

***In the Senate of the United States,***

*December 20, 2010.*

*Resolved*, That the bill from the House of Representatives (H.R. 4748) entitled “An Act to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Northern Border Coun-*  
3 *ternarcotics Strategy Act of 2010”.*

4 ***SEC. 2. NORTHERN BORDER COUNTERNARCOTICS STRAT-***  
5 ***EGY.***

6 *The Office of National Drug Control Policy Reauthor-*  
7 *ization Act of 2006 (Public Law 109–469; 120 Stat. 3502)*  
8 *is amended by inserting after section 1110 the following:*

1 **“SEC. 1110A. REQUIREMENT FOR NORTHERN BORDER**  
2 **COUNTERNARCOTICS STRATEGY.**

3 “(a) *DEFINITIONS.*—*In this section, the terms ‘appro-*  
4 *priate congressional committees’, ‘Director’, and ‘National*  
5 *Drug Control Program agency’ have the meanings given*  
6 *those terms in section 702 of the Office of National Drug*  
7 *Control Policy Reauthorization Act of 1998 (21 U.S.C.*  
8 *1701).*

9 “(b) *STRATEGY.*—*Not later than 180 days after the*  
10 *date of enactment of this section, and every 2 years there-*  
11 *after, the Director, in consultation with the head of each*  
12 *relevant National Drug Control Program agency and rel-*  
13 *evant officials of States, local governments, tribal govern-*  
14 *ments, and the governments of other countries, shall develop*  
15 *a Northern Border Counternarcotics Strategy and submit*  
16 *the strategy to—*

17 “(1) *the appropriate congressional committees*  
18 *(including the Committee on the Judiciary of the*  
19 *Senate and the Committee on the Judiciary of the*  
20 *House of Representatives);*

21 “(2) *the Committee on Armed Services, the Com-*  
22 *mittee on Homeland Security and Governmental Af-*  
23 *airs, and the Committee on Indian Affairs of the*  
24 *Senate; and*

1           “(3) *the Committee on Armed Services, the Com-*  
2           *mittee on Homeland Security, and the Committee on*  
3           *Natural Resources of the House of Representatives.*

4           “(c) *PURPOSES.—The Northern Border Counter-*  
5           *narcotics Strategy shall—*

6           “(1) *set forth the strategy of the Federal Govern-*  
7           *ment for preventing the illegal trafficking of drugs*  
8           *across the international border between the United*  
9           *States and Canada, including through ports of entry*  
10           *and between ports of entry on the border;*

11           “(2) *state the specific roles and responsibilities of*  
12           *each relevant National Drug Control Program agency*  
13           *for implementing the strategy;*

14           “(3) *identify the specific resources required to*  
15           *enable the relevant National Drug Control Program*  
16           *agencies to implement the strategy; and*

17           “(4) *reflect the unique nature of small commu-*  
18           *nities along the international border between the*  
19           *United States and Canada, ongoing cooperation and*  
20           *coordination with Canadian law enforcement authori-*  
21           *ties, and variations in the volumes of vehicles and pe-*  
22           *destrians crossing through ports of entry along the*  
23           *international border between the United States and*  
24           *Canada.*

1       “(d) *SPECIFIC CONTENT RELATED TO CROSS-BORDER*  
2 *INDIAN RESERVATIONS.*—*The Northern Border Counter-*  
3 *narcotics Strategy shall include—*

4               “(1) *a strategy to end the illegal trafficking of*  
5 *drugs to or through Indian reservations on or near*  
6 *the international border between the United States*  
7 *and Canada; and*

8               “(2) *recommendations for additional assistance,*  
9 *if any, needed by tribal law enforcement agencies re-*  
10 *lating to the strategy, including an evaluation of Fed-*  
11 *eral technical and financial assistance, infrastructure*  
12 *capacity building, and interoperability deficiencies.*

13       “(e) *LIMITATION.*—

14               “(1) *IN GENERAL.*—*The Northern Border Coun-*  
15 *ternarcotics Strategy shall not change the exiting*  
16 *agency authorities and this section shall not be con-*  
17 *strued to amend or modify any law governing inter-*  
18 *agency relationships.*

19               “(2) *LEGITIMATE TRADE AND TRAVEL.*—*The*  
20 *Northern Border Counternarcotics Strategy shall be*  
21 *designed to promote, and not hinder, legitimate trade*  
22 *and travel.*

23       “(f) *TREATMENT OF CLASSIFIED OR LAW ENFORCE-*  
24 *MENT SENSITIVE INFORMATION.*—

1           “(1) *IN GENERAL.*—*The Northern Border Counter-*  
2           *ternarcotics Strategy shall be submitted in unclassi-*  
3           *fied form and shall be available to the public.*”

4           “(2) *ANNEX.*—*The Northern Border Counter-*  
5           *narcotics Strategy may include an annex containing*  
6           *any classified information or information the public*  
7           *disclosure of which, as determined by the Director or*  
8           *the head of any relevant National Drug Control Pro-*  
9           *gram agency, would be detrimental to the law enforce-*  
10           *ment or national security activities of any Federal,*  
11           *State, local, or tribal agency.”.*

Attest:

*Secretary.*

11<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 4748**

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**AMENDMENT**