

Attachment 1

Drug-Free Communities Authorizing and
Re-Authorizing Legislation & STOP Act Legislation

FG467191-01

DFC
Authorization
And
Re-authorizing Legislation



THE
DRUG-FREE
COMMUNITIES ACT
OF 1997



On June 27, 1997, President Clinton signed into law The Drug-Free Communities Act of 1997. This act will serve as a catalyst for increased citizen participation in our efforts to reduce substance use among our youth and provide community anti-drug coalitions with much needed funds to carry out their important missions.

Here are some the highlights of the Act:

Requires grants to be made to coalitions of representatives of youth, parents, businesses, the media, schools, youth organizations, law enforcement, religious or fraternal organizations, civic groups, health care professionals, State, local, or tribal governmental agencies, and other organizations.

Requires the Director of the Office of National Drug Control Policy, in carrying out the Program, to: (1) make and track grants to grant recipients; (2) provide for technical assistance and training, data collection and dissemination of information on state-of-the-art practices that the Director determines to be effective in reducing substance abuse; and (3) provide for the general administration of the Program. Authorizes appropriations for FY 1998 through 2002.

Sets forth specified criteria a coalition shall meet to be eligible to receive an initial or a renewal grant. Prescribes limitations concerning: (1) grant amounts; (2) coalition awards; and (3) rural coalition grants.

Requires the minimization of reporting requirements by grant recipients. The ease of the application and reporting requirements will be a key feature of this program.

Establishes the Advisory Commission on Drug-Free Communities to advise, consult with, and make recommendations to the Director concerning activities carried out under the Program. Sets forth the duties of the Advisory Commission.

Visit our Website at www.whitehousedrugpolicy.gov



PUBLIC LAW 105-20—JUNE 27, 1997

DRUG-FREE COMMUNITIES ACT OF 1997

Public Law 105-20
105th Congress

An Act

June 27, 1997
[H.R. 956]

To amend the National Narcotics Leadership Act of 1988 to establish a program to support and encourage local communities that first demonstrate a comprehensive, long-term commitment to reduce substance abuse among youth, and for other purposes.

Drug-Free
Communities Act
of 1997.
21 USC 1501
note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Drug-Free Communities Act of 1997".

SEC. 2. NATIONAL DRUG CONTROL PROGRAM.

(a) IN GENERAL.—The National Narcotics Leadership Act of 1988 (21 U.S.C. 1501 et seq.) is amended—

(1) by inserting between sections 1001 and 1002 the following:

"CHAPTER 1—OFFICE OF NATIONAL DRUG CONTROL
POLICY";

and

(2) by adding at the end the following:

"CHAPTER 2—DRUG-FREE COMMUNITIES .

21 USC 1521.

"SEC. 1021. FINDINGS.

"Congress finds the following:

"(1) Substance abuse among youth has more than doubled in the 5-year period preceding 1996, with substantial increases in the use of marijuana, inhalants, cocaine, methamphetamine, LSD, and heroin.

"(2) The most dramatic increases in substance abuse has occurred among 13- and 14-year-olds.

"(3) Casual or periodic substance abuse by youth today will contribute to hard core or chronic substance abuse by the next generation of adults.

"(4) Substance abuse is at the core of other problems, such as rising violent teenage and violent gang crime, increasing health care costs, HIV infections, teenage pregnancy, high school dropouts, and lower economic productivity.

"(5) Increases in substance abuse among youth are due in large part to an erosion of understanding by youth of the high risks associated with substance abuse, and to the softening of peer norms against use.

"(6)(A) Substance abuse is a preventable behavior and a treatable disease; and

"(B)(i) during the 13-year period beginning with 1979, monthly use of illegal drugs among youth 12 to 17 years of age declined by over 70 percent; and

"(ii) data suggests that if parents would simply talk to their children regularly about the dangers of substance abuse, use among youth could be expected to decline by as much as 30 percent.

"(7) Community anti-drug coalitions throughout the United States are successfully developing and implementing comprehensive, long-term strategies to reduce substance abuse among youth on a sustained basis.

"(8) Intergovernmental cooperation and coordination through national, State, and local or tribal leadership and partnerships are critical to facilitate the reduction of substance abuse among youth in communities throughout the United States.

§ 22. PURPOSES.

21 USC 1522.

The purposes of this chapter are—

"(1) to reduce substance abuse among youth in communities throughout the United States, and over time, to reduce substance abuse among adults;

"(2) to strengthen collaboration among communities, the Federal Government, and State, local, and tribal governments;

"(3) to enhance intergovernmental cooperation and coordination on the issue of substance abuse among youth;

"(4) to serve as a catalyst for increased citizen participation and greater collaboration among all sectors and organizations of a community that first demonstrates a long-term commitment to reducing substance abuse among youth;

"(5) to rechannel resources from the fiscal year 1998 Federal drug control budget to provide technical assistance, guidance, and financial support to communities that demonstrate a long-term commitment in reducing substance abuse among youth;

"(6) to disseminate to communities timely information regarding the state-of-the-art practices and initiatives that have proven to be effective in reducing substance abuse among youth;

"(7) to enhance, not supplant, local community initiatives reducing substance abuse among youth; and

"(8) to encourage the creation of and support for community anti-drug coalitions throughout the United States.

SEC. 1023. DEFINITIONS.

21 USC 1523.

"In this chapter:

"(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator appointed by the Director under section 1031(c).

"(2) ADVISORY COMMISSION.—The term 'Advisory Commission' means the Advisory Commission established under section 1031.

"(3) COMMUNITY.—The term 'community' shall have the meaning provided that term by the Administrator, in consultation with the Advisory Commission.

"(4) DIRECTOR.—The term 'Director' means the Director of the Office of National Drug Control Policy.

"(5) **ELIGIBLE COALITION.**—The term 'eligible coalition' means a coalition that meets the applicable criteria under section 1032(a).

"(6) **GRANT RECIPIENT.**—The term 'grant recipient' means the recipient of a grant award under section 1032.

"(7) **NONPROFIT ORGANIZATION.**—The term 'nonprofit organization' means an organization described under section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986.

"(8) **PROGRAM.**—The term 'Program' means the program established under section 1031(a).

"(9) **SUBSTANCE ABUSE.**—The term 'substance abuse' means—

"(A) the illegal use or abuse of drugs, including substances listed in schedules I through V of section 112 of the Controlled Substances Act (21 U.S.C. 812);

"(B) the abuse of inhalants; or

"(C) the use of alcohol, tobacco, or other related product as such use is prohibited by State or local law.

"(10) **YOUTH.**—The term 'youth' shall have the meaning provided that term by the Administrator, in consultation with the Advisory Commission.

21 USC 1524.

"SEC. 1024. AUTHORIZATION OF APPROPRIATIONS.

"(a) **IN GENERAL.**—There are authorized to be appropriated to the Office of National Drug Control Policy to carry out this chapter—

"(1) \$10,000,000 for fiscal year 1998;

"(2) \$20,000,000 for fiscal year 1999;

"(3) \$30,000,000 for fiscal year 2000;

"(4) \$40,000,000 for fiscal year 2001; and

"(5) \$43,500,000 for fiscal year 2002.

"(b) **ADMINISTRATIVE COSTS.**—Not more than the following percentages of the amounts authorized under subsection (a) may be used to pay administrative costs:

"(1) 10 percent for fiscal year 1998.

"(2) 6 percent for fiscal year 1999.

"(3) 4 percent for fiscal year 2000.

"(4) 3 percent for fiscal year 2001.

"(5) 3 percent for fiscal year 2002.

"Subchapter I—Drug-Free Communities Support Program

21 USC 1531.

"SEC. 1031. ESTABLISHMENT OF DRUG-FREE COMMUNITIES SUPPORT PROGRAM.

"(a) **ESTABLISHMENT.**—The Director shall establish a program to support communities in the development and implementation of comprehensive, long-term plans and programs to prevent and treat substance abuse among youth.

"(b) **PROGRAM.**—In carrying out the Program, the Director shall—

Grants.

"(1) make and track grants to grant recipients;

"(2) provide for technical assistance and training, data collection, and dissemination of information on state-of-the-art practices that the Director determines to be effective in reducing substance abuse; and

"(3) provide for the general administration of the Program.

"(c) ADMINISTRATION.—Not later than 30 days after receiving recommendations from the Advisory Commission under section 1042(a)(1), the Director shall appoint an Administrator to carry out the Program.

"(d) CONTRACTING.—The Director may employ any necessary staff and may enter into contracts or agreements with national drug control agencies, including interagency agreements to delegate authority for the execution of grants and for such other activities necessary to carry out this chapter.

"SEC. 1032. PROGRAM AUTHORIZATION.

21 USC 1532.

"(a) GRANT ELIGIBILITY.—To be eligible to receive an initial grant or a renewal grant under this subchapter, a coalition shall meet each of the following criteria:

"(1) APPLICATION.—The coalition shall submit an application to the Administrator in accordance with section 1033(a)(2).

"(2) MAJOR SECTOR INVOLVEMENT.—

"(A) IN GENERAL.—The coalition shall consist of 1 or more representatives of each of the following categories:

"(i) Youth.

"(ii) Parents.

"(iii) Businesses.

"(iv) The media.

"(v) Schools.

"(vi) Organizations serving youth.

"(vii) Law enforcement.

"(viii) Religious or fraternal organizations.

"(ix) Civic and volunteer groups.

"(x) Health care professionals.

"(xi) State, local, or tribal governmental agencies with expertise in the field of substance abuse (including, if applicable, the State authority with primary authority for substance abuse).

"(xii) Other organizations involved in reducing substance abuse.

"(B) ELECTED OFFICIALS.—If feasible, in addition to representatives from the categories listed in subparagraph (A), the coalition shall have an elected official (or a representative of an elected official) from—

"(i) the Federal Government; and

"(ii) the government of the appropriate State and political subdivision thereof or the governing body or an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination Act (25 U.S.C. 450b(e))).

"(C) REPRESENTATION.—An individual who is a member of the coalition may serve on the coalition as a representative of not more than 1 category listed under subparagraph (A).

"(3) COMMITMENT.—The coalition shall demonstrate, to the satisfaction of the Administrator—

"(A) that the representatives of the coalition have worked together on substance abuse reduction initiatives, which, at a minimum, includes initiatives that target drugs referenced in section 1023(9)(A), for a period of not less

than 6 months, acting through entities such as task forces, subcommittees, or community boards; and

"(B) substantial participation from volunteer leaders in the community involved (especially in cooperation with individuals involved with youth such as parents, teachers, coaches, youth workers, and members of the clergy).

"(4) MISSION AND STRATEGIES.—The coalition shall, with respect to the community involved—

"(A) have as its principal mission the reduction of substance abuse, which, at a minimum, includes the use and abuse of drugs referenced in section 1023(9)(A), in a comprehensive and long-term manner, with a primary focus on youth in the community;

"(B) describe and document the nature and extent of the substance abuse problem, which, at a minimum, includes the use and abuse of drugs referenced in section 1023(9)(A), in the community;

"(C)(i) provide a description of substance abuse prevention and treatment programs and activities, which, at a minimum, includes programs and activities relating to the use and abuse of drugs referenced in section 1023(9)(A), in existence at the time of the grant application; and

"(ii) identify substance abuse programs and service gaps, which, at a minimum, includes programs and gaps relating to the use and abuse of drugs referenced in section 1023(9)(A), in the community;

"(D) develop a strategic plan to reduce substance abuse among youth, which, at a minimum, includes the use and abuse of drugs referenced in section 1023(9)(A), in a comprehensive and long-term fashion; and

"(E) work to develop a consensus regarding the priorities of the community to combat substance abuse among youth, which, at a minimum, includes the use and abuse of drugs referenced in section 1023(9)(A).

"(5) SUSTAINABILITY.—The coalition shall demonstrate that the coalition is an ongoing concern by demonstrating that the coalition—

"(A) is—

"(i)(I) a nonprofit organization; or

"(II) an entity that the Administrator determines to be appropriate; or

"(ii) part of, or is associated with, an established legal entity;

"(B) receives financial support (including, in the discretion of the Administrator, in-kind contributions) from non-Federal sources; and

"(C) has a strategy to solicit substantial financial support from non-Federal sources to ensure that the coalition and the programs operated by the coalition are self-sustaining.

"(6) ACCOUNTABILITY.—The coalition shall—

"(A) establish a system to measure and report outcomes—

"(i) consistent with common indicators and evaluation protocols established by the Administrator; and

"(ii) approved by the Administrator;

"(B) conduct—

"(i) for an initial grant under this subchapter, an initial benchmark survey of drug use among youth (or use local surveys or performance measures available or accessible in the community at the time of the grant application); and

"(ii) biennial surveys (or incorporate local surveys in existence at the time of the evaluation) to measure the progress and effectiveness of the coalition; and

"(C) provide assurances that the entity conducting an evaluation under this paragraph, or from which the coalition receives information, has experience—

"(i) in gathering data related to substance abuse among youth; or

"(ii) in evaluating the effectiveness of community anti-drug coalitions.

"(b) GRANT AMOUNTS.—

"(1) IN GENERAL.—

"(A) GRANTS.—

"(i) IN GENERAL.—Subject to clause (iv), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

"(ii) SUSPENSION OF GRANTS.—If such grant recipient fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

"(iii) RENEWAL GRANTS.—Subject to clause (iv), the Administrator may award a renewal grant to a grant recipient under this subparagraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year, during the 4-year period following the period of the initial grant.

"(iv) LIMITATION.—The amount of a grant award under this subparagraph may not exceed \$100,000 for a fiscal year.

"(B) COALITION AWARDS.—

"(i) IN GENERAL.—Except as provided in clause (ii), the Administrator may, with respect to a community, make a grant to 1 eligible coalition that represents that community.

"(ii) EXCEPTION.—The Administrator may make a grant to more than 1 eligible coalition that represents a community if—

"(I) the eligible coalitions demonstrate that the coalitions are collaborating with one another; and

"(II) each of the coalitions has independently met the requirements set forth in subsection (a).

"(2) RURAL COALITION GRANTS.—

"(A) IN GENERAL.—

"(i) IN GENERAL.—In addition to awarding grants under paragraph (1), to stimulate the development of coalitions in sparsely populated and rural areas, the

Administrator, in consultation with the Advisory Commission, may award a grant in accordance with this section to a coalition that represents a county with a population that does not exceed 30,000 individuals. In awarding a grant under this paragraph, the Administrator may waive any requirement under subsection (a) if the Administrator considers that waiver to be appropriate.

"(ii) MATCHING REQUIREMENT.—Subject to subparagraph (C), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

"(iii) SUSPENSION OF GRANTS.—If such grant recipient fails to continue to meet any criteria specified in subsection (a) that has not been waived by the Administrator pursuant to clause (i), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

"(B) RENEWAL GRANTS.—The Administrator may award a renewal grant to an eligible coalition that is a grant recipient under this paragraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, during the 4-year period following the period of the initial grant.

"(C) LIMITATIONS.—

"(i) AMOUNT.—The amount of a grant award under this paragraph shall not exceed \$100,000 for a fiscal year.

"(ii) AWARDS.—With respect to a county referred to in subparagraph (A), the Administrator may award a grant under this section to not more than 1 eligible coalition that represents the county.

21 USC 1533.

"SEC. 1033. INFORMATION COLLECTION AND DISSEMINATION WITH RESPECT TO GRANT RECIPIENTS.

"(a) COALITION INFORMATION.—

"(1) GENERAL AUDITING AUTHORITY.—For the purpose of audit and examination, the Administrator—

"(A) shall have access to any books, documents, papers, and records that are pertinent to any grant or grant renewal request under this chapter; and

"(B) may periodically request information from a grant recipient to ensure that the grant recipient meets the applicable criteria under section 1032(a).

"(2) APPLICATION PROCESS.—The Administrator shall issue a request for proposal regarding, with respect to the grants awarded under section 1032, the application process, grant renewal, and suspension or withholding of renewal grants. Each application under this paragraph shall be in writing and shall be subject to review by the Administrator.

"(3) REPORTING.—The Administrator shall, to the maximum extent practicable and in a manner consistent with applicable law, minimize reporting requirements by a grant recipient and

expedite any application for a renewal grant made under this subchapter.

"(b) DATA COLLECTION AND DISSEMINATION.—

"(1) IN GENERAL.—The Administrator may collect data from—

"(A) national substance abuse organizations that work with eligible coalitions, community anti-drug coalitions, departments or agencies of the Federal Government, or State or local governments and the governing bodies of Indian tribes; and

"(B) any other entity or organization that carries out activities that relate to the purposes of the Program.

"(2) ACTIVITIES OF ADMINISTRATOR.—The Administrator may—

"(A) evaluate the utility of specific initiatives relating to the purposes of the Program;

"(B) conduct an evaluation of the Program; and

"(C) disseminate information described in this subsection to—

"(i) eligible coalitions and other substance abuse organizations; and

"(ii) the general public.

"SEC. 1034. TECHNICAL ASSISTANCE AND TRAINING.

21 USC 1534.

"(a) IN GENERAL.—

"(1) TECHNICAL ASSISTANCE AND AGREEMENTS.—With respect to any grant recipient or other organization, the Administrator may—

"(A) offer technical assistance and training; and

"(B) enter into contracts and cooperative agreements.

"(2) COORDINATION OF PROGRAMS.—The Administrator may facilitate the coordination of programs between a grant recipient and other organizations and entities.

"(b) TRAINING.—The Administrator may provide training to any representative designated by a grant recipient in—

"(1) coalition building;

"(2) task force development;

"(3) mediation and facilitation, direct service, assessment and evaluation; or

"(4) any other activity related to the purposes of the Program.

"Subchapter II—Advisory Commission

"SEC. 1041. ESTABLISHMENT OF ADVISORY COMMISSION.

21 USC 1541.

"(a) ESTABLISHMENT.—There is established a commission to be known as the 'Advisory Commission on Drug-Free Communities'.

"(b) PURPOSE.—The Advisory Commission shall advise, consult with, and make recommendations to the Director concerning matters related to the activities carried out under the Program.

"SEC. 1042. DUTIES.

21 USC 1542.

"(a) IN GENERAL.—The Advisory Commission—

"(1) shall, not later than 30 days after its first meeting, make recommendations to the Director regarding the selection of an Administrator;

"(2) may make recommendations to the Director regarding any grant, contract, or cooperative agreement made by the Program;

"(3) may make recommendations to the Director regarding the activities of the Program;

"(4) may make recommendations to the Director regarding any policy or criteria established by the Director to carry out the Program;

"(5) may—

"(A) collect, by correspondence or by personal investigation, information concerning initiatives, studies, services, programs, or other activities of coalitions or organizations working in the field of substance abuse in the United States or any other country; and

"(B) with the approval of the Director, make the information referred to in subparagraph (A) available through appropriate publications or other methods for the benefit of eligible coalitions and the general public; and

"(6) may appoint subcommittees and convene workshops and conferences.

Notification.

"(b) RECOMMENDATIONS.—If the Director rejects any recommendation of the Advisory Commission under subsection (a)(1), the Director shall notify the Advisory Commission in writing of the reasons for the rejection not later than 15 days after receiving the recommendation.

"(c) CONFLICT OF INTEREST.—A member of the Advisory Commission shall recuse himself or herself from any decision that would constitute a conflict of interest.

21 USC 1543.

"SEC. 1043. MEMBERSHIP.

President.

"(a) IN GENERAL.—The President shall appoint 11 members to the Advisory Commission as follows:

"(1) four members shall be appointed from the general public and shall include leaders—

"(A) in fields of youth development, public policy, law, or business; or

"(B) of nonprofit organizations or private foundations that fund substance abuse programs.

"(2) four members shall be appointed from the leading representatives of national substance abuse reduction organizations, of which no fewer than three members shall have extensive training or experience in drug prevention.

"(3) three members shall be appointed from the leading representatives of State substance abuse reduction organizations.

"(b) CHAIRPERSON.—The Advisory Commission shall elect a chairperson or co-chairpersons from among its members.

"(c) EX OFFICIO MEMBERS.—The ex officio membership of the Advisory Commission shall consist of any two officers or employees of the United States that the Director determines to be necessary for the Advisory Commission to effectively carry out its functions.

21 USC 1544.

"SEC. 1044. COMPENSATION.

"(a) IN GENERAL.—Members of the Advisory Commission who are officers or employees of the United States shall not receive any additional compensation for service on the Advisory Commission. The remaining members of the Advisory Commission shall receive, for each day (including travel time) that they are engaged

the performance of the functions of the Advisory Commission, compensation at rates not to exceed the daily equivalent to the annual rate of basic pay payable for grade GS-10 of the General Schedule.

"(b) TRAVEL EXPENSES.—Each member of the Advisory Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

EC. 1045. TERMS OF OFFICE.

21 USC 1545.

"(a) IN GENERAL.—Subject to subsection (b), the term of office of a member of the Advisory Commission shall be 3 years, except as designated at the time of appointment—

"(1) of the initial members appointed under section 1043(a)(1), two shall be appointed for a term of 2 years;

"(2) of the initial members appointed under section 1043(a)(2), two shall be appointed for a term of 2 years; and

"(3) of the initial members appointed under section 1043(a)(3), one shall be appointed for a term of 1 year.

VACANCIES.—Any member appointed to fill a vacancy for the unexpired term of a member shall serve for the remainder of the unexpired term. A member of the Advisory Commission may serve after the expiration of such member's term until a successor has been appointed and taken office.

EC. 1046. MEETINGS.

21 USC 1546.

"(a) IN GENERAL.—After its initial meeting, the Advisory Commission shall meet, with the advanced approval of the Administrator, at the call of the Chairperson (or Co-chairpersons) of the Advisory Commission or a majority of its members or upon the request of the Director or Administrator of the Program.

"(b) QUORUM.—Six members of the Advisory Commission shall constitute a quorum.

EC. 1047. STAFF.

