The
5 President shall also consider whether such government--

6 (A) has taken the legal and law enforcement
7 measures to enforce in its territory, to the maximum
8 extent possible, the elimination of illicit cultivation
9 and the suppression of illicit manufacture of and traffic
10 in narcotic and psychotropic drugs and other controlled
11 substances, as evidenced by seizures of such drugs and
12 substances and of illicit laboratories and the arrest and
13 prosecution of violators involved in the traffic in such
14 drugs and substances significantly affecting the United
15 States; and

16 (B) has taken the legal and law enforcement steps
17 necessary to eliminate, to the maximum extent possible,
18 the laundering in that country of drug-related profits or
19 drug-related monies, as evidence by--

20 (i) the enactment and enforcement of laws
21 prohibiting such conduct,

22 (ii) the willingness of such government to
23 enter into mutual legal assistance agreements with
24 the United States governing (but not limited to)
25 money laundering, and

1 “(iii) the degree to which such government
2 otherwise cooperates with United States law
3 enforcement authorities on anti-money laundering
4 efforts.

5 “(3) Subsection (a) shall apply to a country without
6 regard to paragraph (1) of this subsection if the Congress
7 enacts, within 30 days of continuous session after receipt of
8 a certification under paragraph (1), a joint resolution
9 disapproving the determination of the President contained in
10 that certification.

11 “(4) If the President takes action under subsection (a),
12 that action shall remain in effect until--

13 “(A) the President makes the certification under
14 paragraph (1), a period of 30 days of continuous session
15 of Congress elapses, and during that period the Congress
16 does not enact a joint resolution of disapproval; or

17 “(B) the President submits at any other time a
18 certification of the matters described in paragraph (1)
19 with respect to that country, a period of 30 days of
20 continuous session of Congress elapses, and during that
21 period the Congress does not enact a joint resolution
22 disapproving the determination contained in that
23 certification.

24 “(5) For the purpose of expediting the consideration and
25 enactment of joint resolutions under paragraphs (3) and (4)--

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1 ``(A) a motion to proceed to the consideration of any
2 such joint resolution after it has been reported by the
3 Committee on Ways and Means shall be treated as highly
4 privileged in the House of Representatives; and

5 ``(B) a motion to proceed to the consideration of any
6 such joint resolution after it has been reported by the
7 Committee on Finance shall be treated as privileged in
8 the Senate.

9 ``(c) DURATION OF ACTION.--The action taken by the
10 President under subsection (a) shall apply to the products of
11 a foreign country that are entered, or withdrawn from
12 warehouse for consumption, during the period that such action
13 is in effect.

14 ``SEC. 803. SUGAR QUOTA.

15 ``Notwithstanding any other provision of law, the
16 President may not allocate any limitation imposed on the
17 quantity of sugar to any country which has a Government
18 involved in the trade of illicit narcotics or is failing to
19 cooperate with the United States in narcotics enforcement
20 activities as defined in section 802(b) as determined by the
21 President.

22 ``SEC. 804. PROGRESS REPORTS.

23 ``The President shall include as a part of the annual
24 report required under section 481(e)(1) of the Foreign
25 Assistance Act of 1961 (22 U.S.C. 2291(e)(1)) an evaluation

1 of progress that each major drug producing country and each
2 major drug-transit country has made during the reporting
3 period in achieving the objectives set forth in section
4 802(b).

5 ``SEC. 805. DEFINITIONS.

6 ``For purposes of this title--

7 ``(1) continuity of a session of Congress is broken
8 only by an adjournment of the Congress sine die, and the
9 days on which either House is not in session because of
10 an adjournment of more than three days to a day certain
11 are excluded in the computation of the period indicated;

12 ``(2) the term `major drug producing country' means a
13 country producing five metric tons or more of opium or
14 opium derivative during a fiscal year or producing five
15 hundred metric tons or more of coca or marijuana (as the
16 case may be) during a fiscal year; and

17 ``(3) the term `major drug-transit country' means a
18 country-- -

19 ``(A) that is a significant direct source of
20 illicit narcotic or psychotropic drugs or other
21 controlled substances significantly affecting the
22 United States;

23 ``(B) through which are transported such drugs or
24 substances; or

25 ``(C) through which significant sums of

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1 drug-related profits or monies are laundered with the
 2 knowledge or complicity of the government; and
 3 `` (4) the term `narcotic and psychotropic drugs and
 4 other controlled substances' has the same meaning as is
 5 given by any applicable international narcotics control
 6 agreement or domestic law of the country or countries
 7 concerned.'`.

8 SEC. 9002. CONFORMING AMENDMENTS.

9 (a) GENERALIZED SYSTEM OF PREFERENCES.--Section 502(b) of
 10 the Trade Act of 1974 (19 U.S.C. 2462(b)) is amended--

- 11 (1) by striking out paragraph (5);
- 12 (2) by redesignating paragraphs (6), (7), and (8) as
- 13 paragraphs (5), (6), and (7); and
- 14 (3) by striking out `` (5),'' in the last sentence.

15 (b) CARIBBEAN BASIN ECONOMIC RECOVERY.--Section 212(b) of
 16 the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702(b))
 17 is amended--

- 18 (1) by inserting ``and'' after the semicolon at the
- 19 end of paragraph (5);
- 20 (2) by striking out paragraph (6); and
- 21 (3) by redesignating paragraph (7) as paragraph (6).

