

106TH CONGRESS
2D SESSION

S. 486

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2000

Referred to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

AN ACT

To provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Methamphetamine Anti-Proliferation Act of 1999”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—METHAMPHETAMINE PRODUCTION, TRAFFICKING, AND
 ABUSE

Subtitle A—Criminal Penalties

- Sec. 101. Enhanced punishment of amphetamine laboratory operators.
 Sec. 102. Enhanced punishment of amphetamine or methamphetamine labora-
 tory operators.
 Sec. 103. Mandatory restitution for violations of Controlled Substances Act and
 Controlled Substances Import and Export Act relating to am-
 phetamine and methamphetamine.
 Sec. 104. Methamphetamine paraphernalia.

Subtitle B—Enhanced Law Enforcement

- Sec. 111. Environmental hazards associated with illegal manufacture of am-
 phetamine and methamphetamine.
 Sec. 112. Reduction in retail sales transaction threshold for non-safe harbor
 products containing pseudoephedrine or phenylpropanolamine.
 Sec. 113. Training for Drug Enforcement Administration and State and local
 law enforcement personnel relating to clandestine laboratories.
 Sec. 114. Combatting methamphetamine and amphetamine in high intensity
 drug trafficking areas.
 Sec. 115. Combating amphetamine and methamphetamine manufacturing and
 trafficking.

Subtitle C—Abuse Prevention and Treatment

- Sec. 121. Expansion of methamphetamine research.
 Sec. 122. Methamphetamine and amphetamine treatment initiative by Center
 for Substance Abuse Treatment.
 Sec. 123. Expansion of methamphetamine abuse prevention efforts.
 Sec. 124. Study of methamphetamine treatment.

Subtitle D—Reports

- Sec. 131. Reports on consumption of methamphetamine and other illicit drugs
 in rural areas, metropolitan areas, and consolidated metropoli-
 tan areas.
 Sec. 132. Report on diversion of ordinary, over-the-counter pseudoephedrine
 and phenylpropanolamine products.

TITLE II—CONTROLLED SUBSTANCES GENERALLY

Subtitle A—Criminal Matters

- Sec. 201. Enhanced punishment for trafficking in list I chemicals.
 Sec. 202. Mail order requirements.
 Sec. 203. Advertisements for drug paraphernalia and schedule I controlled sub-
 stances.
 Sec. 204. Theft and transportation of anhydrous ammonia for purposes of illicit
 production of controlled substances.

Sec. 205. Criminal prohibition on distribution of certain information relating to the manufacture of controlled substances.

Subtitle B—Other Matters

Sec. 211. Waiver authority for physicians who dispense or prescribe certain narcotic drugs for maintenance treatment or detoxification treatment.

TITLE III—MISCELLANEOUS

Sec. 301. Notice; clarification.

Sec. 302. Antidrug messages on Federal Government Internet websites.

Sec. 303. Severability.

1 **TITLE I—METHAMPHETAMINE**
 2 **PRODUCTION, TRAFFICKING,**
 3 **AND ABUSE**

4 **Subtitle A—Criminal Penalties**

5 **SEC. 101. ENHANCED PUNISHMENT OF AMPHETAMINE LAB-**
 6 **ORATORY OPERATORS.**

7 (a) AMENDMENT TO FEDERAL SENTENCING GUIDE-
 8 LINES.—Pursuant to its authority under section 994(p)
 9 of title 28, United States Code, the United States Sen-
 10 tencing Commission shall amend the Federal sentencing
 11 guidelines in accordance with this section with respect to
 12 any offense relating to the manufacture, importation, ex-
 13 portation, or trafficking in amphetamine (including an at-
 14 tempt or conspiracy to do any of the foregoing) in violation
 15 of—

16 (1) the Controlled Substances Act (21 U.S.C.
 17 801 et seq.);

18 (2) the Controlled Substances Import and Ex-
 19 port Act (21 U.S.C. 951 et seq.); or

1 (3) the Maritime Drug Law Enforcement Act
2 (46 U.S.C. App. 1901 et seq.).

3 (b) GENERAL REQUIREMENT.—In carrying out this
4 section, the United States Sentencing Commission shall,
5 with respect to each offense described in subsection (a)
6 relating to amphetamine—

7 (1) review and amend its guidelines to provide
8 for increased penalties such that those penalties are
9 comparable to the base offense level for meth-
10 amphetamine; and

11 (2) take any other action the Commission con-
12 siders necessary to carry out this subsection.

13 (c) ADDITIONAL REQUIREMENTS.—In carrying out
14 this section, the United States Sentencing Commission
15 shall ensure that the sentencing guidelines for offenders
16 convicted of offenses described in subsection (a) reflect the
17 heinous nature of such offenses, the need for aggressive
18 law enforcement action to fight such offenses, and the ex-
19 tremes dangers associated with unlawful activity involving
20 amphetamines, including—

21 (1) the rapidly growing incidence of amphet-
22 amine abuse and the threat to public safety that
23 such abuse poses;

24 (2) the high risk of amphetamine addiction;

1 (3) the increased risk of violence associated
2 with amphetamine trafficking and abuse; and

3 (4) the recent increase in the illegal importation
4 of amphetamine and precursor chemicals.

5 (d) EMERGENCY AUTHORITY TO SENTENCING COM-
6 MISSION.—The United States Sentencing Commission
7 shall promulgate amendments pursuant to this section as
8 soon as practicable after the date of the enactment of this
9 Act in accordance with the procedure set forth in section
10 21(a) of the Sentencing Act of 1987 (Public Law 100–
11 182), as though the authority under that Act had not ex-
12 pired.

13 **SEC. 102. ENHANCED PUNISHMENT OF AMPHETAMINE OR**
14 **METHAMPHETAMINE LABORATORY OPERA-**
15 **TORS.**

16 (a) FEDERAL SENTENCING GUIDELINES.—

17 (1) IN GENERAL.—Pursuant to its authority
18 under section 994(p) of title 28, United States Code,
19 the United States Sentencing Commission shall
20 amend the Federal sentencing guidelines in accord-
21 ance with paragraph (2) with respect to any offense
22 relating to the manufacture, attempt to manufac-
23 ture, or conspiracy to manufacture amphetamine or
24 methamphetamine in violation of—

1 (A) the Controlled Substances Act (21
2 U.S.C. 801 et seq.);

3 (B) the Controlled Substances Import and
4 Export Act (21 U.S.C. 951 et seq.); or

5 (C) the Maritime Drug Law Enforcement
6 Act (46 U.S.C. App. 1901 et seq.).

7 (2) REQUIREMENTS.—In carrying out this
8 paragraph, the United States Sentencing Commis-
9 sion shall—

10 (A) if the offense created a substantial risk
11 of harm to human life (other than a life de-
12 scribed in subparagraph (B)) or the environ-
13 ment, increase the base offense level for the
14 offense—

15 (i) by not less than 3 offense levels
16 above the applicable level in effect on the
17 date of the enactment of this Act; or

18 (ii) if the resulting base offense level
19 after an increase under clause (i) would be
20 less than level 27, to not less than level 27;
21 or

22 (B) if the offense created a substantial risk
23 of harm to the life of a minor or incompetent,
24 increase the base offense level for the offense—

1 (i) by not less than 6 offense levels
2 above the applicable level in effect on the
3 date of the enactment of this Act; or

4 (ii) if the resulting base offense level
5 after an increase under clause (i) would be
6 less than level 30, to not less than level 30.

7 (3) EMERGENCY AUTHORITY TO SENTENCING
8 COMMISSION.—The United States Sentencing Com-
9 mission shall promulgate amendments pursuant to
10 this subsection as soon as practicable after the date
11 of enactment of this Act in accordance with the pro-
12 cedure set forth in section 21(a) of the Sentencing
13 Act of 1987 (Public Law 100–182), as though the
14 authority under that Act had not expired.

15 (b) EFFECTIVE DATE.—The amendments made pur-
16 suant to this section shall apply with respect to any of-
17 fense occurring on or after the date that is 60 days after
18 the date of enactment of this Act.

1 **SEC. 103. MANDATORY RESTITUTION FOR VIOLATIONS OF**
2 **CONTROLLED SUBSTANCES ACT AND CON-**
3 **TROLLED SUBSTANCES IMPORT AND EXPORT**
4 **ACT RELATING TO AMPHETAMINE AND**
5 **METHAMPHETAMINE.**

6 (a) MANDATORY RESTITUTION.—Section 413(q) of
7 the Controlled Substances Act (21 U.S.C. 853(q)) is
8 amended—

9 (1) in the matter preceding paragraph (1), by
10 striking “may” and inserting “shall”;

11 (2) by inserting “amphetamine or” before
12 “methamphetamine” each place it appears;

13 (3) in paragraph (2)—

14 (A) by inserting “, the State or local gov-
15 ernment concerned, or both the United States
16 and the State or local government concerned”
17 after “United States” the first place it appears;
18 and

19 (B) by inserting “or the State or local gov-
20 ernment concerned, as the case may be,” after
21 “United States” the second place it appears;
22 and

23 (4) in paragraph (3), by striking “section 3663
24 of title 18, United States Code” and inserting “sec-
25 tion 3663A of title 18, United States Code”.

