

108TH CONGRESS  
2D SESSION

# H. R. 4119

To amend the Small Business Act to reauthorize the Paul D. Coverdell  
Drug-Free Workplace Program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2004

Mr. PORTMAN (for himself and Mr. BISHOP of Georgia) introduced the  
following bill; which was referred to the Committee on Small Business

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## A BILL

To amend the Small Business Act to reauthorize the Paul  
D. Coverdell Drug-Free Workplace Program, and for  
other purposes.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Drug-Free Workplace  
5       Program Reauthorization Act of 2004”.

6       **SEC. 2. REAUTHORIZATION OF PAUL D. COVERDELL DRUG-**  
7       **FREE WORKPLACE PROGRAM.**

8       (a) IN GENERAL.—Paragraph (1) of section 27(g) of  
9       the Small Business Act (15 U.S.C. 654(g)) is amended

1 by striking “2001 through 2003” and inserting “2004  
2 through 2006”.

3 (b) ADDITIONAL GRANTS FOR PROGRAMS CARRIED  
4 OUT IN COOPERATION WITH SMALL BUSINESS DEVELOP-  
5 MENT CENTERS.—

6 (1) IN GENERAL.—Subsection (b) of section 27  
7 of the Small Business Act (15 U.S.C. 654) is  
8 amended—

9 (A) by striking “There is established” and  
10 inserting the following:

11 “(1) IN GENERAL.—There is established”; and

12 (B) by adding at the end the following new  
13 paragraph:

14 “(2) ADDITIONAL GRANTS FOR PROGRAMS CAR-  
15 RIED OUT IN COOPERATION WITH SMALL BUSINESS  
16 DEVELOPMENT CENTERS.—The Administrator may  
17 make an additional grant to, or enter into a coopera-  
18 tive agreement or contract with, any grantee under  
19 paragraph (1) for the purpose of providing, in co-  
20 operation with one or more small business develop-  
21 ment centers, technical assistance to small business  
22 concerns seeking to establish a drug-free workplace  
23 program.”.

1           (2) AUTHORIZATION.—Subsection (g) of section  
2       27 of the Small Business Act (15 U.S.C. 654) is  
3       amended—

4                   (A) by redesignating paragraph (2) as  
5       paragraph (3);

6                   (B) by inserting after paragraph (1) the  
7       following new paragraph:

8           “(2) ADDITIONAL AUTHORIZATION.—There is  
9       authorized to be appropriated to carry out this sub-  
10      section, \$1,500,000 for each of fiscal years 2004  
11      through 2006. Amounts made available under this  
12      paragraph shall remain available until expended.”;  
13      and

14                   (C) in paragraph (1)—

15                           (i) by inserting “(other than sub-  
16                           section (b)(2))” after “this section”; and

17                           (ii) by striking “this subsection” and  
18                           inserting “this paragraph”.

19      (c) 2-YEAR GRANTS.—Subsection (b) of section 27  
20      of the Small Business Act (15 U.S.C. 654), as amended  
21      by subsection (b), is further amended by adding at the  
22      end the following new paragraph:

23                   “(3) 2-YEAR GRANTS.—Each grant made under  
24      this subsection shall be for a period of 2 years, sub-

1       ject to an annual performance review by the Admin-  
 2       istrator.”.

3       (d) ELIGIBILITY OF DRUG-FREE COMMUNITIES COA-  
 4 LITIONS.—Subparagraph (D) of section 27(a)(2) of the  
 5 Small Business Act (15 U.S.C. 654(a)(2)) is amended to  
 6 read as follows:

7                       “(D)(i) the purpose of which is—

8                       “(I) to develop comprehensive drug-  
 9                       free workplace programs or to supply drug-  
 10                      free workplace services; or

11                      “(II) to provide other forms of assist-  
 12                      ance and services to small business con-  
 13                      cerns; or

14                      “(ii) that is eligible to receive a grant  
 15                      under chapter 2 of the National Narcotics  
 16                      Leadership Act of 1988 (21 U.S.C. 1521 et  
 17                      seq.).”.

