

109TH CONGRESS
1ST SESSION

H. R. 2829

To reauthorize the Office of National Drug Control Policy Act.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2005

Mr. SOUDER (for himself and Mr. TOM DAVIS of Virginia) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committees on the Judiciary, Energy and Commerce, and Select Intelligence (Permanent Select), 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

A BILL

To reauthorize the Office of National Drug Control Policy
Act.

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; REF-**
4 **ERENCES.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Office of National Drug Control Policy Reauthorization
7 Act of 2005”.

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

- Sec. 1. Short title; table of contents; references.
- Sec. 2. Repeal of termination provision.
- Sec. 3. Amendments to definitions.
- Sec. 4. Amendments relating to establishment of Office of National Drug Control Policy and designation of officers.
- Sec. 5. Amendments relating to appointment and duties of Director and Deputy Director.
- Sec. 6. Amendments relating to coordination with other agencies.
- Sec. 7. Development, submission, implementation, and assessment of National Drug Control Strategy.
- Sec. 8. High Intensity Drug Trafficking Areas Program.
- Sec. 9. Funding for certain High Intensity Drug Trafficking Areas.
- Sec. 10. Amendments relating to Counter-Drug Technology Assessment Center.
- Sec. 11. National youth antidrug media campaign.
- Sec. 12. Drug interdiction.
- Sec. 13. Authorization of appropriations.
- Sec. 14. Technical amendments and repeal.

1 (c) AMENDMENT OF OFFICE OF NATIONAL DRUG
 2 CONTROL POLICY REAUTHORIZATION ACT OF 1998.—Ex-
 3 cept as otherwise expressly provided, whenever in this Act
 4 an amendment or repeal is expressed in terms of an
 5 amendment to, or repeal of, a section or other provision,
 6 the reference shall be considered to be made to a section
 7 or other provision of the Office of National Drug Control
 8 Policy Reauthorization Act of 1998 (Public Law 105–277;
 9 21 U.S.C. 1701 et seq.).

10 **SEC. 2. REPEAL OF TERMINATION PROVISION.**

11 Section 715 (21 U.S.C. 1712) is repealed, and the
 12 law shall read as if such section was never in effect.

13 **SEC. 3. AMENDMENTS TO DEFINITIONS.**

14 (a) AMENDMENTS TO DEFINITIONS.—Section 702
 15 (21 U.S.C. 1701) is amended—
 16 (1) in paragraph (1)—

1 (A) by striking “and” at the end of sub-
2 paragraph (F);

3 (B) by striking the period at the end of
4 subparagraph (G) and inserting “, including the
5 testing of employees;”; and

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

7 “(H) interventions for drug abuse and de-
8 pendence; and

9 “(I) international drug control coordina-
10 tion and cooperation with respect to activities
11 described in this paragraph.”;

12 (2) in paragraph (6), by adding before the pe-
13 riod at the end: “, including any activities involving
14 supply reduction, demand reduction, or State and
15 local affairs”;

16 (3) in paragraph (7)—

17 (A) by striking “Agency” and inserting
18 “agency”;

19 (B) by striking “National Foreign Intel-
20 ligence Program,” and inserting “National In-
21 telligence Program,”; and

22 (C) by inserting a comma before “or Tac-
23 tical”;

24 (4) in paragraph (9), by striking “implicates”
25 and inserting “indicates”;

1 (5) in paragraph (10)—

2 (A) by adding “National Drug Control
3 Program agencies and” after “among” in sub-
4 paragraph (B);

5 (B) by striking “and” at the end of sub-
6 paragraph (B);

7 (C) by striking the period at the end of
8 subparagraph (C) and inserting a semicolon;
9 and

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

11 “(D) domestic drug law enforcement, in-
12 cluding law enforcement directed at drug users;
13 and

14 “(E) coordination and enhancement of
15 Federal, State, and local law enforcement initia-
16 tives to gather, analyze, and disseminate infor-
17 mation and intelligence relating to drug control
18 among domestic law enforcement agencies.”;

19 (6) in paragraph (11)—

20 (A) by inserting before the semicolon in
21 subparagraph (A) the following: “, including—

22 “(i) law enforcement outside the
23 United States; and

24 “(ii) source country programs, includ-
25 ing economic development programs pri-

1 marily intended to reduce the production
2 or trafficking of illicit drugs”;

3 (B) by inserting striking subparagraph (B)
4 and inserting the following:

5 “(B) facilitating and enhancing the shar-
6 ing of foreign and domestic information and in-
7 telligence relating to drug production and traf-
8 ficking among National Drug Control Program
9 agencies, and between those agencies and for-
10 eign law enforcement agencies; and”;

11 (C) by striking “; and” at the end of sub-
12 paragraph (C) and inserting a period; and

13 (D) by striking subparagraph (D); and

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

15 “(12) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—Except where otherwise provided, the term
17 ‘appropriate congressional committees’ means the
18 Committee on the Judiciary, the Committee on Ap-
19 propriations, and the Caucus on International Nar-
20 cotics Control of the Senate and the Committee on
21 Government Reform, the Committee on the Judici-
22 ary, and the Committee on Appropriations of the
23 House of Representatives.

24 “(13) LAW ENFORCEMENT.—The term ‘law en-
25 forcement’ or ‘drug law enforcement’ means all ef-

1 forts by a Federal, State, or local government agen-
 2 cy to enforce the drug laws of the United States or
 3 any State, including investigation, arrest, prosecu-
 4 tion, and incarceration or other punishments or pen-
 5 alties.”.

6 (b) CONFORMING AMENDMENTS.—Section 703(b)(3)
 7 (21 U.S.C. 1702(b)(3)) is amended—

8 (1) in subparagraph (A), by striking “(G)” and
 9 inserting “(I)”; and

10 (2) in subparagraph (C)—

11 (A) by striking “(C)” and inserting “(E)”;
 12 (B) by striking “and subparagraph (D) of

13 section 702(11)”; and
 14 (C) by adding at the end the following: “,

15 and sections 707 and 708 of this Act”.

16 **SEC. 4. AMENDMENTS RELATING TO ESTABLISHMENT OF**
 17 **OFFICE OF NATIONAL DRUG CONTROL POL-**
 18 **ICY AND DESIGNATION OF OFFICERS.**

19 (a) RESPONSIBILITIES.—Paragraph (4) of section
 20 703(a) (21 U.S.C. 1702(a)) is amended to read as follows:

21 “(4) evaluate the effectiveness of the national
 22 drug control policy and the National Drug Control
 23 Program agencies’ programs, by developing and ap-
 24 plying specific goals and performance measure-
 25 ments.”.

1 (b) RANK OF DIRECTOR.—Section 703(b) (21 U.S.C.
 2 1702(b)) is amended in paragraph (1) by adding before
 3 the period the following: “, who shall hold the same rank
 4 and status as the head of an executive department listed
 5 in section 101 of title 5, United States Code”.

6 (c) DEPUTY DIRECTORS.—Section 703(b) (21 U.S.C.
 7 1702(b)) is amended in paragraph (3)—

8 (1) by striking “Office—” and inserting “Office
 9 the following additional Deputy Directors—”; and

10 (2) in subparagraph (B), by striking “who
 11 shall” and inserting the following: “who shall have
 12 substantial experience and expertise in drug interdic-
 13 tion operations and other supply reduction activities,
 14 and who shall serve as the United States Interdic-
 15 tion Coordinator and”.

16 **SEC. 5. AMENDMENTS RELATING TO APPOINTMENT AND**
 17 **DUTIES OF DIRECTOR AND DEPUTY DIREC-**
 18 **TOR.**

19 (a) DESIGNATION OF OTHER OFFICERS.—Section
 20 704(a)(3) (21 U.S.C. 1703(a)(3)) is amended—

21 (1) by striking “permanent employee” and in-
 22 serting “officer or employee”; and

23 (2) by striking “serve as the Director” and in-
 24 serting “serve as the acting Director”.

1 (b) RESPONSIBILITIES OF DIRECTOR.—Section
2 704(b) (21 U.S.C. 1703(b)) is amended—

3 (1) in paragraph (4), by striking “Federal de-
4 partments and agencies engaged in drug enforce-
5 ment,” and inserting “National Drug Control Pro-
6 gram agencies,”;

7 (2) in paragraph (7), by inserting after “Presi-
8 dent” the following: “and the appropriate congres-
9 sional committees”;

10 (3) in paragraph (13), by striking “(beginning
11 in 1999)”;

12 (4) in paragraph (14)(A)—

13 (A) by striking “Appropriations” and all
14 that follows through “Senate” and inserting
15 “appropriate congressional committees”; and

16 (B) by striking “and” after the semicolon;

17 (5) in paragraph (15), by striking subpara-
18 graph (C) and inserting the following:

19 “(C) supporting the substance abuse infor-
20 mation clearinghouse administered by the Ad-
21 ministrator of the Substance Abuse and Mental
22 Health Services Administration and established
23 in section 501(d)(16) of the Public Health
24 Service Act by—

1 “(i) encouraging all National Drug
2 Control Program agencies to provide all
3 appropriate and relevant information; and
4 “(ii) supporting the dissemination of
5 information to all interested entities;”; and

6 (6) by inserting at the end the following:

7 “(16) shall coordinate with the private sector to
8 promote private research and development of medi-
9 cations to treat addiction;

10 “(17) shall seek the support and commitment of
11 State and local officials in the formulation and im-
12 plementation of the National Drug Control Strategy;

13 “(18) shall monitor and evaluate the allocation
14 of resources among Federal law enforcement agen-
15 cies in response to significant local and regional
16 drug trafficking and production threats; and

17 “(19) shall submit an annual report to Con-
18 gress detailing how the Office of National Drug
19 Control Policy has consulted with and assisted State
20 and local governments with respect to the formula-
21 tion and implementation of the National Drug Con-
22 trol Strategy and other relevant issues.”.

23 (c) SUBMISSION OF DRUG CONTROL BUDGET RE-
24 QUESTS.—Section 704(c)(1) is amended by adding at the
25 end the following:

1 “(C) CONTENT OF DRUG CONTROL BUDG-
2 ET REQUESTS.—A drug control budget request
3 submitted by a department, agency, or program
4 under this paragraph shall include all requests
5 for funds for any drug control activity under-
6 taken by that department, agency, or program,
7 including demand reduction, supply reduction,
8 and State and local affairs, including any drug
9 law enforcement activities. If an activity has
10 both drug control and nondrug control purposes
11 or applications, the department, agency, or pro-
12 gram shall estimate by a documented calcula-
13 tion the total funds requested for that activity
14 that would be used for drug control, and shall
15 set forth in its request the basis and method for
16 making the estimate.”.

17 (d) NATIONAL DRUG CONTROL BUDGET PRO-
18 POSAL.—Section 704(c)(2) is amended in subparagraph
19 (A) by inserting before the semicolon: “and to inform Con-
20 gress and the public about the total amount proposed to
21 be spent on all supply reduction, demand reduction, State
22 and local affairs, including any drug law enforcement, and
23 other drug control activities by the Federal Government,
24 which shall conform to the content requirements set forth
25 in subparagraph (C) of paragraph (1) of this subsection”.