1 (b) DEPOSIT OF AMOUNTS IN DEPARTMENT OF JUS-
2 TICE ASSETS FORFEITURE FUND.—Section 524(c)(4) of
3 title 28, United States Code, is amended—

4 (1) by striking “and” at the end of subpara-
5 graph (B);

6 (2) by striking the period at the end of sub-
7 paragraph (C) and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(D) all amounts collected—

10 “(i) by the United States pursuant to a re-
11 imbursement order under paragraph (2) of sec-
12 tion 413(q) of the Controlled Substances Act
13 (21 U.S.C. 853(q)); and

14 “(ii) pursuant to a restitution order under
15 paragraph (1) or (3) of section 413(q) of the
16 Controlled Substances Act for injuries to the
17 United States.”.

18 (c) CLARIFICATION OF CERTAIN ORDERS OF RES-
19 TITUTION.—Section 3663(c)(2)(B) of title 18, United
20 States Code, is amended by inserting “which may be”
21 after “the fine”.

22 (d) EXPANSION OF APPLICABILITY OF MANDATORY
23 RESTITUTION.—Section 3663A(c)(1)(A)(ii) of title 18,
24 United States Code, is amended by inserting “or under

1 section 416(a) of the Controlled Substances Act (21
2 U.S.C. 856(a)),” after “under this title,”.

3 (e) TREATMENT OF ILLICIT SUBSTANCE MANUFAC-
4 TURING OPERATIONS AS CRIMES AGAINST PROPERTY.—
5 Section 416 of the Controlled Substances Act (21 U.S.C.
6 856) is amended by adding at the end the following new
7 subsection:

8 “(c) A violation of subsection (a) shall be considered
9 an offense against property for purposes of section
10 3663A(c)(1)(A)(ii) of title 18, United States Code.”.

11 **SEC. 104. METHAMPHETAMINE PARAPHERNALIA.**

12 Section 422(d) of the Controlled Substances Act (21
13 U.S.C. 863(d)) is amended in the matter preceding para-
14 graph (1) by inserting “methamphetamine,” after
15 “PCP,”.

16 **Subtitle B—Enhanced Law**
17 **Enforcement**

18 **SEC. 111. ENVIRONMENTAL HAZARDS ASSOCIATED WITH**
19 **ILLEGAL MANUFACTURE OF AMPHETAMINE**
20 **AND METHAMPHETAMINE.**

21 (a) USE OF AMOUNTS OR DEPARTMENT OF JUSTICE
22 ASSETS FORFEITURE FUND.—Section 524(c)(1)(E) of
23 title 28, United States Code, is amended—

24 (1) by inserting “(i) for” before “disburse-
25 ments”;

1 (2) by inserting “and” after the semicolon; and

2 (3) by adding at the end the following:

3 “(ii) for payment for—

4 “(I) costs incurred by or on behalf of the
5 Department of Justice in connection with the
6 removal, for purposes of Federal forfeiture and
7 disposition, of any hazardous substance or pol-
8 lutant or contaminant associated with the ille-
9 gal manufacture of amphetamine or meth-
10 amphetamine; and

11 “(II) costs incurred by or on behalf of a
12 State or local government in connection with
13 such removal in any case in which such State
14 or local government has assisted in a Federal
15 prosecution relating to amphetamine or meth-
16 amphetamine, to the extent such costs exceed
17 equitable sharing payments made to such State
18 or local government in such case;”.

19 (b) GRANTS UNDER DRUG CONTROL AND SYSTEM
20 IMPROVEMENT GRANT PROGRAM.—Section 501(b)(3) of
21 the Omnibus Crime Control and Safe Streets Act of 1968
22 is amended by inserting before the semicolon the following:
23 “and to remove any hazardous substance or pollutant or
24 contaminant associated with the illegal manufacture of
25 amphetamine or methamphetamine”.

1 (c) AMOUNTS SUPPLEMENT AND NOT SUPPLANT.—

2 (1) ASSETS FORFEITURE FUND.—Any amounts
3 made available from the Department of Justice As-
4 sets Forfeiture Fund in a fiscal year by reason of
5 the amendment made by subsection (a) shall supple-
6 ment, and not supplant, any other amounts made
7 available to the Department of Justice in such fiscal
8 year from other sources for payment of costs de-
9 scribed in section 524(c)(1)(E)(ii) of title 28, United
10 States Code, as so amended.

11 (2) GRANT PROGRAM.—Any amounts made
12 available in a fiscal year under the grant program
13 under section 501(b)(3) of the Omnibus Crime Con-
14 trol and Safe Streets Act of 1968 for the removal
15 of hazardous substances or pollutants or contami-
16 nants associated with the illegal manufacture of am-
17 phetamine or methamphetamine by reason of the
18 amendment made by subsection (b) shall supple-
19 ment, and not supplant, any other amounts made
20 available in such fiscal year from other sources for
21 such removal.

1 **SEC. 112. REDUCTION IN RETAIL SALES TRANSACTION**
2 **THRESHOLD FOR NON-SAFE HARBOR PROD-**
3 **UCTS CONTAINING PSEUDOEPHEDRINE OR**
4 **PHENYLPROPANOLAMINE.**

5 (a) REDUCTION IN TRANSACTION THRESHOLD.—
6 Section 102(39)(A)(iv)(II) of the Controlled Substances
7 Act (21 U.S.C. 802(39)(A)(iv)(II) is amended—

8 (1) by striking “24 grams” both places it ap-
9 pears and inserting “9 grams”; and

10 (2) by inserting before the semicolon at the end
11 the following: “and sold in package sizes of not more
12 than 3 grams of pseudoephedrine base or 3 grams
13 of phenylpropanolamine base”.

14 (b) EFFECTIVE DATE.—The amendments made by
15 subsection (a) shall take effect one year after the date of
16 the enactment of this Act.

17 **SEC. 113. TRAINING FOR DRUG ENFORCEMENT ADMINIS-**
18 **TRATION AND STATE AND LOCAL LAW EN-**
19 **FORCEMENT PERSONNEL RELATING TO**
20 **CLANDESTINE LABORATORIES.**

21 (a) IN GENERAL.—

22 (1) REQUIREMENT.—The Administrator of the
23 Drug Enforcement Administration shall carry out
24 the programs described in subsection (b) with re-
25 spect to the law enforcement personnel of States and
26 localities determined by the Administrator to have

1 significant levels of methamphetamine-related or am-
2 phetamine-related crime or projected by the Admin-
3 istrator to have the potential for such levels of crime
4 in the future.

5 (2) DURATION.—The duration of any program
6 under that subsection may not exceed 3 years.

7 (b) COVERED PROGRAMS.—The programs described
8 in this subsection are as follows:

9 (1) ADVANCED MOBILE CLANDESTINE LABORA-
10 TORY TRAINING TEAMS.—A program of advanced
11 mobile clandestine laboratory training teams, which
12 shall provide information and training to State and
13 local law enforcement personnel in techniques uti-
14 lized in conducting undercover investigations and
15 conspiracy cases, and other information designed to
16 assist in the investigation of the illegal manufac-
17 turing and trafficking of amphetamine and meth-
18 amphetamine.

19 (2) BASIC CLANDESTINE LABORATORY CERTIFI-
20 CATION TRAINING.—A program of basic clandestine
21 laboratory certification training, which shall provide
22 information and training—

23 (A) to Drug Enforcement Administration
24 personnel and State and local law enforcement
25 personnel for purposes of enabling such per-

1 sonnel to meet any certification requirements
2 under law with respect to the handling of
3 wastes created by illegal amphetamine and
4 methamphetamine laboratories; and

5 (B) to State and local law enforcement
6 personnel for purposes of enabling such per-
7 sonnel to provide the information and training
8 covered by subparagraph (A) to other State and
9 local law enforcement personnel.

10 (3) CLANDESTINE LABORATORY RECERTIFI-
11 CATION AND AWARENESS TRAINING.—A program of
12 clandestine laboratory recertification and awareness
13 training, which shall provide information and train-
14 ing to State and local law enforcement personnel for
15 purposes of enabling such personnel to provide recer-
16 tification and awareness training relating to clandes-
17 tine laboratories to additional State and local law
18 enforcement personnel.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated for each of fiscal years
21 2000, 2001, and 2002 amounts as follows:

22 (1) \$1,500,000 to carry out the program de-
23 scribed in subsection (b)(1).

24 (2) \$3,000,000 to carry out the program de-
25 scribed in subsection (b)(2).

1 (3) \$1,000,000 to carry out the program de-
2 scribed in subsection (b)(3).

3 **SEC. 114. COMBATTING METHAMPHETAMINE AND AMPHET-**
4 **AMINE IN HIGH INTENSITY DRUG TRAF-**
5 **FICKING AREAS.**

6 (a) IN GENERAL.—

7 (1) IN GENERAL.—The Director of National
8 Drug Control Policy shall use amounts available
9 under this section to combat the trafficking of meth-
10 amphetamine and amphetamine in areas designated
11 by the Director as high intensity drug trafficking
12 areas.

13 (2) ACTIVITIES.—In meeting the requirement
14 in paragraph (1), the Director shall transfer funds
15 to appropriate Federal, State, and local govern-
16 mental agencies for employing additional Federal
17 law enforcement personnel, or facilitating the em-
18 ployment of additional State and local law enforce-
19 ment personnel, including agents, investigators,
20 prosecutors, laboratory technicians, chemists, inves-
21 tigative assistants, and drug-prevention specialists.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section—

24 (1) \$15,000,000 for fiscal year 2000; and

1 (2) such sums as may be necessary for each of
2 fiscal years 2001 through 2004.

