

109TH CONGRESS  
1ST SESSION

# H. R. 2829

To reauthorize the Office of National Drug Control Policy Act.

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## 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

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## 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

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-

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

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 subparagraph  
18 (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-

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;

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 redesi-  
20 gned, 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 redesi-  
24 gned, 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 propiate 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.—

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

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

(B) destruction or other direct elimination of stockpiles of heroin and raw opium, and heroin production and storage facilities;

(C) interdiction and precursor chemical controls;

(D) demand reduction and treatment;

(E) alternative development programs;

(F) measures to improve cooperation and coordination between Federal Government agencies, and between such agencies, agencies of foreign governments, and international organizations with responsibility for the prevention of heroin production in, or trafficking out of, Afghanistan; and

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

(3) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any component of the strategy that involves information classification under criteria established by an Executive order, whose public disclosure, as determined by the Director,

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 responsible for United States counterdrug policy;  
2 and

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.

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—

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.

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.

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—

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”;

9                   “(3) REQUIRED REPORTS.—

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-

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:

4       “(a) TIMING, CONTENTS, AND PROCESS FOR DEVELOPMENT  
5       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.—

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                             “(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-

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.

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 existing  
2                 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 existing  
7                 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                   “(l) 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:

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-  
17forcement officials to obtain when citizens feel that  
18cooperation carries the risk of violent retaliation by  
19illegal drug trafficking organizations and their affili-  
20ates.

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—

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—

## 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 advertising  
2 provided directly relates to substance abuse prevention  
3 consistent with the specific purposes of the national media campaign, except that in any fiscal  
4 year in which less than \$125,000,000 is appropriated to the national media campaign, the Director  
5 shall ensure that at least 85 percent of no-cost match advertising directly relates to substance abuse  
6 prevention consistent with the specific purposes of the national media campaign.

7       “(3) NO-COST MATCH ADVERTISING NOT DIRECTLY RELATED.—The Director shall ensure that no-cost match advertising that does not directly relate to substance abuse prevention consistent with the purposes of the national media campaign includes a clear antidrug message. Such message is not required to be the primary message of the match advertising.

8       “(4) SPONSORSHIP IDENTIFICATION.—Any advertising material donated to the national media campaign at no cost shall not be subject to the sponsorship identification provisions in section 317 of the Communications Act of 1934 (47 U.S.C. 317).

9       “(g) FINANCIAL AND PERFORMANCE ACCOUNTABILITY.—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—

## 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. 2850–4(c))  
10 is amended—

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

