

109TH CONGRESS
2D SESSION

S. 2560

To reauthorize the Office of National Drug Control Policy.

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2006

Mr. SPECTER (for himself, Mr. BIDEN, Mr. HATCH, Mr. GRASSLEY, and Mr. LEVIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To reauthorize the Office of National Drug Control Policy.

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, REFERENCE, AND TABLE OF**
4 **CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Office of National Drug Control Policy Reauthorization
7 Act of 2006”.

8 (b) AMENDMENT OF OFFICE OF NATIONAL DRUG
9 CONTROL POLICY REAUTHORIZATION ACT OF 1998.—Ex-
10 cept as otherwise expressly provided, whenever in this Act
11 an amendment or repeal is expressed in terms of an

1 amendment to, or repeal of, a section or other provision,
 2 the reference shall be considered to be made to a section
 3 or other provision of the Office of National Drug Control
 4 Policy Reauthorization Act of 1998 (Public Law 105–277;
 5 21 U.S.C. 1701 et seq.).

6 (c) TABLE OF CONTENTS.—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title, reference, and table of contents.

TITLE I—ORGANIZATION OF OFFICE OF NATIONAL DRUG CONTROL POLICY AND ROLES AND RESPONSIBILITIES

Sec. 101. Amendments to definitions.
 Sec. 102. Establishment of the Office of National Drug Control Policy.
 Sec. 103. Appointment and responsibilities of the Director.
 Sec. 104. Amendments to ensure coordination with other agencies.

TITLE II—THE NATIONAL DRUG CONTROL STRATEGY

Sec. 201. Annual preparation and submission of National Drug Control Strat-
 egy.
 Sec. 202. Performance measurements.
 Sec. 203. Annual report requirement.

TITLE III—HIGH INTENSITY DRUG TRAFFICKING AREAS

Sec. 301. High Intensity Drug Trafficking Areas Program.
 Sec. 302. Funding for certain high intensity drug trafficking areas.
 Sec. 303. Assessment.

TITLE IV—TECHNOLOGY

Sec. 401. Counterdrug Technology Assessment Center.

TITLE V—REAUTHORIZATION AND IMPROVEMENT OF THE NATIONAL ANTI-DRUG MEDIA CAMPAIGN

Sec. 501. Short title.
 Sec. 502. Purposes of the National Youth Anti-Drug Media Campaign.
 Sec. 503. Roles and responsibilities of the Director, the Partnership for a
 Drug-Free America, and a media buying contractor.
 Sec. 504. Responsible use of Federal funds for the National Youth Anti-Drug
 Media Campaign.
 Sec. 505. Authorization for National Youth Anti-Drug Media Campaign.

TITLE VI—AUTHORIZATIONS AND EXTENSION OF TERMINATION DATE

Sec. 601. Authorization of appropriations.
 Sec. 602. Extension of termination date.

TITLE VII—ANTI-DOPING AGENCY

- Sec. 701. Designation of United States Anti-Doping Agency.
 Sec. 702. Records, audit, and report.
 Sec. 703. Authorization of appropriations.

TITLE VIII—DRUG-FREE COMMUNITIES

- Sec. 801. Reauthorization.
 Sec. 802. Suspension of grants.
 Sec. 803. Grant award increase.
 Sec. 804. Prohibition on additional eligibility criteria.
 Sec. 805. Supplemental grants for coalitions.
 Sec. 806. National Community Antidrug Coalition Institute.
 Sec. 807. Contracting requirement.

TITLE IX—NATIONAL GUARD COUNTERDRUG SCHOOLS

- Sec. 901. National Guard Counterdrug Schools.

TITLE X—MISCELLANEOUS PROVISIONS

- Sec. 1001. Repeals.
 Sec. 1002. Controlled Substances Act amendments.
 Sec. 1003. Report on intelligence sharing.
 Sec. 1004. Requirement for South American heroin strategy.
 Sec. 1005. Model Acts.

1 **TITLE I—ORGANIZATION OF OF-**
 2 **FICE OF NATIONAL DRUG**
 3 **CONTROL POLICY AND ROLES**
 4 **AND RESPONSIBILITIES**

5 **SEC. 101. AMENDMENTS TO DEFINITIONS.**

6 (a) DEMAND REDUCTION.—Section 702(1) is amend-
 7 ed—

8 (1) in subparagraph (F), by striking “and”
 9 after the semicolon; and

10 (2) in subparagraph (G), by striking the period
 11 and inserting “; and”; and

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

1 “(H) international drug abuse education,
2 prevention, treatment, research, rehabilitation
3 activities, and interventions for drug abuse and
4 dependence.”.

5 (b) OFFICE.—Section 702(9) is amended by striking
6 “implicates” and inserting “indicates”.

7 (c) STATE AND LOCAL AFFAIRS.—Paragraph (10) of
8 section 702 is amended to read as follows:

9 “(10) STATE AND LOCAL AFFAIRS.—The term
10 ‘State and local affairs’ means domestic activities
11 conducted by a National Drug Control Program
12 agency that are intended to reduce the availability
13 and use of illegal drugs, including—

14 “(A) coordination and enhancement of
15 Federal, State, and local law enforcement drug
16 control efforts;

17 “(B) coordination and enhancement of ef-
18 forts among National Drug Control Program
19 agencies and State and local demand reduction
20 and supply reduction agencies;

21 “(C) coordination and enhancement of
22 Federal, State, and local law enforcement initia-
23 tives to gather, analyze, and disseminate infor-
24 mation and intelligence relating to drug control
25 among domestic law enforcement agencies; and

1 “(D) other coordinated and joint initiatives
2 among Federal, State, and local agencies to
3 promote comprehensive drug control strategies
4 designed to reduce the demand for, and the
5 availability of, illegal drugs.”.

6 (d) SUPPLY REDUCTION.—Section 702(11) is
7 amended to read as follows:

8 “(11) SUPPLY REDUCTION.—The term ‘supply
9 reduction’ means any activity or program conducted
10 by a National Drug Control Program agency that is
11 intended to reduce the availability or use of illegal
12 drugs in the United States or abroad, including—

13 “(A) activities to control international traf-
14 ficking in, and availability of, illegal drugs, in-
15 cluding—

16 “(i) accurate assessment and moni-
17 toring of international drug production and
18 interdiction programs and policies; and

19 “(ii) coordination and promotion of
20 compliance with international treaties re-
21 lating to the production, transportation, or
22 interdiction of illegal drugs;

23 “(B) activities to conduct and promote
24 international law enforcement programs and
25 policies to reduce the supply of drugs; and

1 “(C) activities to facilitate and enhance the
 2 sharing of domestic and foreign intelligence in-
 3 formation among National Drug Control Pro-
 4 gram agencies, relating to the production and
 5 trafficking of drugs in the United States and in
 6 foreign countries.”.

7 (e) DEFINITION OF APPROPRIATE CONGRESSIONAL
 8 COMMITTEES.—Section 702 is amended by adding at the
 9 end the following:

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

19 **SEC. 102. ESTABLISHMENT OF THE OFFICE OF NATIONAL**
 20 **DRUG CONTROL POLICY.**

21 (a) RESPONSIBILITIES.—Section 703(a) is amended
 22 to read as follows:

23 “(a) ESTABLISHMENT OF OFFICE.—There is estab-
 24 lished in the Executive Office of the President an Office
 25 of National Drug Control Policy, which shall—

1 “(1) develop national drug control policy;

2 “(2) coordinate and oversee the implementation
3 of the national drug control policy;

4 “(3) assess and certify the adequacy of Na-
5 tional Drug Control Programs and the budget for
6 those programs;

7 “(4) evaluate the effectiveness of National Drug
8 Control Program agencies’ programs; and

9 “(5) develop specific goals and performance
10 measurements needed to assess the effectiveness
11 of—

12 “(A) the national drug control policy; and

13 “(B) the programs of the National Drug
14 Control Program agencies.”.

15 (b) POSITIONS.—Section 703(b) is amended to read
16 as follows:

17 “(b) DIRECTOR OF NATIONAL DRUG CONTROL POL-
18 ICY AND DEPUTY DIRECTORS.—

19 “(1) DIRECTOR.—There shall be a Director of
20 National Drug Control Policy who shall head the Of-
21 fice (referred to in this Act as the ‘Director’).

22 “(2) DEPUTY DIRECTOR.—There shall be a
23 Deputy Director of National Drug Control Policy
24 who shall report directly to the Director (referred to
25 in this Act as the ‘Deputy Director’).

1 “(3) OTHER DEPUTY DIRECTORS.—

2 “(A) IN GENERAL.—There shall be a Dep-
 3 uty Director for Demand Reduction, a Deputy
 4 Director for Supply Reduction, and a Deputy
 5 Director for State and Local Affairs.

6 “(B) REPORTING.—The Deputy Director
 7 for Demand Reduction, the Deputy Director for
 8 Supply Reduction, and the Deputy Director for
 9 State and Local Affairs shall report directly to
 10 the Deputy Director of the Office of National
 11 Drug Control Policy.

12 “(C) DEPUTY DIRECTOR FOR DEMAND RE-
 13 Duction.—The Deputy Director for Demand
 14 Reduction shall be responsible for the activi-
 15 ties—

16 “(i) in subparagraphs (A) through
 17 (H) of section 702(l); and

18 “(ii) in section 709, the National
 19 Youth Anti-Drug Media Campaign Act.

