

105TH CONGRESS
1ST SESSION

S. 1053

To reauthorize the Office of National Drug Control Policy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 22, 1997

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To reauthorize the Office of National Drug Control Policy, 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 “Office of National
5 Drug Control Policy Reauthorization Act of 1997”.

6 **SEC. 2. REAUTHORIZATION OF OFFICE OF NATIONAL DRUG**
7 **CONTROL POLICY.**

8 (a) DEFINITIONS.—Section 1010 of the National
9 Narcotics Leadership Act of 1988 (21 U.S.C. 1507) is

1 amended by redesignation as Section 1001a (21 U.S.C.
2 1500):

3 (1) by adding the section designation and the
4 section heading and inserting the following Section
5 1001(a):

6 **“SEC. 1001a. DEFINITIONS.”;**

7 (2) by redesignating paragraphs (5) through
8 (8) as paragraphs (7) through (10), respectively;

9 (3) by redesignating paragraphs (2) through
10 (4) as paragraphs (3) through (5), respectively;

11 (4) by striking paragraph (1) and inserting the
12 following:

13 “(1) the term ‘Office’ means the Office of Na-
14 tional Drug Control Policy;”

15 “(2) the term ‘drug’ has the same meaning as
16 the term “controlled substance” has in section
17 102(6) of the Controlled Substances Act (21 U.S.C.
18 802(6));

19 (5) in paragraph (3), as redesignated, by insert-
20 ing “including activities to reduce the underage use
21 of tobacco or alcoholic beverages;” after “demand
22 reduction,”;

23 (6) in paragraph (4), as redesignated

24 (A) by striking “enforcement” after “any”;

1 (B) by striking “supply” and inserting
2 “availability” after “reduce the”;

3 (C) in subparagraph (B) striking “enforce-
4 ment” after “drug”;

5 (7) in paragraph (5), as redesignated

6 (A) by striking “demand for” and insert-
7 ing “use of” before “drugs”;

8 (B) by inserting “drug abuse” after “in-
9 cluding”;

10 (C) in subparagraph (A), by striking “drug
11 abuse”;

12 (D) in subparagraph (D), by striking
13 “and” at the end;

14 (E) by adding at the end the following:

15 “(F) drug-free workplace programs; and”

16 (F) by adding at the end the following:

17 “(G) drug testing”;

18 (8) by inserting after paragraph (5), as redesign-
19 nated, the following:

20 “(6) the term ‘intergovernmental relations’
21 means domestic activities conducted by a National
22 Drug Control Program agency that are intended to
23 reduce the availability and use of drugs, including—

1 “(A) coordination and facilitation of Fed-
2 eral, state, and local law enforcement drug con-
3 trol efforts;

4 “(B) promotion of coordination and co-
5 operation among the drug supply reduction and
6 demand reduction agencies of the various
7 states, territories, and units of local govern-
8 ment; and

9 “(C) such other cooperative governmental
10 activities which promote a comprehensive ap-
11 proach to drug control at the national, state,
12 territory, and local levels.

13 (9) in paragraph (10), as redesignated, by

14 (i) inserting “and ‘Strategy’” after
15 “National Drug Control Strategy”;

16 (ii) striking “a” and inserting “the”
17 after “means”;

18 (b) ESTABLISHMENT OF OFFICE OF NATIONAL
19 DRUG CONTROL POLICY.—Section 1002 of the National
20 Narcotics Leadership Act of 1988 (21 U.S.C. 1501) is
21 amended—

22 (1) by striking subsection (a) and inserting the
23 following:

1 “(a) ESTABLISHMENT OF OFFICE.—There is estab-
2 lished in the Executive Office of the President the “Office
3 of National Drug Control Policy” that—

4 “(1) develops national drug control policy;

5 “(2) coordinates and oversees its implementa-
6 tion;

7 “(3) assesses and certifies the adequacy of na-
8 tional drug control programs and budgets; and

9 “(4) evaluates their effectiveness.