1 (e) REVIEW AND CERTIFICATION OF NATIONAL
2 DRUG CONTROL PROGRAM BUDGET.—Section 704(c)(3)
3 (21 U.S.C. 1703(c)(3)) is amended—

4 (1) by redesignating subparagraphs (C) and
5 (D) as subparagraphs (D) and (E), respectively;

6 (2) by inserting after subparagraph (B) the fol-
7 lowing new subparagraph:

8 “(C) SPECIFIC REQUESTS.—The Director
9 shall not confirm the adequacy of any budget
10 request that—

11 “(i) requests funding for Federal law
12 enforcement activities that do not ade-
13 quately compensate for transfers of drug
14 enforcement resources and personnel to
15 law enforcement and investigation activi-
16 ties not related to drug enforcement as de-
17 termined by the Director;

18 “(ii) requests funding for law enforce-
19 ment activities on the borders of the
20 United States that do not adequately di-
21 rect resources to drug interdiction and en-
22 forcement as determined by the Director;

23 “(iii) requests funding for drug treat-
24 ment activities that do not provide ade-

1 quate result and accountability measures
2 as determined by the Director;

3 “(iv) requests funding for any activi-
4 ties of the Safe and Drug Free Schools
5 Program that do not include a clear anti-
6 drug message or purpose intended to re-
7 duce drug use;

8 “(v) requests funding to enforce sec-
9 tion 484(r)(1) of the Higher Education
10 Act of 1965 (20 U.S.C. 1091(r)(1)) with
11 respect to convictions for drug-related of-
12 fenses not occurring during a period of en-
13 rollment for which the student was receiv-
14 ing any Federal grant, loan, or work as-
15 sistance;

16 “(vi) requests funding for drug treat-
17 ment activities that do not adequately sup-
18 port and enhance Federal drug treatment
19 programs and capacity, as determined by
20 the Director;

21 “(vii) requests funding for fiscal year
22 2007 for activities of the Department of
23 Education, unless it is accompanied by a
24 report setting forth a plan for providing
25 expedited consideration of student loan ap-

1 plications for all individuals who submitted
2 an application for any Federal grant, loan,
3 or work assistance that was rejected or de-
4 nied pursuant to 484(r)(1) of the Higher
5 Education Act of 1965 (20 U.S.C.
6 1091(r)(1)) by reason of a conviction for a
7 drug-related offense not occurring during a
8 period of enrollment for which the indi-
9 vidual was receiving any Federal grant,
10 loan, or work assistance;

11 “(viii) requests funding for the oper-
12 ations and management of the Department
13 of Homeland Security that does not in-
14 clude a specific request for funds for the
15 Office of Counternarcotics Enforcement to
16 carry out its responsibilities under section
17 878 of the Homeland Security Act of 2002
18 (6 U.S.C. 458).”;

19 (3) in subparagraph (D)(iii), as so redesign-
20 ated, by inserting “and the appropriate congres-
21 sional committees” after “House of Representa-
22 tives”; and

23 (4) in subparagraph (E)(ii)(bb), as so redesign-
24 ated, by inserting “and the appropriate congres-

1 sional committees” after “House of Representa-
2 tives”.

3 (f) REPROGRAMMING AND TRANSFER REQUESTS.—
4 Section 704(c)(4)(A) (21 U.S.C. 1703(c)(4)(A)) is amend-
5 ed by striking “\$5,000,000” and inserting “\$1,000,000”.

6 (g) POWERS OF DIRECTOR.—Section 704(d) (21
7 U.S.C. 1703(d)) is amended—

8 (1) in paragraph (8)(D), by striking “have been
9 authorized by Congress;” and inserting “authorized
10 by law;”;

11 (2) in paragraph (9)—

12 (A) by inserting “notwithstanding any
13 other provision of law,” after “(9)”; and

14 (B) by striking “Strategy; and” and insert-
15 ing “Strategy and notify the appropriate con-
16 gressional committees of any fund control no-
17 tice issued;”;

18 (3) in paragraph (10), by striking “(22 U.S.C.
19 2291j).” and inserting “(22 U.S.C. 2291j) and sec-
20 tion 706 of the Foreign Relations Authorization Act,
21 Fiscal Year 2003 (22 U.S.C. 2291j–1); and”; and

22 (4) by adding at the end the following new
23 paragraph:

24 “(11) not later than August 1 of each year,
25 submit to the President a report, and transmit cop-

1 ies of the report to the Secretary of State and the
2 appropriate congressional committees, that—

3 “(A) provides the Director’s assessment of
4 which countries are major drug transit coun-
5 tries or major illicit drug producing countries as
6 defined in section 481(e) of the Foreign Assist-
7 ance Act of 1961 (22 U.S.C. 2291(e));

8 “(B) provides the Director’s assessment of
9 whether each country identified under subpara-
10 graph (A) has cooperated fully with the United
11 States or has taken adequate steps on its own
12 to achieve full compliance with the goals and
13 objectives established by the United Nations
14 Convention Against Illicit Traffic in Narcotic
15 Drugs and Psychotropic Substances and other-
16 wise has assisted in reducing the supply of il-
17 licit drugs to the United States; and

18 “(C) provides the Director’s assessment of
19 whether application of procedures set forth in
20 section 490 of the Foreign Assistance Act of
21 1961 (22 U.S.C. 2291j), as provided in section
22 706 of the Foreign Relations Authorization Act,
23 Fiscal Year 2003 (22 U.S.C. 2291j–1), is war-
24 ranted with respect to countries the Director
25 assesses have not cooperated fully.”.

1 (g) FUND CONTROL NOTICES.—Section 704(f) (21
2 U.S.C. 1703(f)) is amended by adding at the end the fol-
3 lowing:

4 “(4) CONGRESSIONAL NOTICE.—A copy of each
5 fund control notice shall be transmitted to the ap-
6 propriate congressional committees.

7 “(5) RESTRICTIONS.—The Director shall not
8 issue a fund control notice to direct that all or part
9 of an amount appropriated to the National Drug
10 Control Program agency account be obligated, modi-
11 fied, or altered in any manner contrary, in whole or
12 in part, to a specific appropriation or statute.”.

13 (h) TECHNICAL AMENDMENTS.—Section 704 (21
14 U.S.C. 1703) is amended—

15 (1) in subsection (g)—

16 (A) by striking “National Foreign Intel-
17 ligence Program” and inserting “National Intel-
18 ligence Program”; and

19 (B) by inserting a comma before “and
20 Tactical”; and

21 (2) in subsection (h), by striking “Director of
22 Central Intelligence” and inserting “Director of Na-
23 tional Intelligence or the Director of the Central In-
24 telligence Agency”.

1 (i) REQUIREMENT FOR SOUTH AMERICAN HEROIN
2 STRATEGY.—

3 (1) IN GENERAL.—Not later than 90 days after
4 the date of the enactment of this Act, the Director
5 of National Drug Control Policy shall submit to the
6 Congress a comprehensive strategy that addresses
7 the increased threat from South American heroin,
8 and in particular Colombian heroin and the emerg-
9 ing threat from opium poppy grown in Peru.

10 (2) CONTENTS.—The strategy shall include—

11 (A) opium eradication efforts to eliminate
12 the problem at the source to prevent heroin
13 from entering the stream of commerce;

14 (B) interdiction and precursor chemical
15 controls;

16 (C) demand reduction and treatment;

17 (D) alternative development programs, in-
18 cluding direct assistance to regional govern-
19 ments to demobilize and provide alternative
20 livelihoods to former members of insurgent or
21 other groups engaged in heroin, coca, or other
22 illicit drug production or trafficking;

23 (E) provisions that ensure the maintenance
24 at current levels of efforts to eradicate coca in
25 Colombia; and

1 (F) assessment of the level of additional
2 funding and resources necessary to simulta-
3 neously address the threat from South Amer-
4 ican heroin and the threat from Colombian and
5 Peruvian coca.

6 (3) TREATMENT OF CLASSIFIED OR LAW EN-
7 FORCEMENT SENSITIVE INFORMATION.—Any con-
8 tent of the strategy that involves information classi-
9 fied under criteria established by an Executive order,
10 or whose public disclosure, as determined by the Di-
11 rector or the head of any relevant Federal agency,
12 would be detrimental to the law enforcement or na-
13 tional security activities of any Federal, foreign, or
14 international agency, shall be presented to Congress
15 separately from the rest of the strategy.

16 (j) REQUIREMENT FOR AFGHAN HEROIN STRAT-
17 EGY.—

18 (1) IN GENERAL.—Not later than 90 days after
19 the date of the enactment of this Act, the Director
20 of the Office of National Drug Control Policy shall
21 submit to the Congress a comprehensive strategy
22 that addresses the increased threat from Afghan
23 heroin.

24 (2) CONTENTS.—The strategy shall include—

1 (A) opium crop eradication efforts to elimi-
2 nate the problem at the source to prevent her-
3 oin from entering the stream of commerce;

4 (B) destruction or other direct elimination
5 of stockpiles of heroin and raw opium, and her-
6 oin production and storage facilities;

7 (C) interdiction and precursor chemical
8 controls;

9 (D) demand reduction and treatment;

10 (E) alternative development programs;

11 (F) measures to improve cooperation and
12 coordination between Federal Government
13 agencies, and between such agencies, agencies
14 of foreign governments, and international orga-
15 nizations with responsibility for the prevention
16 of heroin production in, or trafficking out of,
17 Afghanistan; and

18 (G) an assessment of the level of additional
19 funding and resources necessary significantly to
20 reduce the production and trafficking of heroin.

21 (3) TREATMENT OF CLASSIFIED OR LAW EN-
22 FORCEMENT SENSITIVE INFORMATION.—Any con-
23 tent of the strategy that involves information classi-
24 fied under criteria established by an Executive order,
25 or whose public disclosure, as determined by the Di-

1 rector or the head of any relevant Federal agency,
2 would be detrimental to the law enforcement or na-
3 tional security activities of any Federal, foreign, or
4 international agency, shall be presented to Congress
5 separately from the rest of the strategy.

6 (k) REQUIREMENT FOR GENERAL COUNTERDRUG
7 INTELLIGENCE PLAN.—

8 (1) IN GENERAL.—Not later than 120 days
9 after the date of enactment of this Act, and not
10 later than every two years thereafter, the Director of
11 the Office of National Drug Control Policy, in con-
12 sultation with the Director of National Intelligence
13 and the members of the Counterdrug Intelligence
14 Coordinating Group, shall submit to the appropriate
15 congressional committees, a general counterdrug in-
16 telligence plan to improve coordination, and elimi-
17 nate unnecessary duplication, among the
18 counterdrug intelligence centers and information
19 sharing systems, and counterdrug activities of the
20 Federal Government, including the centers, systems,
21 and activities of the following departments and agen-
22 cies:

23 (A) The Department of Defense, including
24 the Defense Intelligence Agency, and the joint
25 interagency task forces.

1 (B) The Department of the Treasury, in-
2 cluding the Financial Crimes Enforcement Net-
3 work (FinCEN).