3 (c) APPORTIONMENT OF FUNDS.—

4 (1) FACTORS IN APPORTIONMENT.—The Direc-
5 tor shall apportion amounts appropriated for a fiscal
6 year pursuant to the authorization of appropriations
7 in subsection (b) for activities under subsection (a)
8 among and within areas designated by the Director
9 as high intensity drug trafficking areas based on the
10 following factors:

11 (A) The number of methamphetamine
12 manufacturing facilities and amphetamine man-
13 ufacturing facilities discovered by Federal,
14 State, or local law enforcement officials in the
15 previous fiscal year.

16 (B) The number of methamphetamine
17 prosecutions and amphetamine prosecutions in
18 Federal, State, or local courts in the previous
19 fiscal year.

20 (C) The number of methamphetamine ar-
21 rests and amphetamine arrests by Federal,
22 State, or local law enforcement officials in the
23 previous fiscal year.

24 (D) The amounts of methamphetamine,
25 amphetamine, or listed chemicals (as that term

1 is defined in section 102(33) of the Controlled
2 Substances Act (21 U.S.C. 802(33)) seized by
3 Federal, State, or local law enforcement offi-
4 cials in the previous fiscal year.

5 (E) Intelligence and predictive data from
6 the Drug Enforcement Administration and the
7 Department of Health and Human Services
8 showing patterns and trends in abuse, traf-
9 ficking, and transportation in methamphet-
10 amine, amphetamine, and listed chemicals (as
11 that term is so defined).

12 (2) CERTIFICATION.—Before the Director ap-
13 portions any funds under this subsection to a high
14 intensity drug trafficking area, the Director shall
15 certify that the law enforcement entities responsible
16 for clandestine methamphetamine and amphetamine
17 laboratory seizures in that area are providing labora-
18 tory seizure data to the national clandestine labora-
19 tory database at the El Paso Intelligence Center.

20 (d) LIMITATION ON ADMINISTRATIVE COSTS.—Not
21 more than 5 percent of the amount appropriated in a fiscal
22 year pursuant to the authorization of appropriations for
23 that fiscal year in subsection (b) may be available in that
24 fiscal year for administrative costs associated with activi-
25 ties under subsection (a).

1 **SEC. 115. COMBATING AMPHETAMINE AND METHAMPHET-**
2 **AMINE MANUFACTURING AND TRAFFICKING.**

3 (a) **ACTIVITIES.**—In order to combat the illegal man-
4 ufacturing and trafficking in amphetamine and meth-
5 amphetamine, the Administrator of the Drug Enforcement
6 Administration may—

7 (1) assist State and local law enforcement in
8 small and mid-sized communities in all phases of in-
9 vestigations related to such manufacturing and traf-
10 ficking, including assistance with foreign-language
11 interpretation;

12 (2) staff additional regional enforcement and
13 mobile enforcement teams related to such manufac-
14 turing and trafficking;

15 (3) establish additional resident offices and
16 posts of duty to assist State and local law enforce-
17 ment in rural areas in combating such manufac-
18 turing and trafficking;

19 (4) provide the Special Operations Division of
20 the Administration with additional agents and staff
21 to collect, evaluate, interpret, and disseminate crit-
22 ical intelligence targeting the command and control
23 operations of major amphetamine and methamphet-
24 amine manufacturing and trafficking organizations;

25 (5) enhance the investigative and related func-
26 tions of the Chemical Control Program of the Ad-

1 ministration to implement more fully the provisions
2 of the Comprehensive Methamphetamine Control Act
3 of 1996 (Public Law 104–237);

4 (6) design an effective means of requiring an
5 accurate accounting of the import and export of list
6 I chemicals, and coordinate investigations relating to
7 the diversion of such chemicals;

8 (7) develop a computer infrastructure sufficient
9 to receive, process, analyze, and redistribute time-
10 sensitive enforcement information from suspicious
11 order reporting to field offices of the Administration
12 and other law enforcement and regulatory agencies,
13 including the continuing development of the Sus-
14 picious Order Reporting and Tracking System
15 (SORTS) and the Chemical Transaction Database
16 (CTRANS) of the Administration;

17 (8) establish an education, training, and com-
18 munication process in order to alert the industry to
19 current trends and emerging patterns in the illegal
20 manufacturing of amphetamine and methamphet-
21 amine; and

22 (9) carry out such other activities as the Ad-
23 ministrator considers appropriate.

24 (b) ADDITIONAL POSITIONS AND PERSONNEL.—

1 (1) IN GENERAL.—In carrying out activities
2 under subsection (a), the Administrator may estab-
3 lish in the Administration not more than 50 full-
4 time positions, including not more than 31 special-
5 agent positions, and may appoint personnel to such
6 positions.

7 (2) PARTICULAR POSITIONS.—In carrying out
8 activities under paragraphs (5) through (8) of sub-
9 section (a), the Administrator may establish in the
10 Administration not more than 15 full-time positions,
11 including not more than 10 diversion investigator
12 positions, and may appoint personnel to such posi-
13 tions. Any positions established under this para-
14 graph are in addition to any positions established
15 under paragraph (1).

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated for the Drug Enforce-
18 ment Administration for each fiscal year after fiscal year
19 1999, \$9,500,000 for purposes of carrying out the activi-
20 ties authorized by subsection (a) and employing personnel
21 in positions established under subsection (b), of which
22 \$3,000,000 shall be available for activities under para-
23 graphs (5) through (8) of subsection (a) and for employing
24 personnel in positions established under subsection (b)(2).

1 **Subtitle C—Abuse Prevention and**
2 **Treatment**

3 **SEC. 121. EXPANSION OF METHAMPHETAMINE RESEARCH.**

4 Section 464N of the Public Health Service Act (42
5 U.S.C. 285o–2) is amended by adding at the end the fol-
6 lowing:

7 “(c) METHAMPHETAMINE RESEARCH.—

8 “(1) GRANTS OR COOPERATIVE AGREE-
9 MENTS.—The Director of the Institute may make
10 grants or enter into cooperative agreements to ex-
11 pand the current and on-going interdisciplinary re-
12 search and clinical trials with treatment centers of
13 the National Drug Abuse Treatment Clinical Trials
14 Network relating to methamphetamine abuse and
15 addiction and other biomedical, behavioral, and so-
16 cial issues related to methamphetamine abuse and
17 addiction.

18 “(2) USE OF FUNDS.—Amounts made available
19 under a grant or cooperative agreement under para-
20 graph (1) for methamphetamine abuse and addiction
21 may be used for research and clinical trials relating
22 to—

23 “(A) the effects of methamphetamine
24 abuse on the human body, including the brain;

1 “(B) the addictive nature of methamphet-
2 amine and how such effects differ with respect
3 to different individuals;

4 “(C) the connection between methamphet-
5 amine abuse and mental health;

6 “(D) the identification and evaluation of
7 the most effective methods of prevention of
8 methamphetamine abuse and addiction;

9 “(E) the identification and development of
10 the most effective methods of treatment of
11 methamphetamine addiction, including pharma-
12 cological treatments;

13 “(F) risk factors for methamphetamine
14 abuse;

15 “(G) effects of methamphetamine abuse
16 and addiction on pregnant women and their
17 fetuses; and

18 “(H) cultural, social, behavioral, neuro-
19 logical and psychological reasons that individ-
20 uals abuse methamphetamine, or refrain from
21 abusing methamphetamine.

22 “(3) RESEARCH RESULTS.—The Director shall
23 promptly disseminate research results under this
24 subsection to Federal, State and local entities in-

1 involved in combating methamphetamine abuse and
2 addiction.

3 “(4) AUTHORIZATION OF APPROPRIATIONS.—

4 “(A) AUTHORIZATION OF APPROPRIA-
5 TIONS.—There is authorized to be appropriated
6 to carry out paragraph (1), such sums as may
7 be necessary for each fiscal year.

8 “(B) SUPPLEMENT NOT SUPPLANT.—

9 Amounts appropriated pursuant to the author-
10 ization of appropriations in subparagraph (A)
11 for a fiscal year shall supplement and not sup-
12 plant any other amounts appropriated in such
13 fiscal year for research on methamphetamine
14 abuse and addiction.”.

15 **SEC. 122. METHAMPHETAMINE AND AMPHETAMINE TREAT-**
16 **MENT INITIATIVE BY CENTER FOR SUB-**
17 **STANCE ABUSE TREATMENT.**

18 Subpart 1 of part B of title V of the Public Health
19 Service Act (42 U.S.C. 290bb et seq.) is amended by add-
20 ing at the end the following new section:

21 “METHAMPHETAMINE AND AMPHETAMINE TREATMENT
22 INITIATIVE

23 “SEC. 514. (a) GRANTS.—

24 “(1) AUTHORITY TO MAKE GRANTS.—The Di-
25 rector of the Center for Substance Abuse Treatment
26 may make grants to States and Indian tribes recog-

1 nized by the United States that have a high rate, or
2 have had a rapid increase, in methamphetamine or
3 amphetamine abuse or addiction in order to permit
4 such States and Indian tribes to expand activities in
5 connection with the treatment of methamphetamine
6 or amphetamine abuser or addiction in the specific
7 geographical areas of such States or Indian tribes,
8 as the case may be, where there is such a rate or
9 has been such an increase.

10 “(2) RECIPIENTS.—Any grants under para-
11 graph (1) shall be directed to the substance abuse
12 directors of the States, and of the appropriate tribal
13 government authorities of the Indian tribes, selected
14 by the Director to receive such grants.

15 “(3) NATURE OF ACTIVITIES.—Any activities
16 under a grant under paragraph (1) shall be based on
17 reliable scientific evidence of their efficacy in the
18 treatment of methamphetamine or amphetamine
19 abuse or addiction.