10 “(2) by striking subsection (b) and inserting the
11 following:

12 “(b) Director and Deputy Directors.—

13 “(1) There shall be at the head of the Office of Na-
14 tional Drug Control Policy a Director of National Drug
15 Control Policy.”;

16 “(2) There shall be in the Office of National
17 Drug Control Policy a Deputy Director of National
18 Drug Control Policy, who shall assist the Director in
19 carrying out the responsibilities of the Director
20 under this Act.”;

21 “(3) There shall be in the Office of National
22 Drug Control Policy a—

23 (A) Deputy Director for International
24 Drug Policy, who shall be responsible for the
25 activities described in Section 1001a(4)(A–C);

1 (B) Deputy Director for Demand Reduc-
2 tion Policy, who shall be responsible for the ac-
3 tivities described in Section 1001a(5); and

4 (C) Deputy Director for Intergovernmental
5 Relations, who shall be responsible for the ac-
6 tivities described in Section 1001a(4)(D) and
7 (6).”;

8 (3) by striking subsection (c) and redesignating
9 subsection (d) as subsection (c);

10 (4) by adding at the end the following:

11 “(d) OFFICE OF NATIONAL DRUG CONTROL POLICY
12 GIFT FUND.—There is established in the Treasury a fund
13 for the receipt of gifts, both real and personal, for the
14 purpose of aiding or facilitating the work of the Office
15 under Section 1003(c). The Office is authorized to accept,
16 hold, administer, and, solely to encourage funding for con-
17 ferences, solicit contributions to the fund. Amounts depos-
18 ited in the fund are authorized to be appropriated, to re-
19 main available until expended for authorized purposes at
20 the discretion of the Director. The Director is required
21 to establish written rules setting forth the criteria to be
22 used in determining whether the solicitation and accept-
23 ance of real and personal gifts (pursuant to Section
24 1002(d) of the National Narcotics Leadership Act of 1988
25 (21 USC 1501(d)) would reflect unfavorably upon the

1 ability of the Office of National Drug Control Policy or
 2 any employee to carry out its responsibilities or official
 3 duties in a fair and objective manner, or would com-
 4 promise the integrity, or the appearance of the integrity,
 5 of its programs or of any official involved in those pro-
 6 grams.

7 (c) APPOINTMENT AND DUTIES OF DIRECTOR AND
 8 DEPUTY DIRECTORS.—Section 1003 of the National Nar-
 9 cotics Leadership Act of 1988 (21 U.S.C. 1502) is amend-
 10 ed—

11 (1) by striking the section designation and the
 12 section heading and inserting the following:

13 **“SEC. 1003. APPOINTMENT AND DUTIES OF DIRECTOR AND**
 14 **DEPUTY DIRECTORS.”;**

15 (2) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) by inserting “the Deputy Direc-
 18 tor,” after “The Director”; and

19 (ii) by inserting “Policy” after “De-
 20 mand Reduction”;

21 (iii) by striking “Deputy Director for
 22 Supply Reduction” and inserting “Deputy
 23 Director for International Drug Policy”;

24 (iv) by striking “Associate Deputy Di-
 25 rector for National Drug Control Policy”

1 and inserting “Deputy Director for Inter-
2 governmental Relations”;

3 (B) by redesignating paragraphs (3) and
4 (4) as paragraphs (5) and (6) and redesignat-
5 ing paragraph (2) as paragraph (4);

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

8 “(2) The Deputy Director shall—

9 “(A) carry out the duties and powers pre-
10 scribed by the Director; and

11 “(B) serve as the Director in the absence
12 of the Director or during any period in which
13 the office of the Director is vacant.”