4 (C) The Central Intelligence Agency.

5 (D) The National Security Agency.

6 (E) The Department of Homeland Secu-
7 rity, including the United States Coast Guard,
8 the bureau of Customs and Border Protection,
9 and the bureau of Immigration and Customs
10 Enforcement.

11 (F) The Department of Justice, including
12 the National Drug Intelligence Center (NDIC);
13 the Drug Enforcement Administration, includ-
14 ing the El Paso Intelligence Center (EPIC) and
15 the Special Operations Division; the Federal
16 Bureau of Investigation; the Organized Crime
17 Drug Enforcement Task Force; and the Re-
18 gional Information Sharing System.

19 (G) The Office of National Drug Control
20 Policy, including the High Intensity Drug Traf-
21 ficking Areas Program, and the Counterdrug
22 Intelligence Executive Secretariat.

23 (2) PURPOSE.—The purpose of the plan under
24 paragraph (1) is to maximize the effectiveness of the
25 centers and activities referred to in that paragraph

1 in achieving the objectives of the National Drug
2 Control Strategy promulgated under 21 U.S.C.
3 1705. In order to maximize such effectiveness, the
4 plan shall—

5 (A) articulate clear and specific mission
6 statements (including purpose and scope of ac-
7 tivity) for each counterdrug intelligence center,
8 system, and activity, including the manner in
9 which responsibility for counterdrug intelligence
10 activities will be allocated among the
11 counterdrug intelligence centers and systems;

12 (B) specify each government agency
13 (whether Federal, State, or local) that partici-
14 pates in each such center, system, and activity,
15 including a description of the extent and nature
16 of that participation;

17 (C) specify the relationship between such
18 centers, systems, and activities;

19 (D) specify the means by which proper
20 oversight of such centers, systems, and activi-
21 ties will be assured;

22 (E) specify the means by which
23 counterdrug intelligence and information will be
24 forwarded effectively to all levels of officials re-

1 sponsible for United States counterdrug policy;
2 and

3 (F) specify mechanisms to ensure that
4 State and local law enforcement agencies are
5 apprised of counterdrug intelligence and infor-
6 mation acquired by Federal law enforcement
7 agencies in a manner which—

8 (i) facilitates effective counterdrug ac-
9 tivities by State and local law enforcement
10 agencies; and

11 (ii) provides such State and local law
12 enforcement agencies with the information
13 relating to the safety of officials involved
14 in their counterdrug activities.

15 (3) DEFINITIONS.—As used in this sub-
16 section—

17 (A) the term “center” refers to any center,
18 office, task force, or other coordinating organi-
19 zation engaged in counterdrug intelligence or
20 information analyzing or sharing activities;

21 (B) the term “system” refers to any data-
22 base or other electronic system used for
23 counterdrug intelligence or information ana-
24 lyzing or sharing activities; and

1 (C) the term “appropriate congressional
2 committees” means the following:

3 (i) The Committee on Appropriations,
4 the Committee on Foreign Relations, the
5 Committee on the Judiciary, the Com-
6 mittee on Homeland Security and Govern-
7 mental Affairs, the Caucus on Inter-
8 national Narcotics Control, and the Select
9 Committee on Intelligence of the Senate.

10 (ii) The Committee on Appropriations,
11 the Committee on International Relations,
12 the Committee on the Judiciary, the Com-
13 mittee on Government Reform, the Com-
14 mittee on Homeland Security, and the Per-
15 manent Select Committee on Intelligence
16 of the House of Representatives.

17 (4) LIMITATION.—The general counterdrug in-
18 telligence plan shall not—

19 (A) change existing agency authorities or
20 the laws governing interagency relationships,
21 but may include recommendations about
22 changes to such authorities or laws; or

23 (B) include any information about specific
24 methods of obtaining, or sources of, intelligence
25 or information, or any information about spe-

1 cific individuals, cases, investigations, or oper-
2 ations.

3 (5) CLASSIFIED OR LAW ENFORCEMENT SEN-
4 SITIVE INFORMATION.—Any content of the general
5 counterdrug intelligence plan that involves informa-
6 tion classified under criteria established by an Exec-
7 utive order, or whose public disclosure, as deter-
8 mined by the Director of the Office of National
9 Drug Control Policy, the Director of National Intel-
10 ligence, or the head of any Federal Government
11 agency whose activities are described in the plan,
12 would be detrimental to the law enforcement or na-
13 tional security activities of any Federal, State, or
14 local agency, shall be presented to Congress sepa-
15 rately from the rest of the report.

16 (1) REQUIREMENT FOR SOUTHWEST BORDER COUN-
17 TERNARCOTICS STRATEGY.—

18 (1) IN GENERAL.—Not later than 120 days
19 after the date of enactment of this Act, and every
20 two years thereafter, the Director of National Drug
21 Control Policy shall submit to the Congress a South-
22 west Border Counternarcotics Strategy.

23 (2) PURPOSES.—The Southwest Border Coun-
24 ternarcotics Strategy shall—

1 (A) set forth the Government's strategy for
2 preventing the illegal trafficking of drugs across
3 the international border between the United
4 States and Mexico, including through ports of
5 entry and between ports of entry on that bor-
6 der;

7 (B) state the specific roles and responsibil-
8 ities of the relevant National Drug Control Pro-
9 gram agencies (as defined in section 702 of the
10 Office of National Drug Control Policy Reau-
11 thorization Act of 1998 (21 U.S.C. 1701)) for
12 implementing that strategy; and

13 (C) identify the specific resources required
14 to enable the relevant National Drug Control
15 Program agencies to implement that strategy.

16 (3) CONSULTATION WITH OTHER AGENCIES.—

17 The Director shall issue the Southwest Border
18 Counternarcotics Strategy in consultation with the
19 heads of the relevant National Drug Control Pro-
20 gram agencies.

21 (4) LIMITATION.—The Southwest Border Coun-
22 ternarcotics Strategy shall not change existing agen-
23 cy authorities or the laws governing interagency re-
24 lationships, but may include recommendations about
25 changes to such authorities or laws.

1 (5) REPORT TO CONGRESS.—The Director shall
2 provide a copy of the Southwest Border Counter-
3 narcotics Strategy to the appropriate congressional
4 committees (as defined in section 702 of the Office
5 of National Drug Control Policy Reauthorization Act
6 of 1998 (21 U.S.C. 1701)), and to the Committee
7 on Armed Services and the Committee on Homeland
8 Security of the House of Representatives, and the
9 Committee on Homeland Security and Governmental
10 Affairs and the Committee on Armed Services of the
11 Senate.

12 (6) TREATMENT OF CLASSIFIED OR LAW EN-
13 FORCEMENT SENSITIVE INFORMATION.—Any con-
14 tent of the Southwest Border Counternarcotics
15 Strategy that involves information classified under
16 criteria established by an Executive order, or whose
17 public disclosure, as determined by the Director or
18 the head of any relevant National Drug Control Pro-
19 gram agency, would be detrimental to the law en-
20 forcement or national security activities of any Fed-
21 eral, State, or local agency, shall be presented to
22 Congress separately from the rest of the strategy.

23 **SEC. 6. AMENDMENTS RELATING TO COORDINATION WITH**
24 **OTHER AGENCIES.**

25 Section 705 (21 U.S.C. 1704) is amended—

1 (1) in subsection (a)(1)(A), by striking
2 “abuse”;

3 (2) in subsection (a)(2), by striking “Director
4 of Central Intelligence” each time it appears and in-
5 serting “Director of National Intelligence and the
6 Director of the Central Intelligence Agency”;

7 (3) by amending paragraph (3) of subsection
8 (a) to read as follows:

9 “(3) REQUIRED REPORTS.—

10 “(A) SECRETARIES OF THE INTERIOR AND
11 AGRICULTURE.—The Secretaries of Agriculture
12 and Interior shall, by July 1 of each year, joint-
13 ly submit to the Director, the appropriate con-
14 gressional committees, the Committee on Agri-
15 culture and the Committee on Resources of the
16 House of Representatives, and the Committee
17 on Agriculture and the Committee on Energy
18 and Natural Resources of the Senate, an as-
19 sessment of the quantity of illegal drug cultiva-
20 tion and manufacturing in the United States on
21 lands owned or under the jurisdiction of the
22 Federal Government for the preceding year.

23 “(B) ATTORNEY GENERAL.—The Attorney
24 General shall, by July 1 of each year, submit to
25 the Director and the appropriate congressional

1 committees information for the preceding year
2 regarding the number and type of—

3 “(i) arrests for drug violations;

4 “(ii) prosecutions for drug violations
5 by United States Attorneys; and

6 “(iii) seizures of drugs by each com-
7 ponent of the Department of Justice seiz-
8 ing drugs, as well as statistical information
9 on the geographic areas of such seizures.

10 “(C) SECRETARY OF HOMELAND SECU-
11 RITY.—The Secretary of Homeland Security
12 shall, by July 1 of each year, submit to the Di-
13 rector, the appropriate congressional commit-
14 tees, and the Committee on Homeland Security
15 of the House of Representatives, and the Com-
16 mittee on Homeland Security and Govern-
17 mental Affairs of the Senate, information for
18 the preceding year regarding—

19 “(i) the number and type of seizures
20 of drugs by each component of the Depart-
21 ment of Homeland Security seizing drugs,
22 as well as statistical information on the ge-
23 ographic areas of such seizures; and

24 “(ii) the number of air and maritime
25 patrol hours undertaken by each compo-

1 nent of that Department primarily dedi-
2 cated to drug supply reduction missions.

3 “(D) SECRETARY OF DEFENSE.—The Sec-
4 retary of Defense shall, by July 1 of each year,
5 submit to the Director, the appropriate congres-
6 sional committees, the Committee on Armed
7 Services of the House of Representatives, and
8 the Committee on Armed Services of the Sen-
9 ate, information for the preceding year regard-
10 ing the number of air and maritime patrol
11 hours primarily dedicated to drug supply reduc-
12 tion missions undertaken by each component of
13 the Department of Defense.”;

14 (4) in subsection (b)(2)(B), by striking “Pro-
15 gram.” and inserting “Strategy.”; and

16 (5) in subsection (c), by striking “in” and in-
17 serting “on”.

18 **SEC. 7. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**
19 **AND ASSESSMENT OF NATIONAL DRUG CON-**
20 **TROL STRATEGY.**

21 Section 706 (21 U.S.C. 1705) is amended to read as
22 follows:

1 **“SEC. 706. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**
2 **AND ASSESSMENT OF NATIONAL DRUG CON-**
3 **TROL STRATEGY.**

4 “(a) TIMING, CONTENTS, AND PROCESS FOR DEVEL-
5 OPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL
6 STRATEGY.—

7 “(1) IN GENERAL.—Not later than February 1
8 of each year, the President shall submit to Congress
9 a National Drug Control Strategy, which shall set
10 forth a comprehensive plan for reducing illicit drug
11 use and the consequences of illicit drug use in the
12 United States by reducing the demand for illegal
13 drugs, limiting the availability of illegal drugs, and
14 conducting law enforcement activities with respect to
15 illegal drugs.