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1 TITLE ^X ~~IX~~ --BALLISTIC KNIFE PROHIBITION

2 SEC. ⁹ ~~1001~~. SHORT TITLE.

3 This title may be cited as the "Ballistic Knife
4 Prohibition Act of 1986".

5 SEC. ⁹ ~~1002~~. PROHIBITION OF POSSESSION, MANUFACTURE, SALE, AND
6 IMPORTATION OF BALLISTIC KNIVES.

7 The Act entitled "An Act to prohibit the introduction,
8 or manufacture for introduction, into interstate commerce of
9 switchblade knives, and for other purposes" (15 U.S.C. 1232
10 et seq.) is amended by adding at the end the following:

11 "SEC. 7. (a) Whoever knowingly possesses, manufactures,
12 sells, or imports a ballistic knife shall be fined as
13 provided in title 18, United States Code, or imprisoned not
14 more than ten years, or both.

15 "(b) Whoever possesses or uses a ballistic knife in the
16 commission of a Federal or State crime of violence shall be
17 fined as provided in title 18, United States Code, or
18 imprisoned not less than five years and not more than ten
19 years, or both.

20 "(c) The exceptions provided in paragraphs (1), (2), and
21 (3) of section 4 with respect to switchblade knives shall
22 apply to ballistic knives under subsection (a) of this
23 section.

24 "(d) As used in this section, the term 'ballistic knife'
25 means a knife with a detachable blade that is propelled by a

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1 spring-operated mechanism."'.
2 SEC. ~~1003~~⁹ 1003. NONMAILABILITY OF BALLISTIC KNIVES.
3 Section 1716 of title 18, United States Code, is amended
4 by inserting after subsection (h) and before the first
5 undesignated paragraph after such subsection the following:
6 "(i)(1) Any ballistic knife shall be subject to the same
7 restrictions and penalties provided under subsection (g) for
8 knives described in the first sentence of that subsection.
9 "(2) As used in this subsection, the term 'ballistic
10 knife' means a knife with a detachable blade that is
11 propelled by a spring-operated mechanism."'.
12

12 SEC. ~~2004~~⁷ 2004. EFFECTIVE DATE.
13 The amendments made by this title shall take effect 30
14 days after the date of enactment of this title.

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AMENDMENT NO. ---

Calendar No. ---

Purpose: To clarify the eligibility of homeless individuals for certain benefits.

IN THE SENATE OF THE UNITED STATES--99th Cong., 2d Sess.

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Referred to the Committee on _____ and ordered to
be printed
Offered to lie on the table and to be printed
Amendment intended to be proposed by Mr. _____

Viz:

1 At the appropriate place insert the following new title:

2 TITLE XI--HOMELESS ELIGIBILITY CLARIFICATION ACT

3 SEC. 11001. SHORT TITLE.

4 This title may be cited as the "Homeless Eligibility
5 Clarification Act."

6 Subtitle A--Emergency Food for the Homeless

7 SEC. 11002. MEALS SERVED TO HOMELESS INDIVIDUALS.

8 (a) Definition of Food.--Section 3(g) of the Food Stamp
9 Act of 1977 (7 U.S.C. 2012(g)) is amended--

10 (1) in clause (1), by striking out "and (8)" and
11 inserting in lieu thereof "(8), and (9)";

12 (2) by striking out "and" at the end of clause (7);

1 and

2 (3) by inserting before the period at the end thereof
3 the following: `` , and (9) in the case of households that
4 do not reside in permanent dwellings and households that
5 have no fixed mailing addresses, meals prepared for and
6 served by a public or private nonprofit establishment
7 (approved by an appropriate State or local agency) that
8 feeds such individuals and by a public or private
9 nonprofit shelter (approved by an appropriate State or
10 local agency) in which such households temporarily reside
11 (except that such establishments and shelters may only
12 request voluntary use of food stamps by such individuals
13 and may not request such households to pay more than the
14 average cost of the food contained in a meal served by
15 the establishment or shelter)`` .

16 (b) Definition of Household.--The last sentence of
17 section 3(1) of such Act (7 U.S.C. 2012(1)) is amended by
18 inserting after ``battered women and children,`` the
19 following: ``residents of public or private nonprofit
20 shelters for individuals who do not reside in permanent
21 dwellings or have no fixed mailing addresses, who are
22 otherwise eligible for coupons,`` .

23 (c) Definition of Retail Food Store.--Section 3(k)(2) of
24 such Act (7 U.S.C. 2012(k)(2)) is amended by striking ``and
25 (8)`` and inserting in lieu thereof ``(8), and (9)`` .

1 (d) Participation of Establishments and Shelters.--
2 Section 9 of such Act (7 U.S.C. 2018) is amended by adding at
3 the end thereof the following new subsection:

4 "(g) In an area in which the Secretary, in consultation
5 with the Inspector General of the Department of Agriculture,
6 finds evidence that the participation of an establishment or
7 shelter described in section 3(g)(9) damages the program's
8 integrity, the Secretary shall limit the participation of
9 such establishment or shelter in the food stamp program,
10 unless the establishment or shelter is the only establishment
11 or shelter serving the area."

12 (e) Redemption of Coupons.--The first sentence of section
13 10 of such Act (7 U.S.C. 2019) is amended--

14 (1) by striking out "and" after "battered women
15 and children,"; and

16 (2) by inserting after "blind residents" the
17 following: ", and public or private nonprofit
18 establishments, or public or private nonprofit shelters
19 that feed individuals who do not reside in permanent
20 dwellings and individuals who have no fixed mailing
21 addresses".

22 (f)(1) The amendments made by this section shall become
23 effective, and be implemented by issuance of final
24 regulations, not later than April 1, 1987.