14 “(3) In the absence of the Deputy Director, or
15 if the office of the Deputy Director is vacant, the
16 Director shall designate such other officer of the Of-
17 fice to serve as the Director if the Director is absent
18 or unable to serve.”;

19 (D) in paragraph (4), as redesignated—

20 (i) by inserting “the Deputy Direc-
21 tor,” after “The Director”;

22 (ii) by inserting “Policy” after “De-
23 mand Reduction”;

1 (iii) by striking “Deputy Director for
2 Supply Reduction” and inserting “Deputy
3 Director for International Drug Policy”;

4 (iv) by striking “Associate Deputy Di-
5 rector for National Drug Control Policy”
6 and inserting “Deputy Director for Inter-
7 governmental Relations”;

8 (iii) by striking “Director, a Deputy”
9 and inserting “Director or a Deputy Direc-
10 tor”; and

11 (iv) by striking “, or Associate Direc-
12 tor”; and

13 (E) in paragraph (6) as redesignated:

14 (i) section 5313 of title 5, United
15 States Code, is amended by adding at the
16 end “Deputy Director of National Drug
17 Control Policy”;

18 (ii) section 5314 of title 5, United
19 States Code, is amended—

20 (a) by adding “Policy” after
21 “Deputy Director for Demand Reduc-
22 tion”;

23 (b) by striking “Supply Reduc-
24 tion” and inserting “International

1 Drug Policy” after “Deputy Director
2 for”; and

3 (c) by adding “Deputy Director
4 for Intergovernmental Relations, Of-
5 fice of National Drug Control Policy”,
6 after Administrator, Office of Infor-
7 mation and Regulatory Affairs”;

8 (iii) section 5315 of title 5, United
9 States Code, is amended by deleting the
10 following: “Associate Director for National
11 Drug Control Policy”; and

12 (F) by adding at the end the following:

13 “(7) PROHIBITION ON POLITICAL CAMPAIGN-
14 ING.—

15 “A Federal officer in the Office of Na-
16 tional Drug Control Policy who is appointed by
17 the President, by and with the advice and con-
18 sent of the Senate, may not participate in Fed-
19 eral election campaign activities, except that
20 such official is not prohibited by this subsection
21 from making contributions to individual can-
22 didates.”

23 (3) in subsection (b)—

24 (A) in paragraph (1), by inserting “goals”
25 in front of “objectives”;

1 (B) by striking paragraph (2) and insert-
2 ing the following:

3 “(2) promulgate the National Drug Control
4 Strategy and annual Strategy Report in accordance
5 with Section 1005;”

6 (C) in paragraph (3) by adding “goals,”
7 after “policies;”;

8 (D) in paragraph (4)(B) by inserting
9 “goals” after “the policies”;

10 (E) in paragraph (5), by inserting “the
11 foundation and implementation of National
12 Drug Control Policy and”; after “respect to”;
13 and

14 (F) in paragraph (8)—

15 (i) by striking “second following fiscal
16 year” and inserting “next budget year
17 scheduled for formulation under the Budg-
18 et and Accounting Act of 1921, as amend-
19 ed, and each of the 4 subsequent fiscal
20 years.”; and

21 (ii) by striking “annual”; and

22 (4) in subsection (c)—

23 (A) in paragraph (1)—

24 (i) by striking “transmit” and insert-
25 ing “submit” after “shall”;

1 (ii) by striking “and” and inserting
2 “prior to submission” after “President”;

3 (B) by striking paragraph (2) and insert-
4 ing the following:

5 “(2) RESPONSIBILITIES OF NATIONAL DRUG
6 CONTROL PROGRAM AGENCIES.—

7 (A) Each Federal Government program
8 manager, agency head, and department head
9 with responsibilities under the National Drug
10 Control Strategy shall transmit the drug control
11 budget request of the agency or department to
12 the Director at the same time as such request
13 is submitted to their superiors (and before sub-
14 mission to the Office of Management and
15 Budget) in the preparation of the budget of the
16 President submitted to Congress under section
17 1105(a) of title 31, United States Code.”; and

18 (C) by adding at the end the following:

19 “(B) The Director shall request the head
20 of a department or agency to include in the de-
21 partment’s or agency’s budget submission to
22 the Office of Management and Budget funding
23 requests for specific initiatives that are consist-
24 ent with the President’s priorities for the Na-
25 tional Drug Control Strategy and certifications

1 made pursuant to paragraph (3), and the head
2 of the department or agency shall comply with
3 such a request.”; and

4 (D) by adding at the end the following:

5 “(C) The head of each National Drug Con-
6 trol Program agency shall ensure timely devel-
7 opment and submission to the Director of drug
8 control budget requests transmitted pursuant to
9 subsection (c)(2), in such format as may be
10 designated by the Director with the concurrence
11 of the Director of the Office of Management
12 and Budget.”