20 “(D) DEPUTY DIRECTOR FOR SUPPLY RE-
 21 Duction.—The Deputy Director for Supply
 22 Reduction shall be responsible for the activities
 23 in subparagraphs (A) through (C) in section
 24 702(11).

1 “(E) DEPUTY DIRECTOR FOR STATE AND
 2 LOCAL AFFAIRS.—The Deputy Director for
 3 State and Local Affairs shall be responsible for
 4 the activities—

5 “(i) in subparagraphs (A) through
 6 (D) of section 702(10);

7 “(ii) in section 707, the High Inten-
 8 sity Drug Trafficking Areas Program; and

9 “(iii) in section 708, the Counterdrug
 10 Technology Assessment Center.”.

11 **SEC. 103. APPOINTMENT AND RESPONSIBILITIES OF THE**
 12 **DIRECTOR.**

13 (a) SUCCESSION.—Section 704(a) is amended by
 14 amending paragraph (3) to read as follows:

15 “(3) ACTING DIRECTOR.—If the Director dies,
 16 resigns, or is otherwise unable to perform the func-
 17 tions and duties of the office, the Deputy Director
 18 shall perform the functions and duties of the Direc-
 19 tor temporarily in an acting capacity pursuant to
 20 subchapter III of chapter 33 of title 5, United
 21 States Code.”.

22 (b) RESPONSIBILITIES.—Section 704(b) is amend-
 23 ed—

24 (1) in paragraph (4), by striking “Federal de-
 25 partments and agencies engaged in drug enforce-

1 ment” and inserting “National Drug Control Pro-
2 gram agencies”;

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

6 (3) in paragraph (13), by striking “(beginning
7 in 1999)”;

8 (4) by striking paragraph (14) and inserting
9 the following:

10 “(14) shall submit to the appropriate congres-
11 sional committees on an annual basis, not later than
12 60 days after the date of the last day of the applica-
13 ble period, a summary of—

14 “(A) each of the evaluations received by
15 the Director under paragraph (13); and

16 “(B) the progress of each National Drug
17 Control Program agency toward the drug con-
18 trol program goals of the agency using the per-
19 formance measures for the agency developed
20 under section 706(c);”;

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

23 “(C) supporting the substance abuse infor-
24 mation clearinghouse administered by the Ad-
25 ministrator of the Substance Abuse and Mental

1 Health Services Administration and established
2 in section 501(d)(16) of the Public Health
3 Service Act by—

4 “(i) encouraging all National Drug
5 Control Program agencies to provide all
6 appropriate and relevant information; and

7 “(ii) supporting the dissemination of
8 information to all interested entities;”; and

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

10 “(16) shall coordinate with the private sector to
11 promote private research and development of medi-
12 cations to treat addiction;

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

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

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

1 (c) REVIEW AND CERTIFICATION OF NATIONAL
2 DRUG CONTROL PROGRAM BUDGET.—Section 704(c)(3)
3 is amended—

4 (1) in subparagraph (C)(iii), by inserting “and
5 the appropriate congressional committees,” after
6 “House of Representatives”; and

7 (2) in subparagraph (D)(ii)(II)(bb), by insert-
8 ing “and the appropriate congressional committees,”
9 after “House of Representatives”.

10 (d) POWERS OF DIRECTOR.—Section 704(d) is
11 amended—

12 (1) in paragraph (9)—

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

15 (B) by striking “Strategy; and” and insert-
16 ing “Strategy and notify the appropriate con-
17 gressional committees of any fund control no-
18 tice issued in accordance with section
19 704(f)(5);”; and

20 (2) in paragraph (10), by inserting before the
21 period the following: “and section 706 of the De-
22 partment of State Authorization Act for Fiscal Year
23 2003 (22 U.S.C. 229j–1)”.

24 (e) FUND CONTROL NOTICES.—Section 704(f) is
25 amended by adding at the end the following:

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

4 “(5) RESTRICTIONS.—The Director shall not
5 issue a fund control notice to direct that all or part
6 of an amount appropriated to the National Drug
7 Control Program agency account be obligated, modi-
8 fied, or altered in any manner—

9 “(A) contrary, in whole or in part, to a
10 specific appropriation; or

11 “(B) contrary, in whole or in part, to the
12 expressed intent of Congress.”.

13 (f) UNITED STATES INTERDICTION COORDINATOR.—

14 (1) IN GENERAL.—Section 704 is amended by
15 adding at the end the following:

16 “(i) UNITED STATES INTERDICTION COORDI-
17 NATOR.—

18 “(1) IN GENERAL.—There shall be a United
19 States Interdiction Coordinator, who shall be des-
20 ignated by the Director and who shall be responsible
21 for the coordination of interdiction operations among
22 National Drug Control Program agencies to prevent
23 and reduce the illegal importation of drugs into the
24 United States.

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

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

8 “(B) developing a National Drug Control
9 Interdiction plan to ensure consistency with the
10 National Drug Control Strategy;

11 “(C) assessing the sufficiency of assets of
12 the National Drug Control Program agencies
13 committed to illicit drug interdiction; and

14 “(D) advising the Director on the efforts
15 of each National Drug Control Program Agency
16 to implement the National Drug Control Inter-
17 diction plan.”.

18 (2) AMENDMENT TO HOMELAND SECURITY ACT
19 OF 2002.—Section 878 of the Homeland Security Act
20 of 2002 (6 U.S.C. 458) is amended by striking
21 “shall—” through paragraph (2) and inserting
22 “shall ensure the adequacy of resources within the
23 Department for illicit drug interdiction.”.

1 **SEC. 104. AMENDMENTS TO ENSURE COORDINATION WITH**
2 **OTHER AGENCIES.**

3 Section 705 is amended—

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

6 (2) by amending subsection (a)(3) to read as
7 follows:

8 “(3) REQUIRED REPORTS.—

9 “(A) SECRETARIES OF THE INTERIOR AND
10 AGRICULTURE.—Not later than July 1 of each
11 year, the Secretaries of Agriculture and the In-
12 terior shall jointly submit to the Director and
13 the appropriate congressional committees an as-
14 sessment of the quantity of illegal drug cultiva-
15 tion and manufacturing in the United States on
16 lands owned or under the jurisdiction of the
17 Federal Government for the preceding year.

18 “(B) SECRETARY OF HOMELAND SECU-
19 RITY.—Not later than July 1 of each year, the
20 Secretary of Homeland Security shall submit to
21 the Director and the appropriate congressional
22 committees information for the preceding year
23 regarding—

24 “(i) the number and type of seizures
25 of drugs by each component of the Depart-
26 ment of Homeland Security seizing drugs,

as well as statistical information on the geographic areas of such seizures; and

“(ii) the number of air and maritime patrol hours primarily dedicated to drug supply reduction missions undertaken by each component of the Department of Homeland Security.

“(C) SECRETARY OF DEFENSE.—The Secretary of Defense shall, by July 1 of each year, submit to the Director and the appropriate congressional committees information for the preceding year regarding the number of air and maritime patrol hours primarily dedicated to drug supply reduction missions undertaken by each component of the Department of Defense.”; and

(3) in subsection (b)(2)(B), by striking “Program” and inserting “Strategy”.

TITLE II—THE NATIONAL DRUG CONTROL STRATEGY

SEC. 201. ANNUAL PREPARATION AND SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.

Section 706 is amended to read as follows:

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

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

7 “(1) TIMING.—Not later than February 1 of
8 each year, the President shall submit to Congress a
9 National Drug Control Strategy, which shall set
10 forth a comprehensive plan for the year to reduce
11 drug abuse and the consequences of such drug abuse
12 in the United States by limiting the availability of,
13 and reducing the demand for, illegal drugs.

14 “(2) CONTENTS.—

15 “(A) IN GENERAL.—The National Drug
16 Control Strategy submitted under paragraph
17 (1) shall include—

18 “(i) comprehensive, research-based,
19 long-range, quantifiable goals for reducing
20 drug abuse and the consequences of drug
21 abuse in the United States;

22 “(ii) annual quantifiable and measur-
23 able objectives and specific targets to ac-
24 complish long-term quantifiable goals that
25 the Director determines may be achieved
26 during each year beginning on the date on

1 which the National Drug Control Strategy
2 is submitted;

3 “(iii) 5-year projections for program
4 and budget priorities;

5 “(iv) a review of international, State,
6 local, and private sector drug control ac-
7 tivities to ensure that the United States
8 pursues coordinated and effective drug
9 control at all levels of government;

10 “(v) an assessment of current illicit
11 drug use (including inhalants) and avail-
12 ability, impact of illicit drug use, and
13 treatment availability, which assessment
14 shall include—

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

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

24 “(III) illicit drug use by
25 arrestees, probationers, and parolees;

1 “(vi) an assessment of the reduction
2 of illicit drug availability, as measured
3 by—

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

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

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

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

23 “(V) changes in the price and
24 purity of heroin, methamphetamine,
25 and cocaine, changes in the price of

1 ecstasy, and changes in
2 tetrahydrocannabinol level of mari-
3 juana and other drugs;

4 “(vii) an assessment of the reduction
5 of the consequences of illicit drug use and
6 availability, which shall include—

7 “(I) the burden illicit drug users
8 placed on hospital emergency depart-
9 ments in the United States, such as
10 the quantity of illicit drug-related
11 services provided;

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

14 “(III) the extent of illicit drug-
15 related crime and criminal activity;