21 USC 1547.

"The Administrator shall make available to the Advisory Commission adequate staff, information, and other assistance.

21 USC 1548.

"SEC. 1048. TERMINATION.

"The Advisory Commission shall terminate at the end of fiscal year 2002."

21 USC 1501
note.

(b) REFERENCES.—Each reference in Federal law to subtitle A of the Anti-Drug Abuse Act of 1988, with the exception of section 1001 of such subtitle, in any provision of law that is in effect on the day before the date of enactment of this Act shall be deemed to be a reference to chapter 1 of the National Narcotics Leadership Act of 1988 (as so designated by this section).

Approved June 27, 1997.

LEGISLATIVE HISTORY—H.R. 956 (S. 536):

HOUSE REPORTS: No. 105-105, Pt. 1 (Comm. on Government Reform and
sight).

CONGRESSIONAL RECORD, Vol. 143 (1997):

May 22, considered and passed House.

June 18, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 33 (1997):

June 27, Presidential remarks.

○

One Hundred Seventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

To extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. FIVE-YEAR EXTENSION OF DRUG-FREE COMMUNITIES SUPPORT PROGRAM

(a) FINDINGS.—Congress makes the following findings:

(1) In the next 15 years, the youth population in the United States will grow by 21 percent, adding 6,500,000 youth to the population of the United States. Even if drug use rates remain constant, there will be a huge surge in drug-related problems, such as academic failure, drug-related violence, and HIV incidence, simply due to this population increase.

(2) According to the 1994–1996 National Household Survey, 60 percent of students age 12 to 17 who frequently cut classes and who reported delinquent behavior in the past 6 months used marijuana 52 days or more in the previous year.

(3) The 2000 Washington Kids Count survey conducted by the University of Washington reported that students whose peers have little or no involvement with drinking and drugs have higher math and reading scores than students whose peers had low level drinking or drug use.

(4) Substance abuse prevention works. In 1999, only 10 percent of teens saw marijuana users as popular, compared to 17 percent in 1998 and 19 percent in 1997. The rate of past-month use of any drug among 12- to 17-year-olds declined 26 percent between 1997 and 1999. Marijuana use for sixth through eighth graders is at the lowest point in 5 years, as is use of cocaine, inhalants, and hallucinogens.

(5) Community Anti-Drug Coalitions throughout the United States are successfully developing and implementing comprehensive, long-term strategies to reduce substance abuse among youth on a sustained basis. For example:

(A) The Boston Coalition brought college and university presidents together to create the Cooperative Agreement on Underage Drinking. This agreement represents the first coordinated effort of Boston's many institutions of higher education to address issues such as binge drinking, underage drinking, and changing the norms surrounding alcohol abuse that exist on college and university campuses.

(B) In 2000, the Coalition for a Drug-Free Greater Cincinnati surveyed more than 47,000 local students in

H.R. 2291—2

grades 7 through 12. The results provided evidence that the Coalition's initiatives are working. For the first time in a decade, teen drug use in Greater Cincinnati appears to be leveling off. The data collected from the survey has served as a tool to strengthen relationships between schools and communities, as well as facilitate the growth of anti-drug coalitions in communities where such coalitions had not existed.

(C) The Miami Coalition used a three-part strategy to decrease the percentage of high school seniors who reported using marijuana at least once during the most recent 30-day period. The development of a media strategy, the creation of a network of prevention agencies, and discussions with high school students about the dangers of marijuana all contributed to a decrease in the percentage of seniors who reported using marijuana from over 22 percent in 1995 to 9 percent in 1997. The Miami Coalition was able to achieve these results while national rates of marijuana use were increasing.

(D) The Nashville Prevention Partnership worked with elementary and middle school children in an attempt to influence them toward positive life goals and discourage them from using substances. The Partnership targeted an area in East Nashville and created after school programs, mentoring opportunities, attendance initiatives, and safe passages to and from school. Attendance and test scores increased as a result of the program.

(E) At a youth-led town meeting sponsored by the Bering Strait Community Partnership in Nome, Alaska, youth identified a need for a safe, substance-free space. With help from a variety of community partners, the Partnership staff and youth members created the Java Hut, a substance-free coffeehouse designed for youth. The Java Hut is helping to change norms in the community by providing a fun, youth-friendly atmosphere and activities that are not centered around alcohol or marijuana.

(F) Portland's Regional Drug Initiative (RDI) has promoted the establishment of drug-free workplaces among the city's large and small employers. Over 3,000 employers have attended an RDI training session, and of those, 92 percent have instituted drug-free workplace policies. As a result, there has been a 5.5 percent decrease in positive workplace drug tests.

(G) San Antonio Fighting Back worked to increase the age at which youth first used illegal substances. Research suggests that the later the age of first use, the lower the risk that a young person will become a regular substance abuser. As a result, the age of first illegal drug use increased from 9.4 years in 1992 to 13.5 years in 1997.

(H) In 1990, multiple data sources confirmed a trend of increased alcohol use by teenagers in the Troy community. Using its "multiple strategies over multiple sectors" approach, the Troy Coalition worked with parents, physicians, students, coaches, and others to address this problem from several angles. As a result, the rate of twelfth grade students who had consumed alcohol in the past month

H. R. 2291—3

decreased from 62.1 percent to 53.3 percent between 1991 and 1998, and the rate of eighth grade students decreased from 26.3 percent to 17.4 percent. The Troy Coalition believes that this decline represents not only a change in behavior on the part of students, but also a change in the norms of the community.

(6) Despite these successes, drug use continues to be a serious problem facing communities across the United States. For example:

(A) According to the Pulse Check: Trends in Drug Abuse Mid-Year 2000 report—

(i) crack and powder cocaine remains the most serious drug problem;

(ii) marijuana remains the most widely available illicit drug, and its potency is on the rise;

(iii) treatment sources report an increase in admissions with marijuana as the primary drug of abuse—and adolescents outnumber other age groups entering treatment for marijuana;

(iv) 80 percent of Pulse Check sources reported increased availability of club drugs, with ecstasy (MDMA) and ketamine the most widely cited club drugs and seven sources reporting that powder cocaine is being used as a club drug by young adults;

(v) ecstasy abuse and trafficking is expanding, no longer confined to the "rave" scene;

(vi) the sale and use of club drugs has grown from nightclubs and raves to high schools, the streets, neighborhoods, open venues, and younger ages;

(vii) ecstasy users often are unknowingly purchasing adulterated tablets or some other substance sold as MDMA; and

(viii) along with reports of increased heroin snorting as a route of administration for initiates, there is also an increase in injecting initiates and the negative health consequences associated with injection (for example, increases in HIV/AIDS and Hepatitis C) suggesting that there is a generational forgetting of the dangers of injection of the drug.

(B) The 2000 Parent's Resource Institute for Drug Education study reported that 23.6 percent of children in the sixth through twelfth grades used illicit drugs in the past year. The same study found that monthly usage among this group was 15.3 percent.

(C) According to the 2000 Monitoring the Future study, the use of ecstasy among eighth graders increased from 1.7 percent in 1999 to 3.1 percent in 2000, among tenth graders from 4.4 percent to 5.4 percent, and from 5.6 percent to 8.2 percent among twelfth graders.

(D) A 1999 Mellman Group study found that—

(i) 56 percent of the population in the United States believed that drug use was increasing in 1999;

(ii) 92 percent of the population viewed illegal drug use as a serious problem in the United States; and

(iii) 73 percent of the population viewed illegal drug use as a serious problem in their communities.

H. R. 2291—4

(7) According to the 2001 report of the National Center on Addiction and Substance Abuse at Columbia University entitled "Shoveling Up: The Impact of Substance Abuse on State Budgets", using the most conservative assumption, in 1998 States spent \$77,900,000,000 to shovel up the wreckage of substance abuse, only \$3,000,000,000 to prevent and treat the problem and \$433,000,000 for alcohol and tobacco regulation and compliance. This \$77,900,000,000 burden was distributed as follows:

(A) \$30,700,000,000 in the justice system (77 percent of justice spending).

(B) \$16,500,000,000 in education costs (10 percent of education spending).

(C) \$15,200,000,000 in health costs (25 percent of health spending).

(D) \$7,700,000,000 in child and family assistance (32 percent of child and family assistance spending).

(E) \$5,900,000,000 in mental health and developmental disabilities (31 percent of mental health spending).

(F) \$1,500,000,000 in public safety (26 percent of public safety spending) and \$400,000,000 for the state workforce.

(8) Intergovernmental cooperation and coordination through national, State, and local or tribal leadership and partnerships are critical to facilitate the reduction of substance abuse among youth in communities across the United States.

(9) Substance abuse is perceived as a much greater problem nationally than at the community level. According to a 2001 study sponsored by The Pew Charitable Trusts, between 1994 and 2000—

(A) there was a 43 percent increase in the percentage of Americans who felt progress was being made in the war on drugs at the community level;

(B) only 9 percent of Americans say drug abuse is a "crisis" in their neighborhood, compared to 27 percent who say this about the nation; and

(C) the percentage of those who felt we lost ground in the war on drugs on a community level fell by more than a quarter, from 51 percent in 1994 to 37 percent in 2000.

(b) **EXTENSION AND INCREASE OF PROGRAM.**—Section 1024(a) of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1524(a)) is amended—

(1) by striking "and" at the end of paragraph (4); and

(2) by striking paragraph (5) and inserting the following new paragraphs:

"(5) \$50,600,000 for fiscal year 2002;

"(6) \$60,000,000 for fiscal year 2003;

"(7) \$70,000,000 for fiscal year 2004;

"(8) \$80,000,000 for fiscal year 2005;

"(9) \$90,000,000 for fiscal year 2006; and

"(10) \$99,000,000 for fiscal year 2007."

(c) **EXTENSION OF LIMITATION ON ADMINISTRATIVE COSTS.**—Section 1024(b) of that Act (21 U.S.C. 1524(b)) is amended by striking paragraph (5) and inserting the following new paragraph (5):

"(5) 6 percent for each of fiscal years 2002 through 2007."

H. R. 2291—5

(d) ADDITIONAL GRANTS.—Section 1032(b) of that Act (21 U.S.C. 1533(b)) is amended by adding at the end the following new paragraph (3):

“(3) ADDITIONAL GRANTS.—

“(A) IN GENERAL.—Subject to subparagraph (F), the Administrator may award an additional grant under this paragraph to an eligible coalition awarded a grant under paragraph (1) or (2) for any first fiscal year after the end of the 4-year period following the period of the initial grant under paragraph (1) or (2), as the case may be.

“(B) SCOPE OF GRANTS.—A coalition awarded a grant under paragraph (1) or (2), including a renewal grant under such paragraph, may not be awarded another grant under such paragraph, and is eligible for an additional grant under this section only under this paragraph.

“(C) NO PRIORITY FOR APPLICATIONS.—The Administrator may not afford a higher priority in the award of an additional grant under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather than an application for a grant under this paragraph.

“(D) RENEWAL GRANTS.—Subject to subparagraph (F), the Administrator may award a renewal grant to a grant recipient under this paragraph for each of the fiscal years of the 4-fiscal-year period following the fiscal year for which the initial additional grant under subparagraph (A) is awarded in an amount not to exceed amounts as follows:

“(i) For the first and second fiscal years of that 4-fiscal-year period, the amount equal to 80 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

“(ii) For the third and fourth fiscal years of that 4-fiscal-year period, the amount equal to 67 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

“(E) SUSPENSION.—If a grant recipient under this paragraph fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

“(F) LIMITATION.—The amount of a grant award under this paragraph may not exceed \$100,000 for a fiscal year.”

(e) DATA COLLECTION AND DISSEMINATION.—Section 1033(b) of that Act (21 U.S.C. 1533(b)) is amended by adding at the end the following new paragraph:

“(3) CONSULTATION.—The Administrator shall carry out activities under this subsection in consultation with the Advisory Commission and the National Community Antidrug Coalition Institute.”

(f) LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM.—Section 1033(b) of that Act, as amended by subsection (e) of this section, is further amended by adding at the end the following new paragraph:

H. R. 2291—6

"(4) LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM.—Amounts for activities under paragraph (2)(B) may not be derived from amounts under section 1024(a) except for amounts that are available under section 1024(b) for administrative costs."

(g) TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS.—Section 1032 of that Act (21 U.S.C. 1532) is further amended by adding at the end the following new subsection:

"(c) TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS.—Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition for purposes of this section."

(h) PRIORITY IN AWARDING GRANTS.—Section 1032 of that Act (21 U.S.C. 1532) is further amended by adding at the end the following new subsection:

"(d) PRIORITY IN AWARDING GRANTS.—In awarding grants under subsection (b)(1)(A)(i), priority shall be given to a coalition serving economically disadvantaged areas."

SEC. 2. SUPPLEMENTAL GRANTS FOR COALITION MENTORING ACTIVITIES UNDER DRUG-FREE COMMUNITIES SUPPORT PROGRAM.

Subchapter I of chapter 2 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1531 et seq.) is amended by adding at the end the following new section:

"SEC. 1035. SUPPLEMENTAL GRANTS FOR COALITION MENTORING ACTIVITIES.

"(a) AUTHORITY TO MAKE GRANTS.—As part of the program established under section 1031, the Director may award an initial grant under this subsection, and renewal grants under subsection (f), to any coalition awarded a grant under section 1032 that meets the criteria specified in subsection (d) in order to fund coalition mentoring activities by such coalition in support of the program.

"(b) TREATMENT WITH OTHER GRANTS.—

"(1) SUPPLEMENT.—A grant awarded to a coalition under this section is in addition to any grant awarded to the coalition under section 1032.

"(2) REQUIREMENT FOR BASIC GRANT.—A coalition may not be awarded a grant under this section for a fiscal year unless the coalition was awarded a grant or renewal grant under section 1032(b) for that fiscal year.

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

"(d) CRITERIA.—A coalition meets the criteria specified in this subsection if the coalition—

"(1) has been in existence for at least 5 years;

"(2) has achieved, by or through its own efforts, measurable results in the prevention and treatment of substance abuse among youth;

"(3) has staff or members willing to serve as mentors for persons seeking to start or expand the activities of other coalitions in the prevention and treatment of substance abuse;

H. R. 2291—7

"(4) has demonstrable support from some members of the community in which the coalition mentoring activities to be supported by the grant under this section are to be carried out; and

"(5) submits to the Administrator a detailed plan for the coalition mentoring activities to be supported by the grant under this section.

"(e) USE OF GRANT FUNDS.—A coalition awarded a grant under this section shall use the grant amount for mentoring activities to support and encourage the development of new, self-supporting community coalitions that are focused on the prevention and treatment of substance abuse in such new coalitions' communities. The mentoring coalition shall encourage such development in accordance with the plan submitted by the mentoring coalition under subsection (d)(5).

"(f) RENEWAL GRANTS.—The Administrator may make a renewal grant to any coalition awarded a grant under subsection (a), or a previous renewal grant under this subsection, if the coalition, at the time of application for such renewal grant—

"(1) continues to meet the criteria specified in subsection (d); and

"(2) has made demonstrable progress in the development of one or more new, self-supporting community coalitions that are focused on the prevention and treatment of substance abuse.

"(g) GRANT AMOUNTS.—

"(1) IN GENERAL.—Subject to paragraphs (2) and (3), the total amount of grants awarded to a coalition under this section for a fiscal year may not exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year. Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition.

"(2) INITIAL GRANTS.—The amount of the initial grant awarded to a coalition under subsection (a) may not exceed \$75,000.

"(3) RENEWAL GRANTS.—The total amount of renewal grants awarded to a coalition under subsection (f) for any fiscal year may not exceed \$75,000.

"(h) FISCAL YEAR LIMITATION ON AMOUNT AVAILABLE FOR GRANTS.—The total amount available for grants under this section, including renewal grants under subsection (f), in any fiscal year may not exceed the amount equal to five percent of the amount authorized to be appropriated by section 1024(a) for that fiscal year.

"(i) PRIORITY IN AWARDING INITIAL GRANTS.—In awarding initial grants under this section, priority shall be given to a coalition that expressly proposes to provide mentorship to a coalition or aspiring coalition serving economically disadvantaged areas."

SEC. 3. FIVE-YEAR EXTENSION OF ADVISORY COMMISSION ON DRUG-FREE COMMUNITIES.

Section 1048 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1548) is amended by striking "2002" and inserting "2007".

SEC. 4. AUTHORIZATION FOR NATIONAL COMMUNITY ANTIDRUG COALITION INSTITUTE.

(a) **IN GENERAL.**—The Director of the Office of National Drug Control Policy may, using amounts authorized to be appropriated by subsection (d), make a grant to an eligible organization to provide for the establishment of a National Community Antidrug Coalition Institute.

(b) **ELIGIBLE ORGANIZATIONS.**—An organization eligible for the grant under subsection (a) is any national nonprofit organization that represents, provides technical assistance and training to, and has special expertise and broad, national-level experience in community antidrug coalitions under section 1032 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1532).

(c) **USE OF GRANT AMOUNT.**—The organization receiving the grant under subsection (a) shall establish a National Community Antidrug Coalition Institute to—

(1) provide education, training, and technical assistance for coalition leaders and community teams, with emphasis on the development of coalitions serving economically disadvantaged areas;

(2) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes; and

(3) bridge the gap between research and practice by translating knowledge from research into practical information.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for purposes of activities under this section, including the grant under subsection (a), amounts as follows:

(1) For each of fiscal years 2002 and 2003, \$2,000,000.

(2) For each of fiscal years 2004 and 2005, \$1,000,000.

(3) For each of fiscal years 2006 and 2007, \$750,000.

SEC. 5. PROHIBITION AGAINST DUPLICATION OF EFFORT.

The Director of the Office of National Drug Control Policy shall ensure that the same or similar activities are not carried out, through the use of funds for administrative costs provided under subchapter II of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.) or funds provided under section 4 of this Act, by more than one recipient of such funds.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

107TH CONGRESS
Rept. 107-175
HOUSE OF REPRESENTATIVES

1st Session

Part 1

**TO EXTEND THE AUTHORIZATION OF THE DRUG-FREE COMMUNITIES
SUPPORT PROGRAM FOR AN ADDITIONAL 5 YEARS, TO AUTHORIZE A
NATIONAL COMMUNITY ANTIDRUG COALITION INSTITUTE, AND FOR OTHER
PURPOSES**

JULY 30, 2001- Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BURTON of Indiana, from the Committee on Government Reform, submitted the following
R E P O R T

[To accompany H.R. 2291]

[Including cost estimate of the Congressional Budget Office]

The Committee on Government Reform, to whom was referred the bill (H.R. 2291) to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

	CONTENTS	Page
I.	Purpose and Summary	6
II.	Need for Legislation	7
III.	Legislative Hearings and Committee Action	8
IV.	Oversight Findings	10
V.	Explanation of Bill	10
VI.	Section-by-Section Summary	21
VII.	Statement of CBO Cost Estimate	22
VIII.	Statement of Constitutional Authority	24
IX.	Federal Advisory Committee Act (5 U.S.C. App.) Section 5(b)	24
X.	Changes in Existing Law	24
XI.	Congressional Accountability Act; Public Law 104-1	28
XII.	Budget Analysis	28
XIII.	Unfunded Mandates Reform Act; Public Law 104-4, Section 423	28
XIV.	Appendix	28

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FIVE-YEAR EXTENSION OF DRUG-FREE COMMUNITIES SUPPORT PROGRAM.

(a) FINDINGS- Congress makes the following findings:

(1) In the next 15 years, the youth population in the United States will grow by 21 percent, adding 6,500,000 youth to the population of the United States. Even if drug use rates remain constant, there will be a huge surge in drug-related problems, such as academic failure, drug-related violence, and HIV incidence, simply due to this population increase.

(2) According to the 1994-1996 National Household Survey, 60 percent of students age 12 to 17 who frequently cut classes and who reported delinquent behavior in the past 6 months used marijuana 52 days or more in the previous year.

(3) The 2000 Washington Kids Count survey conducted by the University of Washington reported that students whose peers have little or no involvement with drinking and drugs have higher math and reading scores than students whose peers had low level drinking or drug use.

(4) Substance abuse prevention works. In 1999, only 10 percent of teens saw marijuana users as popular, compared to 17 percent in 1998 and 19 percent in 1997. The rate of past-month use of any drug among 12- to 17-year-olds declined 26 percent between 1997 and 1999. Marijuana use for sixth through eighth graders is at the lowest point in 5 years, as is use of cocaine, inhalants, and hallucinogens.

(5) Community Anti-Drug Coalitions throughout the United States are successfully developing and implementing comprehensive, long-term strategies to reduce substance abuse among youth on a sustained basis. For example:

(A) The Boston Coalition brought college and university presidents together to create the Cooperative Agreement on Underage Drinking. This agreement represents the first coordinated effort of Boston's many institutions of higher education to address issues such as binge drinking, underage drinking, and changing the norms surrounding alcohol abuse that exist on college and university campuses.

(B) In 2000, the Coalition for a Drug-Free Greater Cincinnati surveyed more than 47,000 local students in grades 7 through 12. The results provided evidence that the Coalition's initiatives are working. For the first time in a decade, teen drug use in Greater Cincinnati appears to be leveling off. The data collected from the survey has served as a tool to strengthen relationships between schools and communities, as well as facilitate the growth of anti-drug coalitions in communities where such coalitions had not existed.

(C) The Miami Coalition used a three-part strategy to decrease the percentage of high school seniors who reported using marijuana at least

once during the most recent 30-day period. The development of a media strategy, the creation of a network of prevention agencies, and discussions with high school students about the dangers of marijuana all contributed to a decrease in the percentage of seniors who reported using marijuana from over 22 percent in 1995 to 9 percent in 1997. The Miami Coalition was able to achieve these results while national rates of marijuana use were increasing.

(D) The Nashville Prevention Partnership worked with elementary and middle school children in an attempt to influence them toward positive life goals and discourage them from using substances. The Partnership targeted an area in East Nashville and created after school programs, mentoring opportunities, attendance initiatives, and safe passages to and from school. Attendance and test scores increased as a result of the program.