13 (E) in paragraph (3)—

14 (i) by striking “(3) The Director” and
15 inserting the following:

16 “(3) CERTIFICATION.—The Director shall—”;

17 (ii) in subparagraph (B), by striking
18 “and” after “adequate”;

19 (iii) in subparagraph (C), by inserting
20 “; and” following “(B)”;

21 (F) in paragraph (4), by striking “(4)”
22 and redesignating it as “(D)” and striking “the
23 Director shall”;

1 (G) by striking paragraphs (5), (7), and
2 (8), and redesignating paragraph (6) as para-
3 graph (4); and

4 (H) in paragraph (4), as redesignated—

5 (i) by inserting “Reprogramming and
6 Transfer” Transfer Requests” after “(4)”;

7 (ii) by adding at the end the follow-
8 ing:

9 “(C) The Director shall annually submit to
10 Congress a report describing the approval of
11 any reprogramming or transfer of appropriated
12 funds pursuant to this section.”;

13 (5) in subsection (d)—

14 (A) in paragraph (1)—

15 (i) by striking “up to 75 and” after
16 “of”;

17 (ii) by striking “additional” after
18 “such”; and

19 (B) in paragraph (5)—

20 (i) by striking “accept and use” and
21 inserting “accept, use, and solicit”;

22 (ii) by inserting “and gifts” after
23 “property”; and

1 (iii) by inserting “, and the private
2 sector, as authorized in section 1002(d)”
3 before the semicolon;

4 (C) in paragraph (7)—

5 (i) in subparagraph (A) by striking
6 “and” at the end; and

7 (ii) in subparagraph (B), by adding
8 “and” at the end; and

9 (iii) by adding at the end the follow-
10 ing:

11 “(C) commission special studies and re-
12 ports by a National Drug Control Program
13 agency, with the concurrence of the head of the
14 affected agency”;

15 (D) by striking paragraph (8) and replac-
16 ing it with:

17 “(8) except to the extent that the Director’s au-
18 thority under this paragraph is limited to an annual
19 appropriations Act, and with the concurrence of the
20 head of the affected agency and upon advance notice
21 to the Committees of Appropriations of each House
22 of Congress, transfer funds appropriated to a Na-
23 tional Drug Control Program agency program, activ-
24 ity, or function designated by the Director pursuant
25 to subsection (c) to a different National Drug Con-

1 trol Program agency program, activity, or function
2 designated by the Director pursuant to subsection
3 (e) in an amount that does not exceed 2 percent of
4 the amount appropriated to either program, activity,
5 or function;”

6 (E) by striking paragraph (9) and insert-
7 ing the following:

8 “(9) issue to the head of a National Drug Con-
9 trol Program agency a funds control notice described
10 in subsection (f) to ensure compliance with the Na-
11 tional Drug Control Program; and”

12 “(10) participate in the drug certification proc-
13 ess pursuant to section 490 of the Foreign Assist-
14 ance Act of 1961 (22 U.S.C. 2291j).”;

15 (6) in subsection (e)—

16 (A) in paragraph (1)—

17 (i) by inserting “Evaluations” after
18 “(1)”;

19 (ii) by inserting “Compensation” after
20 “(2)”;

21 (iii) by indenting subparagraphs (A),
22 (B), (C), and (D) below and to the right;

23 and

24 (7) by striking the second subsection designated
25 as subsection (f).