16 “(2) CONTENTS.—

17 “(A) IN GENERAL.—The National Drug
18 Control Strategy submitted under paragraph
19 (1) shall include the following:

20 “(i) Comprehensive, research-based,
21 long-range, and quantifiable goals for re-
22 ducing illicit drug use and the con-
23 sequences of illicit drug use in the United
24 States.

25 “(ii) Annual quantifiable objectives for
26 demand reduction, supply reduction, and

1 law enforcement activities, specific targets
2 to accomplish long-range quantifiable re-
3 duction in illicit drug use as determined by
4 the Director, and specific measurements to
5 evaluate progress toward the targets and
6 strategic goals.

7 “(iii) A strategy to reduce the avail-
8 ability and purity of illegal drugs and the
9 level of drug-related crime in the United
10 States.

11 “(iv) An assessment of Federal effec-
12 tiveness in achieving the National Drug
13 Control Strategy for the previous year, in-
14 cluding a specific evaluation of whether the
15 objectives and targets for reducing illicit
16 drug use for the previous year were met
17 and reasons for the success or failure of
18 the previous year’s Strategy.

19 “(v) Notification of any program or
20 budget priorities that the Director expects
21 to significantly change from the current
22 Strategy over the next five years.

23 “(vi) A review of international, State,
24 and local drug control activities to ensure
25 that the United States pursues well-coordi-

1 nated and effective drug control at all lev-
2 els of government.

3 “(vii) A review of demand reduction
4 activities by private sector entities and
5 community-based organizations, including
6 faith-based organizations, to determine
7 their effectiveness and the extent of co-
8 operation, coordination, and mutual sup-
9 port between such entities and organiza-
10 tions and Federal, State, and local govern-
11 ment agencies.

12 “(viii) An assessment of current illicit
13 drug use (including inhalants and steroids)
14 and availability, impact of illicit drug use,
15 and treatment availability, which assess-
16 ment shall include—

17 “(I) estimates of drug prevalence
18 and frequency of use as measured by
19 national, State, and local surveys of il-
20 licit drug use and by other special
21 studies of nondependent and depend-
22 ent illicit drug use;

23 “(II) illicit drug use in the work-
24 place and the productivity lost by such
25 use; and

1 “(III) illicit drug use by
2 arrestees, probationers, and parolees.

3 “(ix) An assessment of the reduction
4 of illicit drug availability, as measured
5 by—

6 “(I) the quantities of cocaine,
7 heroin, marijuana, methamphetamine,
8 ecstasy, and other drugs available for
9 consumption in the United States;

10 “(II) the amount of marijuana,
11 cocaine, heroin, methamphetamine, ec-
12 stasy, and precursor chemicals and
13 other drugs entering the United
14 States;

15 “(III) the number of illicit drug
16 manufacturing laboratories seized and
17 destroyed and the number of hectares
18 of marijuana, poppy, and coca cul-
19 tivated and destroyed domestically
20 and in other countries;

21 “(IV) the number of metric tons
22 of marijuana, heroin, cocaine, and
23 methamphetamine seized and other
24 drugs; and

1 “(V) changes in the price and
2 purity of heroin, methamphetamine,
3 and cocaine, changes in the price of
4 ecstasy, and changes in
5 tetrahydrocannabinol level of mari-
6 juana and other drugs.

7 “(x) An assessment of the reduction
8 of the consequences of illicit drug use and
9 availability, which shall include—

10 “(I) the burden illicit drug users
11 place on hospital emergency depart-
12 ments in the United States, such as
13 the quantity of illicit drug-related
14 services provided;

15 “(II) the annual national health
16 care cost of illicit drug use; and

17 “(III) the extent of illicit drug-
18 related crime and criminal activity.

19 “(xi) A determination of the status of
20 drug treatment in the United States, by
21 assessing—

22 “(I) public and private treatment
23 utilization; and

1 “(II) the number of illicit drug
2 users the Director estimates meet di-
3 agnostic criteria for treatment.

4 “(xii) A review of the research agenda
5 of the Counterdrug Technology Assessment
6 Center to reduce the availability and abuse
7 of drugs.

8 “(xiii) A summary of the efforts made
9 to coordinate with private sector entities to
10 conduct private research and development
11 of medications to treat addiction by—

12 “(I) screening chemicals for po-
13 tential therapeutic value;

14 “(II) developing promising com-
15 pounds;

16 “(III) conducting clinical trials;

17 “(IV) seeking Food and Drug
18 Administration approval for drugs to
19 treat addiction;

20 “(V) marketing the drug for the
21 treatment of addiction;

22 “(VI) urging physicians to use
23 the drug in the treatment of addic-
24 tion; and

1 “(VII) encouraging insurance
2 companies to reimburse the cost of
3 the drug for the treatment of addic-
4 tion.

5 “(xiv) Such additional statistical data
6 and information as the Director considers
7 appropriate to demonstrate and assess
8 trends relating to illicit drug use, the ef-
9 fects and consequences of illicit drug use,
10 supply reduction, demand reduction, drug-
11 related law enforcement, and the imple-
12 mentation of the National Drug Control
13 Strategy.

14 “(xv) A supplement reviewing the ac-
15 tivities of each individual National Drug
16 Control Program agency during the pre-
17 vious year with respect to the National
18 Drug Control Strategy and the Director’s
19 assessment of the progress of each Na-
20 tional Drug Control Program agency in
21 meeting its responsibilities under the Na-
22 tional Drug Control Strategy.

23 “(B) CLASSIFIED INFORMATION.—Any
24 contents of the National Drug Control Strategy
25 that involve information properly classified

1 under criteria established by an Executive order
2 shall be presented to Congress separately from
3 the rest of the National Drug Control Strategy.

4 “(C) SELECTION OF DATA AND INFORMA-
5 TION.—In selecting data and information for
6 inclusion under subparagraph (A), the Director
7 shall ensure—

8 “(i) the inclusion of data and informa-
9 tion that will permit analysis of current
10 trends against previously compiled data
11 and information where the Director be-
12 lieves such analysis enhances long-term as-
13 sessment of the National Drug Control
14 Strategy; and

15 “(ii) the inclusion of data and infor-
16 mation to permit a standardized and uni-
17 form assessment of the effectiveness of
18 drug treatment programs in the United
19 States.

20 “(3) PROCESS FOR DEVELOPMENT AND SUB-
21 MISSION.—

22 “(A) CONSULTATION.—In developing and
23 effectively implementing the National Drug
24 Control Strategy, the Director—

25 “(i) shall consult with—

1 “(I) the heads of the National
2 Drug Control Program agencies;

3 “(II) Congress;

4 “(III) State and local officials;

5 “(IV) private citizens and organi-
6 zations, including community- and
7 faith-based organizations, with experi-
8 ence and expertise in demand reduc-
9 tion;

10 “(V) private citizens and organi-
11 zations with experience and expertise
12 in supply reduction;

13 “(VI) private citizens and organi-
14 zations with experience and expertise
15 in law enforcement; and

16 “(VII) appropriate representa-
17 tives of foreign governments;

18 “(ii) with the concurrence of the At-
19 torney General, may require the El Paso
20 Intelligence Center to undertake specific
21 tasks or projects to implement the Na-
22 tional Drug Control Strategy;

23 “(iii) with the concurrence of the Di-
24 rector of National Intelligence and the At-
25 torney General, may request that the Na-

1 tional Drug Intelligence Center undertake
2 specific tasks or projects to implement the
3 National Drug Control Strategy; and

4 “(iv) may make recommendations to
5 the Secretary of Health and Human Serv-
6 ices on research that supports or advances
7 the National Drug Control Strategy.

8 “(B) COMMITMENT TO SUPPORT STRAT-
9 EGY.—In satisfying the requirements of sub-
10 paragraph (A)(i), the Director shall ensure, to
11 the maximum extent possible, that State and
12 local officials and relevant private organizations
13 commit to support and take steps to achieve the
14 goals and objectives of the National Drug Con-
15 trol Strategy.

16 “(C) RECOMMENDATIONS.—Recommendations
17 under subparagraph (A)(iv) may include
18 recommendations of research to be performed
19 at the National Institutes of Health, including
20 the National Institute on Drug Abuse, or any
21 other appropriate agency within the Depart-
22 ment of Health and Human Services.

23 “(D) INCLUSION IN STRATEGY.—The Na-
24 tional Drug Control Strategy under this sub-

1 section shall include a list of each entity con-
2 sulted under subparagraph (A)(i).

3 “(4) SUBMISSION OF REVISED STRATEGY.—The
4 President may submit to Congress a revised Na-
5 tional Drug Control Strategy that meets the require-
6 ments of this section—

7 “(A) at any time, upon a determination by
8 the President, in consultation with the Director,
9 that the National Drug Control Strategy in ef-
10 fect is not sufficiently effective; or

11 “(B) if a new President or Director takes
12 office.

13 “(b) PERFORMANCE MEASUREMENT SYSTEM.—Not
14 later than February 1 of each year, the Director shall sub-
15 mit to Congress, as part of the National Drug Control
16 Strategy, a description of a national drug control perform-
17 ance measurement system that—

18 “(1) develops 2-year and 5-year performance
19 measures and targets for each National Drug Con-
20 trol Strategy goal and objective established for re-
21 ducing drug use, drug availability, and the con-
22 sequences of drug use;

23 “(2) describes the sources of information and
24 data that will be used for each performance measure

1 incorporated into the performance measurement sys-
2 tem;

3 “(3) identifies major programs and activities of
4 the National Drug Control Program agencies that
5 support the goals and annual objectives of the Na-
6 tional Drug Control Strategy;

7 “(4) evaluates the contribution of demand re-
8 duction and supply reduction activities implemented
9 by each National Drug Control Program agency in
10 support of the National Drug Control Strategy;

11 “(5) monitors consistency of drug-related goals
12 and objectives among the National Drug Control
13 Program agencies and ensures that each agency’s
14 goals, objectives, and budgets support and are fully
15 consistent with the National Drug Control Strategy;
16 and

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 an assess-
21 ment of—

22 “(A) the quality of current drug use meas-
23 urement instruments and techniques to measure
24 supply reduction and demand reduction activi-
25 ties;

1 “(B) the adequacy of the coverage of exist-
2 ing national drug use measurement instruments
3 and techniques to measure the illicit drug user
4 population, and groups that are at risk for il-
5 licit drug use; and

6 “(C) the adequacy of the coverage of exist-
7 ing national treatment outcome monitoring sys-
8 tems to measure the effectiveness of drug abuse
9 treatment in reducing illicit drug use and crimi-
10 nal behavior during and after the completion of
11 substance abuse treatment; and

12 “(7) identifies the actions the Director shall
13 take to correct any inadequacies, deficiencies, or lim-
14 itations identified in the assessment described in
15 paragraph (6).

16 “(c) MODIFICATIONS.—A description of any modi-
17 fications made during the preceding year to the national
18 drug performance measurement system described in sub-
19 section (b) shall be included in each report submitted
20 under subsection (a).”.