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

19 “(I) public and private treatment
20 utilization; and

21 “(II) the number of illicit drug
22 users the Director estimates meet di-
23 agnostic criteria for treatment;

24 “(ix) a review of the research agenda
25 of the Counterdrug Technology Assessment

Center to reduce the availability and abuse
of drugs; and

“(x) a summary of the efforts made to
coordinate with private sector entities to
conduct private research and development
of medications to treat addiction by—

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

“(II) developing promising com-
pounds;

“(III) conducting clinical trials;

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

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

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

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

“(B) CLASSIFIED INFORMATION.—Any
contents of the National Drug Control Strategy

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

5 “(3) PROCESS FOR DEVELOPMENT AND SUB-
6 MISSION.—In developing and effectively imple-
7 menting the National Drug Control Strategy, the
8 Director—

9 “(A) shall consult with—

10 “(i) the heads of the National Drug
11 Control Program agencies;

12 “(ii) Congress;

13 “(iii) State and local officials;

14 “(iv) private citizens and organiza-
15 tions with experience and expertise in de-
16 mand reduction;

17 “(v) private citizens and organizations
18 with experience and expertise in supply re-
19 duction; and

20 “(vi) appropriate representatives of
21 foreign governments;

22 “(B) in satisfying the requirements of sub-
23 paragraph (A), shall ensure, to the maximum
24 extent possible, that State and local officials
25 and relevant private organizations commit to

1 support and take steps to achieve the goals and
2 objectives of the National Drug Control Strat-
3 egy;

4 “(C) with the concurrence of the Attorney
5 General, may require the El Paso Intelligence
6 Center to undertake specific tasks or projects to
7 support or implement the National Drug Con-
8 trol Strategy; and

9 “(D) with the concurrence of the Director
10 of National Intelligence and the Attorney Gen-
11 eral, may request that the National Drug Intel-
12 ligence Center undertake specific tasks or
13 projects to support or implement the National
14 Drug Control Strategy.

15 “(b) SUBMISSION OF REVISED STRATEGY.—The
16 President may submit to Congress a revised National
17 Drug Control Strategy that meets the requirements of this
18 section—

19 “(1) at any time, upon a determination of the
20 President, in consultation with the Director, that the
21 National Drug Control Strategy in effect is not suf-
22 ficiently effective; or

23 “(2) if a new President or Director takes of-
24 fice.”.

1 **SEC. 202. PERFORMANCE MEASUREMENTS.**

2 Section 706 is amended by adding at the end the fol-
3 lowing:

4 “(c) PERFORMANCE MEASUREMENT SYSTEM.—Not
5 later than February 1 of each year, the Director shall sub-
6 mit to Congress as part of the National Drug Control
7 Strategy, a description of a national drug control perform-
8 ance measurement system, that—

9 “(1) develops 2-year and 5-year performance
10 measures and targets for each National Drug Con-
11 trol Strategy goal and objective established for re-
12 ducing drug use, availability, and the consequences
13 of drug use;

14 “(2) describes the sources of information and
15 data that will be used for each performance measure
16 incorporated into the performance measurement sys-
17 tem;

18 “(3) identifies major programs and activities of
19 the National Drug Control Program agencies that
20 support the goals and annual objectives of the Na-
21 tional Drug Control Strategy;

22 “(4) evaluates the contribution of demand re-
23 duction and supply reduction activities as defined in
24 section 702 implemented by each National Drug
25 Control Program agency in support of the National
26 Drug Control Strategy;

1 “(5) monitors consistency between the drug-re-
2 lated goals and objectives of the National Drug Con-
3 trol Program agencies and ensures that each agen-
4 cy’s goals and budgets support and are fully con-
5 sistent with the National Drug Control Strategy;
6 and

7 “(6) coordinates the development and imple-
8 mentation of national drug control data collection
9 and reporting systems to support policy formulation
10 and performance measurement, including an assess-
11 ment of—

12 “(A) the quality of current drug use meas-
13 urement instruments and techniques to measure
14 supply reduction and demand reduction activi-
15 ties;

16 “(B) the adequacy of the coverage of exist-
17 ing national drug use measurement instruments
18 and techniques to measure the casual drug use
19 population, the addicted drug user population,
20 and groups that are at risk for drug use;

21 “(C) the adequacy of the coverage of exist-
22 ing national treatment outcome monitoring sys-
23 tems to measure the effectiveness of drug abuse
24 treatment in reducing drug use and criminal

1 behavior during and after the completion of
2 substance abuse treatment; and

3 “(D) the actions the Director shall take to
4 correct any deficiencies and limitations identi-
5 fied pursuant to subparagraphs (A) and (B) of
6 this subsection.

7 “(d) MODIFICATIONS.—A description of any modi-
8 fications made during the preceding year to the national
9 drug performance measurement system described in sub-
10 section (c) shall be included in each report submitted
11 under subsection (b).”.

12 **SEC. 203. ANNUAL REPORT REQUIREMENT.**

13 (a) IN GENERAL.—On or before February 1 of each
14 year, the Director shall submit a report to Congress that
15 describes—

16 (1) the strategy of the national media campaign
17 and whether specific objectives of the campaign were
18 accomplished;

19 (2) steps taken to ensure that the national
20 media campaign operates in an effective and effi-
21 cient manner consistent with the overall strategy
22 and focus of the campaign;

23 (3) plans to purchase advertising time and
24 space;

1 (4) policies and practices implemented to ensure
2 that Federal funds are used responsibly to purchase
3 advertising time and space and eliminate the poten-
4 tial for waste, fraud, and abuse;

5 (5) all contracts entered into with a corpora-
6 tion, partnership, or individual working on behalf of
7 the national media campaign;

8 (6) specific policies and steps implemented to
9 ensure compliance with title IV of this Act;

10 (7) steps taken to ensure that the national
11 media campaign will secure, to the maximum extent
12 possible, no cost matches of advertising time and
13 space or in-kind contributions that are directly re-
14 lated to the campaign in accordance with title IV of
15 this Act; and

16 (8) a review and evaluation of the effectiveness
17 of the national media campaign strategy for the past
18 year.

19 (b) AUDIT.—The Government Accountability Office
20 shall, at a frequency of not less than once per year—

21 (1) conduct and supervise an audit and inves-
22 tigation relating to the programs and operations of
23 the—

24 (A) Office; or

1 (B) certain programs within the Office, in-
 2 cluding—

3 (i) the High Intensity Drug Traf-
 4 ficking Areas Program;

5 (ii) the Counterdrug Technology As-
 6 sessment Center; or

7 (iii) the National Youth Anti-drug
 8 Media Campaign; and

9 (2) provide the Director and the appropriate
 10 congressional committees with a report containing
 11 an evaluation of and recommendations on the—

12 (A) policies and activities of the programs
 13 and operations subject to the audit and inves-
 14 tigation;

15 (B) economy, efficiency, and effectiveness
 16 in the administration of the reviewed programs
 17 and operations; and

18 (C) policy or management changes needed
 19 to prevent and detect fraud and abuse in such
 20 programs and operations.

21 **TITLE III—HIGH INTENSITY**
 22 **DRUG TRAFFICKING AREAS**

23 **SEC. 301. HIGH INTENSITY DRUG TRAFFICKING AREAS**
 24 **PROGRAM.**

25 Section 707 is amended to read as 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.

26 “(b) DESIGNATION.—

1 “(1) IN GENERAL.—The Director, in consulta-
2 tion with the Attorney General, the Secretary of the
3 Treasury, the Secretary of Homeland Security,
4 heads of the National Drug Control Program agen-
5 cies, and the Governor of each applicable State, may
6 designate any specified area of the United States as
7 a high intensity drug trafficking area.

8 “(2) ACTIVITIES.—After making a designation
9 under paragraph (1) and in order to provide Federal
10 assistance to the area so designated, the Director
11 may—

12 “(A) obligate such sums as are appro-
13 priated for the Program;

14 “(B) direct the temporary reassignment of
15 Federal personnel to such area, subject to the
16 approval of the head of the department or agen-
17 cy that employs such personnel;

18 “(C) take any other action authorized
19 under section 704 to provide increased Federal
20 assistance to those areas; and

21 “(D) coordinate activities under this sec-
22 tion (specifically administrative, recordkeeping,
23 and funds management activities) with State
24 and local officials.

1 “(c) PETITIONS FOR DESIGNATION.—The Director
2 shall establish regulations under which a coalition of inter-
3 ested law enforcement agencies from an area may petition
4 for designation as a high intensity drug trafficking area.
5 Such regulations shall provide for a regular review by the
6 Director of the petition, including a recommendation re-
7 garding the merit of the petition to the Director by a panel
8 of qualified, independent experts.

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

14 “(1) the area is a significant center of illegal
15 drug production, manufacturing, importation, or dis-
16 tribution;

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

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

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

4 “(e) ORGANIZATION OF HIGH INTENSITY DRUG
 5 TRAFFICKING AREAS.—

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

13 “(2) RESPONSIBILITIES.—The Executive Board
 14 of a high intensity drug trafficking area shall be re-
 15 sponsible for—

16 “(A) providing direction and oversight in
 17 establishing and achieving the goals of the high
 18 intensity drug trafficking area;

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

21 “(C) reviewing and approving all funding
 22 proposals consistent with the overall objective of
 23 the high intensity drug trafficking area; and

1 “(D) reviewing and approving all reports
2 to the Director on the activities of the high in-
3 tensity drug trafficking area.