1 (d) COORDINATION WITH EXECUTIVE BRANCH DE-
 2 PARTMENTS AND AGENCIES.—Section 1004 of the Na-
 3 tional Narcotics Leadership Act of 1988 (21 U.S.C. 1503)
 4 is amended—

5 (1) by striking the section designation and the
 6 section heading and inserting the following:

7 **“SEC. 1004. COORDINATION WITH EXECUTIVE BRANCH DE-**
 8 **PARTMENTS AND AGENCIES IN SUPPLY RE-**
 9 **DUCTION, DEMAND REDUCTION, AND INTER-**
 10 **GOVERNMENTAL RELATIONS.”;**

11 (2) in subsection (a)(1)—

12 (A) by inserting “cooperate with and” be-
 13 fore “provide”; and

14 (B) by inserting “and the annual report to
 15 Congress.” after “control.”;

16 (e) DEVELOPMENT AND SUBMISSION OF NATIONAL
 17 DRUG CONTROL STRATEGY.—Section 1005 of the Na-
 18 tional Narcotics Leadership Act of 1988 (21 U.S.C. 1504)
 19 is amended to read as follows:

20 **“SEC. 1005. DEVELOPMENT, SUBMISSION, IMPLEMENTA-**
 21 **TION, AND ASSESSMENT OF NATIONAL DRUG**
 22 **CONTROL STRATEGY.**

23 “(a) TIMING, CONTENT, AND PROCESS FOR DEVEL-
 24 OPMENT AND SUBMISSION OF THE NATIONAL DRUG CON-
 25 TROL STRATEGY.—

1 “(1) Not later than February 1, 1997, the
2 President shall submit to the Congress a National
3 Drug Control Strategy, which shall set forth a com-
4 prehensive 10-year plan for reducing drug abuse and
5 its consequences in the United States by limiting the
6 availability of and reducing the demand for illegal
7 drugs. Any part of such strategy that involves infor-
8 mation properly classified under criteria established
9 by an Executive order shall be presented to Congress
10 separately from the rest of the strategy.”;

11 “(2) The National Drug Control Strategy sub-
12 mitted under paragraph (1) shall include—

13 “(A) comprehensive, research-based, long-
14 range goals for reducing drug abuse and the
15 consequences of drug abuse in the United
16 States;

17 “(B) measureable objectives to accomplish
18 long-term goals;

19 “(C) 5-year projections for program and
20 budget priorities; and

21 “(D) a review of State, local, and private
22 sector drug control activities to ensure that the
23 United States pursues well-coordinated and ef-
24 fective drug control at all levels of government.

25 “(3) CONSULTATIONS.—

1 “(A) In developing and effectively imple-
2 menting the National Drug Control Strategy,
3 the Director shall consult with—

4 “(i) the heads of the National Drug
5 Control Program agencies;

6 “(ii) Congress;

7 “(iii) State and local officials;

8 “(iv) private citizens and organiza-
9 tions with experience and expertise in de-
10 mand reduction; and

11 “(v) private citizens and organizations
12 with experience and expertise in supply re-
13 duction;

14 “(B) The National Drug Control Strategy
15 and each annual Strategy Report shall indicate
16 the persons consulted under this paragraph.

17 “(b) ANNUAL STRATEGY REPORT.—Not later than
18 February 1, 1998, and on February 1 of each year there-
19 after, the President shall submit to Congress an annual
20 report on the progress in implementing the Strategy under
21 subsection (a), which shall include—

22 “(1) an assessment of the Federal effectiveness
23 in achieving the Strategy goals and objectives using
24 the performance measurement system described in
25 subsection (c);

1 “(2) any modifications of the Strategy;

2 “(3) an assessment of how the budget proposal
3 submitted under section 1003(e) (21 U.S.C.
4 1502(e)) is intended to implement the strategy and
5 whether the funding levels contained in such pro-
6 posal are sufficient to implement such strategy;

7 “(4) an assessment of current drug use and
8 availability, impact of drug use, and treatment avail-
9 ability. This assessment will include—

10 “(A) estimates of drug prevalence and fre-
11 quency of use as measured by national, State,
12 and local surveys of illicit drug use and by
13 other special studies of—

14 “(i) casual and chronic drug use;