20 “(b) GEOGRAPHIC DISTRIBUTION.—The Director
21 shall ensure that grants under subsection (a) are distrib-
22 uted equitably among the various regions of the country
23 and among rural, urban, and suburban areas that are af-
24 fected by methamphetamine or amphetamine abuse or ad-
25 diction.

1 “(c) ADDITIONAL ACTIVITIES.—The Director shall—

2 “(1) evaluate the activities supported by grants
3 under subsection (a);

4 “(2) disseminate widely such significant infor-
5 mation derived from the evaluation as the Director
6 considers appropriate to assist States, Indian tribes,
7 and private providers of treatment services for meth-
8 amphetamine or amphetamine abuser or addiction in
9 the treatment of methamphetamine or amphetamine
10 abuse or addiction; and

11 “(3) provide States, Indian tribes, and such
12 providers with technical assistance in connection
13 with the provision of such treatment.

14 “(d) AUTHORIZATION OF APPROPRIATIONS.—

15 “(1) IN GENERAL.—There are authorized to be
16 appropriated to carry out this section \$10,000,000
17 for fiscal year 2000 and such sums as may be nec-
18 essary for each of fiscal years 2001 and 2002.

19 “(2) USE OF CERTAIN FUNDS.—Of the funds
20 appropriated to carry out this section in any fiscal
21 year, the lesser of 5 percent of such funds or
22 \$1,000,000 shall be available to the Director for
23 purposes of carrying out subsection (c).”.

1 **SEC. 123. EXPANSION OF METHAMPHETAMINE ABUSE PRE-**
2 **VENTION EFFORTS.**

3 (a) EXPANSION OF EFFORTS.—Section 515 of the
4 Public Health Service Act (42 U.S.C. 290bb–21) is
5 amended by adding at the end the following:

6 “(e)(1) The Administrator may make grants to and
7 enter into contracts and cooperative agreements with pub-
8 lic and nonprofit private entities to enable such entities—

9 “(A) to carry out school-based programs con-
10 cerning the dangers of abuse of and addiction to
11 methamphetamine and other illicit drugs, using
12 methods that are effective and science-based, includ-
13 ing initiatives that give students the responsibility to
14 create their own anti-drug abuse education programs
15 for their schools; and

16 “(B) to carry out community-based abuse and
17 addiction prevention programs relating to meth-
18 amphetamine and other illicit drugs that are effec-
19 tive and science-based.

20 “(2) Amounts made available under a grant, contract
21 or cooperative agreement under paragraph (1) shall be
22 used for planning, establishing, or administering preven-
23 tion programs relating to methamphetamine and other il-
24 licit drugs in accordance with paragraph (3).

25 “(3)(A) Amounts provided under this subsection may
26 be used—

1 “(i) to carry out school-based programs that
2 are focused on those districts with high or increasing
3 rates of methamphetamine abuse and addiction and
4 targeted at populations which are most at risk to
5 start abuse of methamphetamine and other illicit
6 drugs;

7 “(ii) to carry out community-based prevention
8 programs that are focused on those populations
9 within the community that are most at-risk for
10 abuse of and addiction to methamphetamine and
11 other illicit drugs;

12 “(iii) to assist local government entities to con-
13 duct appropriate prevention activities relating to
14 methamphetamine and other illicit drugs;

15 “(iv) to train and educate State and local law
16 enforcement officials, prevention and education offi-
17 cials, members of community anti-drug coalitions
18 and parents on the signs of abuse of and addiction
19 to methamphetamine and other illicit drugs, and the
20 options for treatment and prevention;

21 “(v) for planning, administration, and edu-
22 cational activities related to the prevention of abuse
23 of and addiction to methamphetamine and other il-
24 licit drugs;

1 “(vi) for the monitoring and evaluation of pre-
2 vention activities relating to methamphetamine and
3 other illicit drugs, and reporting and disseminating
4 resulting information to the public; and

5 “(vii) for targeted pilot programs with evalua-
6 tion components to encourage innovation and experi-
7 mentation with new methodologies.

8 “(B) The Administrator shall give priority in making
9 grants under this subsection to rural and urban areas that
10 are experiencing a high rate or rapid increases in meth-
11 amphetamine abuse and addiction.

12 “(4)(A) Not less than \$500,000 of the amount avail-
13 able in each fiscal year to carry out this subsection shall
14 be made available to the Administrator, acting in consulta-
15 tion with other Federal agencies, to support and conduct
16 periodic analyses and evaluations of effective prevention
17 programs for abuse of and addiction to methamphetamine
18 and other illicit drugs and the development of appropriate
19 strategies for disseminating information about and imple-
20 menting these programs.

21 “(B) The Administrator shall submit to the commit-
22 tees of Congress referred to in subparagraph (C) an an-
23 nual report with the results of the analyses and evaluation
24 under subparagraph (A).

1 “(C) The committees of Congress referred to in this
2 subparagraph are the following:

3 “(i) The Committees on Health, Education,
4 Labor, and Pensions, the Judiciary, and Appropria-
5 tions of the Senate.

6 “(ii) The Committees on Commerce, the Judici-
7 ary, and Appropriations of the House of Representa-
8 tives.”.

9 (b) **AUTHORIZATION OF APPROPRIATIONS FOR EX-**
10 **PANSION OF ABUSE PREVENTION EFFORTS AND PRACTI-**
11 **TIONER REGISTRATION REQUIREMENTS.**—There is au-
12 thorized to be appropriated to carry out section 515(e) of
13 the Public Health Service Act (as added by subsection (a))
14 and section 303(g)(2) of the Controlled Substances Act
15 (as added by section 18(a) of this Act), \$15,000,000 for
16 fiscal year 2000, and such sums as may be necessary for
17 each succeeding fiscal year.

18 **SEC. 124. STUDY OF METHAMPHETAMINE TREATMENT.**

19 (a) **STUDY.**—

20 (1) **REQUIREMENT.**—The Secretary of Health
21 and Human Services shall, in consultation with the
22 Institute of Medicine of the National Academy of
23 Sciences, conduct a study on the development of
24 medications for the treatment of addiction to am-
25 phetamine and methamphetamine.

1 (2) REPORT.—Not later than nine months after
2 the date of the enactment of this Act, the Secretary
3 shall submit to the Committees on the Judiciary of
4 the Senate and House of Representatives a report on
5 the results of the study conducted under paragraph
6 (1).

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There
8 are hereby authorized to be appropriated for the Depart-
9 ment of Health and Human Services for fiscal year 2000
10 such sums as may be necessary to meet the requirements
11 of subsection (a).

12 **Subtitle D—Reports**

13 **SEC. 131. REPORTS ON CONSUMPTION OF METHAMPHET-** 14 **AMINE AND OTHER ILLICIT DRUGS IN RURAL** 15 **AREAS, METROPOLITAN AREAS, AND CON-** 16 **SOLIDATED METROPOLITAN AREAS.**

17 The Secretary of Health and Human Services shall
18 include in each National Household Survey on Drug
19 Abuse appropriate prevalence data and information on the
20 consumption of methamphetamine and other illicit drugs
21 in rural areas, metropolitan areas, and consolidated met-
22 ropolitan areas.

1 **SEC. 132. REPORT ON DIVERSION OF ORDINARY, OVER-**
2 **THE-COUNTER PSEUDOEPHEDRINE AND**
3 **PHENYLPROPANOLAMINE PRODUCTS.**

4 (a) **STUDY.**—The Attorney General shall conduct a
5 study of the use of ordinary, over-the-counter
6 pseudoephedrine and phenylpropanolamine products in the
7 clandestine production of illicit drugs. Sources of data for
8 the study shall include the following:

9 (1) Information from Federal, State, and local
10 clandestine laboratory seizures and related investiga-
11 tions identifying the source, type, or brand of drug
12 products being utilized and how they were obtained
13 for the illicit production of methamphetamine and
14 amphetamine.

15 (2) Information submitted voluntarily from the
16 pharmaceutical and retail industries involved in the
17 manufacture, distribution, and sale of drug products
18 containing ephedrine, pseudoephedrine, and phenyl-
19 propanolamine, including information on changes in
20 the pattern, volume, or both, of sales of ordinary,
21 over-the-counter pseudoephedrine and phenyl-
22 propanolamine products.

23 (b) **REPORT.**—

24 (1) **REQUIREMENT.**—Not later than one year
25 after the date of the enactment of this Act, the At-

1 torney General shall submit to Congress a report on
2 the study conducted under subsection (a).

3 (2) ELEMENTS.—The report shall include—

4 (A) the findings of the Attorney General as
5 a result of the study; and

6 (B) such recommendations on the need to
7 establish additional measures to prevent diver-
8 sion of ordinary, over-the-counter
9 pseudoephedrine and phenylpropanolamine
10 (such as a threshold on ordinary, over-the-
11 counter pseudoephedrine and phenylpropanola-
12 mine products) as the Attorney General con-
13 siders appropriate.

14 (3) MATTERS CONSIDERED.—In preparing the
15 report, the Attorney General shall consider the com-
16 ments and recommendations including the comments
17 on the Attorney General’s proposed findings and rec-
18 ommendations, of State and local law enforcement
19 and regulatory officials and of representatives of the
20 industry described in subsection (a)(2).