4 “(3) BOARD REPRESENTATION.—None of the
5 funds appropriated under this section may be ex-
6 pended for any high intensity drug trafficking area,
7 or for a partnership or region of a high intensity
8 drug trafficking area, if the Executive Board for
9 such area, region, or partnership, does not apportion
10 an equal number of votes between representatives of
11 participating Federal agencies and representatives of
12 participating State and local agencies. Where it is
13 impractical for an equal number of representatives
14 of Federal agencies and State and local agencies to
15 attend a meeting of an Executive Board in person,
16 the Executive Board may use a system of proxy
17 votes or weighted votes to achieve the voting balance
18 required by this paragraph.

19 “(4) NO AGENCY RELATIONSHIP.—The eligi-
20 bility requirements of this section are intended to
21 ensure the responsible use of Federal funds. Nothing
22 in this section is intended to create an agency rela-
23 tionship between individual high intensity drug traf-
24 ficking areas and the Federal Government.

1 “(f) USE OF FUNDS.—The Director shall ensure that
2 no Federal funds appropriated for the Program are ex-
3 pended for the establishment or expansion of drug treat-
4 ment programs, and shall ensure that not more than 5
5 percent of the Federal funds appropriated for the Pro-
6 gram are expended for the establishment of drug preven-
7 tion programs.

8 “(g) COUNTERTERRORISM ACTIVITIES.—

9 “(1) ASSISTANCE AUTHORIZED.—The Director
10 may authorize use of resources available for the Pro-
11 gram to assist Federal, State, and local law enforce-
12 ment agencies in investigations and activities related
13 to terrorism and prevention of terrorism, especially
14 but not exclusively with respect to such investiga-
15 tions and activities that are also related to drug
16 trafficking.

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

18 “(A) that assistance provided under para-
19 graph (1) remains incidental to the purpose of
20 the Program to reduce drug availability and
21 carry out drug-related law enforcement activi-
22 ties; and

23 “(B) that significant resources of the Pro-
24 gram are not redirected to activities exclusively
25 related to terrorism, except on a temporary

1 basis under extraordinary circumstances, as de-
2 termined by the Director.

3 “(h) ROLE OF DRUG ENFORCEMENT ADMINISTRA-
4 TION.—The Director, in consultation with the Attorney
5 General, shall ensure that a representative of the Drug
6 Enforcement Administration is included in the Intelligence
7 Support Center for each high intensity drug trafficking
8 area.

9 “(i) ANNUAL HIDTA PROGRAM BUDGET SUBMIS-
10 SIONS.—As part of the documentation that supports the
11 President’s annual budget request for the Office, the Di-
12 rector shall submit to Congress a budget justification that
13 includes—

14 “(1) the amount requested for each high inten-
15 sity drug trafficking area, with supporting narrative
16 descriptions and rationale for each request; and

17 “(2) a detailed justification for each funding re-
18 quest that explains—

19 “(A) the reasons for the requested funding
20 level; how such funding level was determined
21 based on a current assessment of the drug traf-
22 ficking threat in each high intensity drug traf-
23 ficking area;

1 “(B) how such funding will ensure that the
2 goals and objectives of each such area will be
3 achieved; and

4 “(C) how such funding supports the Na-
5 tional Drug Control Strategy.

6 “(j) EMERGING THREAT RESPONSE FUND.—

7 “(1) IN GENERAL.—Subject to the availability
8 of appropriations, the Director may expend up to 10
9 percent of the amounts appropriated under this sec-
10 tion on a discretionary basis, to respond to any
11 emerging drug trafficking threat in an existing high
12 intensity drug trafficking area, or to establish a new
13 high intensity drug trafficking area or expand an ex-
14 isting high intensity drug trafficking area, in accord-
15 ance with the criteria established under paragraph
16 (2).

17 “(2) CONSIDERATION OF IMPACT.—In allo-
18 cating funds under this subsection, the Director
19 shall consider—

20 “(A) the impact of activities funded on re-
21 ducing overall drug traffic in the United States,
22 or minimizing the probability that an emerging
23 drug trafficking threat will spread to other
24 areas of the United States; and

1 “(B) such other criteria as the Director
2 considers appropriate.

3 “(k) EVALUATION.—

4 “(1) INITIAL REPORT.—Not later than 90 days
5 after the date of the enactment of this section, the
6 Director shall, after consulting with the Executive
7 Boards of each designated high intensity drug traf-
8 ficking area, submit a report to Congress that de-
9 scribes, for each designated high intensity drug traf-
10 ficking area—

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

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

16 “(C) the measurements that will be used to
17 evaluate the performance of the high intensity
18 drug trafficking area in achieving the long-term
19 and short-term goals; and

20 “(D) the reporting requirements needed to
21 evaluate the performance of the high intensity
22 drug trafficking area in achieving the long-term
23 and short-term goals.

24 “(2) EVALUATION OF HIDTA PROGRAM AS PART
25 OF NATIONAL DRUG CONTROL STRATEGY.—For each

1 designated high intensity drug trafficking area, the
2 Director shall submit, as part of the annual National
3 Drug Control Strategy report, a report that—

4 “(A) describes—

5 “(i) the specific purposes for the high
6 intensity drug trafficking area; and

7 “(ii) the specific long-term and short-
8 term goals and objectives for the high in-
9 tensity drug trafficking area; and

10 “(B) includes an evaluation of the per-
11 formance of the high intensity drug trafficking
12 area in accomplishing the specific long-term
13 and short-term goals and objectives identified
14 under paragraph (1)(B).

15 “(1) ASSESSMENT OF DRUG ENFORCEMENT TASK
16 FORCES IN HIGH INTENSITY DRUG TRAFFICKING
17 AREAS.—Not later than 180 days after the date of enact-
18 ment of this subsection, and as part of each subsequent
19 annual National Drug Control Strategy report, the Direc-
20 tor shall submit to Congress a report—

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

24 “(2) describing—

1 “(A) each Federal, State, and local drug
2 enforcement task force operating in the high in-
3 tensity drug trafficking area;

4 “(B) how such task forces coordinate with
5 each other, with any high intensity drug traf-
6 ficking area task force, and with investigations
7 receiving funds from the Organized Crime and
8 Drug Enforcement Task Force;

9 “(C) what steps, if any, each such task
10 force takes to share information regarding drug
11 trafficking and drug production with other fed-
12 erally funded drug enforcement task forces in
13 the high intensity drug trafficking area;

14 “(D) the role of the high intensity drug
15 trafficking area in coordinating the sharing of
16 such information among task forces;

17 “(E) the nature and extent of cooperation
18 by each Federal, State, and local participant in
19 ensuring that such information is shared among
20 law enforcement agencies and with the high in-
21 tensity drug trafficking area;

22 “(F) the nature and extent to which infor-
23 mation sharing and enforcement activities are
24 coordinated with joint terrorism task forces in
25 the high intensity drug trafficking area; and

1 “(G) any recommendations for measures
2 needed to ensure that task force resources are
3 utilized efficiently and effectively to reduce the
4 availability of illegal drugs in the high intensity
5 drug trafficking areas.

6 “(m) ASSESSMENT OF INTELLIGENCE SHARING IN
7 HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-
8 GRAM.—Not later than 180 days after the date of the en-
9 actment of this section, and as part of each subsequent
10 annual National Drug Control Strategy report, the Direc-
11 tor, in consultation with the Director of National Intel-
12 ligence, shall submit to Congress a report—

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

21 “(2) the extent to which Federal, State, and
22 local law enforcement agencies participating in each
23 high intensity drug trafficking area are sharing in-
24 telligence information to assess current drug traf-

1 ficking threats and design appropriate enforcement
2 strategies; and

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

10 “(n) COORDINATION OF INTELLIGENCE SHARING
11 WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK
12 FORCE PROGRAM.—The Director, in consultation with the
13 Attorney General, shall ensure that any drug enforcement
14 intelligence obtained by the Intelligence Support Center
15 for each high intensity drug trafficking area is shared, on
16 a timely basis, with the drug intelligence fusion center op-
17 erated by the Organized Crime Drug Enforcement Task
18 Force of the Department of Justice.

19 “(o) USE OF FUNDS TO COMBAT METHAMPHET-
20 AMINE TRAFFICKING.—

21 “(1) IN GENERAL.—

22 “(A) REQUIREMENT.—The Director shall
23 ensure that, of the amounts appropriated for a
24 fiscal year for the Program, at least
25 \$15,000,000 is allocated to combat the traf-

1 ficking of methamphetamine in areas des-
2 ignated by the Director as high intensity drug
3 trafficking areas.

4 “(B) ACTIVITIES.—In meeting the require-
5 ment in subparagraph (A), the Director shall
6 transfer funds to appropriate Federal, State,
7 and local governmental agencies for employing
8 additional Federal law enforcement personnel,
9 or facilitating the employment of additional
10 State and local law enforcement personnel, in-
11 cluding agents, investigators, prosecutors, lab-
12 oratory technicians, chemists, investigative as-
13 sistants, and drug prevention specialists.

14 “(2) APPORTIONMENT OF FUNDS.—

15 “(A) FACTORS IN APPORTIONMENT.—The
16 Director shall apportion amounts allocated
17 under paragraph (1) among areas designated by
18 the Director as high intensity drug trafficking
19 areas based on the following factors:

20 “(i) The number of methamphetamine
21 manufacturing facilities discovered by Fed-
22 eral, State, or local law enforcement offi-
23 cials in the area during the previous fiscal
24 year.