(E) At a youth-led town meeting sponsored by the Bering Strait Community Partnership in Nome, Alaska, youth identified a need for a safe, substance-free space. With help from a variety of community partners, the Partnership staff and youth members created the Java Hut, a substance-free coffeehouse designed for youth. The Java Hut is helping to change norms in the community by providing a fun, youth-friendly atmosphere and activities that are not centered around alcohol or marijuana.

(F) Portland's Regional Drug Initiative (RDI) has promoted the establishment of drug-free workplaces among the city's large and small employers. Over 3,000 employers have attended an RDI training session, and of those, 92 percent have instituted drug-free workplace policies. As a result, there has been a 5.5 percent decrease in positive workplace drug tests.

(G) San Antonio Fighting Back worked to increase the age at which youth first used illegal substances. Research suggests that the later the age of first use, the lower the risk that a young person will become a regular substance abuser. As a result, the age of first illegal drug use increased from 9.4 years in 1992 to 13.5 years in 1997.

(H) In 1990, multiple data sources confirmed a trend of increased alcohol use by teenagers in the Troy community. Using its 'multiple strategies over multiple sectors' approach, the Troy Coalition worked with parents, physicians, students, coaches, and others to address this problem from several angles. As a result, the rate of twelfth grade students who had consumed alcohol in the past month decreased from 62.1 percent to 53.3 percent between 1991 and 1998, and the rate of eighth grade students decreased from 26.3 percent to 17.4 percent. The Troy Coalition believes that this decline represents not only a change in behavior on the part of students, but also a change in the norms of the community.

(6) Despite these successes, drug use continues to be a serious problem facing communities across the United States. For example:

(A) According to the Pulse Check: Trends in Drug Abuse Mid-Year 2000 report--

- (i) crack and powder cocaine remains the most serious drug problem;
- (ii) marijuana remains the most widely available illicit drug, and its potency is on the rise;
- (iii) treatment sources report an increase in admissions with marijuana as the primary drug of abuse--and adolescents outnumber other age groups entering treatment for marijuana;
- (iv) 80 percent of Pulse Check sources reported increased availability of club drugs, with ecstasy (MDMA) and ketamine the most widely cited club drugs and seven sources reporting that powder cocaine is being used as a club drug by young adults;
- (v) ecstasy abuse and trafficking is expanding, no longer confined to the 'rave' scene;
- (vi) the sale and use of club drugs has grown from nightclubs and raves to high schools, the streets, neighborhoods, open venues, and younger ages;
- (vii) ecstasy users often are unknowingly purchasing adulterated tablets or some other substance sold as MDMA; and
- (viii) along with reports of increased heroin snorting as a route of administration for initiates, there is also an increase in injecting initiates and the negative health consequences associated with injection (for example, increases in HIV/AIDS and Hepatitis C) suggesting that there is a generational forgetting of the dangers of injection of the drug.

(B) The 2000 Parent's Resource Institute for Drug Education study reported that 23.6 percent of children in the sixth through twelfth grades used illicit drugs in the past year. The same study found that monthly usage among this group was 15.3 percent.

(C) According to the 2000 Monitoring the Future study, the use of ecstasy among eighth graders increased from 1.7 percent in 1999 to 3.1 percent in 2000, among tenth graders from 4.4 percent to 5.4 percent, and from 5.6 percent to 8.2 percent among twelfth graders.

(D) A 1999 Mellman Group study found that--

- (i) 56 percent of the population in the United States believed that drug use was increasing in 1999;
- (ii) 92 percent of the population viewed illegal drug use as a serious problem in the United States; and
- (iii) 73 percent of the population viewed illegal drug use as a serious problem in their communities.

(7) According to the 2001 report of the National Center on Addiction and Substance Abuse at Columbia University entitled 'Shoveling Up: The Impact of Substance Abuse on State Budgets', using the most conservative assumption, in 1998 States spent \$77,900,000,000 to shovel up the wreckage of substance abuse, only \$3,000,000,000 to prevent and treat the problem and \$433,000,000 for

alcohol and tobacco regulation and compliance. This \$77,900,000,000 burden was distributed as follows:

- (A) \$30,700,000,000 in the justice system (77 percent of justice spending).
- (B) \$16,500,000,000 in education costs (10 percent of education spending).
- (C) \$15,200,000,000 in health costs (25 percent of health spending).
- (D) \$7,700,000,000 in child and family assistance (32 percent of child and family assistance spending).
- (E) \$5,900,000,000 in mental health and developmental disabilities (31 percent of mental health spending).
- (F) \$1,500,000,000 in public safety (26 percent of public safety spending) and \$400,000,000 for the state workforce.

(8) Intergovernmental cooperation and coordination through national, State, and local or tribal leadership and partnerships are critical to facilitate the reduction of substance abuse among youth in communities across the United States.

(9) Substance abuse is perceived as a much greater problem nationally than at the community level. According to a 2001 study sponsored by The Pew Charitable Trusts, between 1994 and 2000--

- (A) there was a 43 percent increase in the percentage of Americans who felt progress was being made in the war on drugs at the community level;
- (B) only 9 percent of Americans say drug abuse is a 'crisis' in their neighborhood, compared to 27 percent who say this about the nation; and
- (C) the percentage of those who felt we lost ground in the war on drugs on a community level fell by more than a quarter, from 51 percent in 1994 to 37 percent in 2000.

(b) EXTENSION AND INCREASE OF PROGRAM- Section 1024(a) of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1524(a)) is amended--

- (1) by striking 'and' at the end of paragraph (4); and
- (2) by striking paragraph (5) and inserting the following new paragraphs:
 - `(5) \$50,600,000 for fiscal year 2002;
 - `(6) \$60,000,000 for fiscal year 2003;
 - `(7) \$70,000,000 for fiscal year 2004;
 - `(8) \$80,000,000 for fiscal year 2005;
 - `(9) \$90,000,000 for fiscal year 2006; and
 - `(10) \$99,000,000 for fiscal year 2007.'

(c) EXTENSION OF LIMITATION ON ADMINISTRATIVE COSTS- Section 1024(b) of that Act (21 U.S.C. 1524(b)) is amended by striking paragraph (5) and inserting the following new paragraph (5):

- `(5) 6 percent for each of fiscal years 2002 through 2007.'

(d) ADDITIONAL GRANTS- Section 1032(b) of that Act (21 U.S.C. 1533(b)) is amended by adding at the end the following new paragraph (3):

`(3) ADDITIONAL GRANTS-

- `(A) IN GENERAL- Subject to subparagraph (F), the Administrator may award an additional grant under this paragraph to an eligible coalition awarded a grant under paragraph (1) or (2) for any first fiscal year after the

end of the 4-year period following the period of the initial grant under paragraph (1) or (2), as the case may be.

`(B) SCOPE OF GRANTS- A coalition awarded a grant under paragraph (1) or (2), including a renewal grant under such paragraph, may not be awarded another grant under such paragraph, and is eligible for an additional grant under this section only under this paragraph.

`(C) NO PRIORITY FOR APPLICATIONS- The Administrator may not afford a higher priority in the award of an additional grant under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather than an application for a grant under this paragraph.

`(D) RENEWAL GRANTS- Subject to subparagraph (F), the Administrator may award a renewal grant to a grant recipient under this paragraph for each of the fiscal years of the 4-fiscal-year period following the fiscal year for which the initial additional grant under subparagraph (A) is awarded in an amount not to exceed amounts as follows:

`(i) For the first and second fiscal years of that 4-fiscal-year period, the amount equal to 80 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

`(ii) For the third and fourth fiscal years of that 4-fiscal-year period, the amount equal to 67 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

`(E) SUSPENSION- If a grant recipient under this paragraph fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

`(F) LIMITATION- The amount of a grant award under this paragraph may not exceed \$100,000 for a fiscal year.'

(e) DATA COLLECTION AND DISSEMINATION- Section 1033(b) of that Act (21 U.S.C. 1533(b)) is amended by adding at the end the following new paragraph:

`(3) CONSULTATION- The Administrator shall carry out activities under this subsection in consultation with the Advisory Commission and the National Community Antidrug Coalition Institute.'

(f) LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM- Section 1033(b) of that Act, as amended by subsection (e) of this section, is further amended by adding at the end the following new paragraph:

`(4) LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM- Amounts for activities under paragraph (2)(B) may not be derived from amounts under section 1024(a) except for amounts that are available under section 1024(b) for administrative costs.'

(g) TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS- Section 1032 of that Act (21 U.S.C. 1532) is further amended by adding at the end the following new subsection:

`(c) TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS- Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition for purposes of this section.'

(h) PRIORITY IN AWARDING GRANTS- Section 1032 of that Act (21 U.S.C. 1532) is further amended by adding at the end the following new subsection:

`(d) PRIORITY IN AWARDING GRANTS- In awarding grants under subsection (b)(1)(A)(i), priority shall be given to a coalition serving economically disadvantaged areas.'

SEC. 2. SUPPLEMENTAL GRANTS FOR COALITION MENTORING ACTIVITIES UNDER DRUG-FREE COMMUNITIES SUPPORT PROGRAM.

Subchapter I of chapter 2 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1531 et seq.) is amended by adding at the end the following new section:

`SEC. 1035. SUPPLEMENTAL GRANTS FOR COALITION MENTORING ACTIVITIES.

`(a) AUTHORITY TO MAKE GRANTS- As part of the program established under section 1031, the Director may award an initial grant under this subsection, and renewal grants under subsection (f), to any coalition awarded a grant under section 1032 that meets the criteria specified in subsection (d) in order to fund coalition mentoring activities by such coalition in support of the program.

`(b) TREATMENT WITH OTHER GRANTS-

 `(1) SUPPLEMENT- A grant awarded to a coalition under this section is in addition to any grant awarded to the coalition under section 1032.

 `(2) REQUIREMENT FOR BASIC GRANT- A coalition may not be awarded a grant under this section for a fiscal year unless the coalition was awarded a grant or renewal grant under section 1032(b) for that fiscal year.

`(c) APPLICATION- A coalition seeking a grant under this section shall submit to the Administrator an application for the grant in such form and manner as the Administrator may require.

`(d) CRITERIA- A coalition meets the criteria specified in this subsection if the coalition--

 `(1) has been in existence for at least 5 years;

 `(2) has achieved, by or through its own efforts, measurable results in the prevention and treatment of substance abuse among youth;

 `(3) has staff or members willing to serve as mentors for persons seeking to start or expand the activities of other coalitions in the prevention and treatment of substance abuse;

 `(4) has demonstrable support from some members of the community in which the coalition mentoring activities to be supported by the grant under this section are to be carried out; and

- '(5) submits to the Administrator a detailed plan for the coalition mentoring activities to be supported by the grant under this section.
- '(e) USE OF GRANT FUNDS- A coalition awarded a grant under this section shall use the grant amount for mentoring activities to support and encourage the development of new, self-supporting community coalitions that are focused on the prevention and treatment of substance abuse in such new coalitions' communities. The mentoring coalition shall encourage such development in accordance with the plan submitted by the mentoring coalition under subsection (d)(5).
- '(f) RENEWAL GRANTS- The Administrator may make a renewal grant to any coalition awarded a grant under subsection (a), or a previous renewal grant under this subsection, if the coalition, at the time of application for such renewal grant--
- '(1) continues to meet the criteria specified in subsection (d); and
 - '(2) has made demonstrable progress in the development of one or more new, self-supporting community coalitions that are focused on the prevention and treatment of substance abuse.
- '(g) GRANT AMOUNTS-
- '(1) IN GENERAL- Subject to paragraphs (2) and (3), the total amount of grants awarded to a coalition under this section for a fiscal year may not exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year. Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition.
 - '(2) INITIAL GRANTS- The amount of the initial grant awarded to a coalition under subsection (a) may not exceed \$75,000.
 - '(3) RENEWAL GRANTS- The total amount of renewal grants awarded to a coalition under subsection (f) for any fiscal year may not exceed \$75,000.
- '(h) FISCAL YEAR LIMITATION ON AMOUNT AVAILABLE FOR GRANTS- The total amount available for grants under this section, including renewal grants under subsection (f), in any fiscal year may not exceed the amount equal to five percent of the amount authorized to be appropriated by section 1024(a) for that fiscal year.
- '(i) PRIORITY IN AWARDING INITIAL GRANTS- In awarding initial grants under this section, priority shall be given to a coalition that expressly proposes to provide mentorship to a coalition or aspiring coalition serving economically disadvantaged areas.'

SEC. 3. FIVE-YEAR EXTENSION OF ADVISORY COMMISSION ON DRUG-FREE COMMUNITIES.

Section 1048 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1548) is amended by striking '2002' and inserting '2007'.

SEC. 4. AUTHORIZATION FOR NATIONAL COMMUNITY ANTIDRUG COALITION INSTITUTE.

(a) **IN GENERAL**- The Director of the Office of National Drug Control Policy may, using amounts authorized to be appropriated by subsection (d), make a grant to an eligible organization to provide for the establishment of a National Community Antidrug Coalition Institute.

(b) **ELIGIBLE ORGANIZATIONS**- An organization eligible for the grant under subsection (a) is any national nonprofit organization that represents, provides technical assistance and training to, and has special expertise and broad, national-level experience in community antidrug coalitions under section 1032 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1532).

(c) **USE OF GRANT AMOUNT**- The organization receiving the grant under subsection (a) shall establish a National Community Antidrug Coalition Institute to--

- (1) provide education, training, and technical assistance for coalition leaders and community teams, with emphasis on the development of coalitions serving economically disadvantaged areas;
- (2) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes; and
- (3) bridge the gap between research and practice by translating knowledge from research into practical information.

(d) **AUTHORIZATION OF APPROPRIATIONS**- There is authorized to be appropriated for purposes of activities under this section, including the grant under subsection (a), amounts as follows:

- (1) For each of fiscal years 2002 and 2003, \$2,000,000.
- (2) For each of fiscal years 2004 and 2005, \$1,000,000.
- (3) For each of fiscal years 2006 and 2007, \$750,000.

SEC. 5. PROHIBITION AGAINST DUPLICATION OF EFFORT.

The Director of the Office of National Drug Control Policy shall ensure that the same or similar activities are not carried out, through the use of funds for administrative costs provided under subchapter II of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.) or funds provided under section 4 of this Act, by more than one recipient of such funds.

I. PURPOSE AND SUMMARY

The purpose of the 'Drug-Free Communities Act of 1997' (21 U.S.C. Sec. 1521 et seq.) ('DFCA') is to establish a program to support and encourage local communities that first demonstrate a comprehensive, long-term commitment to reduce substance abuse among youth. The DFCA did this primarily by authorizing grants of up to \$100,000 to local community coalitions to assist them in their anti-drug efforts. H.R. 2291 would expand that program and reauthorize it for an additional five years (through fiscal year 2007). The reauthorizing legislation includes provisions that would (1) annually increase the total funds authorized for the program from \$50,600,000 in fiscal year 2002 to \$99,000,000 in fiscal year 2007; (2) increase the percentage of the total funds authorized available for administrative costs from the 3 percent allowed under current law to 6 percent; (3) instruct the Director of the Office of National Drug Control Policy (ONDCP) to take steps to ensure that there is no bureaucratic duplication of effort

among the various entities charged with administering the program and assisting coalitions; (4) allow coalitions to re-apply for grants even after five years, but only with an increased matching requirement; (5) create a new class of grants that help mature coalitions 'mentor' newly-formed coalitions; (6) instruct the Director to give priority for all grants to coalitions that propose to assist economically disadvantaged communities; (7) help coalitions serving Native American communities to meet their private fundraising 'matching requirement' under existing law by allowing them to count Federal funds allocated to tribal government agencies as non-Federal funds raised; and (8) establish a National Community Antidrug Coalition Institute.

II. NEED FOR LEGISLATION

Drug use among the nation's youth is a substantial and continuing problem. After achieving significant declines in teen drug use in the 1980's, the United States began to lose ground in the 1990's. According to the 2000 Monitoring the Future Study, from 1992 to 1996 past-month use of any illicit drug rose from 14.4 percent to 24.6 percent for twelfth graders; 11.0 percent to 23.2 percent for tenth graders; and 6.8 percent to 14.6 percent for eighth graders. The National Household Survey on Drug Abuse, conducted by the Substance Abuse and Mental Health Services Administration (SAMHSA), reported that between 1994 and 1996, LSD and hallucinogen use increased by 183 percent and cocaine use increased by 166 percent.

The rise in drug use reflected a growing level of ignorance about the risks and consequences of illegal drug use. For example, disapproval of marijuana use and perception of the risks associated with that drug weakened significantly during that same period among eighth graders, corresponding (not surprisingly) with an increase in marijuana use among eighth graders (from approximately 3 percent to approximately 11 percent). (Source: 2000 Monitoring the Future Study.) Perception of the risks of LSD, powder cocaine and crack cocaine had similarly declined. These two trends (growing ignorance of the dangers of drug abuse, and growing drug abuse among youth) suggested a looming national crisis.

Congress responded to this threat by passing, among other legislation, the Drug Free Communities Act of 1997 ('DFCA'), an amendment to the National Narcotics Leadership Act of 1988. DFCA sought to strengthen what has proven to be one of the most effective demand-side weapons in the fight against teen drug use: local community anti-drug coalitions. These coalitions bring individuals and institutions together to pool their knowledge, experience and resources in the struggle against illegal drug use in their local communities. As locally-based organizations, these coalitions are uniquely well-situated to deal with the special problems of their communities.

DFCA established a program of direct grants to community organizations demonstrating a comprehensive, long-term commitment to reduce substance abuse among youth. The DFCA program was intended, among other things, to strengthen collaboration among communities, the federal government, and state, local and tribal governments, to serve as a catalyst for increased citizen participation in community anti-drug efforts, and to rechannel federal anti-drug resources and information to local communities.

At the heart of the DFCA are grants to 'coalitions,' which are broad-based groups consisting of representatives of youth, parents, businesses, the media, law enforcement,

religious or other civic groups, health care professionals, and others that seek to reduce drug addiction in their communities, especially among the young. The coalitions are required to submit detailed applications for grants, describing their commitment to anti-drug efforts, their long-term strategy for combating drug addiction, and their ability to sustain and account for their efforts. The grants are limited to \$100,000 per year, and are subject to a matching requirement (under which the coalition must match each Federal grant dollar with a dollar raised from non-Federal sources). Coalitions from rural areas may be excused from meeting all of the DECA's program requirements. Under existing law, a coalition receiving a grant is entitled to apply for renewal grants for four years after its initial award.

The program has been a resounding success, and is one of the cornerstones of our nation's narcotics demand-reduction efforts. The 'Findings' section of H.R. 2291 (Section 1(a)) gives only a few examples of the successes of the local coalitions assisted by DFCA. According to ONDCP, there are now 307 coalitions receiving grants under DFCA, with an additional 144 new awards projected for fiscal year 2001. Though it is difficult precisely to quantify the effect these local coalitions have had on the nation's drug problem, there is no doubt but that the steep increases in drug abuse among the young have leveled off since 1997. (Source: 2000 Monitoring the Future Study.)

Nevertheless, significant work remains to be done. The National Parents' Resource Institute for Drug Education (PRIDE) survey of high school seniors for the 2000-2001 school year shows that 2 out of every 5 seniors used an illegal drug in the past year. The PRIDE shows that parental involvement (one key strategy promoted by DFCA) has a tremendous impact on the rate of youth drug abuse. Students are nearly twice as likely to use drugs if their parents do not talk to them about drugs, and students whose parents set clear rules about family standards are more than 50 percent less likely to use drugs than those who do not. The reauthorization of DFCA is critical to the nation's continuing efforts to reduce drug abuse.

III. LEGISLATIVE HEARINGS AND COMMITTEE ACTION

A. Hearings

The Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on June 28, 2001, at which Congressman Rob Portman and Congressman Sander Levin testified as sponsors of the bill. Dr. Donald M. Vereen, Jr., Deputy Director of the Office of National Drug Control Policy, Mr. John J. Wilson, Acting Director of the Office of Juvenile Justice and Delinquency Prevention at the U.S. Department of Justice, General Arthur T. Dean (retired), Chairman and CEO of Community Anti-Drug Coalitions of America, Judge Michael Kramer of the Noble County, Indiana, Superior Court and Chair of Drug-Free Noble County, and Mr. Lawrence Couch, Program Manager of the Montgomery County Partnership, Maryland, also testified in support of the bill.

Subcommittee Chairman Mark E. Souder began the hearing with a statement in strong support of the bill, and taking note of the many successes made possible by the original Drug-Free Communities Act. Chairman Souder also expressed his concerns, however, with the bill's increase in the administrative expenses cap and the risk of duplication of effort between the many entities entrusted under the bill with monitoring, evaluating, and providing training and technical assistance to anti-drug coalitions. The ranking Minority member of the subcommittee, Elijah E. Cummings, expressed his support for the bill and especially for its support of the efforts of established coalitions to provide assistance to new coalitions. Mr. Cummings also expressed his concern that DFCA funds be targeted towards economically disadvantaged communities. The Vice-Chairman of the Subcommittee, Benjamin A. Gilman, made a statement praising the DFCA program as a major component of our national demand reduction strategy.

Congressman Portman summarized the goals of the DFCA program and its successes since original enactment. He noted that reauthorization of the DFCA was one of the centerpieces of President George W. Bush's anti-drug strategy, and that the bill is a priority for the Administration. Mr. Portman remarked on the vital role played by the faith community in the program, and expressed his support for the bill's creation of a National Community Antidrug Coalition Institute. Mr. Portman also stated his support for the bill's increase in the administrative expenses cap, while acknowledging that a central goal of the original legislation was to limit the number of dollars being spent on administrative overhead.