15 “(ii) high-risk populations, including
16 school dropouts, the homeless and tran-
17 sient, arrestees, parolees, probationers, and
18 juvenile delinquents; and

19 “(iii) drug use in the workplace and
20 the productivity lost by such use;

21 “(B) an assessment of the reduction of
22 drug availability against an ascertained base-
23 line, as measured by—

24 “(i) the quantities of cocaine, heroin,
25 marijuana, methamphetamine, and other

1 drugs available for consumption in the
2 United States;

3 “(ii) the amount of marijuana, co-
4 caine, and heroin entering the United
5 States;

6 “(iii) the number of hectares of mari-
7 juana, poppy, and coca cultivated and de-
8 stroyed;

9 “(iv) the number of metric tons of
10 marijuana, heroin, and cocaine seized;

11 “(v) the number of cocaine and meth-
12 amphetamine processing laboratories de-
13 stroyed;

14 “(vi) changes in the price and purity
15 of heroin and cocaine;

16 “(vii) the amount and type of con-
17 trolled substances diverted from legitimate
18 retail and wholesale sources; and

19 “(viii) the effectiveness of Federal
20 technology programs at improving drug de-
21 tection capabilities in interdiction, and at
22 United States port of entry;

23 “(C) an assessment of the reduction of the
24 consequences of drug use and availability, which
25 shall include estimation of—

1 “(i) burdens drug users placed on
2 hospital emergency departments in the
3 United States, such as the quantity of
4 drug-related services provided;

5 “(ii) the annual national health care
6 costs of drug use, including costs associ-
7 ated with people becoming infected with
8 the human immunodeficiency virus and
9 other infectious diseases as a result of
10 drug use;

11 “(iii) the extent of drug-related crime
12 and criminal activity; and

13 “(iv) the contribution of drugs to the
14 underground economy, as measured by the
15 retail value of drugs sold in the United
16 States;

17 “(D) a determination of the status of drug
18 treatment in the United States, by assessing—

19 “(i) public and private treatment ca-
20 pacity within each State, including infor-
21 mation on the treatment capacity available
22 in relation to the capacity actually used;

23 “(ii) the extent, within each State, to
24 which treatment is available;

1 “(iii) the number of drug users the
2 Director estimates could benefit from
3 treatment; and

4 “(iv) the specific factors that restrict
5 the availability of treatment services to
6 those seeking it and proposed administra-
7 tive or legislative remedies to make treat-
8 ment available to those individuals;

9 “(E) a review of the research agenda of
10 the Counter-Drug Technology Assessment Cen-
11 ter to reduce the availability and abuse of
12 drugs;

13 “(5) an assessment of private sector initiatives
14 and cooperative efforts between the Federal Govern-
15 ment and State and local governments for drug con-
16 trol.

17 “(c) PERFORMANCE MEASUREMENT SYSTEM.—The
18 Director shall include with the annual Strategy Report a
19 description of the national drug control performance
20 measurement system, designed in consultation with af-
21 fected National Drug Control Program agencies, that—

22 “(1) develops performance objectives, measures,
23 and targets for each National Drug Control Strategy
24 goal and objective;

1 “(2) revises performance objectives, targets,
2 and measures to conform with National Drug Con-
3 trol Program Agency budgets;

4 “(3) identifies major programs and activities of
5 the National Drug Control Program Agencies that
6 support the goals and objectives of the National
7 Drug Control Strategy;

8 “(4) evaluates implementation of major pro-
9 gram activities supporting the National Drug Con-
10 trol Strategy developed under section 1005 (21 USC
11 1504(a));

12 “(5) monitors consistency between the drug-re-
13 lated goals and objectives of the National Drug Con-
14 trol Program agencies and ensures that drug control
15 agency goals and budgets support and are fully con-
16 sistent with the National Drug Control Strategy;

17 “(6) coordinates the development and imple-
18 mentation of national drug control data collection
19 and reporting systems to support policy formulation
20 and performance measurement, including—

21 “(A) an assessment of the quality of cur-
22 rent drug use measurement instruments and
23 techniques to measure supply reduction and de-
24 mand reduction activities;

1 “(B) an assessment of the adequacy of the
2 coverage of existing national drug use measure-
3 ment instruments and techniques to measure
4 the casual drug user population and groups
5 that are at risk for drug use; and

6 “(C) an assessment of the actions the Di-
7 rector shall take to correct any deficiencies and
8 limitations identified pursuant to subpara-
9 graphs (b)(4)(A) and (B).