21 (c) REGULATION OF RETAIL SALES.—

22 (1) IN GENERAL.—Notwithstanding section
23 401(d) of the Comprehensive Methamphetamine
24 Control Act of 1996 (21 U.S.C. 802 note) and sub-
25 ject to paragraph (2), the Attorney General shall es-

1 tabish by regulation a single-transaction limit of not
2 less than 24 grams of ordinary, over-the-counter
3 pseudoephedrine or phenylpropanolamine (as the
4 case may be) for retail distributors, if the Attorney
5 General finds, in the report under subsection (b),
6 that—

7 (A) there is a significant number of in-
8 stances (as set forth in paragraph (3)(A) of
9 such section 401(d) for purposes of such sec-
10 tion) where ordinary, over-the-counter
11 pseudoephedrine products, phenylpropanolamine
12 products, or both such products that were pur-
13 chased from retail distributors were widely used
14 in the clandestine production of illicit drugs;
15 and

16 (B) the best practical method of preventing
17 such use is the establishment of single-trans-
18 action limits for retail distributors of either or
19 both of such products.

20 (2) DUE PROCESS.—The Attorney General shall
21 establish the single-transaction limit under para-
22 graph (1) only after notice, comment, and an infor-
23 mal hearing.

1 **TITLE II—CONTROLLED**
2 **SUBSTANCES GENERALLY**
3 **Subtitle A—Criminal Matters**

4 **SEC. 201. ENHANCED PUNISHMENT FOR TRAFFICKING IN**
5 **LIST I CHEMICALS.**

6 (a) AMENDMENTS TO FEDERAL SENTENCING GUIDE-
7 LINES.—Pursuant to its authority under section 994(p)
8 of title 28, United States, the United States Sentencing
9 Commission shall amend the Federal sentencing guidelines
10 in accordance with this section with respect to any viola-
11 tion of paragraph (1) or (2) of section 401(d) of the Con-
12 trolled Substances Act (21 U.S.C. 841(d)) involving a list
13 I chemical and any violation of paragraph (1) or (3) of
14 section 1010(d) of the Controlled Substance Import and
15 Export Act (21 U.S.C. 960(d)) involving a list I chemical.

16 (b) EPHEDRINE, PHENYLPROPANOLAMINE, AND
17 PSEUDOEPHEDRINE.—

18 (1) IN GENERAL.—In carrying this section, the
19 United States Sentencing Commission shall, with re-
20 spect to each offense described in subsection (a) in-
21 volving ephedrine, phenylpropanolamine, or
22 pseudoephedrine (including their salts, optical iso-
23 mers, and salts of optical isomers), review and
24 amend its guidelines to provide for increased pen-
25 alties such that those penalties corresponded to the

1 quantity of controlled substance that could reason-
2 ably have been manufactured using the quantity of
3 ephedrine, phenylpropanolamine, or pseudoephedrine
4 possessed or distributed.

5 (2) CONVERSION RATIOS.—For the purposes of
6 the amendments made by this subsection, the quan-
7 tity of controlled substance that could reasonably
8 have been manufactured shall be determined by
9 using a table of manufacturing conversion ratios for
10 ephedrine, phenylpropanolamine, and
11 pseudoephedrine, which table shall be established by
12 the Sentencing Commission based on scientific, law
13 enforcement, and other data the Sentencing Com-
14 mission considers appropriate.

15 (c) OTHER LIST I CHEMICALS.—In carrying this sec-
16 tion, the United States Sentencing Commission shall, with
17 respect to each offense described in subsection (a) involv-
18 ing any list I chemical other than ephedrine, phenyl-
19 propanolamine, or pseudoephedrine, review and amend its
20 guidelines to provide for increased penalties such that
21 those penalties reflect the dangerous nature of such of-
22 fenses, the need for aggressive law enforcement action to
23 fight such offenses, and the extreme dangers associated
24 with unlawful activity involving methamphetamine and
25 amphetamine, including—

1 (1) the rapidly growing incidence of controlled
2 substance manufacturing;

3 (2) the extreme danger inherent in manufac-
4 turing controlled substances;

5 (3) the threat to public safety posed by manu-
6 facturing controlled substances; and

7 (4) the recent increase in the importation, pos-
8 session, and distribution of list I chemicals for the
9 purpose of manufacturing controlled substances.

10 (d) EMERGENCY AUTHORITY TO SENTENCING COM-
11 MISSION.—The United States Sentencing Commission
12 shall promulgate amendments pursuant to this section as
13 soon as practicable after the date of the enactment of this
14 Act in accordance with the procedure set forth in section
15 21(a) of the Sentencing Act of 1987 (Public Law 100–
16 182), as though the authority under that Act had not ex-
17 pired.

18 **SEC. 202. MAIL ORDER REQUIREMENTS.**

19 Section 310(b)(3) of the Controlled Substances Act
20 (21 U.S.C. 830(b)(3)) is amended—

21 (1) by redesignating subparagraphs (A) and
22 (B) as subparagraphs (B) and (C), respectively;

23 (2) by inserting before subparagraph (B), as so
24 redesignated, the following new subparagraph (A):

25 “(A) As used in this paragraph:

1 “(i) The term ‘drug product’ means
2 an active ingredient in dosage form that
3 has been approved or otherwise may be
4 lawfully marketed under the Food, Drug,
5 and Cosmetic Act for distribution in the
6 United States.

7 “(ii) The term ‘valid prescription’
8 means a prescription which is issued for a
9 legitimate medical purpose by an individual
10 practitioner licensed by law to administer
11 and prescribe the drugs concerned and act-
12 ing in the usual course of the practitioner’s
13 professional practice.”;

14 (3) in subparagraph (B), as so redesignated, by
15 inserting “or who engages in an export transaction”
16 after “nonregulated person”; and

17 (4) adding at the end the following:

18 “(D) Except as provided in subparagraph
19 (E), the following distributions to a nonregu-
20 lated person, and the following export trans-
21 actions, shall not be subject to the reporting re-
22 quirement in subparagraph (B):

23 “(i) Distributions of sample packages
24 of drug products when such packages con-
25 tain not more than 2 solid dosage units or

1 the equivalent of 2 dosage units in liquid
2 form, not to exceed 10 milliliters of liquid
3 per package, and not more than one pack-
4 age is distributed to an individual or resi-
5 dential address in any 30-day period.

6 “(ii) Distributions of drug products by
7 retail distributors that may not include
8 face-to-face transactions to the extent that
9 such distributions are consistent with the
10 activities authorized for a retail distributor
11 as specified in section 102(46).

12 “(iii) Distributions of drug products
13 to a resident of a long term care facility
14 (as that term is defined in regulations pre-
15 scribed by the Attorney General) or dis-
16 tributions of drug products to a long term
17 care facility for dispensing to or for use by
18 a resident of that facility.

19 “(iv) Distributions of drug products
20 pursuant to a valid prescription.

21 “(v) Exports which have been re-
22 ported to the Attorney General pursuant to
23 section 1004 or 1018 or which are subject
24 to a waiver granted under section
25 1018(e)(2).

1 “(vi) Any quantity, method, or type of
2 distribution or any quantity, method, or
3 type of distribution of a specific listed
4 chemical (including specific formulations or
5 drug products) or of a group of listed
6 chemicals (including specific formulations
7 or drug products) which the Attorney Gen-
8 eral has excluded by regulation from such
9 reporting requirement on the basis that
10 such reporting is not necessary for the en-
11 forcement of this title or title III.

12 “(E) The Attorney General may revoke
13 any or all of the exemptions listed in subpara-
14 graph (D) for an individual regulated person if
15 he finds that drug products distributed by the
16 regulated person are being used in violation of
17 this title or title III. The regulated person shall
18 be notified of the revocation, which will be ef-
19 fective upon receipt by the person of such no-
20 tice, as provided in section 1018(c)(1), and
21 shall have the right to an expedited hearing as
22 provided in section 1018(c)(2).”.

1 **SEC. 203. ADVERTISEMENTS FOR DRUG PARAPHERNALIA**
2 **AND SCHEDULE I CONTROLLED SUBSTANCES.**

3 (a) DRUG PARAPHERNALIA.—Subsection (a)(1) of
4 section 422 of the Controlled Substances Act (21 U.S.C.
5 863) is amended by inserting “, directly or indirectly ad-
6 vertise for sale,” after “sell”.

7 (b) IMMUNITIES AND OBLIGATIONS OF INTERACTIVE
8 COMPUTER SERVICES.—

9 (1) IN GENERAL.—Such section 422 is further
10 amended by adding at the end the following new
11 subsection:

12 “(g) IMMUNITIES AND OBLIGATIONS OF INTER-
13 ACTIVE COMPUTER SERVICES.—

14 “(1) IN GENERAL.—An interactive computer
15 service that satisfies the conditions of this subsection
16 shall not be liable under this section or section 2 or
17 371 of title 18, United States Code, for the use of
18 its facilities or services—

19 “(A) by another person, or

20 “(B) as an information location tool re-
21 ferred to in paragraph (6)(A), provided that the
22 interactive computer service does not control or
23 modify (except to prevent or avoid a violation of
24 law) the content of the online location to which
25 such location tool refers or links,

1 to engage in activity that violates this section, except
2 as provided in paragraph (2).

3 “(2) NOTICE AND TAKE DOWN RESPONSIBILITY.—
4

5 “(A) IN GENERAL.—If an interactive com-
6 puter service receives a notice described in sub-
7 paragraph (B) that a particular online site re-
8 siding on a computer server controlled or oper-
9 ated by the provider is being used to violate this
10 section, the provider shall within 48 hours, not
11 including weekends and holidays, remove or dis-
12 able access to the matter residing at that online
13 site that allegedly violates this section.