1 “(ii) The number of methamphet-
2 amine prosecutions in Federal, State, or
3 local courts in the area during the previous
4 fiscal year.

5 “(iii) The number of methamphet-
6 amine arrests by Federal, State, or local
7 law enforcement officials in the area dur-
8 ing the previous fiscal year.

9 “(iv) The amounts of methamphet-
10 amine or listed chemicals (as that term is
11 defined in section 102(33) of the Con-
12 trolled Substances Act (21 U.S.C.
13 802(33)) seized by Federal, State, or local
14 law enforcement officials in the area dur-
15 ing the previous fiscal year.

16 “(v) Intelligence and predictive data
17 from the Drug Enforcement Administra-
18 tion showing patterns and trends in abuse,
19 trafficking, and transportation in meth-
20 amphetamine and listed chemicals (as that
21 term is so defined).

22 “(B) CERTIFICATION.—Before the Direc-
23 tor apportions any funds under this paragraph
24 to a high intensity drug trafficking area, the
25 Director shall certify that the law enforcement

1 entities responsible for clandestine methamphet-
 2 amine laboratory seizures in that area are pro-
 3 viding laboratory seizure data to the national
 4 clandestine laboratory database at the El Paso
 5 Intelligence Center.

6 “(p) AUTHORIZATION OF APPROPRIATIONS.—There
 7 is authorized to be appropriated to the Office of National
 8 Drug Control Policy to carry out this section—

9 “(1) \$280,000,000 for fiscal year 2007;

10 “(2) \$290,000,000 for each of fiscal years 2008
 11 and 2009; and

12 “(3) \$300,000,000 for each of fiscal years 2010
 13 and 2011.”.

14 **SEC. 302. FUNDING FOR CERTAIN HIGH INTENSITY DRUG**
 15 **TRAFFICKING AREAS.**

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

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

19 (1) In the early morning hours of October 16,
 20 2002, the home of Carnell and Angela Dawson was
 21 firebombed in apparent retaliation for Mrs.
 22 Dawson’s notification to police about persistent drug
 23 distribution activity in their East Baltimore City
 24 neighborhood.

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

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

5 (4) In all phases of counternarcotics law en-
6 forcement—from prevention to investigation to pros-
7 ecution to reentry—the voluntary cooperation of or-
8 dinary citizens is a critical component.

9 (5) Voluntary cooperation is difficult for law en-
10 forcement officials to obtain when citizens feel that
11 cooperation carries the risk of violent retaliation by
12 illegal drug trafficking organizations and their affili-
13 ates.

14 (6) Public confidence that law enforcement is
15 doing all it can to make communities safe is a pre-
16 requisite for voluntary cooperation among people
17 who may be subject to intimidation or reprisal (or
18 both).

19 (7) Witness protection programs are insufficient
20 on their own to provide security because many indi-
21 viduals and families who strive every day to make
22 distressed neighborhoods livable for their children,
23 other relatives, and neighbors will resist or refuse of-
24 fers of relocation by local, State, and Federal pros-
25 ecutorial agencies and because, moreover, the contin-

1 ued presence of strong individuals and families is
2 critical to preserving and strengthening the social
3 fabric in such communities.

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

15 (c) FUNDING FOR CERTAIN HIGH INTENSITY DRUG
16 TRAFFICKING AREAS.—Section 707, as amended by sec-
17 tion 301, is amended by adding at the end the following:

18 “(q) SPECIFIC PURPOSES.—

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

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

3 “(A) to ensure the safety of neighborhoods
4 and the protection of communities, including
5 the prevention of the intimidation of potential
6 witnesses of illegal drug distribution and related
7 activities; and

8 “(B) to combat illegal drug trafficking
9 through such methods as the Director considers
10 appropriate, such as establishing or operating
11 (or both) a toll-free telephone hotline for use by
12 the public to provide information about illegal
13 drug-related activities.”.

14 **SEC. 303. ASSESSMENT.**

15 The Director shall assess the ability of the HIDTA
16 Program to respond to the so-called “balloon effect”,
17 whereby urban drug traffickers facing intensive law en-
18 forcement efforts expand and spread their trafficking and
19 distribution into rural, suburban, and smaller urban areas
20 by conducting a demonstration project examining the abil-
21 ity of the New York/New Jersey HIDTA, with its new sin-
22 gle colocated Organized Crime and Drug Enforcement
23 Task Force/High Intensity Drug Trafficking Area Strike
24 Force and HIDTA Regional Intelligence Center, to ad-
25 dress the movement of drug traffickers into the more

1 rural, suburban, and smaller areas encompassed by the
 2 counties of Albany, Onondaga, Monroe, and Erie in New
 3 York State and by annexing these counties into the exist-
 4 ing New York/New Jersey HIDTA.

5 **TITLE IV—TECHNOLOGY**

6 **SEC. 401. COUNTERDRUG TECHNOLOGY ASSESSMENT CEN-** 7 **TER.**

8 (a) CHIEF SCIENTIST.—Section 708(b) is amended
 9 to read as follows:

10 “(b) CHIEF SCIENTIST.—There shall be at the head
 11 of the Center the Chief Scientist, who shall be appointed
 12 by the Director from among individuals qualified and dis-
 13 tinguished in the area of science, medicine, engineering,
 14 or technology.”.

15 (b) RESPONSIBILITIES.—

16 (1) RESEARCH AND DEVELOPMENT.—Section
 17 708 is amended by—

18 (A) redesignating subsection (d) as sub-
 19 section (e); and

20 (B) striking subsection (c) and inserting
 21 the following:

22 “(c) RESEARCH AND DEVELOPMENT RESPONSIBIL-
 23 ITIES.—The Chief Scientist shall be responsible to the Di-
 24 rector for—

1 “(1) identifying and defining the short-, me-
2 dium-, and long-term scientific and technological
3 needs of Federal, State, and local drug supply re-
4 duction agencies, including—

5 “(A) advanced surveillance, tracking, and
6 radar imaging;

7 “(B) electronic support measures;

8 “(C) communications;

9 “(D) data fusion, advanced computer sys-
10 tems, and artificial intelligence; and

11 “(E) chemical, biological, radiological (in-
12 cluding neutron and electron), and other means
13 of detection;

14 “(2) identifying demand reduction basic and
15 applied research needs and initiatives, in consulta-
16 tion with affected National Drug Control Program
17 agencies, including—

18 “(A) improving treatment through
19 neuroscientific advances;

20 “(B) improving the transfer of biomedical
21 research to the clinical setting; and

22 “(C) in consultation with the National In-
23 stitute of Drug Abuse, and through interagency
24 agreements or grants, examining addiction and
25 rehabilitation research and the application of

1 technology to expanding the effectiveness and
2 availability of drug treatment;

3 “(3) making a priority ranking of such needs
4 identified in paragraphs (1) and (2) according to fis-
5 cal and technological feasibility, as part of a Na-
6 tional Counterdrug Research and Development Pro-
7 gram;

8 “(4) overseeing and coordinating counterdrug
9 technology initiatives with related activities of other
10 Federal civilian and military departments;

11 “(5) providing support to the development and
12 implementation of the national drug control per-
13 formance measurement system established under
14 subsection (c) of section 706; and

15 “(6) transferring funds made available to a Na-
16 tional Drug Control Program Agency for
17 counterdrug technology research and development to
18 another account within such agency or to another
19 National Drug Control Program Agency for
20 counterdrug technology research and development,
21 pursuant to the authority of the Director under sec-
22 tion 704.

23 “(d) LIMITATION ON AUTHORITY.—The authority
24 granted to the Director under this section shall not extend

1 to the awarding of contracts, management of individual
 2 projects, or other operational activities.”.

3 (2) ASSISTANCE AND SUPPORT.—Subsection (e)
 4 of section 708, as redesignated by this section, is
 5 amended to read as follows:

6 “(e) ASSISTANCE AND SUPPORT TO THE OFFICE OF
 7 NATIONAL DRUG CONTROL POLICY.—The Secretary of
 8 Defense, the Secretary of Homeland Security, and the
 9 Secretary of Health and Human Services shall, to the
 10 maximum extent practicable, render assistance and sup-
 11 port to the Office and to the Director in the conduct of
 12 counterdrug technology assessment.”.

13 (3) TECHNOLOGY TRANSFER PROGRAM.—Sec-
 14 tion 708 is amended by adding at the end the fol-
 15 lowing:

16 “(f) TECHNOLOGY TRANSFER PROGRAM.—

17 “(1) PROGRAM.—The Chief Scientist, with the
 18 advice and counsel of experts from State and local
 19 law enforcement agencies, shall be responsible to the
 20 Director for coordination and implementation of a
 21 counterdrug technology transfer program.

22 “(2) PURPOSE.—The purpose of the Tech-
 23 nology Transfer Program shall be for the
 24 Counterdrug Technology Assessment Center to

1 transfer technology and associated training directly
2 to State and local law enforcement agencies.

3 “(3) PRIORITY OF RECEIPTS.—Transfers shall
4 be made in priority order based on—

5 “(A) the need of potential recipients for
6 such technology;

7 “(B) the effectiveness of the technology to
8 enhance current counterdrug activities of poten-
9 tial recipients; and

10 “(C) the ability and willingness of potential
11 recipients to evaluate transferred technology.