10 (f) HIGH INTENSITY DRUG TRAFFICKING AREAS
11 PROGRAM.—The National Narcotics Leadership Act of
12 1988 is amended by inserting after section 1005 the fol-
13 lowing:

14 **“SEC. 1005A. HIGH INTENSITY DRUG TRAFFICKING AREAS**
15 **PROGRAM.**

16 “(a) There is established in the Office a program to
17 be known as the High Intensity Drug Trafficking Areas
18 Program.

19 “(b) The Director, upon consultation with the Attor-
20 ney General, the Secretary of the Treasury, the Secretary
21 of Health and Human Services, heads of the National
22 Drug Control Program agencies, and the Governors of
23 each State, may designate any specified area of the United
24 States as a high intensity drug trafficking area. After

1 making such a designation and in order to provide Federal
2 assistance to the area so designated, the Director may—

3 “(1) obligate such sums as appropriated for the
4 High Intensity Drug Trafficking Area Program;

5 “(2) direct the temporary reassignment of Fed-
6 eral personnel to such area, subject to the approval
7 of the Secretary of the department or head of the
8 agency that employs such personnel;

9 “(3) take any other action authorized under
10 section 1003 to provide increased Federal assistance
11 to such areas;

12 “(4) coordinate actions under this paragraph
13 with State and local officials; and

14 “(5) in consultation with affected National
15 Drug Control Policy agencies, promulgate such regu-
16 lations for the effective implementation of the High
17 Intensity Drug Trafficking Areas Program.

18 “(c) When considering the designation of an area
19 under this section as a high intensity drug trafficking
20 area, the Director shall consider, in addition to such other
21 criteria as the Director considers to be appropriate, the
22 extent to which—

23 “(1) the area is a center of illegal drug produc-
24 tion, manufacturing, importation, or distribution;

1 “(2) State and local law enforcement agencies
2 have committed resources to respond to the drug
3 trafficking problem in the area, thereby indicating a
4 determination to respond aggressively to the prob-
5 lem;

6 “(3) State and local demand reduction agencies
7 have committed resources to respond to drug abuse
8 in the area, thereby indicating a determination to
9 respond to the problem;

10 “(4) drug-related activities in the area are hav-
11 ing a harmful impact in other areas of the country;
12 and

13 “(5) a significant increase in allocation of Fed-
14 eral resources is necessary to respond adequately to
15 drug-related activities in the area.”

16 (g) COUNTER-DRUG TECHNOLOGY ASSESSMENT
17 CENTER.—Section 1008 of the National Narcotics Lead-
18 ership Act of 1988 (21 U.S.C. 1505) is amended to read
19 as follows:

20 **“SEC. 1008. COUNTER-DRUG TECHNOLOGY ASSESSMENT**
21 **CENTER.**

22 “(a) ESTABLISHMENT.—There is established within
23 the Office the Counter-Drug Technology Assessment Cen-
24 ter (in this section referred to as the ‘Center’). The Center
25 shall operate under the authority of the Director of Na-

1 tional Drug Control Policy and shall serve as the central
2 counter-drug technology research and development organi-
3 zation of the United States Government.

4 “(b) DIRECTOR OF TECHNOLOGY.—There shall be at
5 the head of the Center the Director of Technology, who
6 shall be appointed by the Director of National Drug Con-
7 trol Policy from among individuals qualified and distin-
8 guished in the area of science, medicine, engineering, or
9 technology.