21 **SEC. 8. HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-**
22 **GRAM.**

23 Section 707 (21 U.S.C. 1706) is amended to read as
24 follows:

1 **“SEC. 707. HIGH INTENSITY DRUG TRAFFICKING AREAS**
2 **PROGRAM.**

3 “(a) ESTABLISHMENT.—

4 “(1) IN GENERAL.—There is established in the
5 Office a program to be known as the High Intensity
6 Drug Trafficking Areas Program (in this section re-
7 ferred to as the ‘Program’).

8 “(2) PURPOSE.—The purpose of the Program
9 is to reduce drug trafficking and drug production in
10 the United States by—

11 “(A) facilitating cooperation among Fed-
12 eral, State, and local law enforcement agencies
13 to share information and implement coordinated
14 enforcement activities;

15 “(B) enhancing intelligence sharing among
16 Federal, State, and local law enforcement agen-
17 cies;

18 “(C) providing reliable intelligence to law
19 enforcement agencies needed to design effective
20 enforcement strategies and operations; and

21 “(D) supporting coordinated law enforce-
22 ment strategies which maximize use of available
23 resources to reduce the supply of illegal drugs
24 in designated areas and in the United States as
25 a whole.

1 “(b) DESIGNATION.—The Director, upon consulta-
2 tion with the Attorney General, the Secretary of the
3 Treasury, the Secretary of Homeland Security, heads of
4 the National Drug Control Program agencies, and the
5 Governor of each applicable State, may designate any
6 specified area of the United States as a high intensity
7 drug trafficking area. After making such a designation
8 and in order to provide Federal assistance to the area so
9 designated, the Director may—

10 “(1) obligate such sums as are appropriated for
11 the Program;

12 “(2) direct the temporary reassignment of Fed-
13 eral personnel to such area, subject to the approval
14 of the head of the department or agency that em-
15 ploys such personnel;

16 “(3) take any other action authorized under
17 section 704 to provide increased Federal assistance
18 to those areas; and

19 “(4) coordinate activities under this section
20 (specifically administrative, recordkeeping, and funds
21 management activities) with State and local officials.

22 “(c) PETITIONS FOR DESIGNATION.—The Director
23 shall establish regulations under which a coalition of inter-
24 ested law enforcement agencies from an area may petition
25 for designation as a high intensity drug trafficking area.

1 Such regulations shall provide for a regular review by the
2 Director of the petition, including a recommendation re-
3 garding the merit of the petition to the Director by a panel
4 of qualified, independent experts.

5 “(d) FACTORS FOR CONSIDERATION.—In considering
6 whether to designate an area under this section as a high
7 intensity drug trafficking area, the Director shall consider,
8 in addition to such other criteria as the Director considers
9 to be appropriate, the extent to which—

10 “(1) the area is a significant center of illegal
11 drug production, manufacturing, importation, or dis-
12 tribution;

13 “(2) State and local law enforcement agencies
14 have committed resources to respond to the drug
15 trafficking problem in the area, thereby indicating a
16 determination to respond aggressively to the prob-
17 lem;

18 “(3) drug-related activities in the area are hav-
19 ing a significant harmful impact in the area, and in
20 other areas of the country; and

21 “(4) a significant increase in allocation of Fed-
22 eral resources is necessary to respond adequately to
23 drug-related activities in the area.

24 “(e) ORGANIZATION OF HIGH INTENSITY DRUG
25 TRAFFICKING AREAS.—

1 “(1) EXECUTIVE BOARD AND OFFICERS.—To
2 be eligible for funds appropriated under this section,
3 each high intensity drug trafficking area shall be
4 governed by an Executive Board. The Executive
5 Board shall designate a president, vice president,
6 and any other officers to the Executive Board that
7 it determines are necessary.

8 “(2) RESPONSIBILITIES.—The Executive Board
9 of a high intensity drug trafficking area shall be re-
10 sponsible for—

11 “(A) providing direction and oversight in
12 establishing and achieving the goals of the high
13 intensity drug trafficking area;

14 “(B) managing the funds of the high in-
15 tensity drug trafficking area;

16 “(C) reviewing and approving all funding
17 proposals consistent with the overall objective of
18 the high intensity drug trafficking area; and

19 “(D) reviewing and approving all reports
20 to the Director on the activities of the high in-
21 tensity drug trafficking area.

22 “(3) BOARD REPRESENTATION.—None of the
23 funds appropriated under this section may be ex-
24 pended for any high intensity drug trafficking area,
25 or for a partnership or region of a high intensity

1 drug trafficking area, if that area's, region's or part-
2 nership's Executive Board is not comprised of equal
3 voting representation between representatives of par-
4 ticipating Federal law enforcement or prosecution
5 agencies and representatives of participating State
6 and local law enforcement or prosecution agencies.
7 Nothing in this paragraph precludes an Executive
8 Board from including additional, nonvoting members
9 representing Federal, State, or local agencies.

10 “(4) NO AGENCY RELATIONSHIP.—The eligi-
11 bility requirements of this section are intended to
12 ensure the responsible use of Federal funds. Nothing
13 in this section is intended to create an agency rela-
14 tionship between individual high intensity drug traf-
15 ficking areas and the Federal Government.

16 “(f) USE OF FUNDS.—The Director shall ensure that
17 no Federal funds appropriated for the Program are ex-
18 pended for the establishment or expansion of drug treat-
19 ment or drug use prevention programs.

20 “(g) COUNTERTERRORISM ACTIVITIES.—

21 “(1) ASSISTANCE AUTHORIZED.—The Director
22 may authorize use of resources available for the Pro-
23 gram to assist Federal, State, and local law enforce-
24 ment agencies in investigations and activities related
25 to terrorism and prevention of terrorism, especially

1 but not exclusively with respect to such investiga-
2 tions and activities that are also related to drug
3 trafficking.

4 “(2) LIMITATION.—The Director shall ensure—

5 “(A) that assistance provided under para-
6 graph (1) remains incidental to the purpose of
7 the Program to reduce drug availability and
8 carry out drug-related law enforcement activi-
9 ties; and

10 “(B) that significant resources of the Pro-
11 gram are not redirected to activities exclusively
12 related to terrorism, except on a temporary
13 basis under extraordinary circumstances, as de-
14 termined by the Director.

15 “(h) ROLE OF DRUG ENFORCEMENT ADMINISTRA-
16 TION.—The Director, in consultation with the Attorney
17 General, shall ensure that a representative of the Drug
18 Enforcement Administration is included in the Intelligence
19 Support Center for each high intensity drug trafficking
20 area.

21 “(i) ANNUAL HIDTA PROGRAM BUDGET SUBMIS-
22 SIONS.—As part of the documentation that supports the
23 President’s annual budget request for the Office, the Di-
24 rector shall submit to Congress a budget justification that
25 includes the following:

1 “(1) The amount requested for each high inten-
2 sity drug trafficking area with supporting narrative
3 descriptions and rationale for each request.

4 “(2) A detailed justification for each funding
5 request that explains the reasons for the requested
6 funding level, how such funding level was determined
7 based on a current assessment of the drug traf-
8 ficking threat in each high intensity drug trafficking
9 area, how such funding will ensure that the goals
10 and objectives of each such area will be achieved,
11 and how such funding supports the National Drug
12 Control Strategy.

13 “(j) EMERGING THREAT RESPONSE FUND.—

14 “(1) IN GENERAL.—The Director may expend
15 up to 10 percent of the amounts appropriated under
16 this section on a discretionary basis, to respond to
17 any emerging drug trafficking threat in an existing
18 high intensity drug trafficking area, or to establish
19 a new high intensity drug trafficking area or expand
20 an existing high intensity drug trafficking area, in
21 accordance with the criteria established under para-
22 graph (2).

23 “(2) CONSIDERATION OF IMPACT.—In allo-
24 cating funds under this subsection, the Director
25 shall consider—

1 “(A) the impact of activities funded on re-
2 ducing overall drug traffic in the United States,
3 or minimizing the probability that an emerging
4 drug trafficking threat will spread to other
5 areas of the United States; and

6 “(B) such other criteria as the Director
7 considers appropriate.

8 “(k) EVALUATION.—

9 “(1) INITIAL REPORT.—Not later than 90 days
10 after the date of the enactment of this subsection,
11 the Director shall, after consulting with the Execu-
12 tive Boards of each designated high intensity drug
13 trafficking area, submit a report to Congress that
14 describes, for each designated high intensity drug
15 trafficking area—

16 “(A) the specific purposes for the high in-
17 tensity drug trafficking area;

18 “(B) the specific long-term and short-term
19 goals and objectives for the high intensity drug
20 trafficking area;

21 “(C) the measurements that will be used to
22 evaluate the performance of the high intensity
23 drug trafficking area in achieving the long-term
24 and short-term goals; and

1 “(D) the reporting requirements needed to
2 evaluate the performance of the high intensity
3 drug trafficking area in achieving the long-term
4 and short-term goals.

5 “(2) EVALUATION OF HIDTA PROGRAM AS PART
6 OF NATIONAL DRUG CONTROL STRATEGY.—For each
7 designated high intensity drug trafficking area, the
8 Director shall submit, as part of the annual National
9 Drug Control Strategy report, a report that—

10 “(A) describes—

11 “(i) the specific purposes for the high
12 intensity drug trafficking area; and

13 “(ii) the specific long-term and short-
14 term goals and objectives for the high in-
15 tensity drug trafficking area; and

16 “(B) includes an evaluation of the per-
17 formance of the high intensity drug trafficking
18 area in accomplishing the specific long-term
19 and short-term goals and objectives identified
20 under paragraph (1)(B).

21 “(1) ASSESSMENT OF DRUG ENFORCEMENT TASK
22 FORCES IN HIGH INTENSITY DRUG TRAFFICKING
23 AREAS.—Not later than 180 days after the date of enact-
24 ment of this subsection, and as part of each subsequent

1 annual National Drug Control Strategy report, the Direc-
2 tor shall submit to Congress a report—

3 “(1) assessing the number and operation of all
4 federally funded drug enforcement task forces within
5 each high intensity drug trafficking area; and

6 “(2) describing—

7 “(A) each Federal, State, and local drug
8 enforcement task force operating in the high in-
9 tensity drug trafficking area;

10 “(B) how such task forces coordinate with
11 each other, with any high intensity drug traf-
12 ficking area task force, and with investigations
13 receiving funds from the Organized Crime and
14 Drug Enforcement Task Force;

15 “(C) what steps, if any, each such task
16 force takes to share information regarding drug
17 trafficking and drug production with other fed-
18 erally funded drug enforcement task forces in
19 the high intensity drug trafficking area;

20 “(D) the role of the high intensity drug
21 trafficking area in coordinating the sharing of
22 such information among task forces;

23 “(E) the nature and extent of cooperation
24 by each Federal, State, and local participant in
25 ensuring that such information is shared among

1 law enforcement agencies and with the high in-
2 tensity drug trafficking area;

3 “(F) the nature and extent to which infor-
4 mation sharing and enforcement activities are
5 coordinated with joint terrorism task forces in
6 the high intensity drug trafficking area; and

7 “(G) any recommendations for measures
8 needed to ensure that task force resources are
9 utilized efficiently and effectively to reduce the
10 availability of illegal drugs in the high intensity
11 drug trafficking areas.