12 “(4) AGREEMENT AUTHORITY.—The Director
13 may enter into an agreement with the Secretary of
14 Homeland Security to transfer technology with both
15 counterdrug and homeland security applications to
16 State and local law enforcement agencies on a reim-
17 bursable basis.

18 “(5) REPORT.—On or before July 1 of each
19 year, the Director shall submit a report to the ap-
20 propriate congressional committees which addresses
21 the following:

22 “(A) The number of requests received dur-
23 ing the previous 12 months.

24 “(B) The number of requests fulfilled dur-
25 ing the previous 12 months.

1 “(C) A summary of the criteria used in
2 making the determination on what requests
3 were funded and what requests were not fund-
4 ed.

5 “(D) A general assessment of the future
6 needs of the program, based on expected
7 changes in threats, expected technologies, and
8 likely need from potential recipients.

9 “(E) An assessment of the effectiveness of
10 the technologies transferred, based in part on
11 the evaluations provided by the recipients, with
12 a recommendation whether the technology
13 should continue to be offered through the pro-
14 gram.”.

15 **TITLE V—REAUTHORIZATION**
16 **AND IMPROVEMENT OF THE**
17 **NATIONAL ANTI-DRUG MEDIA**
18 **CAMPAIGN**

19 **SEC. 501. SHORT TITLE.**

20 This title may be cited as the “National Youth Anti-
21 Drug Media Campaign Reauthorization Act of 2006”.

22 **SEC. 502. PURPOSES OF THE NATIONAL YOUTH ANTI-DRUG**
23 **MEDIA CAMPAIGN.**

24 The Drug-Free Media Campaign Act of 1998 (21
25 U.S.C. 1801 et seq.) is amended—

1 (1) in section 101, by striking “Drug-Free
2 Media Campaign Act of 1998” and inserting “Na-
3 tional Youth Anti-Drug Media Campaign Act”; and

4 (2) in section 102—

5 (A) in subsection (a), by striking “national
6 media campaign” and all that follows through
7 the period and inserting the following: “national
8 youth anti-drug media campaign (referred to in
9 this subtitle as the ‘national media campaign’)
10 in accordance with this subtitle for the purposes
11 of—

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

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

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

19 (B) in subsection (b), by striking “105”
20 and inserting “104”.

1 **SEC. 503. ROLES AND RESPONSIBILITIES OF THE DIREC-**
 2 **TOR, THE PARTNERSHIP FOR A DRUG-FREE**
 3 **AMERICA, AND A MEDIA BUYING CON-**
 4 **TRACTOR.**

5 The Drug-Free Media Campaign Act of 1998 (21
 6 U.S.C. 1801 et seq.) is amended—

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

8 “(c) DIVISION OF RESPONSIBILITIES AND FUNC-
 9 TIONS UNDER THE PROGRAM.—

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

14 “(2) RESPONSIBILITIES.—

15 “(A) DIRECTOR.—The Director shall be
 16 responsible for implementing a focused national
 17 media campaign to meet the purposes set forth
 18 in section 102(a), and shall approve—

19 “(i) the strategy of the national media
 20 campaign;

21 “(ii) all advertising and promotional
 22 material used in the national media cam-
 23 paign; and

24 “(iii) the plan for the purchase of ad-
 25 vertising time and space for the national
 26 media campaign.

1 “(B) THE PARTNERSHIP FOR A DRUG-
2 FREE AMERICA.—The Director shall request
3 that the Partnership for a Drug-Free Amer-
4 ica—

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

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

14 “(I) provided by other nonprofit
15 entities pursuant to section 103(c);

16 “(II) intended to reach a minor-
17 ity, ethnic, or other special audience
18 that cannot be obtained at no cost
19 (not including production costs and
20 talent reuse payments), provided that
21 any such advertising material is re-
22 viewed by the Partnership for a Drug-
23 Free America; or

24 “(III) any other advertisements
25 that the Partnership for a Drug-Free

1 America determines it is unable to
2 provide.

3 “(C) MEDIA BUYING CONTRACTOR.—The
4 Director shall enter into a contract with a
5 media buying contractor to plan and purchase
6 advertising time and space for the national
7 media campaign. The media buying contractor
8 shall not provide any service or material, or
9 conduct any function or activity which can be
10 provided by the Partnership for a Drug-Free
11 America, as defined in section 403(2)(B)”;

12 (2) in section 103—

13 (A) in subparagraph (A), by inserting “,
14 including the strategic planning for, and ac-
15 counting of, such purchases” after “space”;

16 (B) in subparagraph (C), by striking “out-
17 of-pocket”; and

18 (C) in subparagraph (F), by striking “the
19 Office of National Drug Control Policy” and in-
20 serting “either the Office of National Drug
21 Control Policy or the designee of the Office”.

1 **SEC. 504. RESPONSIBLE USE OF FEDERAL FUNDS FOR THE**
2 **NATIONAL YOUTH ANTI-DRUG MEDIA CAM-**
3 **PAIGN.**

4 The Drug-Free Media Campaign Act of 1998 (21
5 U.S.C. 1801 et seq.) is amended—

6 (1) in section 103, by striking paragraph (2)
7 and inserting the following:

8 “(2) ADVERTISING.—

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B), in carrying out this subtitle,
11 the Director shall ensure that sufficient funds
12 are allocated to meet the stated goals of the na-
13 tional media campaign.

14 “(B) EXCEPTION.—No funds shall be used
15 for the creative development of advertisements
16 (not including out-of-pocket production costs
17 and talent reuse payments) except when—

18 “(i) the advertisements are intended
19 to reach a minority, ethnic, or other special
20 audience that cannot be obtained at no
21 cost (not including production costs and
22 talent reuse payments); or

23 “(ii) the Partnership for a Drug-Free
24 America, determines that it is unable to
25 provide such advertisements.”;

1 (2) in subsection (b), by striking “105” and in-
2 serting “104”;

3 (3) by striking subsection (c) and inserting the
4 following:

5 “(c) MATCHING REQUIREMENT.—

6 “(1) NO COST MATCH.—

7 “(A) IN GENERAL.—Except as provided in
8 subparagraph (B), amounts made available for
9 the national media campaign under section 106
10 shall be used to require a no cost match of
11 equivalent value of advertising broadcast time,
12 print space, or in-kind contributions to the na-
13 tional media campaign.

14 “(B) EXCEPTION.—The Director shall en-
15 sure that all no cost matches of advertising ma-
16 terial, time, space, or in-kind contributions pro-
17 vided pursuant to subparagraph (A) directly re-
18 late to substance abuse prevention and specifi-
19 cally promote 1 or more of the specific purposes
20 set forth in section 102(a). This may include
21 antismoking messages that are produced by
22 nonprofit organizations and are targeted toward
23 minors.

24 “(2) SPONSORSHIP IDENTIFICATION.—Any ad-
25 vertising material donated to the national media

1 campaign at no cost shall not be subject to the spon-
 2 sorship identification provisions in section 317 of the
 3 Communications Act of 1934 (47 U.S.C. 317).”;

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

5 “(d) RESPONSIBLE USE OF FEDERAL FUNDS.—

6 “(1) IN GENERAL.—The Director shall ensure
 7 that—

8 “(A) for each fiscal year, not less than 77
 9 percent of the amounts appropriated under this
 10 subtitle shall be used for the activities allowed
 11 under section 103(a)(1)(A);

12 “(B) no Federal funds provided under this
 13 subtitle are used to pay any entity for any ac-
 14 tivity or service that duplicates, in whole or in
 15 part, any material, function, activity, or service
 16 provided by the Partnership for a Drug-Free
 17 America, as defined in section 403(2)(B); and

18 “(C) no more than \$5,000,000 is used in
 19 each fiscal year to develop advertising material
 20 pursuant to subsection (a)(2)(B)(ii).”.

21 **SEC. 505. AUTHORIZATION FOR NATIONAL YOUTH ANTI-**
 22 **DRUG MEDIA CAMPAIGN.**

23 The Drug-Free Media Campaign Act of 1998 (21
 24 U.S.C. 1801 et seq.) is amended by striking sections 104
 25 and 105 and inserting the following:

1 **“SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

2 “There is authorized to be appropriated to the Office
3 of National Drug Control Policy to carry out this subtitle,
4 \$195,000,000 for each of the fiscal years 2006 through
5 2010.”.

6 **TITLE VI—AUTHORIZATIONS**
7 **AND EXTENSION OF TERMI-**
8 **NATION DATE**

9 **SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 714 is amended—

11 (1) by striking “title,” and inserting “title ex-
12 cept activities otherwise specified,”; and

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

15 **SEC. 602. EXTENSION OF TERMINATION DATE.**

16 Section 715(a) is amended by striking “September
17 30, 2003, this title and the amendments made by this
18 title” and inserting “September 30, 2008, this title and
19 the amendments made to this title”.

20 **TITLE VII—ANTI-DOPING**
21 **AGENCY**

22 **SEC. 701. DESIGNATION OF UNITED STATES ANTI-DOPING**
23 **AGENCY.**

24 (a) DEFINITIONS.—In this title:

25 (1) UNITED STATES OLYMPIC COMMITTEE.—

26 The term “United States Olympic Committee”

1 means the organization established by the “Ted Ste-
2 vens Olympic and Amateur Sports Act” (36 U.S.C.
3 220501 et seq.).