25 (2) Not later than September 30, 1988, the Secretary of

1 Agriculture shall submit to the Committee on Agriculture of
 2 the House of Representatives and the Committee on
 3 Agriculture, Nutrition, and Forestry of the Senate a report
 4 that evaluates the program established by the amendments made
 5 by this section, including any proposed legislative
 6 recommendations.

7 (3) The amendments made by this section shall cease to be
 8 effective after September 30, 1990.

9 Subtitle B--Job Training for the Homeless
 10 SEC. 1004. JOB TRAINING FOR THE HOMELESS.

11 (a) Governor's Coordination and Special Services Plan To
 12 Include Homeless.--(1) Section 121(b)(1) of the Job Training
 13 Partnership Act (20 U.S.C. 1531(b)(1)) is amended by
 14 inserting after "rehabilitation agencies" a comma and the
 15 following: "programs for the homeless".

16 (2) Section 121(c)(3) of the Job Training Partnership Act
 17 is amended by inserting after "offenders" a comma and the
 18 following: "homeless individuals".

19 (b) Barriers to Employment Rule.--Section 203(a)(2) of
 20 the Job Training Partnership Act (29 U.S.C. 1603(a)(2)) is
 21 amended by striking out "or addicts" and inserting in lieu
 22 thereof "addicts, or homeless".

23 ~~Subtitle C--Entitlements Eligibility~~
 24 ~~SEC. 1005. TREATMENT OF HOMELESS INDIVIDUALS ELIGIBLE UNDER~~
 25 ~~AEDC, SSI, AND MEDICAID PROGRAMS.~~

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Subtitle C--Entitlements Eligibility

26 SEC. 1335. TREATMENT OF HOMELESS INDIVIDUALS ELIGIBLE UNDER

~~AFRC~~ SSI AND MEDICAID PROGRAMS.

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U.S.C. 632(a)) is amended--

- (1) by striking "and" at the end of paragraph (38),
- (2) by striking the period at the end of paragraph (39) and inserting in lieu thereof "; and", and
- (3) by adding at the end the following new paragraph:

~~"(42) provide a method of verifying the eligibility of and making aid available with respect to a dependent child who does not reside in a permanent dwelling or does not have a fixed home or mailing address."~~

(b) SSI Program.--Section 1631(e) of such Act (42 U.S.C. 1383(e)) is amended by adding at the end the following new paragraph:

"(3) The Secretary shall provide a method of ~~verifying the eligibility of~~ and making payments under this title to an eligible individual who does not reside in a permanent dwelling or does not have a fixed home or mailing address."

(c) Medicaid Program.--Section 1982(a) of such Act (42 U.S.C. 1396a(a)) is amended--

- (1) by striking "and" at the end of paragraph (45),
- (2) by striking the period at the end of paragraph (46) and inserting in lieu thereof "; and", and
- (3) by adding at the end the following new paragraph:

~~"(47) provide a method of verifying the eligibility of and making medical assistance available to, an~~

Cardiac evidencing eligibility for

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1 eligible individual who does not reside in a permanent
 2 dwelling or does not have a fixed home or mailing
 3 address.".

4 (d) Effective Date.--

5 (1) Except as provided in paragraph (2), the
 6 amendments made by this section shall become effective on
 7 the date of the enactment of this Act.

8 (2) If a State agency administering a plan approved
 9 under part A of title IV of the Social Security Act or
 10 under title XIX of such Act demonstrates, to the
 11 satisfaction of the Secretary of Health and Human
 12 Services, that it cannot, by reason of State law, comply
 13 with the requirements of an amendment made by subsection
 14 (a) or (c) of this section, respectively, the Secretary
 15 may prescribe that, in the case of such State, the
 16 amendment will become effective beginning with the first
 17 month beginning after the close of the first session of
 18 such State's legislature ending on or the date of the
 19 enactment of this Act. For purposes of the preceding
 20 sentence, the term "session of a State's legislature"
 21 includes any regular, special, budget, or other session
 22 of a State legislature.

23 SEC. 1006. SINGLE APPLICATION FOR SSI AND FOOD STAMP BENEFITS
 24 BY SSI PRE-RELEASE INDIVIDUALS.

25 (a) In General.--Section 1631 of the Social Security Act

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1 (c) EFFECTIVE DATE.--(1) The amendment made by subsection
2 (a) shall become effective on the date of the enactment of
3 this Act.

4 (2) The amendments made by subsection (b) shall become
5 effective on January 1, 1987, without regard to whether or
6 not final regulations to carry out such amendments have been
7 promulgated by such date.

8 SEC. 1006. APPLICATION FOR SSI AND FOOD STAMP BENEFITS BY

Insertion
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9 SSI PRE-RELEASE INDIVIDUALS.

10 Section 1631 of the Social Security Act (42 U.S.C. 1383
11 is amended by adding at the end thereof the following new
12 subsection:

13 (c) Pre-Release Procedures for Institutionalized Persons
14 (1) The Secretary shall develop a system under which an
15 individual can apply for supplemental security income
16 benefits under this title prior to the discharge or release
17 of the individual from a public institution. The Secretary
18 and the Secretary of Agriculture shall develop a procedure
19 under which an individual who applies for supplemental
20 security income benefits under this title shall also be
21 permitted to apply for participation in the food stamp
22 program by executing a single application.