14 “(B) NOTICE.—A notice is described in
15 this subparagraph only if it is a written commu-
16 nication from the Attorney General, the Admin-
17 istrator of the Drug Enforcement Administra-
18 tion, or a United States Attorney supplied to
19 the agent of the interactive computer service
20 designated in accordance with section 512(e)(2)
21 of title 17, United States Code, or to any em-
22 ployee of the provider if no such designation
23 has been made, and includes—

24 “(i) identification of the matter that
25 allegedly violates this section and that is to

1 be removed or access to which is to be dis-
2 abled;

3 “(ii) an allegation that such matter
4 violates this section;

5 “(iii) information reasonably sufficient
6 to permit the interactive computer service
7 to locate such matter; and

8 “(iv) information reasonably sufficient
9 to permit the interactive computer service
10 to contact the Federal official, including an
11 address, telephone number, and, if avail-
12 able, an electronic mail address at which
13 the Federal official providing such notice
14 may be contacted.

15 “(C) FAILURE TO TAKE DOWN MATTER.—
16 An interactive computer service that does not
17 take the actions described in this paragraph
18 upon receiving a notice meeting the require-
19 ments of subparagraph (B) shall be deemed to
20 have knowingly permitted its computer server to
21 be used to engage in activity prohibited by this
22 section and to have actual knowledge that the
23 activity is prohibited by this section.

24 “(D) APPLICABILITY TO PROVIDERS OF
25 BROWSER SOFTWARE.—

1 “(i) INAPPLICABILITY.—This para-
2 graph shall not apply to a provider of
3 browser software to the extent that the
4 provider provides access to information lo-
5 cation tools controlled by another party.

6 “(ii) APPLICABILITY.—This para-
7 graph shall apply to a provider of browser
8 software which provides matter consisting
9 primarily of matter prohibited by this sec-
10 tion or which holds itself out to others as
11 a source of, or directory for, or means of
12 searching for matter prohibited by this sec-
13 tion.

14 “(3) APPLICABILITY.—Paragraph (1) shall not
15 apply in the case of an interactive computer service
16 which—

17 “(A) knowingly permits an online site on
18 its computer server to be used to engage in ac-
19 tivity that the interactive computer service has
20 actual knowledge is prohibited by this section;

21 “(B) consists primarily of matter prohib-
22 ited by this section; or

23 “(C) holds itself out to others as a source
24 of, or means of searching for matter prohibited
25 by this section.

1 “(4) IMMUNITY FOR REMOVAL OF MATTER.—
2 An interactive computer service shall not be liable
3 under Federal or State law for taking any action to
4 remove or disable access to any matter described in
5 this section, or to terminate the account of any sub-
6 scriber of such service, based upon a good faith be-
7 lief that such matter violates this section or that
8 such subscriber has engaged in a violation of this
9 section.

10 “(5) PENALTIES FOR MISREPRESENTATIONS.—
11 Any person who knowingly misrepresents under this
12 section that such person is an official of a law en-
13 forcement agency described in paragraph (2)(B)
14 shall be deemed to violate section 912 of title 18,
15 United States Code.

16 “(6) DEFINITION.—An interactive computer
17 service referred to in this subsection is an interactive
18 computer service (as that term is defined in section
19 230(f) of the Communications Act of 1934 (47
20 U.S.C. 230(f)), including a service that—

21 “(A) provides an information location tool
22 to refer or link users to an online location, in-
23 cluding a directory, index, or hypertext link,
24 provided that the interactive computer service
25 does not control or modify the content of the

1 online location to which such location tool refers
2 or links; or

3 “(B) is engaged in the transmission, stor-
4 age, retrieval, hosting, formatting, or trans-
5 lation of a communication made by another per-
6 son without selection or alteration of the con-
7 tent of the communication, other than that
8 done in good faith to prevent or avoid a viola-
9 tion of law.”.

10 (2) DIRECTORY OF AGENTS.—

11 (A) PROVISION TO ATTORNEY GENERAL.—

12 Not later than three months after the date of
13 the enactment of this Act, and every month
14 thereafter, the Register of Copyrights shall pro-
15 vide to the Attorney General and the Adminis-
16 trator of the Drug Enforcement Administration
17 an electronic copy of the registry of designated
18 agents described in section 512(c)(2) of title 17,
19 United States Code.

20 (B) PROVISION TO UNITED STATES ATTOR-

21 NEYS.—The Attorney General shall make avail-
22 able to all United States Attorneys each reg-
23 istry made available to the Attorney General
24 under subparagraph (A).

1 (c) DIRECTLY OR INDIRECTLY ADVERTISE FOR SALE
2 DEFINED.—Such section 422 is further amended by add-
3 ing at the end the following new subsection:

4 “(h) In this section, the term ‘directly or indirectly
5 advertise for sale’ means the use of any communication
6 facility (as that term is defined in section 403(b)) to post,
7 publicize, transmit, publish, link to, broadcast, or other-
8 wise advertise any matter (including a telephone number
9 or electronic or mail address) with the intent to facilitate
10 or promote a transaction in.”.

11 (d) SCHEDULE I CONTROLLED SUBSTANCES.—Sec-
12 tion 403(c) of such Act (21 U.S.C. 843(c)) is amended—

13 (1) by inserting “(1)” after “(c)”;

14 (2) in paragraph (1), as so designated—

15 (A) in the first sentence, by inserting be-
16 fore the period the following: “, or to directly
17 or indirectly advertise for sale (as that term is
18 defined in section 422(h)) any Schedule I con-
19 trolled substance”; and

20 (B) in the second sentence, by striking
21 “term ‘advertisement’” and inserting “term
22 ‘written advertisement’”; and

23 (3) by adding at the end the following:

24 “(2) In the case of direct or indirect advertisements
25 for sale under paragraph (1), the limitations on criminal

1 liability for interactive computer services under section
2 442(g) shall be available to interactive computer services
3 under this subsection to the same extent, and subject to
4 the same terms and conditions, as such limitations on
5 criminal liability are available to interactive computer
6 services under such section 442(g). For purposes of the
7 application of such section 442(g) to an interactive com-
8 puter service under this subsection, any reference in such
9 section to the term ‘conduct prohibited by this section’
10 shall be deemed to refer to direct or indirect advertise-
11 ments for sale prohibited by the first sentence of para-
12 graph (1).”.

13 **SEC. 204. THEFT AND TRANSPORTATION OF ANHYDROUS**
14 **AMMONIA FOR PURPOSES OF ILLICIT PRO-**
15 **DUCTION OF CONTROLLED SUBSTANCES.**

16 (a) IN GENERAL.—Part D of the Controlled Sub-
17 stances Act (21 U.S.C. 841 et seq.) is amended by adding
18 at the end the following:

19 “ANHYDROUS AMMONIA

20 “SEC. 423. (a) It is unlawful for any person—

21 “(1) to steal anhydrous ammonia, or

22 “(2) to transport stolen anhydrous ammonia
23 across State lines,

24 knowing, intending, or having reasonable cause to believe
25 that such anhydrous ammonia will be used to manufacture
26 a controlled substance in violation of this part.

1 “(b) Any person who violates subsection (a) shall be
2 imprisoned or fined, or both, in accordance with section
3 403(d) as if such violation were a violation of a provision
4 of section 403.”.

5 (b) CLERICAL AMENDMENT.—The table of contents
6 for that Act is amended by inserting after the item relat-
7 ing to section 421 the following new items:

“Sec. 422. Drug paraphernalia.
“Sec. 423. Anhydrous ammonia.”.

8 (c) ASSISTANCE FOR CERTAIN RESEARCH.—

9 (1) AGREEMENT.—The Administrator of the
10 Drug Enforcement Administration shall seek to
11 enter into an agreement with Iowa State University
12 in order to permit the University to continue and ex-
13 pand its current research into the development of
14 inert agents that, when added to anhydrous ammo-
15 nia, eliminate the usefulness of anhydrous ammonia
16 as an ingredient in the production of methamphet-
17 amine.

18 (2) REIMBURSABLE PROVISION OF FUNDS.—
19 The agreement under paragraph (1) may provide for
20 the provision to Iowa State University, on a reim-
21 burstable basis, of \$500,000 for purposes the activi-
22 ties specified in that paragraph.

23 (3) AUTHORIZATION OF APPROPRIATIONS.—
24 There is hereby authorized to be appropriated for

1 the Drug Enforcement Administration for fiscal year
 2 2000, \$500,000 for purposes of carrying out the
 3 agreement under this subsection.

4 **SEC. 205. CRIMINAL PROHIBITION ON DISTRIBUTION OF**
 5 **CERTAIN INFORMATION RELATING TO THE**
 6 **MANUFACTURE OF CONTROLLED SUB-**
 7 **STANCES.**

8 (a) IN GENERAL.—Part I of title 18, United States
 9 Code, is amended by inserting after chapter 21 the fol-
 10 lowing new chapter:

11 **“CHAPTER 22—CONTROLLED**
 12 **SUBSTANCES**

“Sec.

“421. Distribution of information relating to manufacture of controlled sub-
 stances.

13 **“§ 421. Distribution of information relating to manu-**
 14 **facture of controlled substances**

15 **“(a) PROHIBITION ON DISTRIBUTION OF INFORMA-**
 16 **TION RELATING TO MANUFACTURE OF CONTROLLED**
 17 **SUBSTANCES.—**

18 **“(1) CONTROLLED SUBSTANCE DEFINED.—**In
 19 this subsection, the term ‘controlled substance’ has
 20 the meaning given that term in section 102(6) of the
 21 Controlled Substances Act (21 U.S.C. 802(6)).