Congressman Sander Levin discussed the history of the DFCA, explaining how it had been enacted to deal with the nation's crippling drug problem. Mr. Levin expressed his support for the bill's authorization of grants to support the mentoring of new coalitions by established ones, and for the proposed Institute. Mr. Levin noted that demand for grants under the DFCA has risen tremendously since the program's inception.

Dr. Vereen testified to the successes of the DFCA program and to the need for increasing the administrative expenses cap. Mr. Wilson described OJJDP's administration of most aspects of the program, and also testified as to the need for the increase in the cap. Both also provided testimony in response to questions from the Subcommittee concerning the size of the administrative expenses cap and the risk of duplication of administrative tasks.

Mr. Dean expressed his support for the reauthorization of the DFCA, and in particular for the creation of the proposed Institute. Judge Kramer and Mr. Couch also expressed their support for the legislation, and described their experiences as leaders of DFCA coalitions.

B. Committee Action

The Subcommittee on Criminal Justice, Drug Policy and Human Resources favorably referred An Amendment in the Nature of a Substitute to the bill, as amended, by voice vote on July 24, 2001, to the Committee on Government Reform and Oversight.

On July 25, 2001, a quorum being present, the Committee on Government Reform and Oversight favorably reported An Amendment in the Nature of a Substitute to H.R. 2291, as amended, by voice vote.

Committee on Government Reform and Oversight--107th Congress Rollcall

Date: July 25, 2001.

Amendment No. 1.

Description: Amendment in the Nature of a Substitute to H.R. 2291.

Offered by: Hon. Dan Burton (IN).

Adopted by: Voice Vote.

Date: July 25, 2001.

Amendment No. 2.

Description: Amendment to the Amendment in the Nature of a Substitute to H.R. 2291, page 11, strike lines 2 through 4 and insert the following: '(8) \$80,000,000 for fiscal year 2005; (9) \$90,000,000 for fiscal year 2006; and (10) \$99,000,000 for fiscal year 2007.'

Offered by: Hon. Danny K. Davis (IL).

Adopted by: Voice Vote.

Date: July 25, 2001.

Motion to favorably report H.R. 2291, as amended.

Offered by: Hon. Dan Burton (IN).

Adopted by Voice Vote.

IV. OVERSIGHT FINDINGS

Pursuant to rule XIII, clause 3(c)(1), and rule X, clause 2(b)(1) of the Rules of the House of Representatives, the Committee presents the following oversight findings from its own investigation. During the 107th Congress, the Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on June 28, 2001 concerning H.R. 2291. Witnesses at the hearing testified as to the need for the legislation and its provisions, as well as the past administration of the DFCA program. The results and findings from Committee oversight activities are incorporated in the bill and this report.

V. EXPLANATION OF BILL

The Committee provides the following description of the proposed legislation and an explanation of the Committee's actions. Pursuant to rule XIII, clause 3(c)(4) of the Rules of the House of

Representatives, it includes a description of its general performance goals and objectives, as well as outcome-related goals and objectives.

A. Findings (Sec. 1(a))

The bill's findings are outlined clearly. They demonstrate (1) the pressing need for further demand-reduction efforts, particularly among our nation's youth, and (2) the record of success and prospects for future progress offered by local community anti-drug coalitions.

B. Extension and Increase of Program (Sec. 1(b))

The reauthorization of DFCA is critical to the nation's continuing efforts to reduce drug abuse. Moreover, to ensure that enough funds are available to assist the rapidly growing number of coalitions emerging throughout the country, increasing the funds authorized for the program is essential. Thus, H.R. 2291 (as amended) would reauthorize DFCA for 5 years (through fiscal year 2002), and gradually increase the funds authorized, up to \$99,000,000 in the final year (fiscal year 2007).

Concerns were raised concerning the size of these increases. The Committee believes that these concerns are well-founded, particularly since they could threaten the availability of funds for other pressing national priorities. In addition, there are legitimate questions about just how many coalitions capable of properly using these funds currently exist, or are likely to exist over the next five fiscal years. It is certainly the case that over the past four years this program has expanded rapidly, and the demand for grant funding should continue to grow. For the past 3 years, grants have been made to only about 40 percent of the applicant pool, with no degradation from one year to the next. Such significant increases in the amounts authorized for the program, however, may well outstrip the number of coalitions ready and able to provide the level and quality of services expected in the program. It is the intention of the Committee that ONDCP carefully monitor the grant criteria and administration to ensure that there is no relaxation of them for DFCA grants. The Committee also emphasizes that only the amounts authorized have been increased. During the annual appropriations process, Congress, in consultation with the Office of National Drug Control Policy (ONDCP), should take care to ensure that only those amounts are appropriated as can be awarded to coalitions that fully meet all applicable criteria.

Some concern were expressed to the Committee that special language should be included regarding the eligibility of statewide anti-drug coalitions for a DFCA grant. After reviewing the legislation and the legislative history, it is the belief both of the bill's sponsors in the House of Representatives and the Senate and of the Committee that no special language would be necessary. The purpose of a DFCA grant is to support the growth of eligible coalitions, no matter what their size. Therefore, where a statewide coalition meets all of the other eligibility requirements outlined by the legislation, it should be able to compete on equal footing with other coalitions for a grant.

Pursuant to a directive of the ONDCP program Administrator, the maximum amount that a coalition can receive under a renewal grant was reduced from \$100,000 to \$75,000 for years 3, 4, and 5 of this program. While neither the bill's sponsors in the House of Representatives and the

Senate nor the Committee are convinced of the necessity of this reduction, they do believe that the Administrator, when acting with the clear advice and understanding of the Advisory Commission, has the authority to make such changes. However, the Committee believes it is essential that all coalitions receive adequate notice well in advance of any future changes in the eligibility amounts, as coalition fund-raising strategies may be affected by changes to the program.

C. Extension of limitation on administrative costs

Reflecting the intent of Congress to minimize the amount of money spent on bureaucratic overhead instead of grants to local anti-drug coalitions, administrative costs have been subject to a decreasing percentage cap since 1998 (reflecting the increasing levels of overall funding): 10 percent of fund authorized in fiscal year 1998 (meaning \$1,000,000 was available for administrative costs), 6 percent in fiscal year 1999 (\$1,200,000), 4 percent in fiscal year 2000 (\$1,200,000), and 3 percent in fiscal year 2001 (\$1,200,000). The 3 percent cap would remain in effect under existing law for fiscal year 2002 (\$1,305,000).

As amended, H.R. 2291 will raise the administrative costs cap to 6 percent of funds authorized for fiscal years 2002 through 2006. ONDCP requested, and the original version of the bill provided, a cap of 8 percent. (See the further discussion of this issue below.) The Committee carefully analyzed the information provided to it by ONDCP in determining an appropriate administrative costs cap.

ONDCP identified five sources of administrative costs associated with DFCA which it believes should be paid for with DFCA funds:

1. Grants management by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), a division of the Department of Justice.
2. Peer review of grant applications, and marketing and publicity of the DFCA program, all of which are undertaken by a private firm called Aspen Systems Corporation.
3. Technical assistance and training to grantees, undertaken by the six regional Centers for Application of Prevention Technologies (CAPTs), which are administered by the Center for Substance Abuse Prevention (a division of the Department of Health and Human Services).
4. Independent evaluation of the DFCA program, undertaken by another private firm, Caliber Associates.
5. Salary and costs of ONDCP's DFCA Administrator and the Advisory Commission established by DFCA.

Each of these is analyzed below.

1. Grants management by OJJDP

Section 1031(b) of the DFCA directs ONDCP to '(1) make and track grants to grant recipients; (2) provide for the technical assistance and training, data collection, and dissemination of information on state-of-the-art practices that the Director determines to be effective in reducing substance abuse; and (3) provide for the general administration of the program.' Pursuant to an Interagency Agreement, ONDCP has delegated most of the tasks of administering the DFCA program to the Office of Juvenile Justice and Delinquency Prevention, a division of the Department of Justice, which has the personnel and experience necessary to carry them out.

According to an Administrative Cost Study (the 'Study'), first submitted by ONDCP to the Appropriations Committee of the United States Senate on January 18, 2001 and subsequently provided to this Committee, OJJDP administers the DFCA program through its Special Emphasis Division (SED). SED has assigned 9 staff members to work full-time on the DFCA program. Seven of these staffers are program managers, who are responsible for monitoring and administering the grants program, and two are administrative support staff.

During the hearing held by the Subcommittee on Criminal Justice, Drug Policy and Human Resources concerning this bill, representatives of ONDCP and OJJDP testified to the need for more program managers to handle the growing number of grants. According to OJJDP, currently each program manager is responsible for an average of 44 grants. That number will rise as the number of grants rises; thus the Committee recognizes that there is a need to hire more program managers if the administration of the program is not to suffer. OJJDP has stated that ideally each program manager would be responsible for only 26 grants, as this is the amount reportedly used in many other grant programs.

In an effort to determine how many program managers would be required, the Committee asked ONDCP and OJJDP to identify the activities carried out by these staffers, and how much time they spend on them. In their joint written response, ONDCP and OJJDP identified the following three principal activities: (1) administering the grant application process, which according to ONDCP and OJJDP occupies virtually all of the program managers' time from May through November each year; (2) bi-monthly telephone contacts with grantees, which require, on average, one hour per grantee per month; and (3) conducting on-site visits, one per grantee per year, each visit taking an average of 2 days. Assuming that May through November of each year are indeed completely taken up by the grant application process, five months are left in which to carry out the other two principal activities. The following chart shows the demands made on a program manager's time during those 5 months at various grants-per-program manager levels, assuming an 8-hour working day:

	Grants per manager	Days spent on telephone contacts	Days spent on site visits
	Total days per month		

	44	5.5	17.6
23.1	42	5.3	16.8
22.1	40	5.0	16.0
21.0			

	38	4.8	15.2
20.0	36	4.5	14.4
18.9	34	4.3	13.6
17.9	32	4.0	12.8
16.8	30	3.8	12.0
15.8	28	3.5	11.2
14.7	26	3.3	10.4
13.7			

There are slightly less than 22 working days per month, on average. Thus, a ratio in the range of 38 to 40 grants per program manager would appear to be adequate. While a ratio approaching 26 grants per manager (as requested by OJJDP) would certainly allow for a great deal of flexibility in the schedule of each program manager, as well as the potential for greater individual attention to each grantee, it must be remembered that the DFCA program was envisioned as involving very low administrative and bureaucratic overhead--lower than that of the typical Federal grant program. The Committee believes that to keep those administrative costs low, only such staff as necessary should be added.

According to OJJDP, the cost of adding each new professional staffer is \$100,000. Set forth below is a chart showing what the cost would be per year to keep the grants-to-program manager ratio at its current level of 44, to reduce it to 40, and to reduce it still further to 38. (Each grant is assumed to be \$100,000, which is the assumption used by OJJDP in the calculations provided to the Committee and its staff.) 1

[Footnote]

[Footnote 1: Note that this chart overstates the number of program managers required, since it does not subtract administrative expenses from the total funds available for grants. For example, in fiscal year 2002, the actual number of grants which OJJDP would have to manage would be less than 500 once administrative costs were subtracted from the \$50,600,000 authorized for DFCA.]

FY	Total funds (millions)	Total grants	Staffers	Total cost (millions)
			44 40 38	44
40	38			
2002	\$50.6	506	12 13 13	\$1.2
\$1.3 \$1.3				
2003	60	600	14 15 16	1.4
1.5 1.6				

2004	70	700	16 18 18	1.6
1.8 1.8				
2005	80	800	18 20 21	1.8
2 2.1				
2006	90	900	21 23 24	2.1
2.3 2.4				
2007	99	990	23 25 26	2.3
2.5 2.6				

2. Peer review of grant applications, and marketing and publicity of the DFCA program, by Aspen Systems Corporation

According to the written responses provided to the Committee, OJJDP has contracted with Aspen Systems Corporation to provide 3 services: (1) a 'peer review' of grant applicants as part of the application process; (2) development of publications on the DFCA program; and (3) website support and information dissemination activities. From 1998 through 2000, OJJDP reports paying \$289,000 per year to Aspen for these services. According to OJJDP, it plans to pay Aspen \$325,000 in 2002. While OJJDP did not state precisely how much it planned to pay Aspen in the years after 2002, it predicted 'proportional growth' as the number of grants increased.

Assuming proportional growth (to match the growth in total funds for DFCA), the Committee projects the approximate growth of this cost as follows:

2002	\$325,000
2003	385,000
2004	447,000
2005	510,000
2006	574,000
2007	631,000

3. Technical assistance and training provided by the CAPTs

OJJDP reports that it has agreed with CSAP that the CAPTs will (1) provide to each DFCA grantee 8 hours of technical assistance upon request, (2) allow grantees to attend regional training conferences registration-free, (3) provide a Drug-Free Communities Grantee Workshop (at which an overview of the CAPTs' research and training is presented), and (4) provide training to potential applicants and/or unsuccessful applicants for DFCA grants to assist them with the application process.

OJJDP informed Committee staff that it costs approximately \$1,000 per grantee to provide these services. Subsequently, OJJDP stated that the \$1,000 figure was arrived at simply by dividing the \$350,000 it paid to CSAP by the total number of grantees (307). It is therefore not clear how much the total cost will grow as the number of grantees grows, since the cost of some of the

services provided by the CAPTs (such as the Workshop and the conferences) may not vary significantly with the number of participants.

However, using the \$1,000 figure per grantee produces the following rough estimate of the future costs: 2

[Footnote]

[Footnote 2: As was the case with the number of program managers, this estimate overstates the amount required, since administrative costs have not yet been subtracted from the total funds available for grants; also, 5 percent of the total funds would be spent on mentoring grants, which would not carry with them the requirement for additional CAPTs training.]

2002	\$506,000
2003	600,000
2004	700,000
2005	800,000
2006	900,000
2007	990,000

4. Independent evaluation by Caliber Associates

According to ONDCP, the independent evaluation is designed to measure: '(1) The impact of coalition efforts on community capacity for prevention service delivery and (2) the degree to which coalition efforts result in a strengthened community response to alcohol, tobacco, and other drug problems.' It is a 5-year study. ONDCP spent \$600,000 from 1998 to 2000 on this evaluation, and plans to spend the same amount in 2001. It proposes, however, to increase the funding for it by \$50,000 increments, up to a maximum of \$750,000.

Due to the difficulties involved in quantifying the 'results' of the DFCA program and the problems entailed in comparing the effectiveness of coalitions in widely varying local circumstances, the evaluation does not attempt to determine whether individual coalitions have been effective. Indeed, since so many variables are involved in attempting to quantify both the nation's drug problem and efforts to deal with it, the independent evaluation cannot reasonably be expected to provide a comprehensive, quantifiable analysis of the results of the program as a whole. Instead, the independent evaluation is designed principally to attempt to identify coalition activities that have proven effective. The evaluation thus relies primarily on analyzing the activities of a representative sample of the coalitions, rather than analyzing in detail the activities of all of the coalitions.

The Committee acknowledges the difficulties inherent in evaluating a program like the DFCA program. Under the circumstances, the Caliber Associates evaluation is probably the best possible evaluation that can be achieved, particularly given the intent of Congress to minimize the administrative costs of the program. Because of these inherent difficulties, however, the

Committee does not believe that increasing the funding of the evaluation or attempting to expand it would be likely to be very fruitful. Since the evaluation relies primarily on a representative sample for its most significant findings, there is little need for increased funding, even as the number of grantees grows. Indeed, if the evaluation really had to be increased to match the growing number of grants, it would have to rise by more than \$150,000 over the next 5 fiscal years. Thus, the Committee believes that the current funding level of \$600,000 per year is sufficient.

5. Salary and costs of ONDCP Administrator and Advisory Commission

In accordance with the statute, ONDCP has assigned a program Administrator to oversee the DFCA program. The DFCA also established an Advisory Commission, consisting of representatives (appointed by the President) of the public, of non-profit organizations, and state agencies with experience in substance abuse prevention. The Advisory Commission makes recommendations to ONDCP regarding the DFCA program, and may collect information on substance abuse prevention and make that information available to eligible coalitions and the general public through publications and workshops or conferences.

ONDCP has spent \$200,000 per year to pay the salary and expenses of the DFCA Administrator and the Advisory Commission established by the statute. ONDCP has informed the Committee that it will not need to increase that figure through 2007.

6. Other administrative costs

The Committee asked ONDCP and OJJDP to describe any additional costs that they believed should be paid for out of the amounts authorized for administrative costs. In its written response, these agencies did not identify any such additional costs. Subsequently the Committee's staff was informed (1) that travel costs had not been included in previous cost forecasts, and (2) that additional administrative staff would need to be added at OJJDP (beyond the additional program managers). The Committee has not received sufficient documentation of these costs to be able to quantify or evaluate them.

7. Total administrative costs

Adding up all of the costs identified by ONDCP and OJJDP, and holding the funding of the Caliber Associates evaluation constant at \$600,000, the following would be the approximate total administrative costs per year and the percentage of the total funding, if the grants per program manager were held constant at 44, or were reduced to 40 or 38: 3

[Footnote]

[Footnote 3: This chart reflects both the reduction in the number of total grants due to the subtraction of administrative costs, and the fact that 5 percent of the grants will be mentoring grants which are set at \$75,000 instead of \$100,000.]

Fiscal year 44 grants per program manager		38 grants per program manager		40 grants per program manager	
In millions		Percent		In millions	
Percent		In millions		Percent	
-----		-----		-----	
2002		\$2.69	5.3		
\$2.80	5.5	\$2.86	5.7		
2003		3.05	5.1		
3.18	5.3	3.25	5.4		
2004		3.43	4.9		
3.58	5.1	3.66	5.2		
2005		3.80	4.8		
3.98	5.0	4.07	5.1		
2006		4.18	4.6		
4.38	4.9	4.49	5.0		
2007		4.52	4.6		
4.74	4.8	4.86	4.9		
-----		-----		-----	

The preceding chart indicates that the total administrative costs will fall as a percentage of the total funds authorized from 2002 through 2007. Moreover, it indicates that the 6 percent administrative cost cap permitted by the amended bill should be more

than sufficient to allow ONDCP and OJJDP to reduce the grants-per-program manager ratio by a significant amount. The Committee acknowledges that the preceding estimates, being limited to those costs for which sufficient information and documentation were provided, may not include every possible administrative cost of the program. However, the creation of new entities to assist coalitions also strongly suggests that some cost reduction reasonably may be expected within the delineated categories. Even at the 38 grants-per-manager level, the authorized administrative cost limit will still leave additional funds to meet other needs. It is no doubt the case that choices will have to be made about where to allocate these administrative resources. In the view of the Committee, however, that was part of Congress' original intent in establishing an administrative cost cap: to control the growth of the bureaucracy and to ensure that the maximum number of dollars goes to the local coalitions.

8. Additional views concerning the administrative expenses cap

As acknowledged above, there was a dispute about the appropriate level for the cap on administrative expenses for the DFCA program. Both the House and Senate bills set the level at 8 percent, which was the level requested by both the Clinton and Bush Administrations. The bill's sponsors on both the House and Senate side have expressed concern that cutting the administrative costs to 6 percent would jeopardize the administration of the program. The Committee agrees that continued review of the proper level to be authorized for administrative expenses of this program is warranted, and will monitor this issue next year after the changes made by this legislation are put in place. The Committee acknowledges that, even at 8 percent, the administrative costs would still be lower than those for other Department of Justice programs including the At-Risk Children program (10 percent) and the Drug Court program (up to 15 percent for training and technical assistance alone).

C. Additional grants (Sec. 1(d))

Under the original DFCA, after being awarded an initial grant, a local coalition was entitled to reapply for a renewal grant for four additional years. No provision was made for additional aid after that point. This reflected in part Congress' intention that Federal aid to local coalitions would only be temporary, enabling the coalitions to establish themselves and begin their anti-drug efforts, but not to become permanently dependent on Federal funding. The Committee continues to support that goal. Representatives of many of the coalitions, however, informed the Committee and the bill's sponsors on both the House and Senate side that an abrupt cessation of Federal assistance would cause many of these coalitions to halt their activities. After five years, many of these coalitions (being primarily voluntary organizations) have only just begun to make a difference in their communities. A limit of 5 years, while certainly supportive of the goal of financial independence, may have the additional and unintended effect of withdrawing assistance from some coalitions just as they are starting to become effective.

The reauthorizing legislation therefore allows for a second five-year period of Federal funding, but only with certain restrictions. First, ONDCP may not accord any priority during the application process to a coalition because of its status as a previous grantee; that coalition must compete with all other applicants on an equal footing. Second, any renewal grants are subject to an increased matching requirement, under which the coalition must raise \$1.25 in non-Federal funds for every dollar of DFCA funds it receives for the first two renewal grants, and approximately \$1.33 in non-Federal funds for every DFCA dollar for the last two renewal grants.

D. Data collection and dissemination (Sec. 1(e))

This subsection directs the program Administrator to carry out data collection and dissemination activities under Section 1033(b) of the DFCA in consultation with the Advisory Commission and the National Community Antidrug Coalition Institute created by this legislation. This provision is intended to ensure that the resources and experience of the Advisory Commission and the new Institute are fully utilized for these important activities.

E. Limitation on use of certain funds for evaluation of program (Sec. 1(f))

This provision codifies Congress' original understanding that the cost of any program evaluation is an administrative expense subject to the limitation on administrative expenses. Indeed, as two committees of the United States informed ONDCP, the cost of evaluation, technical assistance and training are considered to be administrative costs subject to the cap. (See Administrative Cost Study, submitted by ONDCP to the Senate Appropriations Committee, January 18, 2001, page 8.)

F. Treatment of funds for coalitions representing certain organizations (Sec. 1(g))

This provision remedies a problem that had arisen under the previous statute in the treatment of coalitions that serve Indian tribes and include representatives of tribal government agencies (as specifically allowed by the DFCA). The Committee was informed that it is frequently more difficult for coalitions serving Indian tribes to raise non-Federal funds to meet the matching

requirement under Section 1032 of the DFCA. These coalitions typically receive Federal funds (other than DFCA funds) instead of State government funds for anti-drug activities, putting those coalitions at a comparative disadvantage to coalitions with greater access to State and local government funds.