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(d) No later than six months after the date of enactment of this act and after consultation with the States administering plans under Title IV of the Social Security Act, the Secretary of Health and Human Services shall issue guidelines to the States for providing benefits to ~~the~~ under Title IV to ~~workers~~ families -

→ a dependent child who does not reside in a permanent dwelling or does not have a fixed home in the United States.

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1 “(C) provide training for employees in such district
2 offices; and
3 “(D) establish time limits within which State
4 agencies must complete their processing of applications
5 filed pursuant to such procedures.
6 “(3) The Secretary and the Secretary of Agriculture
7 shall establish special procedures under which persons
8 applying for benefits under this title prior to their
9 discharge or release from an institution pursuant to the pre-
10 release procedures described in paragraphs (1) and (2) can
11 also apply to participate in the food stamp program under the
12 Food Stamp Act of 1977, utilizing a single application for
13 this purpose.”

14 (b) Effective Date.--
15 (1) The amendment made by subsection (a) shall become
16 effective April 1, 1987.
17 (2) The Secretary of Health and Human Services shall
18 promulgate final regulations to implement the amendment
19 made by subsection (a) not later than April 1, 1987.

20 SEC. 1407. DELIVERY OF VETERANS' BENEFITS PAYMENTS.

21 (a) In General.--(1) Section 3003 of title 38, United
22 States Code, is amended by adding at the end thereof the
23 following new subsection:

24 “(c) Benefits under laws administered by the Veterans'
25 Administration may not be denied an applicant on the basis

1 that the applicant does not have a mailing address.''. ITALIC

2 (2) Section 3020 of title 38, United States Code, is
3 amended by adding at the end thereof the following new
4 subsection:

5 '(f)(1) In the case of a payee who does not have a
6 mailing address, payments of monetary benefits under laws
7 administered by the Veterans' Administration shall be
8 delivered under an appropriate method prescribed pursuant to
9 paragraph (2) of this subsection.

10 '(2) The Administrator shall prescribe an appropriate
11 method or methods for the delivery of payments of monetary
12 benefits under laws administered by the Veterans'
13 Administration in cases described in paragraph (1) of this
14 subsection. To the maximum extent practicable, such method or
15 methods shall be designed to ensure the delivery of payments
16 in such cases.''. ITALIC

17 (b) Effective Date.--(1) The amendment made by subsection
18 (a)(1) shall take effect on the date of enactment of this
19 Act.

20 (2) The amendment made by subsection (a)(2) shall take
21 effect with respect to payments made on or after October 1,
22 1986.

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1 TITLE XII--COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986

2 SECTION 12001. SHORT TITLE AND TABLE OF CONTENTS.

3 (a) SHORT TITLE.--This title may be cited as the

4 ``Commercial Motor Vehicle Safety Act of 1986``.

5 (b) TABLE OF CONTENTS.--

- Sec. 12001. Short title.
- Sec. 12002. Limitation on number of driver's licenses.
- Sec. 12003. Notification requirements.
- Sec. 12004. Employer responsibilities.
- Sec. 12005. Testing of operators.
- Sec. 12006. Commercial driver's license.
- Sec. 12007. Commercial driver's license information system.
- Sec. 12008. Federal disqualifications.
- Sec. 12009. Requirements for State participation.
- Sec. 12010. Grant program.
- Sec. 12011. Withholding of highway funds for State noncompliance.
- Sec. 12012. Penalties.
- Sec. 12013. Waiver authority.
- Sec. 12014. Commercial motor vehicle safety grants.
- Sec. 12015. Truck brake regulations.
- Sec. 12016. Radar demonstration project.
- Sec. 12017. Limitation on statutory construction.
- Sec. 12018. Regulations.
- Sec. 12019. Definitions.

6 SEC. 12002. LIMITATION ON NUMBER OF DRIVER'S LICENSES.

7 Effective July 1, 1987, no person who operates a
8 commercial motor vehicle shall at any time have more than one
9 driver's license, except during the 10-day period beginning
10 on the date such person is issued a driver's license and
11 except whenever a State law enacted on or before June 1,
12 1986, requires such person to have more than one driver's
13 license. The second exception in the preceding sentence shall
14 not be effective after December 31, 1989.

15 SEC. 12003. NOTIFICATION REQUIREMENTS.

1 (a) NOTIFICATION OF VIOLATIONS.--

2 (1) TO STATES.--Effective July 1, 1987, each person
3 who operates a commercial vehicle, who has a driver's
4 license issued by a State, and who violates a State or
5 local law relating to motor vehicle traffic control
6 (other than a parking violation) in any other State shall
7 notify a State official designated by the State which
8 issued such license of such violation, within 30 days
9 after the date such person is found to have committed
10 such violation.

11 (2) TO EMPLOYERS.--Effective July 1, 1987, each
12 person who operates a commercial vehicle, who has a
13 driver's license issued by a State, and who violates a
14 State or local law relating to motor vehicle traffic
15 control (other than a parking violation) shall notify his
16 or her employer of such violation, within 30 days after
17 the date such person is found to have committed such
18 violation.

19 (b) NOTIFICATION OF SUSPENSIONS.--Effective July 1, 1987,
20 each employee who has a driver's license suspended, revoked,
21 or cancelled by a State, who loses the right to operate a
22 commercial motor vehicle in a State for any period, or who is
23 disqualified from operating a commercial motor vehicle for
24 any period shall notify his or her employer of such
25 suspension, revocation, cancellation, lost right, or

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1 disqualification, within 30 days after the date of such
2 suspension, revocation, cancellation, lost right, or
3 disqualification.