10 “(c) ADDITIONAL RESPONSIBILITIES OF THE DIREC-
11 TOR OF NATIONAL DRUG CONTROL POLICY.—

12 “(1) The Director, acting through the Director
13 of Technology shall—

14 “(A) identify and define the short-, me-
15 dium-, and long-term scientific and techno-
16 logical needs of Federal, State, and local drug
17 supply reduction agencies, including—

18 “(i) advanced surveillance, tracking,
19 and radar imaging;

20 “(ii) electronic support measures;

21 “(iii) communications;

22 “(iv) data fusion, advanced computer
23 systems, and artificial intelligence; and

1 “(v) chemical, biological, radiological
2 (including neutron, electron, and graviton),
3 and other means of detection;

4 “(B) identify demand reduction basic and
5 applied research needs and initiatives, in con-
6 sultation with affected National Drug Control
7 Program agencies, including—

8 “(i) improving treatment through
9 neuroscientific advances;

10 “(ii) improving the transfer of bio-
11 medical research to the clinical setting, and

12 “(iii) developing new advances in drug
13 abuse prevention programming;

14 “(iv) in consultation with the National
15 Institute on Drug Abuse, and through
16 interagency agreements or grants, examine
17 addiction and rehabilitation research and
18 the application of technology to expanding
19 the effectiveness or availability of drug
20 treatment;

21 “(C) make a priority ranking of such needs
22 identified in subparagraphs (A) and (B) accord-
23 ing to fiscal and technological feasibility, as
24 part of a National Counter-Drug Enforcement
25 Research and Development Program;

1 “(D) oversee and coordinate counter-drug
2 technology initiatives with related activities of
3 other Federal civilian and military departments;

4 “(E) provide support to the development
5 and implementation of the national drug control
6 performance measurement system; and

7 “(F) pursuant to the authority of the Di-
8 rector of National Drug Control Policy under
9 section 1003 (21 U.S.C. 1502), submit requests
10 to Congress for the reprogramming or transfer
11 of funds appropriated for counter-drug tech-
12 nology research and development.

13 “(2) The authority granted to the Director
14 under this section shall not extend to the award of
15 contracts, management of individual projects, or
16 other operational activities.

17 “(d) ASSISTANCE AND SUPPORT TO OFFICE OF NA-
18 TIONAL DRUG CONTROL POLICY.—The Department of
19 Defense and the Department of Health and Human Serv-
20 ices shall, to the fullest extent possible, render assistance
21 and support to the Office and its Director, in the conduct
22 of counter-drug technology assessment.”

23 (h) TERMINATION OF OFFICE OF NATIONAL DRUG
24 CONTROL POLICY.—Section 1009 of the National Narcot-

1 ics Leadership Act of 1988 (42 U.S.C. 1506) is amended
2 to read as follows:

3 **“SEC. 1009. TERMINATION OF OFFICE OF NATIONAL DRUG**
4 **CONTROL POLICY.**

5 “Effective on September 30, 2009, this subtitle and
6 the amendments made by this subtitle are repealed.”

7 (i) AUTHORIZATION OF APPROPRIATIONS.—Section
8 1011 of the National Narcotics Leadership Act of 1988
9 (21 U.S.C. 1508) is amended to read as follows:

10 **“SEC. 1011. AUTHORIZATION OF APPROPRIATIONS.**

11 “There are authorized to be appropriated to carry out
12 this subtitle, to remain available until expended, such
13 sums as may be necessary for each of the fiscal years
14 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006,
15 2007, 2008, and 2009.”

16 (j) ESTABLISHMENT OF SPECIAL FORFEITURE
17 FUND.—Section 6073 of the Asset Forfeiture Amend-
18 ments Act of 1988 (42 U.S.C. 1509) is amended—

19 (1) in subsection (b),

20 (A) by striking “section 524(e)(9)” and in-
21 serting “section 524(c)(8)”;

22 (B) by striking “section 9307(g)” and in-
23 serting “section 9703(g)”;

- 1 (2) in subsection (e), by striking “strategy” and
- 2 inserting “Strategy”.

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