ONDCP informed the Committee that pursuant to Federal Indian law, ONDCP has the authority to waive or modify the matching requirement for tribes that are Federally recognized and enjoy a government-to-government relationship with the United States. However, this authority would not extend to non-Federally recognized tribes.

This provision therefore enables any coalition including a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with

expertise in the field of substance abuse prevention, to count any funds it receives from any source, including Federal sources (other than the DFCA program itself), as non-Federal funds for purposes of the matching requirement. This subsection removes the barrier to receiving DFCA funds and eliminates any disparity in the treatment of coalitions serving Federally-recognized and non-Federally recognized tribes.

G. Priority in awarding grants (Sec. 1(h))

Several members of the Committee expressed their concern that coalitions serving economically disadvantaged communities might face added difficulties in obtaining grants under the DFCA. Since these coalitions may lack the same resources available to coalitions from more prosperous communities, their applications may not seem as well supported as those of other coalitions. This provision seeks to remedy this imbalance, by directing those evaluating grant applications to give priority to coalitions serving economically disadvantaged communities. This subsection should not be read, however, to mean that any coalition (whether serving an economically disadvantaged community or not) should be excused from the minimum criteria and standards necessary to receive a grant. It is not the Committee's intent that this provision eliminate those criteria and standards. Rather, the Committee intends that among those coalitions meeting those minimum criteria and standards, priority is to be given to the ones that serve our nation's neediest areas.

H. Supplemental grants for coalition mentoring activities (Sec. 2)

A number of established coalitions with proven histories of success have expressed an interest in mentoring new and/or struggling coalitions, particularly in neighboring communities. Rather than creating a new and separate grant program, the bill will authorize certain coalitions to apply for a supplemental grant of up to \$75,000. Up to 5 percent of the total funds authorized under DFCA may be used for these grants. This coalition mentoring grant program capitalizes on the idea, which underpins the entire DFCA, that local communities, rather than the Federal government, often know how best to address challenges in those communities. The Committee expects that as a result of these mentoring grants, new coalitions can have the benefit of local insights and common experiences when addressing similar problems.

Section 2 of H.R. 2291, as amended, imposes a number of conditions on the receipt of these grants, including requirements that a grantee have been in existence for at least 5 years, and that it have achieved demonstrable results in the prevention and treatment of substance abuse among youth. Renewal grants are allowed. A non-Federal funds matching requirement identical to that applying to general grants is imposed, but with an exception for coalitions serving Indian tribes (identical to that described in part II.F above). There is no requirement that the non-Federal funds have been raised specifically for mentoring purposes; rather, funds raised for any anti-substance abuse activities may be counted against the matching requirement.

To ensure that coalitions are given an appropriate incentive to mentor coalitions serving those most in need, priority in awarding these grants is to be given to coalitions expressly proposing to mentor coalitions or aspiring coalitions serving economically disadvantaged areas.

I. Five-year extension of advisory commission on drug-free communities (Sec. 3)

The Advisory Commission is reauthorized for an additional 5 years.

J. Authorization for national community anti-drug coalition institute (Sec. 4)

In response to a perceived need on the part of many grant recipients for greater guidance and information in carrying out their anti-substance abuse activities, the bill's drafters in both the House of Representatives and the Senate looked for ways effectively to provide that guidance and information. The end result of those efforts is the bill's authorization of a National Community Anti-Drug Coalition Institute. The Institute is intended to (1) provide education, training, and technical assistance for coalition leaders and community teams; (2) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes; and (3) bridge the gap between research and practice by translating knowledge from research into practical information. In response to concerns raised by several members, the Committee added language directing the Institute to place special emphasis on the development of coalitions serving economically disadvantaged areas.

To help create the Institute, the bill authorizes a federal grant, to be awarded by ONDCP to a national organization that represents, provides technical assistance to and training to, and has special expertise and broad, national-level experience in working with DFCA coalitions. The Committee expects that ONDCP will ensure that a competitive process, in accordance with applicable Federal law, will be used to determine the ultimate recipient of that grant. Nevertheless, only one such organization, Community Anti-Drug Coalitions of America (CADCA), has communicated with the Committee regarding the legislation. Thus, the Committee received extensive information from CADCA concerning its views of possible future goals and activities of the Institute.

The bill authorizes up to \$2,000,000 in each of fiscal years 2002 and 2003 for the grant establishing the Institute. CADCA has expressed the view that it believes the Institute could expect to receive sufficient outside funding after 2003 to enable it to achieve financial independence. Nevertheless, some provision should be made for financial assistance to the Institute (regardless of which organization ultimately receives the grant) from fiscal years 2004

through 2007, should insufficient non-Federal funding be available. The Committee believes that a cap on such assistance of \$1,000,000 in fiscal years 2004 and 2005, and \$750,000 in fiscal years 2006 and 2007, will balance the

need for contingent financial assistance with the intent of the Committee that the Institute move quickly towards independence from Federal support.

The Committee had some concerns with respect to the level of the initial grants in 2002 and 2003. CADCA submitted to the Committee its view of a proposed budget for the Institute which, while describing activities and expenditures that undoubtedly have great merit, suggests the risk of duplicating some tasks already being undertaken or commissioned by ONDCP and/or OJJDP. The Committee expects that the ultimate recipient of the Institute grants will take its own steps to ensure that such duplication of effort does not occur and that overall costs are minimized as much as possible.

K. Prohibition against duplication of effort (Sec. 5)

The Committee is very concerned that the creation of the mentoring grants and the Institute, coupled with the raising of the administrative expenses cap, poses a significant danger of duplication of tasks among all the various entities providing monitoring, training and technical assistance, and/or evaluation services to DFCA grantees. Such duplication of tasks would be antithetical to one of the central purposes of the DFCA, namely to minimize the number of dollars spent on administrative overhead while maximizing the number of dollars directed to the coalitions themselves. This section instructs the Director of ONDCP to take affirmative steps to ensure that such duplication of effort does not occur.

VI. SECTION-BY-SECTION SUMMARY

SECTION 1. FIVE YEAR EXTENSION OF DRUG-FREE COMMUNITIES SUPPORT PROGRAM

The Drug-Free Communities Act program is reauthorized for five years, from fiscal year 2003 through fiscal year 2007. The amounts authorized for the program are increased in fiscal year 2002 (the last year of authorization under the current DFCA) to \$50,600,000 in fiscal year 2002; thereafter \$60,000,000 is authorized in fiscal year 2003, \$70,000,000 in fiscal year 2004, \$80,000,000 in fiscal year 2005, \$90,000,000 in fiscal year 2006, and \$99,000,000 in fiscal year 2007. The limitation on administrative costs is extended through fiscal year 2007, but is raised for fiscal years 2002 through 2007 to 6 percent of the amounts authorized.

Authority is given to the program Administrator to make additional grants to coalitions that already received an initial grant and 4 renewal grants. No priority is to be given these coalitions during the application process, however. Moreover, renewal grants for these additional grants are subject to a more stringent matching requirement, under which the renewal grant may be equal to no more than 80 percent of the total non-Federal funds raised by the coalition for the first two

years after the initial grant, and 67 percent for the final two years. These grants remain capped at \$100,000 per year.

The program Administrator is directed to carry out data collection and dissemination activities under Section 1033(b) of the original DFCA in consultation with the Advisory Commission and the National Community Antidrug Coalition Institute established by Section 4 of this bill.

This Section provides that amounts expended on a program evaluation are to be derived from the amounts authorized for administrative expenses only, and not from any other funds authorized by the DFCA.

The non-Federal fundraising matching requirement is changed for coalitions serving Indian communities by allowing such coalitions to include Federal funds appropriated to them for substance abuse activities.

This Section provides that priority in awarding DFCA grants is to be given to otherwise eligible coalitions that serve economically disadvantaged areas.

SECTION 2. SUPPLEMENTAL GRANTS FOR COALITION MENTORING ACTIVITIES UNDER DRUG-FREE COMMUNITIES SUPPORT PROGRAM

Section 2 authorizes the Administrator to award supplemental grants to coalitions already receiving DFCA grants, for the purpose of supporting the mentoring of new or emerging coalitions. The criteria for receiving such a grant are listed in Section 2(d). Renewal grants are permitted under certain conditions. The grants are limited to \$75,000 per year, and the total amount of all such grants cannot exceed 5 percent of the funds authorized under the DFCA. Priority for the grants is given to coalitions expressly proposing to assist coalitions serving economically disadvantaged areas.

SECTION 3. FIVE-YEAR EXTENSION OF ADVISORY COMMISSION ON DRUG-FREE COMMUNITIES

The Advisory Commission is reauthorized through fiscal year 2007.

SECTION 4. AUTHORIZATION FOR NATIONAL COMMUNITY ANTI-DRUG COALITION INSTITUTE

This Section authorizes the ONDCP Director to award a grant to a private, not-for-profit organization with substantial experience in working with community anti-drug coalitions for the purpose of establishing a National Community Anti-Drug Coalition Institute. The Institute's activities are outlined in subsection (c). Up to \$2,000,000 for each of fiscal years 2002 and 2003

is authorized for this grant. If necessary, up to \$1,000,000 may be awarded to the Institute in each of fiscal years 2004 and 2005, and up to \$750,000 in each of fiscal years 2006 and 2007.

SECTION 5. PROHIBITION AGAINST DUPLICATION OF EFFORT

The Director of ONDCP is instructed to take steps to ensure no duplication of effort by entities receiving funds under the DFCA or under Section 4 of this bill.

VII. STATEMENT OF CBO COST ESTIMATE

Pursuant to rule XIII, clause 3(c)(3) of the Rules of the House of Representatives, the Committee was provided the following estimate of the cost of H.R. 2291 prepared by the Congressional Budget Office.

U.S. Congress,

Congressional Budget Office,

Washington, DC, July 30, 2001.

Hon. DAN BURTON,
Chairman, Committee on Government Reform,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2291, a bill to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

Barry B. Anderson,

(For Dan L. Crippen, Director).

Enclosure.

H.R. 2291--A bill to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes

Summary: H.R. 2291 would authorize the appropriation of \$406 million over the 2002-2007 period to extend the Drug-Free Communities Support Program. In addition, the bill would authorize the appropriation of \$7.5 million over the 2002-2007 period to establish a National Community Antidrug Coalition Institute.

Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 2291 would cost \$235 million over the 2002-2006 period, mostly for the Drug-Free Communities Support Program. This legislation would not affect direct spending or receipts so pay-as-you-go procedures would not apply.

H.R. 2291 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). Any costs to state and local governments receiving grants under this bill would be incurred voluntarily.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 2291 is shown in the following table. For the purposes of this estimate, CBO assumes that the authorized amounts will be appropriated by the start of each fiscal year and that spending would follow the historical spending rates for these or similar activities. The cost of this legislation falls within budget function 800 (general government).

By fiscal year in millions of dollars--

2001 2002 2003 2004 2005 2006

SPENDING SUBJECT TO APPROPRIATION

Spending under current law for the Drug-Free Communities Support Program:

Authorization level 1

40 44 0 0 0 0

Estimated outlays

31 39 30 9 0 0

Proposed Changes:

Authorization level

0 9 62 71 81 91

Estimated outlays

0 4 24 53 72 82

Spending under H.R. 2291 for the Drug-Free Communities Support Program and the National Community Anti-Drug Coalition Institute:

Authorization level 1

40 53 62 71 81 91

Estimated outlays

31 43 54 62 72 82

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 2291 contains no intergovernmental mandates as defined in UMRA. Any costs of state and local governments receiving grants under this bill would be incurred voluntarily.

Estimated prepared by: Federal costs: Mark Grabowicz; impact on State, local, and tribal governments: Susan Sieg Tompkins; impact on the the private sector: Paige Piper/Bach.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director of Budget Analysis.

VIII. STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to rule XIII, clause 3(d)(1) of the Rules of the House of Representatives, the Committee finds that Congress is specifically granted the power to enact this law under Article I, Section 8, clause 1 under which Congress is granted the 'Power To * * * provide for the * * * general Welfare of the United States[.]'

IX. FEDERAL ADVISORY COMMITTEE ACT (5 U.S.C. APP.) SECTION 5(B)

As H.R. 2291 does not establish a new advisory committee within the meaning of Section 5(b) of the Federal Advisory Committee Act, no statement under that section is necessary. The Committee refers interested parties to Section IX of Report 105-105, dated May 20, 1997, which contains the Section 5(b) statement for the Advisory Commission created by the original DFCA.

X. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is printed in italic, existing law in which no change is proposed is shown in roman):

NATIONAL NARCOTICS LEADERSHIP ACT OF 1988

TITLE I--COORDINATION OF NATIONAL DRUG POLICY

Subtitle A--National Drug Control Program

SEC. 1001. SHORT TITLE.

This subtitle may be cited as the 'National Narcotics Leadership Act of 1988'.

* * * * *

CHAPTER 2--DRUG-FREE COMMUNITIES

* * * * *

SEC. 1024. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL- There are authorized to be appropriated to the Office of National Drug Control Policy to carry out this chapter--

(1) * * *

* * * * *

- (4) \$40,000,000 for fiscal year 2001; [Struck out->] and 1[<-Struck out]
[Struck out->] (5) \$43,500,000 for fiscal year 2002. 1[<-Struck out]
(5) \$50,600,000 for fiscal year 2002;
(6) \$60,000,000 for fiscal year 2003;
(7) \$70,000,000 for fiscal year 2004;
(8) \$80,000,000 for fiscal year 2005;
(9) \$90,000,000 for fiscal year 2006; and
(10) \$99,000,000 for fiscal year 2007.

(b) ADMINISTRATIVE COSTS- Not more than the following percentages of the amounts authorized under subsection (a) may be used to pay administrative costs:

(1) * * *

* * * * *

- [Struck out->] (5) 3 percent for fiscal year 2002. 1[<-Struck out]
(5) 6 percent for each of fiscal years 2002 through 2007.

* * * * *

SUBCHAPTER I--DRUG-FREE COMMUNITIES SUPPORT PROGRAM

* * * * *

SEC. 1032. PROGRAM AUTHORIZATION.

(a) * * *

(b) GRANT AMOUNTS-

(1) * * *

* * * * *

(3) ADDITIONAL GRANTS-

(A) IN GENERAL- Subject to subparagraph (F), the Administrator may award an additional grant under this paragraph to an eligible coalition awarded a grant under paragraph (1) or (2) for any first fiscal year after

the end of the 4-year period following the period of the initial grant under paragraph (1) or (2), as the case may be.

(B) SCOPE OF GRANTS- A coalition awarded a grant under paragraph (1) or (2), including a renewal grant under such paragraph, may not be awarded another grant under such paragraph, and is eligible for an additional grant under this section only under this paragraph.

(C) NO PRIORITY FOR APPLICATIONS- The Administrator may not afford a higher priority in the award of an additional grant under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather than an application for a grant under this paragraph.

(D) RENEWAL GRANTS- Subject to subparagraph (F), the Administrator may award a renewal grant to a grant recipient under this paragraph for each of the fiscal years of the 4-fiscal-year period following the fiscal year for which the initial additional grant under subparagraph (A) is awarded in an amount not to exceed amounts as follows:

(i) For the first and second fiscal years of that 4-fiscal-year period, the amount equal to 80 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

(ii) For the third and fourth fiscal years of that 4-fiscal-year period, the amount equal to 67 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

(E) SUSPENSION- If a grant recipient under this paragraph fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

(F) LIMITATION- The amount of a grant award under this paragraph may not exceed \$100,000 for a fiscal year.

(c) TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS- Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition for purposes of this section.

(d) PRIORITY IN AWARDING GRANTS- In awarding grants under subsection (b)(1)(A)(i), priority shall be given to a coalition serving economically disadvantaged areas.

SEC. 1033. INFORMATION COLLECTION AND DISSEMINATION WITH RESPECT TO GRANT RECIPIENTS.

*(a) * * **

(b) DATA COLLECTION AND DISSEMINATION-

*(1) * * **

* * * * *

(3) *CONSULTATION-* The Administrator shall carry out activities under this subsection in consultation with the Advisory Commission and the National Community Antidrug Coalition Institute.

(4) *LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM-* Amounts for activities under paragraph (2)(B) may not be derived from amounts under section 1024(a) except for amounts that are available under section 1024(b) for administrative costs.

* * * * *

SEC. 1035. SUPPLEMENTAL GRANTS FOR COALITION MENTORING ACTIVITIES.

(a) *AUTHORITY TO MAKE GRANTS-* As part of the program established under section 1031, the Director may award an initial grant under this subsection, and renewal grants under subsection (f), to any coalition awarded a grant under section 1032 that meets the criteria specified in subsection (d) in order to fund coalition mentoring activities by such coalition in support of the program.

(b) *TREATMENT WITH OTHER GRANTS-*

(1) *SUPPLEMENT-* A grant awarded to a coalition under this section is in addition to any grant awarded to the coalition under section 1032.

(2) *REQUIREMENT FOR BASIC GRANT-* A coalition may not be awarded a grant under this section for a fiscal year unless the coalition was awarded a grant or renewal grant under section 1032(b) for that fiscal year.

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

(d) *CRITERIA-* A coalition meets the criteria specified in this subsection if the coalition--

(1) has been in existence for at least 5 years;

(2) has achieved, by or through its own efforts, measurable results in the prevention and treatment of substance abuse among youth;

(3) has staff or members willing to serve as mentors for persons seeking to start or expand the activities of other coalitions in the prevention and treatment of substance abuse;

(4) has demonstrable support from some members of the community in which the coalition mentoring activities to be supported by the grant under this section are to be carried out; and

(5) submits to the Administrator a detailed plan for the coalition mentoring activities to be supported by the grant under this section.

(e) *USE OF GRANT FUNDS-* A coalition awarded a grant under this section shall use the grant amount for mentoring activities to support and encourage the development of new, self-supporting community coalitions that are focused on the prevention and treatment of substance abuse in such new coalitions' communities. The mentoring

coalition shall encourage such development in accordance with the plan submitted by the mentoring coalition under subsection (d)(5).

(f) RENEWAL GRANTS- The Administrator may make a renewal grant to any coalition awarded a grant under subsection (a), or a previous renewal grant under this subsection, if the coalition, at the time of application for such renewal grant--

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

(2) has made demonstrable progress in the development of one or more new, self-supporting community coalitions that are focused on the prevention and treatment of substance abuse.

(g) GRANT AMOUNTS-

(1) IN GENERAL- Subject to paragraphs (2) and (3), the total amount of grants awarded to a coalition under this section for a fiscal year may not exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year. Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition.

(2) INITIAL GRANTS- The amount of the initial grant awarded to a coalition under subsection (a) may not exceed \$75,000.

(3) RENEWAL GRANTS- The total amount of renewal grants awarded to a coalition under subsection (f) for any fiscal year may not exceed \$75,000.

(h) FISCAL YEAR LIMITATION ON AMOUNT AVAILABLE FOR GRANTS- The total amount available for grants under this section, including renewal grants under subsection (f), in any fiscal year may not exceed the amount equal to five percent of the amount authorized to be appropriated by section 1024(a) for that fiscal year.

(i) PRIORITY IN AWARDING INITIAL GRANTS- In awarding initial grants under this section, priority shall be given to a coalition that expressly proposes to provide mentorship to a coalition or aspiring coalition serving economically disadvantaged areas.

* * * * *

SUBCHAPTER II--ADVISORY COMMISSION

* * * * *

SEC. 1048. TERMINATION.

The Advisory Commission shall terminate at the end of fiscal year [Struck out->] [2002] [<-Struck out] 2007.

XI. CONGRESSIONAL ACCOUNTABILITY ACT; PUBLIC LAW 104-1

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of Section 102(b)(3) of the Congressional Accountability Act (PL 104-1).

XII. BUDGET ANALYSIS

Pursuant to rule XIII, clause 3(c)(2) of the Rules of the House of Representatives, and Section 308(a) of the Congressional Budget Act of 1974, the Committee finds that no new budget authority, new spending authority, new credit authority or an increase or decrease in revenues or tax expenditures results from enactment of this resolution.

XIII. UNFUNDED MANDATES REFORM ACT; PUBLIC LAW 104-4 SECTION 423

The Committee finds that the legislation does not impose any Federal mandates within the meaning of Section 423 of the Unfunded Mandates Reform Act (P.L. 104-4).

XIV. APPENDIX

House of Representatives,

Committee on Energy and Commerce,

Washington, DC, July 30, 2001.

Hon. DAN BURTON,
Chairman, Committee on Government Reform,
Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BURTON: I am writing with regard to H.R. 2291, which the Committee on Government Reform ordered reported on July 25, 2001. The Committee on Energy and Commerce was named as an additional Committee of jurisdiction upon the bill's introduction.

I recognize your desire to bring this bill before the House in an expeditious manner. Accordingly, I will not exercise the Committee's right to exercise its referral. By agreeing to waive its consideration of the bill, however, the Energy and Commerce Committee does not waive its jurisdiction over H.R. 2291. In addition, the Energy and Commerce Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this similar legislation. I ask for your commitment to support any request by the Energy and Commerce Committee for conferees on H.R. 2291 or similar legislation.

I request that you include this letter as a part of the Committee's report on H.R. 2291 and in the Congressional Record during debate on its provisions. Thank you for your attention to these matters.

Sincerely,

W.J. 'Billy' Tauzin,

Chairman.

-
**House of Representatives,
Committee on Government Reform,
Washington, DC, July 30, 2001.**

Hon. W.J. 'BILLY' TAUZIN,
Chairman, Committee on Energy and Commerce,
Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of July 30, 2001, regarding H.R. 2291, a bill to extend the authorization of the Drug-Free Communities Support Program.