18       (e) EVALUATION AND COORDINATION.—Section 27  
 19 of the Small Business Act (15 U.S.C. 654) is amended—

20                      (1) by striking subsection (d);

21                      (2) by redesignating subsections (e), (f), and  
 22                      (g) as subsections (f), (g), and (h), respectively; and

23                      (3) by inserting after subsection (c) the fol-  
 24                      lowing new subsections:

1       “(d) TECHNICAL ASSISTANCE.—The Administrator,  
2 after consultation with the Director of the Center for Sub-  
3 stance Abuse and Prevention, shall provide technical as-  
4 sistance and information to each eligible intermediary re-  
5 ceiving a grant under subsection (b) regarding the most  
6 effective practices in establishing and carrying out drug-  
7 free workplace programs.

8       “(e) EVALUATION OF PROGRAM.—

9               “(1) DATA COLLECTION SYSTEM.—Each eligible  
10 intermediary receiving a grant under this section  
11 shall establish a system to collect and analyze infor-  
12 mation regarding the effectiveness of drug-free  
13 workplace programs established with assistance pro-  
14 vided under this section through the intermediary,  
15 including information regarding any increase or de-  
16 crease among employees in drug use, awareness of  
17 the adverse consequences of drug use, and absentee-  
18 ism, injury, and disciplinary problems related to  
19 drug use. Such system shall conform to such re-  
20 quirements as the Administrator, after consultation  
21 with the Director of the Center for Substance Abuse  
22 and Prevention, may prescribe. Not more than 5  
23 percent of the amount of each grant made under  
24 subsection (b) shall be used by the eligible inter-  
25 mediary to carry out this paragraph.

1           “(2) METHOD OF EVALUATION.—The Adminis-  
2           trator, after consultation with the Director of the  
3           Center for Substance Abuse and Prevention, shall  
4           provide technical assistance and guidance to each el-  
5           igible intermediary receiving a grant under sub-  
6           section (b) regarding the collection and analysis of  
7           information to evaluate the effectiveness of drug-free  
8           workplace programs established with assistance pro-  
9           vided under this section, including the information  
10          referred to in paragraph (1). Such assistance shall  
11          include the identification of additional information  
12          suitable for measuring the benefits of drug-free  
13          workplace programs to the small business concern  
14          and to the concern’s employees and the identification  
15          of methods suitable for analyzing such information.

16          “(3) STUDY AND REPORT.—Not later than 18  
17          months after the date of the enactment of the Drug-  
18          Free Workplace Program Reauthorization Act of  
19          2004, the Administrator, in consultation with the  
20          Secretary of Labor, the Secretary of Health and  
21          Human Services, and the Director of National Drug  
22          Control Policy, shall—

23                  “(A) compile and analyze the information  
24                  collected under this subsection;

25                  “(B) identify trends in such information;

1           “(C) evaluate the effectiveness of the drug-  
 2           free workplace programs established with assist-  
 3           ance provided under this section; and

4           “(D) submit to the Congress a report that  
 5           describes the results of the analysis conducted  
 6           under subparagraph (A), the trends identified  
 7           under subparagraph (B), and the results of the  
 8           evaluation conducted under subparagraph  
 9           (C).”.

10       (f) SMALL BUSINESS DEVELOPMENT CENTERS.—

11           (1) IN GENERAL.—Subparagraph (T) of section  
 12       21(c)(3) of the Small Business Act (15 U.S.C.  
 13       648(c)(3)) is amended by striking “October 1,  
 14       2003” and inserting “October 1, 2006”.

15           (2) LIMITATION.—Paragraph (3) of section  
 16       27(h) of the Small Business Act (15 U.S.C. 654(g)),  
 17       as redesignated under subsection (b)(2) and (d), is  
 18       amended—

19                   (A) by striking “\$1,000,000” and inserting  
 20                   “\$500,000”; and

21                   (B) by inserting “for fiscal years 2004  
 22                   through 2006” after “under this subsection”.

23       (g) ADMINISTRATIVE COSTS.—Subsection (h) of sec-  
 24       tion 27 of the Small Business Act (15 U.S.C. 654), as

1 so redesignated, is amended by adding at the end the fol-  
2 lowing new paragraph:

3           “(4) ADMINISTRATIVE COSTS.—Of the total  
4           amount made available under this subsection for any  
5           fiscal year, not more than 5 percent of such amount  
6           shall be used for administrative costs (determined  
7           without regard to the administrative costs of eligible  
8           intermediaries).”.

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