12 “(m) ASSESSMENT OF INTELLIGENCE SHARING IN
13 HIGH INTENSITY DRUG TRAFFICKING AREAS—PRO-
14 GRAM.—Not later than 180 days after the date of the en-
15 actment of this subsection, and as part of each subsequent
16 annual National Drug Control Strategy report, the Direc-
17 tor shall submit to Congress a report—

18 “(1) evaluating existing and planned intel-
19 ligence systems supported by each high intensity
20 drug trafficking area, or utilized by task forces re-
21 ceiving any funding under the Program, including
22 the extent to which such systems ensure access and
23 availability of intelligence to Federal, State, and
24 local law enforcement agencies within the high inten-
25 sity drug trafficking area and outside of it;

1 “(2) the extent to which Federal, State, and
 2 local law enforcement agencies participating in each
 3 high intensity drug trafficking area are sharing in-
 4 telligence information to assess current drug traf-
 5 ficking threats and design appropriate enforcement
 6 strategies; and

7 “(3) the measures needed to improve effective
 8 sharing of information and intelligence regarding
 9 drug trafficking and drug production among Fed-
 10 eral, State, and local law enforcement participating
 11 in a high intensity drug trafficking area, and be-
 12 tween such agencies and similar agencies outside the
 13 high intensity drug trafficking area.

14 “(n) AUTHORIZATION OF APPROPRIATIONS.—There
 15 is authorized to be appropriated to the Office of National
 16 Drug Control Policy to carry out this section—

17 “(1) \$280,000,000 for fiscal year 2006;

18 “(2) \$290,000,000 for each of fiscal years 2007
 19 and 2008; and

20 “(3) \$300,000,000 for each of fiscal years 2009
 21 and 2010.”.

22 **SEC. 9. FUNDING FOR CERTAIN HIGH INTENSITY DRUG**
 23 **TRAFFICKING AREAS.**

24 (a) SHORT TITLE.—This section may be cited as the
 25 “Dawson Family Community Protection Act”.

1 (b) FINDINGS.—Congress finds the following:

2 (1) In the early morning hours of October 16,
3 2002, the home of Carnell and Angela Dawson was
4 firebombed in apparent retaliation for Mrs.
5 Dawson’s notification of police about persistent drug
6 distribution activity in their East Baltimore City
7 neighborhood.

8 (2) The arson claimed the lives of Mr. and Mrs.
9 Dawson and their 5 young children, aged 9 to 14.

10 (3) The horrific murder of the Dawson family
11 is a stark example of domestic narco-terrorism.

12 (4) In all phases of counter-narcotics law en-
13 forcement—from prevention to investigation to pros-
14 ecution to reentry—the voluntary cooperation of or-
15 dinary citizens is a critical component.

16 (5) Voluntary cooperation is difficult for law en-
17 forcement officials to obtain when citizens feel that
18 cooperation carries the risk of violent retaliation by
19 illegal drug trafficking organizations and their affili-
20 ates.

21 (6) Public confidence that law enforcement is
22 doing all it can to make communities safe is a pre-
23 requisite for voluntary cooperation among people
24 who may be subject to intimidation or reprisal (or
25 both).

1 (7) Witness protection programs are insufficient
2 on their own to provide security because many indi-
3 viduals and families who strive every day to make
4 distressed neighborhoods livable for their children,
5 other relatives, and neighbors will resist or refuse of-
6 fers of relocation by local, State, and Federal pros-
7 ecutorial agencies and because, moreover, the contin-
8 ued presence of strong individuals and families is
9 critical to preserving and strengthening the social
10 fabric in such communities.

11 (8) Where (as in certain sections of Baltimore
12 City) interstate trafficking of illegal drugs has severe
13 ancillary local consequences within areas designated
14 as high intensity drug trafficking areas, it is impor-
15 tant that supplementary High Intensity Drug Traf-
16 ficking Areas Program funds be committed to sup-
17 port initiatives aimed at making the affected com-
18 munities safe for the residents of those communities
19 and encouraging their cooperation with local, State,
20 and Federal law enforcement efforts to combat ille-
21 gal drug trafficking.

22 (c) FUNDING FOR CERTAIN HIGH INTENSITY DRUG
23 TRAFFICKING AREAS.—Section 707 (21 U.S.C. 1706), as
24 amended by section 8, is further amended by adding at
25 the end the following new subsection:

1 “(o) SPECIFIC PURPOSES.—

2 “(1) IN GENERAL.—The Director shall ensure
3 that, of the amounts appropriated for a fiscal year
4 for the Program, at least \$5,000,000 is used in high
5 intensity drug trafficking areas with severe neigh-
6 borhood safety and illegal drug distribution prob-
7 lems.

8 “(2) REQUIRED USES.—The funds used under
9 paragraph (1) shall be used—

10 “(A) to ensure the safety of neighborhoods
11 and the protection of communities, including
12 the prevention of the intimidation of potential
13 witnesses of illegal drug distribution and related
14 activities; and

15 “(B) to combat illegal drug trafficking
16 through such methods as the Director considers
17 appropriate, such as establishing or operating
18 (or both) a toll-free telephone hotline for use by
19 the public to provide information about illegal
20 drug-related activities.”.

21 **SEC. 10. AMENDMENTS RELATING TO COUNTER-DRUG**
22 **TECHNOLOGY ASSESSMENT CENTER.**

23 (a) CHIEF SCIENTIST.—Section 708(b) (21 U.S.C.
24 1707(b)) is amended—

1 (1) in the heading by striking “DIRECTOR OF
2 TECHNOLOGY.—” and inserting “CHIEF SCI-
3 ENTIST.—”; and

4 (2) by striking “Director of Technology,” and
5 inserting “Chief Scientist,”.

6 (b) ADDITIONAL RESPONSIBILITIES OF DIRECTOR.—
7 Section 708(c) (21 U.S.C. 1707(c)) is amended to read
8 as follows:

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

11 “(1) IN GENERAL.—The Director, acting
12 through the Chief Scientist shall—

13 “(A) identify and define the short-, me-
14 dium-, and long-term scientific and techno-
15 logical needs of Federal, State, and local law
16 enforcement agencies relating to drug enforce-
17 ment, 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 (including
5 drug prevention) basic and applied research
6 needs and initiatives, in consultation with af-
7 fected National Drug Control Program agen-
8 cies, including—

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

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

13 “(iii) in consultation with the Na-
14 tional Institute on Drug Abuse and the
15 Substance Abuse and Mental Health Serv-
16 ices Administration, and through inter-
17 agency agreements or grants, examining
18 addiction and rehabilitation research and
19 the application of technology to expanding
20 the effectiveness or availability of drug
21 treatment;

22 “(C) make a priority ranking of such needs
23 identified in subparagraphs (A) and (B) accord-
24 ing to fiscal and technological feasibility, as

1 part of a National Counterdrug Research and
2 Development Program;

3 “(D) oversee and coordinate counterdrug
4 technology initiatives with related activities of
5 other Federal civilian and military departments;

6 “(E) provide support to the development
7 and implementation of the national drug control
8 performance measurement system established
9 under subsection (b) of section 706;

10 “(F) with the advice and counsel of experts
11 from State and local law enforcement agencies,
12 oversee and coordinate a technology transfer
13 program for the transfer of technology to State
14 and local law enforcement agencies; and

15 “(G) pursuant to the authority of the Di-
16 rector of National Drug Control Policy under
17 section 704, submit requests to Congress for
18 the reprogramming or transfer of funds appro-
19 priated for counterdrug technology research and
20 development.

21 “(2) PRIORITIES IN TRANSFERRING TECH-
22 NOLOGY.—

23 “(A) IN GENERAL.—The Chief Scientist
24 shall give priority, in transferring technology

1 under paragraph (1)(F), based on the following
2 criteria:

3 “(i) the need of potential recipients
4 for such technology;

5 “(ii) the effectiveness of the tech-
6 nology to enhance current counterdrug ac-
7 tivities of potential recipients; and

8 “(iii) the ability and willingness of po-
9 tential recipients to evaluate transferred
10 technology.

11 “(B) INTERDICTION AND BORDER DRUG
12 LAW ENFORCEMENT TECHNOLOGIES.—The
13 Chief Scientist shall give priority, in transfer-
14 ring technologies most likely to assist in drug
15 interdiction and border drug law enforcement,
16 to State, local, and tribal law enforcement agen-
17 cies in southwest border areas and northern
18 border areas with significant traffic in illicit
19 drugs.

20 “(3) LIMITATION ON AUTHORITY.—The author-
21 ity granted to the Director under this subsection
22 shall not extend to the direct management of indi-
23 vidual projects or other operational activities.

24 “(4) REPORT.—On or before July 1 of each
25 year, the Director shall submit a report to the ap-

1 appropriate congressional committees that addresses
2 the following:

3 “(A) The number of requests received dur-
4 ing the previous 12 months, including the iden-
5 tity of each requesting agency and the type of
6 technology requested.

7 “(B) The number of requests fulfilled dur-
8 ing the previous 12 months, including the iden-
9 tity of each recipient agency and the type of
10 technology transferred.

11 “(C) A summary of the criteria used in
12 making the determination on what requests
13 were funded and what requests were not fund-
14 ed, except that such summary shall not include
15 specific information on any individual requests.

16 “(D) A general assessment of the future
17 needs of the program, based on expected
18 changes in threats, expected technologies, and
19 likely need from potential recipients.

20 “(E) An assessment of the effectiveness of
21 the technologies transferred, based in part on
22 the evaluations provided by the recipients, with
23 a recommendation whether the technology
24 should continue to be offered through the pro-
25 gram.”.

1 (c) ASSISTANCE FROM SECRETARY OF HOMELAND
2 SECURITY.—Section 708(d) (21 U.S.C. 1707(d)) is
3 amended by inserting “, the Secretary of Homeland Secu-
4 rity,” after “The Secretary of Defense”.

5 **SEC. 11. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

6 (a) IN GENERAL.—Section 709 (21 U.S.C. 1708) is
7 amended to read as follows:

8 **“SEC. 709. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

9 “(a) IN GENERAL.—The Director shall conduct a na-
10 tional youth anti-drug media campaign (referred to in this
11 subtitle as the ‘national media campaign’) in accordance
12 with this section for the purposes of—

13 “(1) preventing drug abuse among young peo-
14 ple in the United States;

15 “(2) increasing awareness of adults of the im-
16 pact of drug abuse on young people; and

17 “(3) encouraging parents and other interested
18 adults to discuss with young people the dangers of
19 illegal drug use.

20 “(b) USE OF FUNDS.—

21 “(1) IN GENERAL.—Amounts made available to
22 carry out this section for the national media cam-
23 paign may only be used for the following:

1 “(A) The purchase of media time and
2 space, including the strategic planning for, and
3 accounting of, such purchases.

