

**Congressman Robert C. "Bobby" Scott
Rules Committee
Remarks Submitted for the Record in Support of Moore/Davis/Scott
Amendment (Admt #7) to the Middle Class Tax
Relief & Job Creation Act of 2011 (HR 3630)
To Remove State Drug Testing of Unemployment Benefit Applicants
H-313
December 12, 2011
5:30pm**

The Middle Class Tax Relief and Job Creation Act would allow states to drug test recipients they have determined are likely to be using illegal substances. This proposed policy is a misguided and punitive waste of resources, and would place unnecessary financial burden on taxpayers and state and federal budgets in order to enact an ineffective policy.

Drug-testing is an expensive and ineffective method of identifying people with substance abuse problems. Drug tests identify drug usage, not substance-abuse problems, and most positive tests identify casual marijuana users, rather than individuals struggling with addiction. If the goal is to ensure that those with substance abuse and drug

problems are receiving the care and support they need, then there is a better way to do it then threatening ineligibility for unemployment benefits.

The cost per “find” from drug testing could be anywhere from \$500 to thousands of dollars. The average cost of a drug test is \$42, not including the cost of administrative functions and conducting an additional test to guard against false positives, which are common.

Claims that testing will save money are built upon the assumption that the tests will return a high number of positive results. However, this is not the case. Several studies, including a report from the National Institute on Alcohol Abuse and Alcoholism, found that there is no significant difference in the rate of illegal-drug use by welfare applicants and other people. A second study found that 70% of illegal-drug users between the age of 18 and 49 are employed full time.

One can safely assume that unemployed individuals seeking benefits use drugs at the same rate as the general population, which means that

an overwhelming majority of tests return negative results and simply waste time and money in the process.

The conclusion that drug testing is not an efficient way of identifying individuals with substance abuse problems is not speculative. Under a new Florida law, those applying for welfare benefits are required to take a drug test at their own expense. If an applicant passes the test then he or she is then eligible for benefits and the state will reimburse the cost of the test. If the test is failed, the applicant is not eligible for benefits for a year.

This law was suspended due to an injunction issued by a federal judge, but various initial reports showed that the overwhelming majority of those who took the test passed. Therefore the high reimbursement costs to the applicants who passed the test will render any financial savings generated by denying a handful of applicants their welfare benefits non-existent or negligible.

The provision in this legislation to allow drug testing for unemployment insurance recipients seeks to repeat this failed policy. It is punitive in nature and does not target the root causes of drug problems nor seek in any way to provide rehabilitation assistance to those with these problems.

For this reason I am urging the Committee to accept the amendment proposed by Ms. Moore, Mr. Davis and myself, to remove this provision from the legislation. During this difficult financial time, we should not be implementing ineffective policies that we know waste money. We should instead target our limited resources to job creation and our social safety net, where we know it makes a world of difference to those who need it.

Thank you and I urge you to accept this amendment.