4 (c) NOTIFICATION OF PREVIOUS EMPLOYMENT.--

5 (1) GENERAL RULE.--Effective July 1, 1987, subject to
6 paragraph (2) of this subsection, each person who
7 operates a commercial motor vehicle and applies for
8 employment as an operator of a commercial motor vehicle
9 with an employer shall notify at the time of such
10 application the employer of his or her previous
11 employment as an operator of a commercial motor vehicle.

12 (2) PERIOD OF PREVIOUS EMPLOYMENT.--The Secretary
13 shall establish by regulation the period for which
14 previous employment must be notified under paragraph (1),
15 except that such period shall not be less than a 10-year
16 period ending on the date of application for employment.

17 SEC. 12004. EMPLOYER RESPONSIBILITIES.

18 Effective July 1, 1987, no employer shall knowingly
19 allow, permit, or authorize an employee to operate a
20 commercial motor vehicle in the United States during any
21 period--

22 (1) in which such employee has a driver's license
23 suspended, revoked, or cancelled by a State, has lost the
24 right to operate a commercial motor vehicle in a State,
25 or has been disqualified from operating a commercial

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1 motor vehicle; or

2 (2) in which such employee has more than 1 driver's
3 license, except during the 10-day period beginning on the
4 date such employee is issued a driver's license and
5 except whenever a State law enacted on or before June 1,
6 1986, requires such employee to have more than one
7 driver's license.

8 The second exception in paragraph (2) shall not be effective
9 after December 31, 1989.

10 SEC. 12005. TESTING OF OPERATORS.

11 (a) ESTABLISHMENT OF MINIMUM FEDERAL STANDARDS.--Not
12 later than ~~January 2~~ ^{July 15,} 198⁸, the Secretary shall issue
13 regulations to establish minimum Federal standards for
14 testing and ensuring the fitness of persons who operate
15 commercial motor vehicles. Such regulations--

16 (1) shall establish minimum Federal standards for
17 written tests and driving tests of persons who operate
18 such vehicles;

19 (2) shall require a driving test of each person who
20 operates or will operate a commercial motor vehicle in a
21 vehicle which is representative of the type of vehicle
22 such person operates or will operate;

23 (3) shall establish minimum Federal testing standards
24 for operation of commercial motor vehicles and, if the
25 Secretary considers appropriate to carry out the

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1 Administration for each of fiscal years 1987, 1988, and 1989.

2 Such funds shall remain available until expended.

3 SEC. 12008. FEDERAL DISQUALIFICATIONS.

4 (a) DRUNK DRIVING; LEAVING THE SCENE OF AN ACCIDENT;
5 FELONIES.--

6 (1) FIRST OFFENSE.--

7 (A) GENERAL RULE.--Except as provided in
8 subparagraph (B) and paragraph (2), the Secretary
9 shall disqualify from operating a commercial motor
10 vehicle for a period of not less than 1 year each
11 person--

12 (i) who is found to have committed a first
13 violation--

14 (I) of driving a commercial motor vehicle
15 while under the influence of alcohol or a
16 controlled substance, or

17 (II) of leaving the scene of an accident
18 involving a commercial motor vehicle operated
19 by such person; or

20 (ii) who uses a commercial motor vehicle in
21 the commission of a felony (other than a felony
22 described in subsection (b)).

23 (B) SPECIAL RULE.--If the vehicle operated or
24 used in connection with the violation or the
25 commission of the felony referred to in subparagraph

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1 (A) is transporting a hazardous material required by
2 the Secretary to be placarded under section 105 of
3 the Hazardous Materials Transportation Act (49 U.S.C.
4 App. 1804), the Secretary shall disqualify the person
5 for a period of not less than 3 years.

6 (2) SECOND OFFENSE.--

7 (A) GENERAL RULE.--Subject to subparagraph (B),
8 the Secretary shall disqualify from operating a
9 commercial motor vehicle for life each person--

10 (i) who is found to have committed more than
11 one violation of driving a commercial motor
12 vehicle while under the influence of alcohol or a
13 controlled substance;

14 (ii) who is found to have committed more than
15 one violation of leaving the scene of an accident
16 involving a commercial motor vehicle operated by
17 such person;

18 (iii) who uses a commercial motor vehicle in
19 the commission of more than one felony arising
20 out of different criminal episodes; or

21 (iv)(I) who is found to have committed a
22 violation described in clause (i) or (ii), and

23 (II) who is found to have committed a
24 violation described in the other of such clauses
25 or uses a commercial motor vehicle in the

1 commission of a felony.

2 (B) SPECIAL RULE.--The Secretary may issue
3 regulations which establish guidelines (including
4 conditions) under which a disqualification for life
5 under subparagraph (A) may be reduced to a period of
6 not less than 10 years.

7 (b) CONTROLLED SUBSTANCE FELONIES.--The Secretary shall
8 disqualify from operating a commercial motor vehicle for life
9 each person who uses a commercial motor vehicle in the
10 commission of a felony involving manufacturing, distributing,
11 or dispensing a controlled substance, or possession with
12 intent to manufacture, distribute, or dispense a controlled
13 substance.

14 (c) SERIOUS TRAFFIC VIOLATIONS.--

15 (1) SECOND VIOLATION.--The Secretary shall disqualify
16 from operating a commercial motor vehicle for a period of
17 not less than 60 days each person who, in a 3-year
18 period, is found to have committed 2 serious traffic
19 violations involving a commercial motor vehicle operated
20 by such person.