I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions of this legislation, and I appreciate your decision not to exercise your referral in the interest of expediting consideration of the bill. I agree that by foregoing your right to consider this legislation, the Committee on Energy and Commerce is not waiving its jurisdiction. I will also support your Committee's request to seek conferees on provisions of the bill that fall within your jurisdiction, should the bill go to a House-Senate conference. Further, as your requested, this exchange of letters will be included in the Committee report on the bill and in the Congressional Record as part of the floor debate.

Thank you for your cooperation in this matter.

Sincerely,

Dan Burton,

Chairman.



PUBLIC LAW 109-469—DEC. 29, 2006

OFFICE OF NATIONAL DRUG CONTROL
POLICY REAUTHORIZATION ACT OF 2006

Public Law 109–469
109th Congress

An Act

Dec. 29, 2006

[H.R. 6344]

Office of National
Drug Control
Policy
Reauthorization
Act of 2006.
21 USC 1701
note.

To reauthorize the Office of National Drug Control Policy Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, REFERENCE, AND TABLE OF CONTENTS.

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

(b) **AMENDMENT OF OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Office of National Drug Control Policy Reauthorization Act of 1998 (Public Law 105–277; 21 U.S.C. 1701 et seq.).

(c) **TABLE OF CONTENTS.**—The table of contents for 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.
Sec. 105. Budgetary matters.

TITLE II—THE NATIONAL DRUG CONTROL STRATEGY

Sec. 201. Annual preparation and submission of National Drug Control Strategy.
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—NATIONAL YOUTH MEDIA CAMPAIGN

Sec. 501. 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. National Community Anti-Drug Coalition Institute.

TITLE IX—NATIONAL GUARD COUNTERDRUG SCHOOLS

- Sec. 901. National Guard counterdrug schools.

TITLE X—NATIONAL METHAMPHETAMINE INFORMATION CLEARINGHOUSE ACT OF 2006

- Sec. 1001. Short title.
- Sec. 1002. Definitions.
- Sec. 1003. Establishment of clearinghouse and advisory council.
- Sec. 1004. NMIC requirements and review.
- Sec. 1005. Authorization of appropriations.

TITLE XI—MISCELLANEOUS PROVISIONS

- Sec. 1101. Repeals.
- Sec. 1102. Controlled Substances Act amendments.
- Sec. 1103. Report on law enforcement intelligence sharing.
- Sec. 1104. Requirement for South American heroin strategy.
- Sec. 1105. Model acts.
- Sec. 1106. Study on iatrogenic addiction associated with prescription opioid analgesic drugs.
- Sec. 1107. Requirement for strategy to stop Internet advertising of prescription medicines without a prescription.
- Sec. 1108. Requirement for study on diversion and inappropriate uses of prescription drugs.
- Sec. 1109. Requirement for Afghan Heroin Strategy.
- Sec. 1110. Requirement for Southwest Border Counternarcotics Strategy.
- Sec. 1111. Requirement for Scientific Study of Mycoherbicide in Illicit Drug Crop Eradication.
- Sec. 1112. Requirement for Study of State Precursor Chemical Control Laws.
- Sec. 1113. Requirement for Study of Drug Endangered Children Programs.
- Sec. 1114. Study on drug court hearings in nontraditional places.
- Sec. 1115. Report on tribal Government participation in HIDTA process.
- Sec. 1116. Report on school drug testing.
- Sec. 1117. Report on ONDCP performance bonuses.
- Sec. 1118. Requirement for disclosure of Federal sponsorship of all Federal advertising or other communication materials.
- Sec. 1119. Awards for demonstration programs by local partnerships to coerce abstinence in chronic hard-drug users under community supervision through the use of drug testing and sanctions.
- Sec. 1120. Policy relating to syringe exchange programs.

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

SEC. 101. AMENDMENTS TO DEFINITIONS.

(a) DEMAND REDUCTION.—Section 702(1) is amended—

21 USC 1701.

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

(2) in paragraph (G), by striking the period at the end and inserting “, including the testing of employees;”;

(3) by adding at the end the following:

“(H) interventions for drug abuse and dependence;

“(I) international drug control coordination and cooperation with respect to activities described in this paragraph; and

“(J) international drug abuse education, prevention, treatment, research, rehabilitation activities, and interventions for drug abuse and dependence.”

(b) NATIONAL DRUG CONTROL PROGRAM.—Section 702(6) is amended by adding before the period the following: “, including any activities involving supply reduction, demand reduction, or State, local, and tribal affairs”.

(c) PROGRAM CHANGE.—Section 702(7) is amended by—

(1) striking “National Foreign Intelligence Program,” and inserting “National Intelligence Program,”; and

(2) inserting after “Related Activities,” the following: “or (for purposes of section 704(d)) an agency that is described in section 530C(a) of title 28, United States Code,”.

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

(e) STATE, LOCAL, AND TRIBAL AFFAIRS.—Paragraph (10) of section 702 is amended to read as follows:

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

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

“(B) coordination and enhancement of efforts among National Drug Control Program agencies and State, local, and tribal demand reduction and supply reduction agencies;

“(C) coordination and enhancement of Federal, State, local, and tribal law enforcement initiatives to gather, analyze, and disseminate information and law enforcement intelligence relating to drug control among domestic law enforcement agencies; and

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

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

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

“(A) law enforcement outside the United States;

“(B) source country programs, including economic development programs primarily intended to reduce the production or trafficking of illicit drugs;

“(C) activities to control international trafficking in, and availability of, illegal drugs, including—

“(i) accurate assessment and monitoring of international drug production and interdiction programs and policies; and

“(ii) coordination and promotion of compliance with international treaties relating to the production, transportation, or interdiction of illegal drugs;

“(D) activities to conduct and promote international law enforcement programs and policies to reduce the supply of drugs; and

“(E) activities to facilitate and enhance the sharing of domestic and foreign intelligence information among National Drug Control Program agencies, relating to the production and trafficking of drugs in the United States and in foreign countries.”.

(g) **DEFINITIONS OF APPROPRIATE CONGRESSIONAL COMMITTEES AND LAW ENFORCEMENT.**—Section 702 is amended by adding at the end the following:

“(12) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—Except where otherwise provided, the term ‘appropriate congressional committees’ means the Committee on the Judiciary, the Committee on Appropriations, and the Caucus on International Narcotics Control of the Senate and the Committee on Government Reform, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

“(13) **LAW ENFORCEMENT.**—The term ‘law enforcement’ or ‘drug law enforcement’ means all efforts by a Federal, State, local, or tribal government agency to enforce the drug laws of the United States or any State, including investigation, arrest, prosecution, and incarceration or other punishments or penalties.”.

SEC. 102. ESTABLISHMENT OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY.

(a) **RESPONSIBILITIES.**—Section 703(a) is amended to read as follows: 21 USC 1702.

“(a) **ESTABLISHMENT OF OFFICE.**—There is established in the Executive Office of the President an Office of National Drug Control Policy, which shall—

“(1) develop national drug control policy;

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

“(3) assess and certify the adequacy of National Drug Control Programs and the budget for those programs; and Certification.

“(4) evaluate the effectiveness of the national drug control policy and the National Drug Control Program agencies’ programs, by developing and applying specific goals and performance measurements.”.

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

“(b) **DIRECTOR OF NATIONAL DRUG CONTROL POLICY AND DEPUTY DIRECTORS.**—

“(1) **DIRECTOR.**—There shall be a Director of National Drug Control Policy who shall head the Office (referred to in this Act as the ‘Director’) and shall hold the same rank and status as the head of an executive department listed in section 101 of title 5, United States Code.

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

“(3) **OTHER DEPUTY DIRECTORS.**—

“(A) **IN GENERAL.**—There shall be a Deputy Director for Demand Reduction, a Deputy Director for Supply Reduction, and a Deputy Director for State, Local, and Tribal Affairs.

“(B) **REPORTING.**—The Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, and the Deputy Director for State, Local, and Tribal Affairs

shall report directly to the Deputy Director of the Office of National Drug Control Policy.

“(C) DEPUTY DIRECTOR FOR DEMAND REDUCTION.—The Deputy Director for Demand Reduction shall be responsible for the activities in subparagraphs (A) through (H) of section 702(l).

“(D) DEPUTY DIRECTOR FOR SUPPLY REDUCTION.—The Deputy Director for Supply Reduction shall—

“(i) have substantial experience and expertise in drug interdiction and other supply reduction activities; and

“(ii) be responsible for the activities in subparagraphs (A) through (C) in section 702(11).

“(E) DEPUTY DIRECTOR FOR STATE, LOCAL, AND TRIBAL AFFAIRS.—The Deputy Director for State, Local, and Tribal Affairs shall be responsible for the activities—

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

“(ii) in section 707, the High Intensity Drug Trafficking Areas Program; and

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

SEC. 103. APPOINTMENT AND RESPONSIBILITIES OF THE DIRECTOR.

21 USC 1703.

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

“(3) ACTING DIRECTOR.—If the Director dies, resigns, or is otherwise unable to perform the functions and duties of the office, the Deputy Director shall perform the functions and duties of the Director temporarily in an acting capacity pursuant to subchapter III of chapter 33 of title 5, United States Code.”.

(b) RESPONSIBILITIES.—Section 704(b) is amended—

(1) in paragraph (4), by striking “Federal departments and agencies engaged in drug enforcement” and inserting “National Drug Control Program agencies”;

(2) in paragraph (7), by inserting after “President” the following: “and the appropriate congressional committees”;

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

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

“(14) shall submit to the appropriate congressional committees on an annual basis, not later than 60 days after the date of the last day of the applicable period, a summary of—

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

“(B) the progress of each National Drug Control Program agency toward the drug control program goals of the agency using the performance measures for the agency developed under section 706(c);”;

(5) in paragraph (15), by striking subparagraph (C) and inserting the following:

“(C) supporting the substance abuse information clearinghouse administered by the Administrator of the Substance Abuse and Mental Health Services Administration and established in section 501(d)(16) of the Public Health Service Act by—

Deadline.

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

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

(6) by inserting at the end the following:

“(16) shall coordinate with the private sector to promote private research and development of medications to treat addiction;

“(17) shall seek the support and commitment of State, local, and tribal officials in the formulation and implementation of the National Drug Control Strategy;

“(18) shall monitor and evaluate the allocation of resources among Federal law enforcement agencies in response to significant local and regional drug trafficking and production threats;

“(19) shall submit an annual report to Congress detailing how the Office of National Drug Control Policy has consulted with and assisted State, local, and tribal governments with respect to the formulation and implementation of the National Drug Control Strategy and other relevant issues; and

“(20) shall, within 1 year after the date of the enactment of the Office of National Drug Control Policy Reauthorization Act of 2006, report to Congress on the impact of each Federal drug reduction strategy upon the availability, addiction rate, use rate, and other harms of illegal drugs.”.

Reports.

Deadline.
Reports.

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

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

(2) in subparagraph (D)(ii)(II)(bb), by inserting “and the appropriate congressional committees,” after “House of Representatives”.

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

(1) in paragraph (9), by striking “Strategy; and” and inserting “Strategy and notify the appropriate congressional committees of any fund control notice issued in accordance with section 704(f)(5);” and

Notification.

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

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

“(4) CONGRESSIONAL NOTICE.—A copy of each fund control notice shall be transmitted to the appropriate congressional committees.

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

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

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

(f) DRUG INTERDICTION.—

(1) IN GENERAL.—Section 711 is amended by adding at the end the following: 21 USC 1710.

“SEC. 711. DRUG INTERDICTION COORDINATOR AND COMMITTEE.

“(a) UNITED STATES INTERDICTION COORDINATOR.—

“(1) IN GENERAL.—The United States Interdiction Coordinator shall perform the duties of that position described in paragraph (2) and such other duties as may be determined by the Director with respect to coordination of efforts to interdict illicit drugs from entering the United States.

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

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

“(B) on behalf of the Director, developing and issuing, on or before March 1 of each year and in accordance with paragraph (3), a National Interdiction Command and Control Plan to ensure the coordination and consistency described in subparagraph (A);

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

“(D) advising the Director on the efforts of each National Drug Control Program agency to implement the National Interdiction Command and Control Plan.

“(3) STAFF.—The Director shall assign such permanent staff of the Office as he considers appropriate to assist the United States Interdiction Coordinator to carry out the responsibilities described in paragraph (2), and may also, at his discretion, request that appropriate National Drug Control Program agencies detail or assign staff to the Office of Supply Reduction for that purpose.

“(4) NATIONAL INTERDICTION COMMAND AND CONTROL PLAN.—

“(A) PURPOSES.—The National Interdiction Command and Control Plan shall—

“(i) set forth the Government’s strategy for drug interdiction;

“(ii) state the specific roles and responsibilities of the relevant National Drug Control Program agencies for implementing that strategy; and

“(iii) identify the specific resources required to enable the relevant National Drug Control Program agencies to implement that strategy.

“(B) CONSULTATION WITH OTHER AGENCIES.—The United States Interdiction Coordinator shall issue the National Interdiction Command and Control Plan in consultation with the other members of the Interdiction Committee described in subsection (b).

“(C) LIMITATION.—The National Interdiction Command and Control Plan shall not change existing agency authorities or the laws governing interagency relationships, but may include recommendations about changes to such authorities or laws.

“(D) REPORT TO CONGRESS.—On or before March 1 of each year, the United States Interdiction Coordinator shall provide a report on behalf of the Director to the appropriate congressional committees, to the Committee

Deadline.

on Armed Services and the Committee on Homeland Security of the House of Representatives, and to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate, which shall include—

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

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

“(iii) information for the previous 10 years regarding the number of air and maritime patrol hours undertaken by each National Drug Control Program agency conducting drug interdiction activities, as well as statistical information on the geographic areas in which such patrol hours took place.

“(E) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any content of the report described in subparagraph (D) that involves information classified under criteria established by an Executive order, or the public disclosure of which, as determined by the Director, the Director of National Intelligence, or the head of any Federal Government agency the activities of which are described in the plan, would be detrimental to the law enforcement or national security activities of any Federal, State, or local agency, shall be presented to Congress separately from the rest of the report.

“(b) INTERDICTION COMMITTEE.—

“(1) IN GENERAL.—The Interdiction Committee shall meet to—

“(A) discuss and resolve issues related to the coordination, oversight and integration of international, border, and domestic drug interdiction efforts in support of the National Drug Control Strategy;

“(B) review the annual National Interdiction Command and Control Plan, and provide advice to the Director and the United States Interdiction Coordinator concerning that plan; and

“(C) provide such other advice to the Director concerning drug interdiction strategy and policies as the committee determines is appropriate.

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

“(3) MEETINGS.—The members of the Interdiction Committee shall meet, in person and not through any delegate or representative, at least once per calendar year, prior to March 1. At the call of either the Director or the current chairman, the Interdiction Committee may hold additional meetings, which shall be attended by the members either in person, or through such delegates or representatives as they may choose.

“(4) REPORT.—Not later than September 30 of each year, the chairman of the Interdiction Committee shall submit a report to the Director and to the appropriate congressional

committees describing the results of the meetings and any significant findings of the Committee during the previous 12 months. Any content of such a report that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director, the chairman, or any member, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or tribal agency, shall be presented to Congress separately from the rest of the report.”

(2) CONFORMING AMENDMENT TO HOMELAND SECURITY ACT OF 2002.—Section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458) is amended—

(A) in subsection (c), by striking “Except as provided in subsection (d), the” and inserting “The”; and

(B) by striking subsection (d) and redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

(3) TECHNICAL AMENDMENTS.—Section 704 (21 U.S.C. 1703) is amended—

(A) by amending subsection (g) to read as follows:

“(g) INAPPLICABILITY TO CERTAIN PROGRAMS.—The provisions of this section shall not apply to the National Intelligence Program, the Joint Military Intelligence Program, and Tactical and Related Activities, unless such program or an element of such program is designated as a National Drug Control Program—

“(1) by the President; or

“(2) jointly by—

“(A) in the case of the National Intelligence Program, the Director and the Director of National Intelligence; or

“(B) in the case of the Joint Military Intelligence Program and Tactical and Related Activities, the Director, the Director of National Intelligence, and the Secretary of Defense.”; and

(B) by amending subsection (h) to read as follows:

“(h) CONSTRUCTION.—Nothing in this Act shall be construed as derogating the authorities and responsibilities of the Director of National Intelligence or the Director of the Central Intelligence Agency contained in the National Security Act of 1947 (50 U.S.C. 401 et seq.), the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.), or any other law.”.

SEC. 104. AMENDMENTS TO ENSURE COORDINATION WITH OTHER AGENCIES.

21 USC 1704.

Section 705 is amended—

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

(2) in subsection (a)(2)(A), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”;

(3) in subsection (a)(2)(B), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence and the Director of the Central Intelligence Agency”;

(4) by amending subsection (a)(3) to read as follows:

“(3) REQUIRED REPORTS.—

“(A) SECRETARIES OF THE INTERIOR AND AGRICULTURE.—Not later than July 1 of each year, the Secretaries of Agriculture and the Interior shall jointly submit

to the Director and the appropriate congressional committees an assessment of the quantity of illegal drug cultivation and manufacturing in the United States on lands owned or under the jurisdiction of the Federal Government for the preceding year.

“(B) SECRETARY OF HOMELAND SECURITY.—Not later than July 1 of each year, the Secretary of Homeland Security shall submit to the Director and the appropriate congressional committees information for the preceding year regarding—

“(i) the number and type of seizures of drugs by each component of the Department 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.

“(D) ATTORNEY GENERAL.—The Attorney General shall, by July 1 of each year, submit to the Director and the appropriate congressional committees information for the preceding year regarding the number and type of—

“(i) arrests for drug violations;

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

“(iii) seizures of drugs by each component of the Department of Justice seizing drugs, as well as statistical information on the geographic areas of such seizures.”;

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

(6) in subsection (c), by striking “in” and inserting “on”.

SEC. 105. BUDGETARY MATTERS.

(a) SUBMISSION OF DRUG CONTROL BUDGET REQUESTS.—Section 704(c)(1) is amended by adding at the end the following:

21 USC 1703.

“(C) CONTENT OF DRUG CONTROL BUDGET REQUESTS.—

A drug control budget request submitted by a department, agency, or program under this paragraph shall include all requests for funds for any drug control activity undertaken by that department, agency, or program, including demand reduction, supply reduction, and State, local, and tribal affairs, including any drug law enforcement activities. If an activity has both drug control and nondrug control purposes or applications, the department, agency, or program shall estimate by a documented calculation the total funds requested for that activity that would be used for drug control, and shall set forth in its request the basis and method for making the estimate.”.

(b) NATIONAL DRUG CONTROL BUDGET PROPOSAL.—

(1) NATIONAL ORGANIZATIONS.—Section 704(c)(2) is amended by inserting “and the head of each major national organization that represents law enforcement officers, agencies, or associations” after “agency”.

(2) TOTAL BUDGET.—Section 704(c)(2)(A) is amended by inserting before the semicolon: “and to inform Congress and the public about the total amount proposed to be spent on all supply reduction, demand reduction, State, local, and tribal affairs, including any drug law enforcement, and other drug control activities by the Federal Government, which shall conform to the content requirements set forth in paragraph (1)(C)”.

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

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

(2) by inserting after subparagraph (B) the following new subparagraph:

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

“(i) requests funding for Federal law enforcement activities that do not adequately compensate for transfers of drug enforcement resources and personnel to law enforcement and investigation activities;

“(ii) requests funding for law enforcement activities on the borders of the United States that do not adequately direct resources to drug interdiction and enforcement;

“(iii) requests funding for drug treatment activities that do not provide adequate results and accountability measures;

“(iv) requests funding for any activities of the Safe and Drug-Free Schools Program that do not include a clear anti-drug message or purpose intended to reduce drug use;

“(v) requests funding for drug treatment activities that do not adequately support and enhance Federal drug treatment programs and capacity;

“(vi) requests funding for fiscal year 2007 for activities of the Department of Education, unless it is accompanied by a report setting forth a plan for providing expedited consideration of student loan applications for all individuals who submitted an application for any Federal grant, loan, or work assistance that was rejected or denied pursuant to 484(r)(1) of the Higher Education Act of 1965 (20 U.S.C. 1091(r)(1)) by reason of a conviction for a drug-related offense not occurring during a period of enrollment for which the individual was receiving any Federal grant, loan, or work assistance; and

“(vii) requests funding for the operations and management of the Department of Homeland Security that does not include a specific request for funds for the Office of Counternarcotics Enforcement to carry out its responsibilities under section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458).”;

(3) in subparagraph (D)(iii), as so redesignated, by inserting “and the appropriate congressional committees” after “House of Representatives”; and

(4) in subparagraph (E)(ii)(II)(bb), as so redesignated, by inserting “and the appropriate congressional committees” after “House of Representatives”.

(d) REPROGRAMMING AND TRANSFER REQUESTS.—Section 704(c)(4)(A) (21 U.S.C. 1703(c)(4)(A)) is amended—

(1) by striking “\$5,000,000” and inserting “\$1,000,000”; and

(2) adding at the end the following: “If the Director has not responded to a request for reprogramming subject to this subparagraph within 30 days after receiving notice of the request having been made, the request shall be deemed approved by the Director under this subparagraph and forwarded to Congress.”.

Deadline.

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

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

(2) in paragraph (9), by striking “Strategy; and” and inserting “Strategy and notify the appropriate congressional committees of any fund control notice issued; and”; and

Notification.

(3) in paragraph (10), by striking “(22 U.S.C. 2291j).” and inserting “(22 U.S.C. 2291j) and section 706 of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1).”.

(f) FUND CONTROL NOTICES.—Section 704(f) (21 U.S.C. 1703(f)) is amended by adding at the end the following:

“(4) CONGRESSIONAL NOTICE.—A copy of each fund control notice shall be transmitted to the appropriate congressional committees.

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

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:

21 USC 1705.

“SEC. 706. DEVELOPMENT, SUBMISSION, IMPLEMENTATION, AND ASSESSMENT OF NATIONAL DRUG CONTROL STRATEGY.