22 **“(2) PROHIBITION.—**It shall be unlawful for
 23 any person—

1 “(A) to teach or demonstrate the manufac-
 2 ture of a controlled substance, or to distribute
 3 by any means information pertaining to, in
 4 whole or in part, the manufacture of a con-
 5 trolled substance, with the intent that the
 6 teaching, demonstration, or information be used
 7 for, or in furtherance of, an activity that con-
 8 stitutes a Federal crime; or

9 “(B) to teach or demonstrate to any per-
 10 son the manufacture of a controlled substance,
 11 or to distribute to any person, by any means,
 12 information pertaining to, in whole or in part,
 13 the manufacture of a controlled substance,
 14 knowing that such person intends to use the
 15 teaching, demonstration, or information for, or
 16 in furtherance of, an activity that constitutes a
 17 Federal crime.

18 “(b) PENALTY.—Any person who violates subsection
 19 (a) shall be fined under this title, imprisoned not more
 20 than 10 years, or both.”.

21 (b) CLERICAL AMENDMENT.—The table of chapters
 22 at the beginning of part I of title 18, United States Code,
 23 is amended by inserting after the item relating to chapter
 24 21 the following new item:

“**22. Controlled Substances** **421**”.

1 **Subtitle B—Other Matters**

2 **SEC. 211. WAIVER AUTHORITY FOR PHYSICIANS WHO DIS-**
3 **PENSE OR PRESCRIBE CERTAIN NARCOTIC**
4 **DRUGS FOR MAINTENANCE TREATMENT OR**
5 **DETOXIFICATION TREATMENT.**

6 (a) **REQUIREMENTS.**—Section 303(g) of the Con-
7 trolled Substances Act (21 U.S.C. 823(g)) is amended—

8 (1) in paragraph (2), by striking “(A) security”
9 and inserting “(i) security”, and by striking “(B)
10 the maintenance” and inserting “(ii) the mainte-
11 nance”;

12 (2) by redesignating paragraphs (1) through
13 (3) as subparagraphs (A) through (C), respectively;

14 (3) by inserting “(1)” after “(g)”;

15 (4) by striking “Practitioners who dispense”
16 and inserting “Except as provided in paragraph (2),
17 practitioners who dispense and prescribe”; and

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

19 “(2)(A) Subject to subparagraphs (D), the require-
20 ments of paragraph (1) are waived in the case of the dis-
21 pensing or prescribing, by a physician, of narcotic drugs
22 in schedule III, IV, or V, or combinations of such drugs,
23 if the physician meets the conditions specified in subpara-
24 graph (B) and the narcotic drugs or combinations of such
25 drugs meet the conditions specified in subparagraph (C).

1 “(B)(i) For purposes of subparagraph (A), the condi-
2 tions specified in this subparagraph with respect to a phy-
3 sician are that, before dispensing or prescribing narcotic
4 drugs in schedule III, IV, or V, or combinations of such
5 drugs, to patients for maintenance or detoxification treat-
6 ment, the physician submit to the Secretary and the Attor-
7 ney General a notification of the intent of the physician
8 to begin dispensing or prescribing the drugs or combina-
9 tions for such purpose, and that the notification to the
10 Secretary also contain the following certifications by the
11 physician:

12 “(I) The physician—

13 “(aa) is a physician licensed under State
14 law; and

15 “(bb) has training or experience and the
16 ability to treat and manage opiate-dependent
17 patients.

18 “(II) With respect to patients to whom the phy-
19 sician will provide such drugs or combinations of
20 drugs, the physician has the capacity to refer the pa-
21 tients for appropriate counseling and other appro-
22 priate ancillary services.

23 “(III) In any case in which the physician is not
24 in a group practice, the total number of such pa-
25 tients of the physician at any one time will not ex-

1 ceed the applicable number. For purposes of this
2 subclause, the applicable number is 20, except that
3 the Secretary may by regulation change such total
4 number.

5 “(IV) In any case in which the physician is in
6 a group practice, the total number of such patients
7 of the group practice at any one time will not exceed
8 the applicable number. For purposes of this sub-
9 clause, the applicable number is 20, except that the
10 Secretary may by regulation change such total num-
11 ber, and the Secretary for such purposes may by
12 regulation establish different categories on the basis
13 of the number of physicians in a group practice and
14 establish for the various categories different numer-
15 ical limitations on the number of such patients that
16 the group practice may have.

17 “(ii)(I) The Secretary may, in consultation with the
18 Administrator of the Drug Enforcement Administration,
19 the Administrator of the Substance Abuse and Mental
20 Health Services Administration, the Director of the Center
21 for Substance Abuse Treatment, the Director of the Na-
22 tional Institute on Drug Abuse, and the Commissioner of
23 Food and Drugs, issue regulations through notice and
24 comment rulemaking or practice guidelines to address the
25 following:

1 “(aa) Approval of additional credentialing bod-
2 ies and the responsibilities of additional
3 credentialing bodies.

4 “(bb) Additional exemptions from the require-
5 ments of this paragraph and any regulations under
6 this paragraph.

7 “(II) Nothing in the regulations or practice guide-
8 lines under this clause may authorize any Federal official
9 or employee to exercise supervision or control over the
10 practice of medicine or the manner in which medical serv-
11 ices are provided.

12 “(III)(aa) The Secretary shall issue a Treatment Im-
13 provement Protocol containing best practice guidelines for
14 the treatment and maintenance of opiate-dependent pa-
15 tients. The Secretary shall develop the protocol in con-
16 sultation with the Director of the National Institute on
17 Drug Abuse, the Director of the Center for Substance
18 Abuse Treatment, the Administrator of the Drug Enforce-
19 ment Administration, the Commissioner of Food and
20 Drugs, the Administrator of the Substance Abuse and
21 Mental Health Services Administration, and other sub-
22 stance abuse disorder professionals. The protocol shall be
23 guided by science.

1 “(bb) The protocol shall be issued not later than 120
2 days after the date of the enactment of the Methamphet-
3 amine Anti-Proliferation Act of 1999.

4 “(IV) For purposes of the regulations or practice
5 guidelines under subclause (I), a physician shall have
6 training or experience under clause (i)(I)(bb) if the physi-
7 cian meets one or more of the following conditions:

8 “(aa) The physician is certified in addiction
9 treatment by the American Society of Addiction
10 Medicine, the American Board of Medical Special-
11 ties, the American Osteopathic Academy of Addic-
12 tion Medicine, or any other certified body accredited
13 by the Secretary.

14 “(bb) The physician has been a clinical investi-
15 gator in a clinical trial conducted for purposes of se-
16 curing approval under section 505 of the Federal
17 Food, Drug, and Cosmetic Act (21 U.S.C. 355) or
18 section 351 of the Public Health Service Act (42
19 U.S.C. 262) of a narcotic drug in schedule III, IV,
20 or V for the treatment of addiction, if such approval
21 was granted.

22 “(cc) The physician has completed training
23 (through classroom situations, seminars, professional
24 society meetings, electronic communications, or oth-
25 erwise) provided by the American Society of Addic-

1 tion Medicine, the American Academy of Addiction
2 Psychiatry, the American Osteopathic Academy of
3 Addiction Medicine, the American Medical Associa-
4 tion, the American Osteopathic Association, the
5 American Psychiatric Association, or any other orga-
6 nization that the Secretary determines appropriate
7 for purposes of this item. The curricula may include
8 training in patient need for counseling regarding
9 HIV, Hepatitis C, and other infectious diseases, sub-
10 stance abuse counseling, random drug testing, med-
11 ical evaluation, annual assessment, prenatal care, di-
12 agnosis of addiction, rehabilitation services, con-
13 fidentiality, and other appropriate topics.

14 “(dd) The physician has training or experience
15 in the treatment and management of opiate-depend-
16 ent, which training or experience shall meet such cri-
17 teria as the Secretary may prescribe. Any such cri-
18 teria shall be effective for a period of three years
19 after the effective date of such criteria, but the Sec-
20 retary may extend the effective period of such cri-
21 teria by additional periods of three years for each
22 extension if the Secretary determines that such ex-
23 tension is appropriate for purposes of this item. Any
24 such extension shall go into effect only if the Sec-
25 retary publishes a notice of such extension in the

1 Federal Register during the 30-day period ending on
2 the date of the end of the three-year effective period
3 of such criteria to which such extension will apply.

4 “(ee) The physician is certified in addiction
5 treatment by a State medical licensing board, or an
6 entity accredited by such board, unless the Secretary
7 determines (after an opportunity for a hearing) that
8 the training provided by such board or entity was in-
9 adequate for the treatment and management of opi-
10 ate-dependent patients.

11 “(C) For purposes of subparagraph (A), the condi-
12 tions specified in this subparagraph with respect to nar-
13 cotic drugs in schedule III, IV, or V, or combinations of
14 such drugs, are as follows:

15 “(i) The drugs or combinations of drugs have,
16 under the Federal Food, Drug and Cosmetic Act or
17 section 351 of the Public Health Service Act, been
18 approved for use in maintenance or detoxification
19 treatment.