21 (2) THIRD VIOLATION.--The Secretary shall disqualify
22 from operating a commercial motor vehicle for a period of
23 not less than 120 days each person who, in a 3-year
24 period, is found to have committed 3 serious traffic
25 violations involving a commercial motor vehicle operated

1 by such person.

2 (d) ENFORCEMENT OF DRINKING AND DRIVING REGULATIONS.--

3 (1) OUT OF SERVICE.--Not later than 1 year after the
4 date of enactment of this title, the Secretary, for
5 purposes of enforcing section 392.5 of the Code of
6 Federal Regulations, shall issue regulations which
7 establish and enforce an out of service period of 24
8 hours for any person who violates such section.

9 (2) VIOLATIONS OF OUT-OF-SERVICE ORDERS.--No person
10 shall violate an out-of-service order issued under
11 paragraph (1) of this subsection.

12 (3) REPORTING REQUIREMENTS.--Not later than 1 year
13 after the date of the enactment of this title, the
14 Secretary shall issue regulations establishing and
15 enforcing requirements for reporting of out-of-service
16 orders issued pursuant to regulations issued under
17 paragraph (1). Regulations issued under this paragraph
18 shall, at a minimum, require an operator of a commercial
19 motor vehicle who is issued such an order to report such
20 issuance to his or her employer and to the State which
21 issued such operator his or her driver's license.

22 (e) LIMITATION ON APPLICABILITY.--

23 (1) GENERAL RULE.--Notwithstanding any requirement of
24 subsections (a), (b), and (c) of this section, the
25 Secretary does not have to disqualify from operating a

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1 commercial motor vehicle any person who has been
2 disqualified from operating a commercial motor vehicle in
3 accordance with such requirement by the State which
4 issued the driver's license which authorized such person
5 to operate such vehicle.

6 (2) SATISFACTION OF STATE DISQUALIFICATION.--For
7 purposes of paragraph (1), suspension, revocation, or
8 cancellation of a driver's license which authorizes a
9 person to operate a commercial motor vehicle by a State
10 shall be treated as disqualification of such person from
11 operating such vehicle.

12 (f) BLOOD ALCOHOL CONCENTRATION LEVEL.--

13 (1) STUDY.--

14 (A) NATIONAL ACADEMY OF SCIENCES.--Not later than
15 30 days after the date of the enactment of this
16 title, the Secretary shall undertake to enter into
17 appropriate arrangements with the National Academy of
18 Sciences to conduct a study of the appropriateness of
19 reducing the blood alcohol concentration level at or
20 above which a person when operating a commercial
21 motor vehicle is deemed to be driving while under the
22 influence of alcohol from 0.10 to 0.04 percent.

23 (B) REPORT.--In entering into any arrangements
24 with the National Academy of Sciences for conducting
25 the study under this subsection, the Secretary shall

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1 request the National Academy of Sciences to submit,
2 not later than 1 year after the date of the enactment
3 of this title, to the Secretary a report on the
4 results of such study.

5 (2) RULEMAKING.--Not later than 1 year after the date
6 of the enactment of this title, the Secretary shall
7 commence a rulemaking to determine whether or not, for
8 purposes of this section and section 12009 of this Act,
9 the blood alcohol concentration level at or above which a
10 person when operating a commercial motor vehicle is
11 deemed to be driving while under the influence of alcohol
12 should be reduced from 0.10 to 0.04 percent (or some
13 other percentage less than 0.10).

14 (3) ISSUANCE OF RULE.--Not later than 2 years after
15 the date of the enactment of this title, the Secretary
16 shall issue a rule which establishes, for purposes of
17 this section and section 12009 of this Act, the blood
18 alcohol concentration level at or above which a person
19 when operating a commercial motor vehicle shall be deemed
20 to be driving while under the influence of alcohol at
21 0.10 percent or such lesser percentage as the Secretary
22 determines appropriate.

23 (4) FAILURE OF THE SECRETARY TO ISSUE RULE.--If the
24 Secretary does not issue a rule described in paragraph
25 (3) in the 2-year period beginning on the date of the

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1 enactment of this title, for purposes of this section and
2 section 12009 of this Act, the blood alcohol
3 concentration level at or above which a person operating
4 a commercial motor vehicle shall be deemed to be driving
5 while under the influence of alcohol shall be 0.04
6 percent.

7 SEC. 12009. REQUIREMENTS FOR STATE PARTICIPATION.

8 (a) IN GENERAL.--In order not to have funds withheld
9 under section 12011 from apportionment, each State shall
10 comply with the following requirements:

11 (1) TESTING PROGRAM.--The State shall adopt and
12 administer a program for testing and ensuring the fitness
13 of persons to operate commercial motor vehicles in
14 accordance with all of the minimum Federal standards
15 established by the Secretary under section 12005(a).

16 (2) TEST STANDARDS.--The State shall not issue a
17 commercial driver's license to a person unless such
18 person passes a written and driving test for the
19 operation of a commercial motor vehicle which complies
20 with such minimum standards.

21 (3) DRIVING WHILE UNDER THE INFLUENCE.--The State
22 shall have in effect and enforce a law which provides
23 that any person with a blood alcohol concentration level
24 at or above the level established by or under section
25 12008(f) when operating a commercial motor vehicle is

1 deemed to be driving while under the influence of
2 alcohol.

3 (4) CDL ISSUANCE AND INFORMATION.--The State shall
4 authorize a person to operate a commercial motor vehicle
5 only by issuance of a commercial driver's license which
6 contains the information described in section
7 12006(a)(3).