“(a) TIMING, CONTENTS, AND PROCESS FOR DEVELOPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.—

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

President.

“(2) CONTENTS.—

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

“(i) Comprehensive, research-based, long-range, quantifiable goals for reducing illicit drug use and the consequences of illicit drug use in the United States.

“(ii) Annual quantifiable and measurable objectives and specific targets to accomplish long-term quantifiable goals that the Director determines may be achieved during each year beginning on the date on which the National Drug Control Strategy is submitted.

“(iii) A 5-year projection for program and budget priorities.

“(iv) A review of international, State, local, and private sector drug control activities to ensure that the United States pursues coordinated and effective drug control at all levels of government.

“(v) An assessment of current illicit drug use (including inhalants and steroids) and availability, impact of illicit drug use, and treatment availability, which assessment shall include—

“(I) estimates of drug prevalence and frequency of use as measured by national, State, and local surveys of illicit drug use and by other special studies of nondependent and dependent illicit drug use;

“(II) illicit drug use in the workplace and the productivity lost by such use; and

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

“(vi) An assessment of the reduction of illicit drug availability, as measured by—

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

“(II) the amount of marijuana, cocaine, heroin, methamphetamine, ecstasy, and precursor chemicals and other drugs entering the United States;

“(III) the number of illicit drug manufacturing laboratories seized and destroyed and the number of hectares of marijuana, poppy, and coca cultivated and destroyed domestically and in other countries;

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

“(V) changes in the price and purity of heroin, methamphetamine, and cocaine, changes in the price of ecstasy, and changes in tetrahydrocannabinol level of marijuana and other drugs.

“(vii) An assessment of the reduction of the consequences of illicit drug use and availability, which shall include—

“(I) the burden illicit drug users placed on hospital emergency departments in the United States, such as the quantity of illicit drug-related services provided;

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

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

“(viii) A determination of the status of drug treatment in the United States, by assessing—

“(I) public and private treatment utilization; and

“(II) the number of illicit drug users the Director estimates meet diagnostic criteria for treatment.

“(ix) A review of the research agenda of the Counterdrug Technology Assessment Center to reduce the availability and abuse of drugs.

“(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 potential therapeutic value;

“(II) developing promising compounds;

“(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 addiction; and

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

“(xi) An assessment of Federal effectiveness in achieving the National Drug Control Strategy for the previous year, including a specific evaluation of whether the objectives and targets for reducing illicit drug use for the previous year were met and reasons for the success or failure of the previous year's Strategy.

“(xii) A general review of the status of, and trends in, demand reduction activities by private sector entities and community-based organizations, including faith-based organizations, to determine their effectiveness and the extent of cooperation, coordination, and mutual support between such entities and organizations and Federal, State, local, and tribal government agencies.

“(xiii) Such additional statistical data and information as the Director considers appropriate to demonstrate and assess trends relating to illicit drug use, the effects and consequences of illicit drug use (including the effects on children of substance abusers), supply reduction, demand reduction, drug-related law enforcement, and the implementation of the National Drug Control Strategy.

“(xiv) A supplement reviewing the activities of each individual National Drug Control Program agency during the previous year with respect to the National Drug Control Strategy and the Director's assessment

of the progress of each National Drug Control Program agency in meeting its responsibilities under the National Drug Control Strategy.

“(B) CLASSIFIED INFORMATION.—Any contents of the National Drug Control Strategy that involve information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the National Drug Control Strategy.

“(C) SELECTION OF DATA AND INFORMATION.—In selecting data and information for inclusion under subparagraph (A), the Director shall ensure—

“(i) the inclusion of data and information that will permit analysis of current trends against previously compiled data and information where the Director believes such analysis enhances long-term assessment of the National Drug Control Strategy; and

“(ii) the inclusion of data and information to permit a standardized and uniform assessment of the effectiveness of drug treatment programs in the United States.

“(3) PROCESS FOR DEVELOPMENT AND SUBMISSION.—In developing and effectively implementing the National Drug Control Strategy, the Director—

“(A) shall consult with—

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

“(ii) Congress;

“(iii) State, local, and tribal officials;

“(iv) private citizens and organizations, including community and faith-based organizations with experience and expertise in demand reduction;

“(v) private citizens and organizations with experience and expertise in supply reduction; and

“(vi) appropriate representatives of foreign governments;

“(B) in satisfying the requirements of subparagraph (A), shall ensure, to the maximum extent possible, that State, local, and tribal officials and relevant private organizations commit to support and take steps to achieve the goals and objectives of the National Drug Control Strategy;

“(C) with the concurrence of the Attorney General, may require the El Paso Intelligence Center to undertake specific tasks or projects to support or implement the National Drug Control Strategy; and

“(D) with the concurrence of the Director of National Intelligence and the Attorney General, may request that the National Drug Intelligence Center undertake specific tasks or projects to support or implement the National Drug Control Strategy.

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

“(1) at any time, upon a determination of the President, in consultation with the Director, that the National Drug Control Strategy in effect is not sufficiently effective; or

“(2) if a new President or Director takes office.”.

SEC. 202. PERFORMANCE MEASUREMENTS.

Section 706 is amended by adding at the end the following: Deadline.

“(c) PERFORMANCE MEASUREMENT SYSTEM.—Not later than February 1 of each year, the Director shall submit to Congress as part of the National Drug Control Strategy, a description of a national drug control performance measurement system, that—

“(1) develops 2-year and 5-year performance measures and targets for each National Drug Control Strategy goal and objective established for reducing drug use, availability, and the consequences of drug use;

“(2) describes the sources of information and data that will be used for each performance measure incorporated into the performance measurement system;

“(3) identifies major programs and activities of the National Drug Control Program agencies that support the goals and annual objectives of the National Drug Control Strategy;

“(4) evaluates the contribution of demand reduction and supply reduction activities as defined in section 702 implemented by each National Drug Control Program agency in support of the National Drug Control Strategy;

“(5) monitors consistency between the drug-related goals and objectives of the National Drug Control Program agencies and ensures that each agency’s goals and budgets support and are fully consistent with the National Drug Control Strategy; and

“(6) coordinates the development and implementation of national drug control data collection and reporting systems to support policy formulation and performance measurement, including an assessment of—

“(A) the quality of current drug use measurement instruments and techniques to measure supply reduction and demand reduction activities;

“(B) the adequacy of the coverage of existing national drug use measurement instruments and techniques to measure the illicit drug user population, and groups that are at risk for illicit drug use;

“(C) the adequacy of the coverage of existing national treatment outcome monitoring systems to measure the effectiveness of drug abuse treatment in reducing illicit drug use and criminal behavior during and after the completion of substance abuse treatment; and

“(D) the actions the Director shall take to correct any deficiencies and limitations identified pursuant to subparagraphs (A) and (B) of this subsection.

“(d) MODIFICATIONS.—A description of any modifications made during the preceding year to the national drug performance measurement system described in subsection (c) shall be included in each report submitted under subsection (b).”.

SEC. 203. ANNUAL REPORT REQUIREMENT.

21 USC 1708a.

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

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

(2) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the campaign;

(3) plans to purchase advertising time and space;

(4) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse;

(5) all contracts entered into with a corporation, partnership, or individual working on behalf of the national media campaign;

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

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

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

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

(1) conduct and supervise an audit and investigation relating to the programs and operations of the—

(A) Office; or

(B) certain programs within the Office, including—
(i) the High Intensity Drug Trafficking Areas Program;

(ii) the Counterdrug Technology Assessment Center; or

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

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

(A) policies and activities of the programs and operations subject to the audit and investigation;

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

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

TITLE III—HIGH INTENSITY DRUG TRAFFICKING AREAS

SEC. 301. HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM.

21 USC 1706.

Section 707 is amended to read as follows:

“SEC. 707. HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established in the Office a program to be known as the High Intensity Drug Trafficking Areas Program (in this section referred to as the ‘Program’).

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

“(A) facilitating cooperation among Federal, State, local, and tribal law enforcement agencies to share information and implement coordinated enforcement activities;

“(B) enhancing law enforcement intelligence sharing among Federal, State, local, and tribal law enforcement agencies;

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

“(D) supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.

“(b) DESIGNATION.—

“(1) IN GENERAL.—The Director, in consultation with the Attorney General, the Secretary of the Treasury, the Secretary of Homeland Security, heads of the National Drug Control Program agencies, and the Governor of each applicable State, may designate any specified area of the United States as a high intensity drug trafficking area.

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

“(A) obligate such sums as are appropriated for the Program;

“(B) direct the temporary reassignment of Federal personnel to such area, subject to the approval of the head of the department or agency that employs such personnel;

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

“(D) coordinate activities under this section (specifically administrative, recordkeeping, and funds management activities) with State, local, and tribal officials.

“(c) PETITIONS FOR DESIGNATION.—The Director shall establish regulations under which a coalition of interested law enforcement agencies from an area may petition for designation as a high intensity drug trafficking area. Such regulations shall provide for a regular review by the Director of the petition, including a recommendation regarding the merit of the petition to the Director by a panel of qualified, independent experts. Regulations.

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

“(1) the area is a significant center of illegal drug production, manufacturing, importation, or distribution;

“(2) State, local, and tribal law enforcement agencies have committed resources to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem;

“(3) drug-related activities in the area are having a significant harmful impact in the area, and in other areas of the country; and

“(4) a significant increase in allocation of Federal resources is necessary to respond adequately to drug-related activities in the area.

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

Establishment.

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

“(2) RESPONSIBILITIES.—The Executive Board of a high intensity drug trafficking area shall be responsible for—

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

“(B) managing the funds of the high intensity drug trafficking area;

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

“(D) reviewing and approving all reports to the Director on the activities of the high intensity drug trafficking area.

“(3) BOARD REPRESENTATION.—None of the funds appropriated under this section may be expended for any high intensity drug trafficking area, or for a partnership or region of a high intensity drug trafficking area, if the Executive Board for such area, region, or partnership, does not apportion an equal number of votes between representatives of participating Federal agencies and representatives of participating State, local, and tribal agencies. Where it is impractical for an equal number of representatives of Federal agencies and State, local, and tribal agencies to attend a meeting of an Executive Board in person, the Executive Board may use a system of proxy votes or weighted votes to achieve the voting balance required by this paragraph.

“(4) NO AGENCY RELATIONSHIP.—The eligibility requirements of this section are intended to ensure the responsible use of Federal funds. Nothing in this section is intended to create an agency relationship between individual high intensity drug trafficking areas and the Federal Government.

“(f) USE OF FUNDS.—The Director shall ensure that no Federal funds appropriated for the Program are expended for the establishment or expansion of drug treatment programs, and shall ensure that not more than 5 percent of the Federal funds appropriated for the Program are expended for the establishment of drug prevention programs.

“(g) COUNTERTERRORISM ACTIVITIES.—

“(1) ASSISTANCE AUTHORIZED.—The Director may authorize use of resources available for the Program to assist Federal, State, local, and tribal law enforcement agencies in investigations and activities related to terrorism and prevention of terrorism, especially but not exclusively with respect to such investigations and activities that are also related to drug trafficking.

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

“(A) that assistance provided under paragraph (1) remains incidental to the purpose of the Program to reduce

drug availability and carry out drug-related law enforcement activities; and

“(B) that significant resources of the Program are not redirected to activities exclusively related to terrorism, except on a temporary basis under extraordinary circumstances, as determined by the Director.

“(h) **ROLE OF DRUG ENFORCEMENT ADMINISTRATION.**—The Director, in consultation with the Attorney General, shall ensure that a representative of the Drug Enforcement Administration is included in the Intelligence Support Center for each high intensity drug trafficking area.

“(i) **ANNUAL HIDTA PROGRAM BUDGET SUBMISSIONS.**—As part of the documentation that supports the President’s annual budget request for the Office, the Director shall submit to Congress a budget justification that includes—

“(1) the amount proposed for each high intensity drug trafficking area, conditional upon a review by the Office of the request submitted by the HIDTA and the performance of the HIDTA, with supporting narrative descriptions and rationale for each request;

“(2) a detailed justification that explains—

“(A) the reasons for the proposed funding level; how such funding level was determined based on a current assessment of the drug trafficking threat in each high intensity drug trafficking area;

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

“(C) how such funding supports the National Drug Control Strategy; and

“(3) the amount of HIDTA funds used to investigate and prosecute organizations and individuals trafficking in methamphetamine in the prior calendar year, and a description of how those funds were used.

“(j) **EMERGING THREAT RESPONSE FUND.**—

“(1) **IN GENERAL.**—Subject to the availability of appropriations, the Director may expend up to 10 percent of the amounts appropriated under this section on a discretionary basis, to respond to any emerging drug trafficking threat in an existing high intensity drug trafficking area, or to establish a new high intensity drug trafficking area or expand an existing high intensity drug trafficking area, in accordance with the criteria established under paragraph (2).

“(2) **CONSIDERATION OF IMPACT.**—In allocating funds under this subsection, the Director shall consider—

“(A) the impact of activities funded on reducing overall drug traffic in the United States, or minimizing the probability that an emerging drug trafficking threat will spread to other areas of the United States; and

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

“(k) **EVALUATION.**—

“(1) **INITIAL REPORT.**—Not later than 90 days after the date of the enactment of this section, the Director shall, after consulting with the Executive Boards of each designated high intensity drug trafficking area, submit a report to Congress that describes, for each designated high intensity drug trafficking area—

- “(A) the specific purposes for the high intensity drug trafficking area;
- “(B) the specific long-term and short-term goals and objectives for the high intensity drug trafficking area;
- “(C) the measurements that will be used to evaluate the performance of the high intensity drug trafficking area in achieving the long-term and short-term goals; and
- “(D) the reporting requirements needed to evaluate the performance of the high intensity drug trafficking area in achieving the long-term and short-term goals.
- Reports. “(2) EVALUATION OF HIDTA PROGRAM AS PART OF NATIONAL DRUG CONTROL STRATEGY.—For each designated high intensity drug trafficking area, the Director shall submit, as part of the annual National Drug Control Strategy report, a report that—
- “(A) describes—
- “(i) the specific purposes for the high intensity drug trafficking area; and
- “(ii) the specific long-term and short-term goals and objectives for the high intensity drug trafficking area; and
- “(B) includes an evaluation of the performance of the high intensity drug trafficking area in accomplishing the specific long-term and short-term goals and objectives identified under paragraph (1)(B).
- Deadline. Reports. “(1) ASSESSMENT OF DRUG ENFORCEMENT TASK FORCES IN HIGH INTENSITY DRUG TRAFFICKING AREAS.—Not later than 1 year after the date of enactment of this subsection, and as part of each subsequent annual National Drug Control Strategy report, the Director shall submit to Congress a report—
- “(1) assessing the number and operation of all federally funded drug enforcement task forces within each high intensity drug trafficking area; and
- “(2) describing—
- “(A) each Federal, State, local, and tribal drug enforcement task force operating in the high intensity drug trafficking area;
- “(B) how such task forces coordinate with each other, with any high intensity drug trafficking area task force, and with investigations receiving funds from the Organized Crime and Drug Enforcement Task Force;
- “(C) what steps, if any, each such task force takes to share information regarding drug trafficking and drug production with other federally funded drug enforcement task forces in the high intensity drug trafficking area;
- “(D) the role of the high intensity drug trafficking area in coordinating the sharing of such information among task forces;
- “(E) the nature and extent of cooperation by each Federal, State, local, and tribal participant in ensuring that such information is shared among law enforcement agencies and with the high intensity drug trafficking area;
- “(F) the nature and extent to which information sharing and enforcement activities are coordinated with joint terrorism task forces in the high intensity drug trafficking area; and

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

“(m) ASSESSMENT OF LAW ENFORCEMENT INTELLIGENCE SHARING IN HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM.—Not later than 180 days after the date of the enactment of this section, and as part of each subsequent annual National Drug Control Strategy report, the Director, in consultation with the Director of National Intelligence, shall submit to Congress a report—

Deadline.
Reports.

“(1) evaluating existing and planned law enforcement intelligence systems supported by each high intensity drug trafficking area, or utilized by task forces receiving any funding under the Program, including the extent to which such systems ensure access and availability of law enforcement intelligence to Federal, State, local, and tribal law enforcement agencies within the high intensity drug trafficking area and outside of it;

“(2) the extent to which Federal, State, local, and tribal law enforcement agencies participating in each high intensity drug trafficking area are sharing law enforcement intelligence information to assess current drug trafficking threats and design appropriate enforcement strategies; and

“(3) the measures needed to improve effective sharing of information and law enforcement intelligence regarding drug trafficking and drug production among Federal, State, local, and tribal law enforcement participating in a high intensity drug trafficking area, and between such agencies and similar agencies outside the high intensity drug trafficking area.

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

“(o) USE OF FUNDS TO COMBAT METHAMPHETAMINE TRAFFICKING.—

“(1) REQUIREMENT.—As part of the documentation that supports the President’s annual budget request for the Office, the Director shall submit to Congress a report describing the use of HIDTA funds to investigate and prosecute organizations and individuals trafficking in methamphetamine in the prior calendar year.

Reports.

“(2) CONTENTS.—The report shall include—

“(A) the number of methamphetamine manufacturing facilities discovered through HIDTA-funded initiatives in the previous fiscal year;

“(B) the amounts of methamphetamine or listed chemicals (as that term is defined in section 102(33) of the Controlled Substances Act (21 U.S.C. 802(33)) seized by HIDTA-funded initiatives in the area during the previous year; and

“(C) law enforcement intelligence and predictive data from the Drug Enforcement Administration showing patterns and trends in abuse, trafficking, and transportation in methamphetamine and listed chemicals.

“(3) CERTIFICATION.—Before the Director awards any funds to a high intensity drug trafficking area, the Director shall certify that the law enforcement entities participating in that HIDTA are providing laboratory seizure data to the national clandestine laboratory database at the El Paso Intelligence Center.

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

“(1) \$240,000,000 for fiscal year 2007;

“(2) \$250,000,000 for fiscal year 2008;

“(3) \$260,000,000 for fiscal year 2009;

“(4) \$270,000,000 for fiscal year 2010; and

“(5) \$280,000,000 for each of fiscal year 2011.”.

Dawson Family
Community
Protection Act.
21 USC 1701
note.

Carnell Dawson.
Angela Dawson.
21 USC 1706
note.

SEC. 302. FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.

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

(b) FINDINGS.—Congress finds the following:

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

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

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

(4) In all phases of counternarcotics law enforcement—from prevention to investigation to prosecution to reentry—the voluntary cooperation of ordinary citizens is a critical component.

(5) Voluntary cooperation is difficult for law enforcement officials to obtain when citizens feel that cooperation carries the risk of violent retaliation by illegal drug trafficking organizations and their affiliates.

(6) Public confidence that law enforcement is doing all it can to make communities safe is a prerequisite for voluntary cooperation among people who may be subject to intimidation or reprisal (or both).

(7) Witness protection programs are insufficient on their own to provide security because many individuals and families who strive every day to make distressed neighborhoods livable for their children, other relatives, and neighbors will resist or refuse offers of relocation by local, State, and Federal prosecutorial agencies and because, moreover, the continued presence of strong individuals and families is critical to preserving and strengthening the social fabric in such communities.

(8) Where (as in certain sections of Baltimore City) interstate trafficking of illegal drugs has severe ancillary local consequences within areas designated as high intensity drug trafficking areas, it is important that supplementary High Intensity

Drug Trafficking Areas Program funds be committed to support initiatives aimed at making the affected communities safe for the residents of those communities and encouraging their cooperation with tribal, local, State, and Federal law enforcement efforts to combat illegal drug trafficking.

(c) FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.—Section 707, as amended by section 301, is amended by adding at the end the following:

“(q) SPECIFIC PURPOSES.—

“(1) IN GENERAL.—The Director shall ensure that, of the amounts appropriated for a fiscal year for the Program, at least \$7,000,000 is used in high intensity drug trafficking areas with severe neighborhood safety and illegal drug distribution problems.

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

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

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

SEC. 303. ASSESSMENT.

New York.
New Jersey.

The Director shall assess the ability of the HIDTA Program to respond to the so-called “balloon effect”, whereby urban drug traffickers facing intensive law enforcement efforts expand and spread their trafficking and distribution into rural, suburban, and smaller urban areas by conducting a demonstration project examining the ability of the New York/New Jersey HIDTA, with its new single colocated Organized Crime and Drug Enforcement Task Force/High Intensity Drug Trafficking Area Strike Force and HIDTA Regional Intelligence Center, to address the movement of drug traffickers into the more rural, suburban, and smaller areas encompassed by the counties of Albany, Onondaga, Monroe, and Erie in New York State and by annexing these counties into the existing New York/New Jersey HIDTA.

TITLE IV—TECHNOLOGY

SEC. 401. COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER.

(a) CHIEF SCIENTIST.—Section 708(b) is amended to read as follows: 21 USC 1707.

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

(b) RESPONSIBILITIES.—

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

(A) redesignating subsection (d) as subsection (e); and
(B) striking subsection (c) and inserting the following:

“(c) RESEARCH AND DEVELOPMENT RESPONSIBILITIES.—The Director, acting through the Chief Scientist, shall—

“(1) identify and define the short-, medium-, and long-term scientific and technological needs of Federal, State, local, and tribal drug supply reduction agencies, including—

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

“(B) electronic support measures;

“(C) communications;

“(D) data fusion, advanced computer systems, and artificial intelligence; and

“(E) chemical, biological, radiological (including neutron and electron), and other means of detection;

“(2) identify demand reduction basic and applied research needs and initiatives, in consultation with affected National Drug Control Program agencies, including—

“(A) improving treatment through neuroscientific advances;

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

“(C) in consultation with the National Institute of Drug Abuse and the Substance Abuse and Mental Health Services Administration, and through interagency agreements or grants, examining addiction and rehabilitation research and the application of technology to expanding the effectiveness and availability of drug treatment;

“(3) make a priority ranking of such needs identified in paragraphs (1) and (2) according to fiscal and technological feasibility, as part of a National Counterdrug Research and Development Program;

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

“(5) provide support to the development and implementation of the national drug control performance measurement system established under subsection (c) of section 706; and

“(6) pursuant to the authority of the Director of National Drug Control Policy under section 704, submit requests to Congress for the reprogramming or transfer of funds appropriated for counterdrug technology research and development.