4 “(B) Creative and talent costs, consistent
5 with paragraph (2)(A).

6 “(C) Advertising production costs.

7 “(D) Testing and evaluation of advertising.

8 “(E) Evaluation of the effectiveness of the
9 national media campaign.

10 “(F) The negotiated fees for the winning
11 bidder on requests for proposals issued either
12 by the Office or its designee to enter into con-
13 tracts to carry out activities authorized by this
14 section.

15 “(G) Partnerships with professional and
16 civic groups, community-based organizations,
17 including faith-based organizations, and govern-
18 ment organizations related to the national
19 media campaign.

20 “(H) Entertainment industry outreach,
21 interactive outreach, media projects and activi-
22 ties, public information, news media outreach,
23 and corporate sponsorship and participation.

24 “(I) Operational and management ex-
25 penses.

1 “(2) SPECIFIC REQUIREMENTS.—

2 “(A) CREATIVE SERVICES.—

3 “(i) In using amounts for creative and
4 talent costs under paragraph (1)(B), the
5 Director shall use creative services donated
6 at no cost to the Government (including
7 creative services provided by the Partner-
8 ship for a Drug-Free America) wherever
9 feasible and may only procure creative
10 services for advertising—

11 “(I) responding to high-priority
12 or emergent campaign needs that can-
13 not timely be obtained at no cost; or

14 “(II) intended to reach a minor-
15 ity, ethnic, or other special audience
16 that cannot reasonably be obtained at
17 no cost; or

18 “(III) the Director determines
19 that the Partnership for a Drug-Free
20 America is unable to provide, pursu-
21 ant to subsection (d)(2)(B).

22 “(ii) No more than \$1,500,000 may
23 be expended under this section each fiscal
24 year on creative services, except that the
25 Director may expend up to \$2,000,000 in

1 a fiscal year on creative services to meet
2 urgent needs of the national media cam-
3 paign with advance approval from the
4 Committee on Appropriations of the House
5 of Representatives and of the Senate upon
6 a showing of the circumstances causing
7 such urgent needs of the national media
8 campaign.

9 “(B) TESTING AND EVALUATION OF AD-
10 VERTISING.—In using amounts for testing and
11 evaluation of advertising under paragraph
12 (1)(D), the Director shall test all advertise-
13 ments prior to use in the national media cam-
14 paign to ensure that the advertisements are ef-
15 fective and meet industry-accepted standards.
16 The Director may waive this requirement for
17 advertisements using no more than 10 percent
18 of the purchase of advertising time purchased
19 under this section in a fiscal year and no more
20 than 10 percent of the advertising space pur-
21 chased under this section in a fiscal year, if the
22 advertisements respond to emergent and time-
23 sensitive campaign needs or the advertisements
24 will not be widely utilized in the national media
25 campaign.

1 “(C) EVALUATION OF EFFECTIVENESS OF
2 MEDIA CAMPAIGN.—In using amounts for the
3 evaluation of the effectiveness of the national
4 media campaign under paragraph (1)(E), the
5 Director shall—

6 “(i) designate an independent entity
7 to evaluate annually the effectiveness of
8 the national media campaign based on
9 data from—

10 “(I) the Monitoring the Future
11 Study published by the Department of
12 Health and Human Services;

13 “(II) the Attitude Tracking
14 Study published by the Partnership
15 for a Drug Free America;

16 “(III) the National Household
17 Survey on Drug Abuse; and

18 “(IV) other relevant studies or
19 publications, as determined by the Di-
20 rector, including tracking and evalua-
21 tion data collected according to mar-
22 keting and advertising industry stand-
23 ards; and

24 “(ii) ensure that the effectiveness of
25 the national media campaign is evaluated

1 in a manner that enables consideration of
2 whether the national media campaign has
3 contributed to reduction of illicit drug use
4 among youth and such other measures of
5 evaluation as the Director determines are
6 appropriate.

7 “(3) PURCHASE OF ADVERTISING TIME AND
8 SPACE.—For each fiscal year, not less than 77 per-
9 cent of the amounts appropriated under this section
10 shall be used for the purchase of advertising time
11 and space for the national media campaign, subject
12 to the following exceptions:

13 “(A) In any fiscal year for which less than
14 \$125,000,000 is appropriated for the national
15 media campaign, not less than 82 percent of
16 the amounts appropriated under this section
17 shall be used for the purchase of advertising
18 time and space for the national media cam-
19 paign.

20 “(B) In any fiscal year for which more
21 than \$195,000,000 is appropriated under this
22 section, not less than 72 percent shall be used
23 for advertising production costs and the pur-
24 chase of advertising time and space for the na-
25 tional media campaign.

1 “(c) ADVERTISING.—In carrying out this section, the
2 Director shall ensure that sufficient funds are allocated
3 to meet the stated goals of the national media campaign.

4 “(d) DIVISION OF RESPONSIBILITIES AND FUNC-
5 TIONS UNDER THE PROGRAM.—

6 “(1) IN GENERAL.—The Director, in consulta-
7 tion with the Partnership for a Drug-Free America,
8 shall determine the overall purposes and strategy of
9 the national media campaign.

10 “(2) RESPONSIBILITIES.—

11 “(A) DIRECTOR.—The Director shall be
12 responsible for implementing a focused national
13 media campaign to meet the purposes set forth
14 in subsection (a), and shall approve—

15 “(i) the strategy of the national media
16 campaign;

17 “(ii) all advertising and promotional
18 material used in the national media cam-
19 paign; and

20 “(iii) the plan for the purchase of ad-
21 vertising time and space for the national
22 media campaign.

23 “(B) THE PARTNERSHIP FOR A DRUG-
24 FREE AMERICA.—The Director shall request

1 that the Partnership for a Drug-Free Amer-
2 ica—

3 “(i) develop and recommend strategies
4 to achieve the goals of the national media
5 campaign, including addressing national
6 and local drug threats in specific regions
7 or States, such as methamphetamine and
8 ecstasy;

9 “(ii) create all advertising to be used
10 in the national media campaign, except ad-
11 vertisements that are—

12 “(I) provided by other nonprofit
13 entities pursuant to subsection (f);

14 “(II) intended to respond to
15 high-priority or emergent campaign
16 needs that cannot timely be obtained
17 at no cost (not including production
18 costs and talent reuse payments), pro-
19 vided that any such advertising mate-
20 rial is reviewed by the Partnership for
21 a Drug-Free America;

22 “(III) intended to reach a minor-
23 ity, ethnic, or other special audience
24 that cannot be obtained at no cost
25 (not including production costs and

1 talent reuse payments), provided that
2 any such advertising material is re-
3 viewed by the Partnership for a Drug-
4 Free America; or

5 “(IV) any other advertisements
6 that the Director determines that the
7 Partnership for a Drug-Free America
8 is unable to provide.

9 “(C) MEDIA BUYING CONTRACTOR.—The
10 Director shall enter into a contract with a
11 media buying contractor to plan and purchase
12 advertising time and space for the national
13 media campaign. The media buying contractor
14 shall not provide any other service or material,
15 or conduct any other function or activity which
16 the Director determines should be provided by
17 the Partnership for a Drug-Free America.

18 “(e) PROHIBITIONS.—None of the amounts made
19 available under subsection (b) may be obligated or ex-
20 pended for any of the following:

21 “(1) To supplant current antidrug community-
22 based coalitions.

23 “(2) To supplant pro bono public service time
24 donated by national and local broadcasting networks
25 for other public service campaigns.

1 “(3) For partisan political purposes, or express
2 advocacy in support of or to defeat any clearly iden-
3 tified candidate, clearly identified ballot initiative, or
4 clearly identified legislative or regulatory proposal.

5 “(4) To fund advertising that features any
6 elected officials, persons seeking elected office, cabi-
7 net level officials, or other Federal officials employed
8 pursuant to section 213 of Schedule C of title 5,
9 Code of Federal Regulations.

10 “(5) To fund advertising that does not contain
11 a primary message intended to reduce or prevent il-
12 licit drug use.

13 “(6) To fund advertising containing a primary
14 message intended to promote support for the media
15 campaign or private sector contributions to the
16 media campaign.

17 “(f) MATCHING REQUIREMENT.—

18 “(1) IN GENERAL.—Amounts made available
19 under subsection (b) for media time and space shall
20 be matched by an equal amount of non-Federal
21 funds for the national media campaign, or be
22 matched with in-kind contributions of the same
23 value.

24 “(2) NO-COST MATCH ADVERTISING DIRECT RE-
25 LATIONSHIP REQUIREMENT.—The Director shall en-

1 sure that at least 70 percent of no-cost match adver-
2 tising provided directly relates to substance abuse
3 prevention consistent with the specific purposes of
4 the national media campaign, except that in any fis-
5 cal year in which less than \$125,000,000 is appro-
6 priated to the national media campaign, the Director
7 shall ensure that at least 85 percent of no-cost
8 match advertising directly relates to substance abuse
9 prevention consistent with the specific purposes of
10 the national media campaign.

11 “(3) NO-COST MATCH ADVERTISING NOT DI-
12 RECTLY RELATED.—The Director shall ensure that
13 no-cost match advertising that does not directly re-
14 late to substance abuse prevention consistent with
15 the purposes of the national media campaign in-
16 cludes a clear antidrug message. Such message is
17 not required to be the primary message of the match
18 advertising.

19 “(4) SPONSORSHIP IDENTIFICATION.—Any ad-
20 vertising material donated to the national media
21 campaign at no cost shall not be subject to the spon-
22 sorship identification provisions in section 317 of the
23 Communications Act of 1934 (47 U.S.C. 317).

24 “(g) FINANCIAL AND PERFORMANCE ACCOUNT-
25 ABILITY.—The Director shall cause to be performed—

1 “(1) audits and reviews of costs of the national
2 media campaign pursuant to section 304C of the
3 Federal Property and Administrative Services Act of
4 1949 (41 U.S.C. 254d); and

5 “(2) an audit to determine whether the costs of
6 the national media campaign are allowable under
7 section 306 of such Act (41 U.S.C. 256).

8 “(h) REPORT TO CONGRESS.—The Director shall
9 submit on an annual basis a report to Congress that de-
10 scribes—

11 “(1) the strategy of the national media cam-
12 paign and whether specific objectives of the media
13 campaign were accomplished;

14 “(2) steps taken to ensure that the national
15 media campaign operates in an effective and effi-
16 cient manner consistent with the overall strategy
17 and focus of the national media campaign;

18 “(3) plans to purchase advertising time and
19 space;

20 “(4) policies and practices implemented to en-
21 sure that Federal funds are used responsibly to pur-
22 chase advertising time and space and eliminate the
23 potential for waste, fraud, and abuse; and

1 “(5) all contracts entered into with a corpora-
2 tion, partnership, or individual working on behalf of
3 the national media campaign.

4 “(i) LOCAL TARGET REQUIREMENT.—The Director
5 shall, to the maximum extent feasible, use amounts made
6 available under this section for media that focuses on, or
7 includes specific information on, prevention or treatment
8 resources for consumers within specific local areas.