4 (2) AMATEUR ATHLETIC COMPETITION.—The
5 term “amateur athletic competition” means a con-
6 test, game, meet, match, tournament, regatta, or
7 other event in which amateur athletes compete (36
8 U.S.C. 220501(b)(2)).

9 (3) AMATEUR ATHLETE.—The term “amateur
10 athlete” means an athlete who meets the eligibility
11 standards established by the national governing body
12 or paralympic sports organization for the sport in
13 which the athlete competes (36 U.S.C. 22501(b)(1)).

14 (b) IN GENERAL.—The United States Anti-Doping
15 Agency shall—

16 (1) serve as the independent anti-doping organi-
17 zation for the amateur athletic competitions recog-
18 nized by the United States Olympic Committee;

19 (2) ensure that athletes participating in ama-
20 teur athletic activities recognized by the United
21 States Olympic Committee are prevented from using
22 performance-enhancing drugs;

23 (3) implement anti-doping education, research,
24 testing, and adjudication programs to prevent
25 United States Amateur Athletes participating in any

1 activity recognized by the United States Olympic
2 Committee from using performance-enhancing
3 drugs; and

4 (4) serve as the United States representative
5 responsible for coordination with other anti-doping
6 organizations coordinating amateur athletic competi-
7 tions recognized by the United States Olympic Com-
8 mittee to ensure the integrity of athletic competition,
9 the health of the athletes and the prevention of use
10 of performance-enhancing drugs by United States
11 amateur athletes.

12 **SEC. 702. RECORDS, AUDIT, AND REPORT.**

13 (a) RECORDS.—The United States Anti-Doping
14 Agency shall keep correct and complete records of account.

15 (b) REPORT.—The United States Anti-Doping Agen-
16 cy shall submit an annual report to Congress which shall
17 include—

18 (1) an audit conducted and submitted in ac-
19 cordance with section 10101 of title 36, United
20 States Code; and

21 (2) a description of the activities of the agency.

22 **SEC. 703. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated to the
24 United States Anti-Doping Agency—

25 (1) for fiscal year 2007, \$9,700,000;

- 1 (2) for fiscal year 2008, \$10,300,000;
- 2 (3) for fiscal year 2009, \$10,600,000;
- 3 (4) for fiscal year 2010, \$11,000,000; and
- 4 (5) for fiscal year 2011, \$11,500,000.

5 **TITLE VIII—DRUG-FREE** 6 **COMMUNITIES**

7 **SEC. 801. REAUTHORIZATION.**

8 Section 1024(a) of the Drug-Free Communities Act
9 of 1997 (21 U.S.C. 1524(a)) is amended—

10 (1) in paragraph (9), by striking “and” after
11 the semicolon;

12 (2) in paragraph (10), by striking the period
13 and inserting a semicolon; and

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

15 “(11) \$109,000,000 for fiscal year 2008;

16 “(12) \$119,000,000 for fiscal year 2009;

17 “(13) \$129,000,000 for fiscal year 2010;

18 “(14) \$139,000,000 for fiscal year 2011; and

19 “(15) \$149,000,000 for fiscal year 2012.”.

20 **SEC. 802. SUSPENSION OF GRANTS.**

21 (a) IN GENERAL.—Section 1032(b) of the Drug-Free
22 Communities Act of 1997 (21 U.S.C. 1532(b)) is amended
23 by adding at the end the following:

24 “(4) PROCESS FOR SUSPENSION.—A grantee
25 shall not be suspended or terminated under para-

1 graph (1)(A)(ii), (2)(A)(iii), or (3)(E) unless that
2 grantee is afforded a fair, timely, and independent
3 appeal prior to such suspension or termination.”.

4 (b) REPORT TO CONGRESS.—Not later than 60 days
5 after the date of enactment of this Act, the Director of
6 the Office of National Drug Control Policy shall submit
7 to Congress a report detailing the appeals process required
8 by section 1032 (b)(4) of the Drug-Free Communities Act
9 of 1997, as added by subsection (a).

10 **SEC. 803. GRANT AWARD INCREASE.**

11 Subsections (b)(1)(A)(iv), (b)(2)(C)(i), and (b)(3)(F)
12 of section 1032 of the Drug-Free Communities Act of
13 1997 (21 U.S.C. 1532) are amended by striking
14 “\$100,000” and inserting “\$125,000”.

15 **SEC. 804. PROHIBITION ON ADDITIONAL ELIGIBILITY CRI-**
16 **TERIA.**

17 Section 1032(a) of the Drug-Free Communities Act
18 of 1997 (21 U.S.C. 1532(a)) is amended by adding at the
19 end the following:

20 “(7) ADDITIONAL CRITERIA.—The Director
21 shall not impose any eligibility criteria on new appli-
22 cants or renewal grantees not provided in this chap-
23 ter.”.

1 **SEC. 805. SUPPLEMENTAL GRANTS FOR COALITIONS.**

2 The Drug-Free Communities Act of 1997 (21 U.S.C.
3 1521 et seq.) is amended by inserting after section 1035
4 the following:

5 **“SEC. 1036. SUPPLEMENTAL GRANTS FOR COALITIONS**
6 **WITH A MAJOR LOCAL DRUG CRISIS.**

7 “(a) **AUTHORITY TO MAKE GRANTS.**—As part of the
8 program established under section 1031, the Director may
9 award an initial grant under this subsection, and renewal
10 grants under subsection (f), to any coalition awarded a
11 grant under section 1032 that meets the criteria specified
12 in subsection (d) in order to fund a coalition dealing with
13 a major local drug crisis.

14 “(b) **TREATMENT WITH OTHER GRANTS.**—

15 “(1) **SUPPLEMENT.**—A grant awarded to a coa-
16 lition under this section is in addition to any grant
17 awarded to the coalition under section 1032.

18 “(2) **REQUIREMENT FOR BASIC GRANT.**—A coa-
19 lition may not be awarded a grant under this section
20 for a fiscal year unless the coalition was awarded a
21 grant or renewal grant under section 1032(b) for
22 that fiscal year.

23 “(c) **APPLICATION.**—A coalition seeking a grant
24 under this section shall submit to the Administrator an
25 application for the grant in such form and manner as the
26 Administrator may require.

1 “(d) CRITERIA.—A coalition meets the criteria speci-
2 fied in this subsection if the coalition—

3 “(1) has achieved by or through it’s own efforts
4 measurable results in the prevention and reduction
5 of substance use among youth generally;

6 “(2) has documented a highly, statistically sig-
7 nificant increase in a specific drug, from a baseline
8 determined by locally collected data, that can be de-
9 fined as a local drug crisis; and

10 “(3) submits to the Administrator a detailed
11 plan for addressing the specific local drug crisis.

12 “(e) USE OF GRANT FUNDS.—A coalition awarded
13 a grant under this section shall use the grant amount for
14 implementing comprehensive, community-wide strategies
15 that address their local drug crises in accordance with the
16 detailed plan submitted to the Administrator under sub-
17 section (d)(3).

18 “(f) RENEWAL GRANTS.—The Administrator may
19 make a renewal grant to any coalition awarded a grant
20 under subsection (a), or a previous renewal grant under
21 this subsection, if the coalition at the time of the applica-
22 tion for such renewal grant—

23 “(1) continues to meet the criteria specified in
24 subsection (d); and

1 “(2) has made demonstrable progress in ad-
2 dressing the specific local drug crisis.

3 “(g) GRANT AMOUNTS.—

4 “(1) IN GENERAL.—Subject to paragraphs (2)
5 and (3) the total amount of grants awarded to a co-
6 alition under this section for a fiscal year may not
7 exceed the amount of non-Federal funds raised by
8 the coalition, including in kind contributions, for
9 that fiscal year.

10 “(2) INITIAL GRANTS.—The amount of the ini-
11 tial grant awarded to a coalition under subsection
12 (a) may not exceed \$50,000.

13 “(3) RENEWAL GRANTS.—The total amount of
14 renewal grants awarded to a coalition under sub-
15 section (f) for any fiscal year may not exceed
16 \$50,000.

17 “(h) FISCAL YEAR LIMITATION ON THE AMOUNT
18 AVAILABLE FOR GRANTS.—The total amount available for
19 grants under this section, including renewal grants under
20 subsection (f), in any fiscal year may not exceed the
21 amount equal to 5 percent of the actual amount appro-
22 priated for that fiscal year.”.

1 **SEC. 806. NATIONAL COMMUNITY ANTIDRUG COALITION IN-**
2 **STITUTE.**

3 Section 4 of Public Law 107–82 (21 U.S.C. 1521
4 note), reauthorizing the Drug-Free Communities Support
5 Program, is amended—

6 (1) by amending subsection (a) to read as fol-
7 lows:

8 “(a) IN GENERAL.—The Director of the Office of
9 National Drug Control Policy shall, using amounts au-
10 thorized to be appropriated by subsection (d), make a di-
11 rected grant to Community Anti-Drug Coalitions of Amer-
12 ica to provide for the continuation of the National Com-
13 munity Antidrug Coalition Institute.”;

14 (2) by striking subsection (b) and redesignating
15 subsections (c) and (d) as (b) and (c), respectively;
16 and

17 (3) in subsection (c), as redesignated by para-
18 graph (2), by adding at the end the following:

19 “(4) For each of the fiscal years 2008 through
20 2012, \$2,000,000.”.