8 (5) ADVANCE NOTIFICATION OF LICENSING.--At least 60
9 days before issuance of a commercial driver's license or
10 such shorter period as the Secretary may establish by
11 regulation, the State shall notify the Secretary or the
12 operator of the information system under section 12007,
13 as the case may be, of the proposed issuance of such
14 license and such other information as the Secretary may
15 require to ensure identification of the person applying
16 for such license.

17 (6) INFORMATION REQUEST.--Before issuance of a
18 commercial driver's license to a person, the State shall
19 request from any other State which has issued a
20 commercial driver's license to such person all
21 information pertaining to the driving record of such
22 person.

23 (7) NOTIFICATION OF LICENSING.--Within 30 days after
24 issuance of a commercial driver's license, the State
25 shall notify the Secretary or the operator of the

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1 information system under section 12007, as the case may
2 be, of the issuance.

3 (8) NOTIFICATION OF DISQUALIFICATIONS.--within 10
4 days after disqualification of the holder of a commercial
5 driver's license from operating a commercial motor
6 vehicle (or after suspension, revocation, or cancellation
7 of such license) for a period of 60 days or more, the
8 State shall notify--

9 (A) the Secretary or the operator of the
10 information system under section 12007, as the case.
11 may be, and

12 (B) the State which issued the license,
13 of such disqualification, suspension, revocation, or
14 cancellation.

15 (9) NOTIFICATION OF TRAFFIC VIOLATIONS.--within 10
16 days after a person who operates a commercial motor
17 vehicle, who has a driver's license issued by any other
18 State, and who violates a State or local law relating to
19 motor vehicle traffic control (other than a parking
20 violation) in the State, shall notify a State official
21 designated by the State which issued such license of such
22 violation, within 10 days after the date such person is
23 found to have committed such violation.

24 (10) LIMITATION ON LICENSING.--The State shall not
25 issue a commercial driver's license to a person during a

1 period in which such person is disqualified from
2 operating a commercial motor vehicle or the driver's
3 license of such person is suspended, revoked, or
4 cancelled.

5 (11) RETURN OF OLD LICENSES.--The State shall not
6 issue a commercial driver's license to a person who has a
7 commercial driver's license issued by any other State
8 unless such person first returns the driver's license
9 issued by such other State.

10 (12) DOMICILE REQUIREMENT.--The State shall issue
11 commercial drivers' licenses only to those persons who
12 operate or will operate commercial motor vehicles and are
13 domiciled in the State; except that the State, in
14 accordance with such regulations as the Secretary shall
15 issue, may issue a commercial driver's license to a
16 person who operates or will operate a commercial motor
17 vehicle and who is not domiciled in a State which does
18 issue commercial drivers' licenses.

19 (13) PENALTY APPROVAL.--The State shall impose such
20 penalties as the State determines appropriate and the
21 Secretary approves for operating a commercial motor
22 vehicle while not having a commercial driver's license,
23 while having a driver's license suspended, revoked, or
24 cancelled, or while being disqualified from operating a
25 commercial motor vehicle.

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1 (14) RECIPROCIITY.--The States shall allow any
2 person--

3 (A) who has a commercial driver's license--

4 (i) which is issued by any other State in
5 accordance with the minimum Federal standards for
6 the issuance of such licenses, and

7 (ii) which is not suspended, revoked, or
8 cancelled; and

9 (B) who is not disqualified from operating a
10 commercial motor vehicle;

11 to operate a commercial motor vehicle in the State.

12 (15) FIRST OFFENSES.--The State shall disqualify from
13 operating a commercial motor vehicle for a period of not
14 less than 1 year each person--

15 (A) who is found to have committed a first
16 violation--

17 - (i) of driving a commercial motor vehicle
18 while under the influence of alcohol or a
19 controlled substance, or

20 (ii) of leaving the scene of an accident
21 involving a commercial motor vehicle operated by
22 such person; or

23 (B) who uses a commercial motor vehicle in the
24 commission of a felony (other than a felony described
25 in paragraph (17));

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1 except that if the vehicle being operated or used in
2 connection with such violation or the commission of such
3 felony is transporting a hazardous material required by
4 the Secretary to be placarded under section 105 of the
5 Hazardous Materials Transportation Act (49 U.S.C. App.
6 1804), the State shall disqualify such person from
7 operating a commercial motor vehicle for a period of not
8 less than 3 years.

9 (16) SECOND OFFENSES.--

10 (A) GENERAL RULE.--Subject to subparagraph (B),
11 the State shall disqualify from operating a
12 commercial motor vehicle for life each person--

13 (i) who is found to have committed more than
14 one violation of driving a commercial motor
15 vehicle while under the influence of alcohol or a
16 controlled substance;

17 - (ii) who is found to have committed more than
18 one violation of leaving the scene of an accident
19 involving a commercial motor vehicle operated by
20 such person;

21 (iii) who uses a commercial motor vehicle in
22 the commission of more than one felony arising
23 out of different criminal episodes; or

24 (iv)(I) who is found to have committed a
25 violation described in clause (i) or (ii), and

1 (II) who is found to have committed a
2 violation described in the other of such clauses
3 or uses a commercial motor vehicle in the
4 commission of a felony.

5 (B) SPECIAL RULE.--The State, in accordance with
6 such guidelines (including conditions) as the
7 Secretary may establish by regulation, may reduce a
8 disqualification for life in accordance with
9 subparagraph (A) to a period of not less than 10
10 years.

11 (17) DRUG OFFENSES.--The State shall disqualify from
12 operating a commercial motor vehicle for life each person
13 who uses a commercial motor vehicle in the commission of
14 a felony involving manufacturing, distributing, or
15 dispensing a controlled substance, or possession with
16 intent to manufacture, distribute, or dispense a
17 controlled substance.