9 “(j) PREVENTION OF MARIJUANA USE.—

10 “(1) FINDINGS.—The Congress finds the fol-
11 lowing:

12 “(A) 60 percent of adolescent admissions
13 for drug treatment are based on marijuana use.

14 “(B) Potency levels of contemporary mari-
15 juana, particularly hydroponically grown mari-
16 juana, are significantly higher than in the past,
17 rising from under 1 percent of THC in the mid-
18 1970s to as high as 30 percent today.

19 “(C) Contemporary research has dem-
20 onstrated that youths smoking marijuana early
21 in life may be up to five times more likely to
22 use hard drugs.

23 “(D) Contemporary research has dem-
24 onstrated clear detrimental effects in adolescent

1 educational achievement resulting from mari-
2 juana use.

3 “(E) Contemporary research has dem-
4 onstrated clear detrimental effects in adolescent
5 brain development resulting from marijuana
6 use.

7 “(F) An estimated 9,000,000 Americans a
8 year drive while under the influence of illegal
9 drugs, including marijuana.

10 “(G) Marijuana smoke contains 50 to 70
11 percent more of certain cancer causing chemi-
12 cals than tobacco smoke.

13 “(H) Teens who use marijuana are up to
14 four times more likely to have a teen pregnancy
15 than teens who have not.

16 “(I) Federal law enforcement agencies
17 have identified clear links suggesting that trade
18 in hydroponic marijuana facilitates trade by
19 criminal organizations in hard drugs, including
20 heroin.

21 “(J) Federal law enforcement agencies
22 have identified possible links between trade in
23 cannabis products and financing for terrorist
24 organizations.

1 “(2) EMPHASIS ON PREVENTION OF YOUTH
2 MARIJUANA USE.—In conducting advertising and ac-
3 tivities otherwise authorized under this section, the
4 Director may emphasize prevention of youth mari-
5 juana use.

6 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
7 is authorized to be appropriated to the Office to carry out
8 this section, \$195,000,000 for each of fiscal years 2006
9 and 2007 and \$210,000,000 for each of fiscal years 2008
10 through 2010.”.

11 (b) REPEAL OF SUPERSEDED PROVISIONS.—The
12 Drug-Free Media Campaign Act of 1998 (21 U.S.C. 1801
13 et seq.) is repealed.

14 **SEC. 12. DRUG INTERDICTION.**

15 (a) IN GENERAL.—Section 711 (21 U.S.C. 1710) is
16 amended to read as follows:

17 “(a) UNITED STATES INTERDICTION COORDI-
18 NATOR.—

19 “(1) IN GENERAL.—The Deputy Director for
20 Supply Reduction in the Office shall serve as the
21 United States Interdiction Coordinator, and shall
22 perform the duties of that position described in
23 paragraph (2) and such other duties as may be de-
24 termined by the Director with respect to coordina-

1 tion of efforts to interdict illicit drugs from the
2 United States.

3 “(2) RESPONSIBILITIES.—The United States
4 Interdiction Coordinator shall be responsible to the
5 Director for

6 “(A) coordinating the interdiction activities
7 of the National Drug Control Program agencies
8 to ensure consistency with the National Drug
9 Control Strategy;

10 “(B) developing and issuing, on or before
11 March 1 of each year and in accordance with
12 paragraph (3), a National Interdiction Com-
13 mand and Control Plan to ensure the coordina-
14 tion and consistency described in subparagraph
15 (A);

16 “(C) assessing the sufficiency of assets
17 committed to illicit drug interdiction by the rel-
18 evant National Drug Control Program agencies;
19 and

20 “(D) advising the Director on the efforts
21 of each National Drug Control Program agency
22 to implement the National Interdiction Com-
23 mand and Control Plan.

24 “(3) NATIONAL INTERDICTION COMMAND AND
25 CONTROL PLAN.—

1 “(A) PURPOSES.—The National Interdic-
2 tion Command and Control Plan shall

3 “(i) set forth the Government’s strat-
4 egy for drug interdiction;

5 “(ii) state the specific roles and re-
6 sponsibilities of the relevant National Drug
7 Control Program agencies for imple-
8 menting that strategy; and

9 “(iii) identify the specific resources re-
10 quired to enable the relevant National
11 Drug Control Program agencies to imple-
12 ment that strategy.

13 “(B) CONSULTATION WITH OTHER AGEN-
14 CIES.—The United States Interdiction Coordi-
15 nator shall issue the National Interdiction Com-
16 mand and Control Plan in consultation with the
17 other members of the Interdiction Committee
18 described in subsection (b).

19 “(C) LIMITATION.—The National Interdic-
20 tion Command and Control Plan shall not
21 change existing agency authorities or the laws
22 governing interagency relationships, but may in-
23 clude recommendations about changes to such
24 authorities or laws.

1 “(D) REPORT TO CONGRESS.—On or be-
2 fore March 1 of each year, the United States
3 Interdiction Coordinator shall provide a report
4 to the appropriate congressional committees, to
5 the Committee on Armed Services and the
6 Committee on Homeland Security of the House
7 of Representatives, and to the Committee on
8 Homeland Security and Governmental Affairs
9 and the Committee on Armed Services of the
10 Senate, which shall include

11 “(i) a copy of that year’s National
12 Interdiction Command and Control Plan;

13 “(ii) information for the previous 10
14 years regarding the number and type of
15 seizures of drugs by each National Drug
16 Control Program agency conducting drug
17 interdiction activities, as well as statistical
18 information on the geographic areas of
19 such seizures; and

20 “(iii) information for the previous 10
21 years regarding the number of air and
22 maritime patrol hours undertaken by each
23 National Drug Control Program agency
24 conducting drug interdiction activities, as
25 well as statistical information on the geo-

1 graphic areas in which such patrol hours
2 took place.

3 “(E) TREATMENT OF CLASSIFIED OR LAW
4 ENFORCEMENT SENSITIVE INFORMATION.—Any
5 content of the report described in subparagraph
6 (D) that involves information classified under
7 criteria established by an Executive order, or
8 the public disclosure of which, as determined by
9 the United States Interdiction Coordinator or
10 the head of any relevant National Drug Control
11 Program agency, would be detrimental to the
12 law enforcement or national security activities
13 of any Federal, State, or local agency, shall be
14 presented to Congress separately from the rest
15 of the plan.

16 “(b) INTERDICTION COMMITTEE.—

17 “(1) IN GENERAL.—The Interdiction Com-
18 mittee shall meet to—

19 “(A) discuss and resolve issues related to
20 the coordination, oversight and integration of
21 international, border, and domestic drug inter-
22 diction efforts in support of the National Drug
23 Control Strategy;

24 “(B) review the annual National Interdic-
25 tion Command and Control Plan, and provide

1 advice to the Director and the United States
2 Interdiction Coordinator concerning that plan;
3 and

4 “(C) provide such other advice to the Di-
5 rector concerning drug interdiction strategy and
6 policies as the committee determines is appro-
7 priate.

8 “(2) MEMBERSHIP.—The membership of the
9 Interdiction Committee shall consist of—

10 “(A) the Commissioner of the bureau of
11 Customs and Border Protection at the Depart-
12 ment of Homeland Security;

13 “(B) the Assistant Secretary of the bureau
14 of Immigration and Customs Enforcement at
15 the Department of Homeland Security;

16 “(C) the Commandant of the United
17 States Coast Guard;

18 “(D) the Director of the Office of Counter-
19 narcotics Enforcement at the Department of
20 Homeland Security;

21 “(E) the Administrator of the Drug En-
22 forcement Administration;

23 “(F) the Assistant Secretary of State for
24 International Narcotics and Law Enforcement
25 Affairs;

1 “(G) the Assistant Secretary of Defense
2 for Special Operations and Low Intensity Con-
3 flict;

4 “(H) the Deputy Director for Supply Re-
5 duction of the Office of National Drug Control
6 Policy, acting in his role as the United States
7 Interdiction Coordinator;

8 “(I) the director of the Crime and Nar-
9 cotics Center of the Central Intelligence Agen-
10 cy; and

11 “(J) such additional persons as may be de-
12 termined by the Director.

13 “(3) CHAIRMAN.—The Director shall designate
14 one of the members of the Interdiction Committee to
15 serve as chairman.

16 “(4) MEETINGS.—The members of the Interdic-
17 tion Committee shall meet, in person and not
18 through any delegate or representative, at least once
19 per calendar year, prior to March 1. At the call of
20 either the Director or the current chairman, the
21 Interdiction Committee may hold additional meet-
22 ings, which shall be attended by the members either
23 in person, or through such delegates or representa-
24 tives as they may choose.

1 “(5) REPORT.—After each meeting, the chair-
 2 man of the Interdiction Committee shall submit a
 3 report to the Director and to the congressional com-
 4 mittees listed in subsection (a)(3)(D) describing the
 5 meeting and its results. Any content of such a report
 6 that involves information classified under criteria es-
 7 tablished by an Executive order, or whose public dis-
 8 closure, as determined by the Director, the chair-
 9 man, or any member, would be detrimental to the
 10 law enforcement or national security activities of any
 11 Federal, State, or local agency, shall be presented to
 12 Congress separately from the rest of the report.”.

13 (b) CONFORMING AMENDMENT TO HOMELAND SE-
 14 curity ACT OF 2002.—Section 878 of the Homeland Se-
 15 curity Act of 2002 (6 U.S.C. 458) is amended—

16 (1) in subsection (c), by striking “Except as
 17 provided in subsection (d), the” and inserting
 18 “The”; and

19 (2) by striking subsection (d) and redesignating
 20 subsections (e), (f), and (g) as subsections (d), (e),
 21 and (f), respectively.

22 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 714 (21 U.S.C. 1711) is amended—

1 (1) by striking “title,” and inserting “title, ex-
 2 cept activities for which amounts are otherwise spe-
 3 cifically authorized by this title,”; and

4 (2) by striking “1999 through 2003” and in-
 5 serting “2006 through 2010”.

6 **SEC. 14. TECHNICAL AMENDMENTS AND REPEAL.**

7 (a) AMENDMENT TO PUBLIC HEALTH SERVICE ACT
 8 TO REPLACE OBSOLETE REFERENCES.—Section 464P(c)
 9 of the Public Health Service Act (42 U.S.C. 285o–4(c))
 10 is amended—

11 (1) in paragraph (1), by striking “under section
 12 1002 of the Anti-Drug Abuse Act of 1988 (21
 13 U.S.C. 1501)” and inserting “under section 703 of
 14 the Office of National Drug Control Policy Reau-
 15 thorization Act of 1998 (21 U.S.C. 1702)”;

16 (2) in paragraph (2), by striking “under section
 17 1005 of the Anti-Drug Abuse Act of 1988 (21
 18 U.S.C. 1504)” and inserting “under section 706 of
 19 the Office of National Drug Control Policy Reau-
 20 thorization Act of 1998 (21 U.S.C. 1705)”.

21 (b) REPEAL OF SPECIAL FORFEITURE FUND.—Sec-
 22 tion 6073 of the Asset Forfeiture Amendments Act of
 23 1988 (21 U.S.C. 1509) is repealed.