20 “(ii) The drugs or combinations of drugs have
21 not been the subject of an adverse determination.
22 For purposes of this clause, an adverse determina-
23 tion is a determination published in the Federal
24 Register and made by the Secretary, after consulta-
25 tion with the Attorney General, that experience since

1 the approval of the drug or combinations of drugs
2 has shown that the use of the drugs or combinations
3 of drugs for maintenance or detoxification treatment
4 requires additional standards respecting the quali-
5 fications of physicians to provide such treatment, or
6 requires standards respecting the quantities of the
7 drugs that may be provided for unsupervised use.

8 “(D)(i) A waiver under subparagraph (A) with re-
9 spect to a physician is not in effect unless (in addition
10 to conditions under subparagraphs (B) and (C)) the fol-
11 lowing conditions are met:

12 “(I) The notification under subparagraph (B) is
13 in writing and states the name of the physician.

14 “(II) The notification identifies the registration
15 issued for the physician pursuant to subsection (f).

16 “(III) If the physician is a member of a group
17 practice, the notification states the names of the
18 other physicians in the practice and identifies the
19 registrations issued for the other physicians pursu-
20 ant to subsection (f).

21 “(IV) A period of 45 days has elapsed after the
22 date on which the notification was submitted, and
23 during such period the physician does not receive
24 from the Secretary a written notice that one or more
25 of the conditions specified in subparagraph (B), sub-

1 paragraph (C), or this subparagraph, have not been
2 met.

3 “(ii) The Secretary shall provide to the Attorney Gen-
4 eral such information contained in notifications under sub-
5 paragraph (B) as the Attorney General may request.

6 “(E) If in violation of subparagraph (A) a physician
7 dispenses or prescribes narcotic drugs in schedule III, IV,
8 or V, or combinations of such drugs, for maintenance
9 treatment or detoxification treatment, the Attorney Gen-
10 eral may, for purposes of section 304(a)(4), consider the
11 physician to have committed an act that renders the reg-
12 istration of the physician pursuant to subsection (f) to be
13 inconsistent with the public interest.

14 “(F)(i) Upon determining that a physician meets the
15 conditions specified in subparagraph (B), the Secretary
16 shall notify the physician and the Attorney General.

17 “(ii) Upon receiving notice with respect to a physician
18 under clause (i), the Attorney General shall assign the
19 physician an identification number under this paragraph
20 for inclusion with the physician’s current registration to
21 prescribe narcotics. An identification number assigned a
22 physician under this clause shall be appropriate to pre-
23 serve the confidentiality of a patient prescribed narcotic
24 drugs covered by this paragraph by the physician.

1 “(iii) If the Secretary fails to make a determination
2 described in clause (i) by the end of the 45-day period
3 beginning on the date of the receipt by the Secretary of
4 a notification from a physician under subparagraph (B),
5 the Attorney General shall assign the physician an identi-
6 fication number described in clause (ii) at the end of such
7 period.

8 “(G) In this paragraph:

9 “(i) The term ‘group practice’ has the meaning
10 given such term in section 1877(h)(4) of the Social
11 Security Act.

12 “(ii) The term ‘physician’ has the meaning
13 given such term in section 1861(r) of the Social Se-
14 curity Act.

15 “(H)(i) This paragraph takes effect on the date of
16 the enactment of the Methamphetamine Anti-Proliferation
17 Act of 1999, and remains in effect thereafter except as
18 provided in clause (iii) (relating to a decision by the Sec-
19 retary or the Attorney General that this paragraph should
20 not remain in effect).

21 “(ii) For the purposes relating to clause (iii), the Sec-
22 retary and the Attorney General shall, during the 3-year
23 period beginning on the date of the enactment of the
24 Methamphetamine Anti-Proliferation Act of 1999, make
25 determinations in accordance with the following:

1 “(I)(aa) The Secretary shall—

2 “(aaa) make a determination of whether
3 treatments provided under waivers under sub-
4 paragraph (A) have been effective forms of
5 maintenance treatment and detoxification treat-
6 ment in clinical settings;

7 “(bbb) make a determination regarding
8 whether such waivers have significantly in-
9 creased (relative to the beginning of such pe-
10 riod) the availability of maintenance treatment
11 and detoxification treatment; and

12 “(ccc) make a determination regarding
13 whether such waivers have adverse con-
14 sequences for the public health.

15 “(bb) In making determinations under this sub-
16 clause, the Secretary—

17 “(aaa) may collect data from the practi-
18 tioners for whom waivers under subparagraph
19 (A) are in effect;

20 “(bbb) shall issue appropriate guidelines or
21 regulations (in accordance with procedures for
22 substantive rules under section 553 of title 5,
23 United States Code) specifying the scope of the
24 data that will be required to be provided under

1 this subclause and the means through which the
2 data will be collected; and

3 “(ccc) shall, with respect to collecting such
4 data, comply with applicable provisions of chap-
5 ter 6 of title 5, United States Code (relating to
6 a regulatory flexibility analysis), and of chapter
7 8 of such title (relating to congressional review
8 of agency rulemaking).

9 “(II) The Attorney General shall—

10 “(aa) make a determination of the extent
11 to which there have been violations of the nu-
12 merical limitations established under subpara-
13 graph (B) for the number of individuals to
14 whom a practitioner may provide treatment;
15 and

16 “(bb) make a determination regarding
17 whether waivers under subparagraph (A) have
18 increased (relative to the beginning of such pe-
19 riod) the extent to which narcotic drugs in
20 schedule III, IV, or V, or combinations of such
21 drugs, are being dispensed or prescribed, or
22 possessed, in violation of this Act.

23 “(iii) If, before the expiration of the period specified
24 in clause (ii), the Secretary or the Attorney General pub-
25 lishes in the Federal Register a decision, made on the

1 basis of determinations under such clause, that this para-
2 graph should not remain in effect, this paragraph ceases
3 to be in effect 60 days after the date on which the decision
4 is so published. The Secretary shall, in making any such
5 decision, consult with the Attorney General, and shall, in
6 publishing the decision in the Federal Register, include
7 any comments received from the Attorney General for in-
8 clusion in the publication. The Attorney General shall, in
9 making any such decision, consult with the Secretary, and
10 shall, in publishing the decision in the Federal Register,
11 include any comments received from the Secretary for in-
12 clusion in the publication.

13 “(I) During the 3-year period beginning on the date
14 of the enactment of the Methamphetamine Anti-Prolifera-
15 tion Act of 1999, a State may not preclude a practitioner
16 from dispensing or prescribing narcotic drugs in schedule
17 III, IV, or V, or combinations of such drugs, to patients
18 for maintenance or detoxification treatment in accordance
19 with this paragraph, or the other amendments made by
20 section 22 of that Act, unless, before the expiration of that
21 3-year period, the State enacts a law prohibiting a practi-
22 tioner from dispensing or prescribing such drugs or com-
23 bination of drugs.”.

24 (b) CONFORMING AMENDMENTS.—Section 304 of the
25 Controlled Substances Act (21 U.S.C. 824) is amended—

1 (1) in subsection (a), in the matter following
2 paragraph (5), by striking “section 303(g)” each
3 place the term appears and inserting “section
4 303(g)(1)”;

5 (2) in subsection (d), by striking “section
6 303(g)” and inserting “section 303(g)(1)”.

7 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
8 hereby authorized to be appropriated for purposes of ac-
9 tivities under section 303(g)(2) of the Controlled Sub-
10 stances Act, as added by subsection (a), amounts as fol-
11 lows:

12 (1) For fiscal year 2000, \$3,000,000.

13 (2) For each fiscal year after fiscal year 2000,
14 such sums as may be necessary for such fiscal year.

15 **TITLE III—MISCELLANEOUS**

16 **SEC. 301. NOTICE; CLARIFICATION.**

17 (a) NOTICE OF ISSUANCE.—Section 3103a of title
18 18, United States Code, is amended by adding at the end
19 the following new sentence: “With respect to any issuance
20 under this section or any other provision of law (including
21 section 3117 and any rule), any notice required, or that
22 may be required, to be given may be delayed pursuant to
23 the standards, terms, and conditions set forth in section
24 2705, unless otherwise expressly provided by statute.”

1 (b) CLARIFICATION.—(1) Section 2(e) of Public Law
2 95–78 (91 Stat. 320) is amended by adding at the end
3 the following:

4 “Subdivision (d) of such rule, as in effect on this date,
5 is amended by inserting ‘tangible’ before ‘property’ each
6 place it occurs.”.

7 (2) The amendment made by paragraph (1) shall
8 take effect on the date of the enactment of this Act.

9 **SEC. 302. ANTIDRUG MESSAGES ON FEDERAL GOVERN-**
10 **MENT INTERNET WEBSITES.**

11 Not later than 90 days after the date of the enact-
12 ment of this Act, the head of each department, agency,
13 and establishment of the Federal Government shall, in
14 consultation with the Director of the Office of National
15 Drug Control Policy, place antidrug messages on appro-
16 priate Internet websites controlled by such department,
17 agency, or establishment which messages shall, where ap-
18 propriate, contain an electronic hyperlink to the Internet
19 website, if any, of the Office.

20 **SEC. 303. SEVERABILITY.**

21 Any provision of this Act held to be invalid or unen-
22 forceable by its terms, or as applied to any person or cir-
23 cumstance, shall be construed as to give the maximum ef-
24 fect permitted by law, unless such provision is held to be
25 utterly invalid or unenforceable, in which event such provi-

1 sion shall be severed from this Act and shall not affect
2 the applicability of the remainder of this Act, or of such
3 provision, to other persons not similarly situated or to
4 other, dissimilar circumstances.

Passed the Senate November 19, 1999.

Attest:

GARY SISCO,
Secretary.