18 (18) SECOND SERIOUS TRAFFIC VIOLATION.--The State
19 shall disqualify from operating a commercial motor
20 vehicle for a period of not less than 60 days each person
21 who, in a 3-year period, is found to have committed 2
22 serious traffic violations involving a commercial motor
23 vehicle operated by such person.

24 (19) THIRD SERIOUS TRAFFIC VIOLATION.--The State
25 shall disqualify from operating a commercial motor

1 vehicle for a period of not less than 120 days each
2 person who, in a 3-year period, is found to have
3 committed 3 serious traffic violations involving a
4 commercial motor vehicle operated by such person.

5 (20) NATIONAL DRIVER REGISTER INFORMATION.--Before
6 issuing a commercial driver's license to operate a
7 commercial motor vehicle to any person, the State shall
8 request the Secretary for information from the National
9 Driver Register established pursuant to the National
10 Driver Register Act of 1982 (23 U.S.C. 401 note) (after
11 such Register is determined by the Secretary to be
12 operational)--

13 (A) on whether such person has been disqualified
14 from operating a motor vehicle (other than a
15 commercial motor vehicle);

16 (B) on whether such person has had a license
17 (other than a license authorizing such person to
18 operate a commercial motor vehicle) suspended,
19 revoked, or cancelled for cause in the 3-year period
20 ending on the date of application for such commercial
21 driver's license; and

22 (C) on whether such person has been convicted of
23 any of the offenses specified in section 205(a)(3) of
24 such Act.

25 The State shall give full weight and consideration to

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1 such information in deciding whether to issue a
2 commercial driver's license to such person.

3 (21) OUT OF SERVICE REGULATIONS.--The State shall
4 adopt and enforce any regulations issued by the Secretary
5 under section 12008(d)(1).

6 (b) SATISFACTION OF STATE DISQUALIFICATION
7 REQUIREMENT.--A State may satisfy the requirements of
8 subsection (a) that the State disqualify a person who
9 operates a commercial motor vehicle if the State suspends,
10 revokes, or cancels the driver's license issued to such
11 person in accordance with the requirements of such
12 subsection.

13 (c) NOTIFICATION.--Not later than 30 days after being
14 notified by a State of the proposed issuance of a commercial
15 driver's license to any person, the Secretary or the operator
16 of the information system under section 12007, as the case
17 may be, shall notify such State of whether or not such person
18 has a commercial driver's license issued by any other State
19 or has been disqualified from operating a commercial motor
20 vehicle by any other State or the Secretary.

21 SEC. 12010. GRANT PROGRAM.

22 (a) ESTABLISHMENT.--The Secretary may make a grant to a
23 State in a fiscal year if the State enters into an agreement
24 with the Secretary to participate in such fiscal year in the
25 commercial driver's license program established by this title

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1 and the information system required by this title and to
2 comply with the requirements of section 12009.

3 (b) MINIMUM AMOUNT OF GRANT.--The Secretary shall
4 determine the amount of grants in a fiscal year to be made
5 under this section to a State eligible to receive such grants
6 in the fiscal year; except that--

7 (1) such State shall not be granted less than
8 \$100,000 under this section in the fiscal year; and

9 (2) to the extent that any States are granted more
10 than \$100,000 per State in the fiscal year under this
11 section, the Secretary shall ensure that such States are
12 treated equitably.

13 (c) LIMITATION ON USE OF FUNDS.--A State receiving a
14 grant under this section may only use the funds provided
15 under such grant for issuing commercial driver's licenses and
16 complying with the requirements of section 12009.

17 (d) CONTRACT AUTHORITY.--Notwithstanding any other
18 provision of law, approval by the Secretary of a grant to a
19 State under this section shall be deemed to be a contractual
20 obligation of the United States for payment of the amount of
21 the grant.

22 (e) PERIOD OF AVAILABILITY.--Funds made available to
23 carry out this section shall remain available for obligation
24 by the State for the fiscal year for which such funds are
25 made available. Any of such funds not obligated before the

1 last day of such period shall no longer be available to such
2 State and shall be available to the Secretary for carrying
3 out the purposes of this title. Funds made available pursuant
4 to this section shall remain available until expended.

5 (f) FUNDING.--There shall be available to the Secretary
6 to carry out this section \$5,000,000 from funds made
7 available to carry out section 404 of the Surface
8 Transportation Assistance Act of 1982 for each of fiscal
9 years 1989, 1990, and 1991.

10 SEC. 12011. WITHHOLDING OF HIGHWAY FUNDS FOR STATE

11 NONCOMPLIANCE.

12 (a) FIRST YEAR.--The Secretary shall withhold 5 percent
13 of the amount required to be apportioned to any State under
14 each of sections 104(b)(1), 104(b)(2), 104(b)(5), and
15 104(b)(6) of title 23, United States Code, on the first day
16 of the fiscal year succeeding the first fiscal year beginning
17 after September 30, 199², throughout which the State does not
18 substantially comply with any requirement of section 12009(a)
19 of this Act.

20 (b) AFTER THE FIRST YEAR.--The Secretary shall withhold
21 10 percent of the amount required to be apportioned to any
22 State under each of sections 104(b)(1), 104(b)(2), 104(b)(5),
23 and 104(b)(6) of such title on the first day of each fiscal
24 year after the second fiscal year beginning after September
25 30, 199², throughout which the State does not substantially