21 **SEC. 807. CONTRACTING REQUIREMENT.**

22 Section 1031(d) of the Drug-Free Communities Act
23 of 1997 (21 U.S.C. 1531(d)) is amended by adding at the
24 end the following: “The Director shall delegate all author-
25 ity for grant eligibility determinations, review, selection,

1 management, and appeals to another qualified national
2 drug control agency.”.

3 **TITLE IX—NATIONAL GUARD**
4 **COUNTERDRUG SCHOOLS**

5 **SEC. 901. NATIONAL GUARD COUNTERDRUG SCHOOLS.**

6 (a) **AUTHORITY TO OPERATE.**—Under such regula-
7 tions as the Secretary of Defense may prescribe, the Chief
8 of the National Guard Bureau may establish and operate,
9 or provide financial assistance to the States to establish
10 and operate, not more than five schools (to be known gen-
11 erally as “National Guard counterdrug schools”).

12 (b) **PURPOSE.**—The purpose of the National Guard
13 counterdrug schools shall be the provision by the National
14 Guard of training in drug interdiction and counterdrug
15 activities and drug demand reduction activities to per-
16 sonnel of the following:

17 (1) Federal agencies.

18 (2) State and local law enforcement agencies.

19 (3) Community-based organizations engaged in
20 such activities.

21 (4) Other non-Federal governmental and pri-
22 vate entities and organizations engaged in such ac-
23 tivities.

1 (c) COUNTERDRUG SCHOOLS SPECIFIED.—The Na-
2 tional Guard counterdrug schools operated under the au-
3 thority in subsection (a) are as follows:

4 (1) The National Interagency Civil-Military In-
5 stitute (NICI), San Luis Obispo, California.

6 (2) The Multi-Jurisdictional Counterdrug Task
7 Force Training (MCTFT), St. Petersburg, Florida.

8 (3) The Midwest Counterdrug Training Center
9 (MCTC), Johnston, Iowa.

10 (4) The Regional Counterdrug Training Acad-
11 emy (RCTA), Meridian, Mississippi.

12 (5) The Northeast Regional Counterdrug Train-
13 ing Center (NCTC), Fort Indiantown Gap, Pennsyl-
14 vania.

15 (d) USE OF NATIONAL GUARD PERSONNEL.—

16 (1) IN GENERAL.—To the extent provided for
17 in the State drug interdiction and counterdrug ac-
18 tivities plan of a State in which a National Guard
19 counterdrug school is located, personnel of the Na-
20 tional Guard of that State who are ordered to per-
21 form full-time National Guard duty authorized
22 under section 112(b) of that title 32, United States
23 Code, may provide training referred to in subsection
24 (b) at that school.

1 (2) DEFINITION.—In this subsection, the term
 2 “State drug interdiction and counterdrug activities
 3 plan”, in the case of a State, means the current plan
 4 submitted by the Governor of the State to the Sec-
 5 retary of Defense under section 112 of title 32,
 6 United States Code.

7 (e) TREATMENT UNDER AUTHORITY TO PROVIDE
 8 COUNTERDRUG SUPPORT.—The provisions of section
 9 1004 of the National Defense Authorization Act for Fiscal
 10 Year 1991 (Public Law 101–510; 10 U.S.C. 374 note)
 11 shall apply to any activities of a National Guard
 12 counterdrug school under this section that are for an
 13 agency referred to in subsection (a) of such section 1004
 14 and for a purpose set forth in subsection (b) of such sec-
 15 tion 1004.

16 (f) ANNUAL REPORTS ON ACTIVITIES.—

17 (1) IN GENERAL.—Not later than February 1
 18 each year, the Secretary of Defense shall submit to
 19 Congress a report on the activities of the National
 20 Guard counterdrug schools during the preceding
 21 year.

22 (2) CONTENTS.—Each report under paragraph
 23 (1) shall set forth the following:

24 (A) FUNDING.—The amount made avail-
 25 able for each National Guard counterdrug

1 school during the fiscal year ending in the year
 2 preceding the year in which such report is sub-
 3 mitted.

4 (B) ACTIVITIES.—A description of the ac-
 5 tivities of each National Guard counterdrug
 6 school during the year preceding the year in
 7 which such report is submitted.

8 (g) AUTHORIZATION OF APPROPRIATIONS.—

9 (1) IN GENERAL.—There is hereby authorized
 10 to be appropriated for the Department of Defense
 11 for the National Guard for each of fiscal years 2006
 12 through 2010, \$30,000,000 for purposes of the Na-
 13 tional Guard counterdrug schools in such fiscal year.

14 (2) CONSTRUCTION.—The amount authorized
 15 to be appropriated by paragraph (1) for a fiscal year
 16 is in addition to any other amount authorized to be
 17 appropriated for the Department of Defense for the
 18 National Guard for such fiscal year.

19 **TITLE X—MISCELLANEOUS** 20 **PROVISIONS**

21 **SEC. 1001. REPEALS.**

22 (a) ACT.—Sections 709, 710, and 711 are repealed.

23 (b) FORFEITURE ASSETS.—Section 6073 of the As-
 24 sets Forfeiture Amendments Act of 1988 (21 U.S.C.
 25 1509) is repealed.

1 **SEC. 1002. CONTROLLED SUBSTANCES ACT AMENDMENTS.**

2 Section 303(g)(2)(B)(iii) of the Controlled Sub-
3 stances Act (21 U.S.C. 823(g)(2)(B)(iii)) is amended by
4 striking “except that the Secretary” and inserting the fol-
5 lowing: “unless, not sooner than 1 year after the date on
6 which the practitioner submitted the initial notification,
7 the practitioner submits a second notification to the Sec-
8 retary of the need and intent of the practitioner to treat
9 more than such applicable number of patients. A second
10 notification under this clause shall contain the certifi-
11 cations required by clauses (i) and (ii) of this subpara-
12 graph. The Secretary”.

13 **SEC. 1003. REPORT ON INTELLIGENCE SHARING.**

14 Not later than 180 days after the date of enactment
15 of this Act, the Director shall submit to Congress a re-
16 port—

17 (1) evaluating existing and planned intelligence
18 systems used by Federal, State, and local law en-
19 forcement agencies responsible for drug trafficking
20 and drug production enforcement; and

21 (2) addressing—

22 (A) the current intelligence systems used
23 by Federal, State, and local law enforcement
24 agencies;

1 (B) the compatibility of such systems in
2 ensuring access and availability of intelligence
3 to Federal, State, and local law enforcement;

4 (C) the extent to which Federal, State, and
5 local law enforcement are sharing intelligence
6 information to assess current threats and de-
7 sign appropriate enforcement strategies; and

8 (D) the measures needed to ensure and to
9 promote effective information sharing among
10 intelligence systems operated by Federal, State,
11 and local law enforcement agencies responsible
12 for drug trafficking and drug production en-
13 forcement.

14 **SEC. 1004. REQUIREMENT FOR SOUTH AMERICAN HEROIN**
15 **STRATEGY.**

16 (a) IN GENERAL.—Not later than 90 days after the
17 date of enactment of this Act, the Director shall submit
18 to Congress a comprehensive strategy that addresses the
19 increased threat from South American heroin, and in par-
20 ticular Colombian heroin, and the emerging threat from
21 opium poppy grown in Peru and often intended for transit
22 to Columbia for processing into heroin.

23 (b) CONTENTS.—The strategy submitted under sub-
24 section (a) shall include—

1 (1) opium eradication efforts to eliminate the
2 problem at the source to prevent heroin from enter-
3 ing the stream of commerce;

4 (2) interdiction and precursor chemical con-
5 trols;

6 (3) demand reduction and treatment;

7 (4) alternative development programs, including
8 direct assistance to regional governments to demobi-
9 lize and provide alternative livelihoods to former
10 members of insurgent or other groups engaged in
11 heroin, cocoa, or other illicit drug production or traf-
12 ficking;

13 (5) efforts to inform and involve local citizens
14 in the programs described in paragraphs (1) through
15 (4), such as through leaflets advertising rewards for
16 information;

17 (6) provisions that ensure the maintenance at
18 current levels of efforts to eradicate coca in Colom-
19 bia; and

20 (7) an assessment of the specific level of fund-
21 ing and resources necessary to simultaneously ad-
22 dress the threat from South American heroin and
23 the threat from Colombian and Peruvian coca.

24 (c) TREATMENT OF CLASSIFIED OR LAW ENFORCE-
25 MENT SENSITIVE INFORMATION.—Any content of the

1 strategy submitted under subsection (a) that involves in-
2 formation classified under criteria established by an Exec-
3 utive order, or whose public disclosure, as determined by
4 the Director or the head of any relevant Federal agency,
5 would be detrimental to the law enforcement of national
6 security activities of any Federal, foreign, or international
7 agency, shall be presented to Congress separately from the
8 rest of the strategy.

9 **SEC. 1005. MODEL ACTS.**

10 (a) IN GENERAL.—The Director shall enter into an
11 agreement with a nonprofit corporation that works with
12 States on laws and policies to address alcohol and other
13 drug issues, under which the corporation shall revise the
14 model State drug laws developed by the President’s Com-
15 mission on Model State Drug Laws and draft supple-
16 mentary model acts to meet changes in States’ substance
17 abuse issues.

18 (b) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated \$1,500,000 to carry out
20 this section.

○