“(d) LIMITATION ON AUTHORITY.—The authority granted to the Director under this section shall not extend to the awarding of contracts, management of individual projects, or other operational activities.”.

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

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

(3) TECHNOLOGY TRANSFER PROGRAM.—Section 708 is amended by adding at the end the following:

“(f) TECHNOLOGY TRANSFER PROGRAM.—

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

“(2) PURPOSE.—The purpose of the Technology Transfer Program shall be for the Counterdrug Technology Assessment Center to transfer technology and associated training directly to State, local, and tribal law enforcement agencies.

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

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

“(B) the effectiveness of the technology to enhance current counterdrug activities of potential recipients; and

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

“(4) AGREEMENT AUTHORITY.—The Director may enter into an agreement with the Secretary of Homeland Security to transfer technology with both counterdrug and homeland security applications to State, local, and tribal law enforcement agencies on a reimbursable basis.

“(5) REPORT.—On or before July 1 of each year, the Director shall submit a report to the appropriate congressional committees that addresses the following:

“(A) The number of requests received during the previous 12 months, including the identity of each requesting agency and the type of technology requested.

“(B) The number of requests fulfilled during the previous 12 months, including the identity of each recipient agency and the type of technology transferred.

“(C) A summary of the criteria used in making the determination on what requests were funded and what requests were not funded, except that such summary shall not include specific information on any individual requests.

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

“(E) An assessment of the effectiveness of the technologies transferred, based in part on the evaluations provided by the recipients, with a recommendation whether the technology should continue to be offered through the program.”.

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

TITLE V—NATIONAL YOUTH MEDIA CAMPAIGN

SEC. 501. NATIONAL YOUTH ANTI-DRUG MEDIA CAMPAIGN.

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

“SEC. 709. NATIONAL YOUTH ANTI-DRUG MEDIA CAMPAIGN.

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

“(1) preventing drug abuse among young people in the United States;

“(2) increasing awareness of adults of the impact of drug abuse on young people; and

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

“(b) **USE OF FUNDS.**—

“(1) **IN GENERAL.**—Amounts made available to carry out this section for the national media campaign may only be used for the following:

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

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

“(C) Advertising production costs.

“(D) Testing and evaluation of advertising.

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

“(F) The negotiated fees for the winning bidder on requests for proposals issued either by the Office or its designee to enter into contracts to carry out activities authorized by this section.

“(G) Partnerships with professional and civic groups, community-based organizations, including faith-based organizations, and government organizations related to the national media campaign.

“(H) Entertainment industry outreach, interactive outreach, media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

“(I) Operational and management expenses.”

“(2) **SPECIFIC REQUIREMENTS.**—

“(A) **CREATIVE SERVICES.**—

“(i) In using amounts for creative and talent costs under paragraph (1)(B), the Director shall use creative services donated at no cost to the Government (including creative services provided by the Partnership for a Drug-Free America) wherever feasible and may only procure creative services for advertising—

“(I) responding to high-priority or emergent campaign needs that cannot timely be obtained at no cost; or

“(II) intended to reach a minority, ethnic, or other special audience that cannot reasonably be obtained at no cost; or

“(III) the Director determines that the Partnership for a Drug-Free America is unable to provide, pursuant to subsection (d)(2)(B).

“(ii) Subject to the availability of appropriations, no more than \$1,500,000 may be expended under this section each fiscal year on creative services, except

that the Director may expend up to \$2,000,000 in a fiscal year on creative services to meet urgent needs of the national media campaign with advance approval from the Committee on Appropriations of the Senate and of the House of Representatives upon a showing of the circumstances causing such urgent needs of the national media campaign.

“(B) TESTING AND EVALUATION OF ADVERTISING.—In using amounts for testing and evaluation of advertising under paragraph (1)(D), the Director shall test all advertisements prior to use in the national media campaign to ensure that the advertisements are effective and meet industry-accepted standards. The Director may waive this requirement for advertisements using no more than 10 percent of the purchase of advertising time purchased under this section in a fiscal year and no more than 10 percent of the advertising space purchased under this section in a fiscal year, if the advertisements respond to emergent and time-sensitive campaign needs or the advertisements will not be widely utilized in the national media campaign.

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

“(i) designate an independent entity to evaluate by April 20 of each year the effectiveness of the national media campaign based on data from—

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

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

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

“(IV) other relevant studies or publications, as determined by the Director, including tracking and evaluation data collected according to marketing and advertising industry standards; and

“(ii) ensure that the effectiveness of the national media campaign is evaluated in a manner that enables consideration of whether the national media campaign has contributed to reduction of illicit drug use among youth and such other measures of evaluation as the Director determines are appropriate.

“(3) PURCHASE OF ADVERTISING TIME AND SPACE.—Subject to the availability of appropriations, for each fiscal year, not less than 77 percent of the amounts appropriated under this section shall be used for the purchase of advertising time and space for the national media campaign, subject to the following exceptions:

“(A) In any fiscal year for which less than \$125,000,000 is appropriated for the national media campaign, not less than 72 percent of the amounts appropriated under this section shall be used for the purchase of advertising time and space for the national media campaign.

“(B) In any fiscal year for which more than \$195,000,000 is appropriated under this section, not less

than 82 percent shall be used for advertising production costs and the purchase of advertising time and space for the national media campaign.

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

“(d) DIVISION OF RESPONSIBILITIES AND FUNCTIONS UNDER THE PROGRAM.—

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

“(2) RESPONSIBILITIES.—

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

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

“(ii) all advertising and promotional material used in the national media campaign; and

“(iii) the plan for the purchase of advertising time and space for the national media campaign.

“(B) THE PARTNERSHIP FOR A DRUG-FREE AMERICA.—The Director shall request that the Partnership for a Drug-Free America—

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

“(ii) create all advertising to be used in the national media campaign, except advertisements that are—

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

“(II) intended to respond to high-priority or emergent campaign needs that cannot timely be obtained at no cost (not including production costs and talent reuse payments), provided that any such advertising material is reviewed by the Partnership for a Drug-Free America;

“(III) intended to reach a minority, ethnic, or other special audience that cannot be obtained at no cost (not including production costs and talent reuse payments), provided that any such advertising material is reviewed by the Partnership for a Drug-Free America; or

“(IV) any other advertisements that the Director determines that the Partnership for a Drug-Free America is unable to provide or if the Director determines that another entity is more appropriate, subject to the requirements of subsection (b)(2)(A).

Notification.
Deadline.

If the Director determines that another entity is more appropriate under clause (ii)(IV), the Director shall notify Congress, through the committees of jurisdiction in the House and Senate, in writing, not less than 30 days prior to contracting with a party other than the Partnership for a Drug-Free America.

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

“(e) PROHIBITIONS.—None of the amounts made available under subsection (b) may be obligated or expended for any of the following:

“(1) To supplant current anti-drug community-based coalitions.

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

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

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

“(5) To fund advertising that does not contain a primary message intended to reduce or prevent illicit drug use.

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

“(f) MATCHING REQUIREMENT.—

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

“(2) NO-COST MATCH ADVERTISING DIRECT RELATIONSHIP REQUIREMENT.—The Director shall ensure that at least 70 percent of no-cost match advertising provided directly relates to substance abuse prevention consistent with the specific purposes of the national media campaign, except that in any fiscal year in which less than \$125,000,000 is appropriated to the national media campaign, the Director shall ensure that at least 85 percent of no-cost match advertising directly relates to substance abuse prevention consistent with the specific purposes of the national media campaign.

“(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 anti-drug message. Such message is not required to be the primary message of the match advertising.

“(g) FINANCIAL AND PERFORMANCE ACCOUNTABILITY.—The Director shall cause to be performed—

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

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

“(h) REPORT TO CONGRESS.—The Director shall submit on an annual basis a report to Congress that describes—

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

“(2) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the national media campaign;

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

“(4) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse; and

“(5) all contracts entered into with a corporation, partnership, or individual working on behalf of the national media campaign.

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

“(j) PREVENTION OF MARIJUANA USE.—

“(1) FINDINGS.—The Congress finds the following:

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

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

“(C) Contemporary research has demonstrated that youths smoking marijuana early in life may be up to 5 times more likely to use hard drugs.

“(D) Contemporary research has demonstrated clear detrimental effects in adolescent educational achievement resulting from marijuana use.

“(E) Contemporary research has demonstrated clear detrimental effects in adolescent brain development resulting from marijuana use.

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

“(G) Marijuana smoke contains 50 to 70 percent more of certain cancer causing chemicals than tobacco smoke.

“(H) Teens who use marijuana are up to 4 times more likely to have a teen pregnancy than teens who have not.

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

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

“(2) EMPHASIS ON PREVENTION OF YOUTH MARIJUANA USE.—In conducting advertising and activities otherwise authorized

under this section, the Director may emphasize prevention of youth marijuana use.

“(k) PREVENTION OF METHAMPHETAMINE ABUSE AND OTHER EMERGING DRUG ABUSE THREATS.—

“(1) REQUIREMENT TO USE 10 PERCENT OF FUNDS FOR METHAMPHETAMINE ABUSE PREVENTION.—The Director shall ensure that, of the amounts appropriated under this section for the national media campaign for a fiscal year, not less than 10 percent shall be expended solely for the activities described in subsection (b)(1) with respect to advertisements specifically intended to reduce the use of methamphetamine.

“(2) AUTHORITY TO USE FUNDS FOR OTHER DRUG ABUSE UPON CERTIFICATION THAT METHAMPHETAMINE ABUSE FELL DURING FISCAL YEAR 2007.—With respect to fiscal year 2008 and any fiscal year thereafter, if the Director certifies in writing to Congress that domestic methamphetamine laboratory seizures (as reported to the El Paso Intelligence Center of the Drug Enforcement Administration) decreased to at least 75 percent of the 2006 level, or the Director has documented a highly, statistically significant increase in a specific drug, from a baseline determined by locally collected data, that can be defined as a local drug crisis, the Director may apply paragraph (1)(A) for that fiscal year with respect to advertisements specifically intended to reduce the use of such other drugs.

“(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office to carry out this section, \$195,000,000 for each of fiscal years 2007 and 2008 and \$210,000,000 for each of fiscal years 2009 through 2011.”.

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

21 USC
1801–1804.

TITLE VI—AUTHORIZATIONS AND EXTENSION OF TERMINATION DATE

SEC. 601. AUTHORIZATION OF APPROPRIATIONS.

Section 714 is amended—

(1) by striking “title,” and inserting “title except activities otherwise specified,”; and

(2) by striking “1999 through 2003” and inserting “2006 through 2010”.

21 USC 1713.

SEC. 602. EXTENSION OF TERMINATION DATE.

Section 715(a) is amended by striking “September 30, 2003, this title and the amendments made by this title” and inserting “September 30, 2010, this title and the amendments made to this title”.

21 USC 1714.

TITLE VII—ANTI-DOPING AGENCY

SEC. 701. DESIGNATION OF UNITED STATES ANTI-DOPING AGENCY.

21 USC 2001.

(a) DEFINITIONS.—In this title:

(1) UNITED STATES OLYMPIC COMMITTEE.—The term “United States Olympic Committee” means the organization established by the “Ted Stevens Olympic and Amateur Sports Act” (36 U.S.C. 220501 et seq.).

(2) **AMATEUR ATHLETIC COMPETITION.**—The term “amateur athletic competition” means a contest, game, meet, match, tournament, regatta, or other event in which amateur athletes compete (36 U.S.C. 220501(b)(2)).

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

(4) **GENE DOPING.**—The term “gene doping” means the non-therapeutic use of cells, genes, genetic elements, or of the modulation of gene expression, having the capacity to enhance athletic performance.

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

(1) serve as the independent anti-doping organization for the amateur athletic competitions recognized by the United States Olympic Committee;

(2) ensure that athletes participating in amateur athletic activities recognized by the United States Olympic Committee are prevented from using performance-enhancing drugs, or performance-enhancing genetic modifications accomplished through gene-doping;

(3) implement anti-doping education, research, testing, and adjudication programs to prevent United States Amateur Athletes participating in any activity recognized by the United States Olympic Committee from using performance-enhancing drugs, or performance-enhancing genetic modifications accomplished through gene-doping;

(4) serve as the United States representative responsible for coordination with other anti-doping organizations coordinating amateur athletic competitions recognized by the United States Olympic Committee to ensure the integrity of athletic competition, the health of the athletes and the prevention of use of performance-enhancing drugs, or performance-enhancing genetic modifications accomplished through gene-doping by United States amateur athletes; and

(5) permanently include “gene doping” among any list of prohibited substances adopted by the Agency.

21 USC 2002.

SEC. 702. RECORDS, AUDIT, AND REPORT.

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

(b) **REPORT.**—The United States Anti-Doping Agency shall submit an annual report to Congress which shall include—

(1) an audit conducted and submitted in accordance with section 10101 of title 36, United States Code; and

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

21 USC 2003.

SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

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

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

(2) for fiscal year 2008, \$10,300,000;

(3) for fiscal year 2009, \$10,600,000;

(4) for fiscal year 2010, \$11,000,000; and

(5) for fiscal year 2011, \$11,500,000.

TITLE VIII—DRUG-FREE COMMUNITIES

SEC. 801. REAUTHORIZATION.

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

- (1) in paragraph (9), by striking “and” after the semicolon;
- (2) in paragraph (10), by striking the period and inserting a semicolon; and
- (3) by adding at the end the following:
 - “(11) \$109,000,000 for fiscal year 2008;
 - “(12) \$114,000,000 for fiscal year 2009;
 - “(13) \$119,000,000 for fiscal year 2010;
 - “(14) \$124,000,000 for fiscal year 2011; and
 - “(15) \$129,000,000 for fiscal year 2012.”

(b) ADMINISTRATION COSTS.—Section 1024(b) of the Drug-Free Communities Act of 1997 (21 U.S.C. 1524(b)) is amended to read as follows:

“(b) ADMINISTRATIVE COSTS.—

“(1) LIMITATION.—Not more than 3 percent of the funds appropriated for this chapter may be used by the Office of National Drug Control Policy to pay for administrative costs associated with their responsibilities under the chapter.

“(2) DESIGNATED AGENCY.—The agency delegated to carry out this program under section 1031(d) may use up to 5 percent of the funds allocated for grants under this chapter for administrative costs associated with carrying out the program.”

SEC. 802. SUSPENSION OF GRANTS.

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

“(4) PROCESS FOR SUSPENSION.—A grantee shall not be suspended or terminated under paragraph (1)(A)(ii), (2)(A)(iii), or (3)(E) unless that grantee is afforded a fair, timely, and independent appeal prior to such suspension or termination.”

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

21 USC 1532
note.

SEC. 803. GRANT AWARD INCREASE.

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

SEC. 804. PROHIBITION ON ADDITIONAL ELIGIBILITY CRITERIA.

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

“(7) ADDITIONAL CRITERIA.—The Director shall not impose any eligibility criteria on new applicants or renewal grantees not provided in this chapter.”

SEC. 805. NATIONAL COMMUNITY ANTI-DRUG COALITION INSTITUTE.

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

- (1) by amending subsection (a) to read as follows:

Grants.

“(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall, using amounts authorized to be appropriated by subsection (d), make a directed grant to Community Anti-Drug Coalitions of America to provide for the continuation of the National Community Anti-drug Coalition Institute.”;

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

(3) in subsection (c), as redesignated by paragraph (2), by adding at the end the following:

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

TITLE IX—NATIONAL GUARD COUNTERDRUG SCHOOLS

32 USC 112 note. **SEC. 901. NATIONAL GUARD COUNTERDRUG SCHOOLS.**

(a) **AUTHORITY TO OPERATE.**—Under such regulations as the Secretary of Defense may prescribe, the Chief of the National Guard Bureau may establish and operate, or provide financial assistance to the States to establish and operate, not more than 5 schools (to be known generally as “National Guard counterdrug schools”).

(b) **PURPOSE.**—The purpose of the National Guard counterdrug schools shall be the provision by the National Guard of training in drug interdiction and counterdrug activities and drug demand reduction activities to personnel of the following:

(1) Federal agencies.

(2) State, local, and tribal law enforcement agencies.

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

(4) Other non-Federal governmental and private entities and organizations engaged in such activities.

(c) **COUNTERDRUG SCHOOLS SPECIFIED.**—The National Guard counterdrug schools operated under the authority in subsection (a) are as follows:

(1) The National Interagency Civil-Military Institute (NICI), San Luis Obispo, California.

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

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

(4) The Regional Counterdrug Training Academy (RCTA), Meridian, Mississippi.

(5) The Northeast Regional Counterdrug Training Center (NCTC), Fort Indiantown Gap, Pennsylvania.

(d) **USE OF NATIONAL GUARD PERSONNEL.**—

(1) **IN GENERAL.**—To the extent provided for in the State drug interdiction and counterdrug activities plan of a State in which a National Guard counterdrug school is located, personnel of the National Guard of that State who are ordered to perform full-time National Guard duty authorized under section 112(b) of that title 32, United States Code, may provide training referred to in subsection (b) at that school.

(2) **DEFINITION.**—In this subsection, the term “State drug interdiction and counterdrug activities plan”, in the case of a State, means the current plan submitted by the Governor

of the State to the Secretary of Defense under section 112 of title 32, United States Code.

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

(f) **ANNUAL REPORTS ON ACTIVITIES.**—

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

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

(A) **FUNDING.**—The amount made available for each National Guard counterdrug school during the fiscal year ending in the year preceding the year in which such report is submitted.

(B) **ACTIVITIES.**—A description of the activities of each National Guard counterdrug school during the year preceding the year in which such report is submitted.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—

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

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

TITLE X—NATIONAL METHAMPHETAMINE INFORMATION CLEARINGHOUSE ACT OF 2006

National
Meth-
amphetamine
Information
Clearinghouse
Act of 2006.

SEC. 1001. SHORT TITLE.

This title may be cited as the “National Methamphetamine Information Clearinghouse Act of 2006”.

21 USC 2001
note.

SEC. 1002. DEFINITIONS.

21 USC 2011.

In this title—

(1) the term “Council” means the National Methamphetamine Advisory Council established under section 1003(b)(1);

(2) the term “drug endangered children” means children whose physical, mental, or emotional health are at risk because of the production, use, or other effects of methamphetamine production or use by another person;

(3) the term “National Methamphetamine Information Clearinghouse” or “NMIC” means the information clearinghouse established under section 1003(a); and

(4) the term “qualified entity” means a State, local, or tribal government, school board, or public health, law enforcement, nonprofit, community anti-drug coalition, or other non-governmental organization providing services related to methamphetamines.

21 USC 2012.

SEC. 1003. ESTABLISHMENT OF CLEARINGHOUSE AND ADVISORY COUNCIL.

(a) **CLEARINGHOUSE.**—There is established, under the supervision of the Attorney General of the United States, an information clearinghouse to be known as the National Methamphetamine Information Clearinghouse.

(b) **ADVISORY COUNCIL.**—

(1) **IN GENERAL.**—There is established an advisory council to be known as the National Methamphetamine Advisory Council.

(2) **MEMBERSHIP.**—The Council shall consist of 10 members appointed by the Attorney General—

(A) not fewer than 3 of whom shall be representatives of law enforcement agencies;

(B) not fewer than 4 of whom shall be representatives of nongovernmental and nonprofit organizations providing services or training and implementing programs or strategies related to methamphetamines; and

(C) 1 of whom shall be a representative of the Department of Health and Human Services.

(3) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for 3 years. Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) **PERSONNEL MATTERS.**—

(A) **TRAVEL EXPENSES.**—The members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council.

(B) **NO COMPENSATION.**—The members of the Council shall not receive compensation for the performance of the duties of a member of the Council.

21 USC 2013.

SEC. 1004. NMIC REQUIREMENTS AND REVIEW.

(a) **IN GENERAL.**—The NMIC shall promote sharing information regarding successful law enforcement, treatment, environmental, prevention, social services, and other programs related to the production, use, or effects of methamphetamine and grants available for such programs.

(b) **COMPONENTS.**—The NMIC shall include—

(1) a toll-free number; and

(2) a website that provides a searchable database, which—

(A) provides information on the short-term and long-term effects of methamphetamine use;

(B) provides information regarding methamphetamine treatment and prevention programs and strategies and programs for drug endangered children, including descriptions of successful programs and strategies and contact information for such programs and strategies;

Communications
and tele-
communications.
Website.

(C) provides information regarding grants for methamphetamine-related programs, including contact information and links to websites;

(D) allows a qualified entity to submit items to be posted on the website regarding successful public or private programs or other useful information related to the production, use, or effects of methamphetamine;

(E) includes a restricted section that may only be accessed by a law enforcement organization that contains successful strategies, training techniques, and other information that the Council determines helpful to law enforcement agency efforts to identify or combat the production, use, or effects of methamphetamine;

(F) allows public access to all information not in a restricted section; and

(G) contains any additional information the Council determines may be useful in identifying or combating the production, use, or effects of methamphetamine.

Thirty days after the website in paragraph (2) is operational, no funds shall be expended to continue the website methresources.gov. Deadline.
Abolishment.

(c) REVIEW OF POSTED INFORMATION.—

(1) IN GENERAL.—Not later than 30 days after the date of submission of an item by a qualified entity, the Council shall review an item submitted for posting on the website described in subsection (b)(2)—

Deadline.

(A) to evaluate and determine whether the item, as submitted or as modified, meets the requirements for posting; and

(B) in consultation with the Attorney General, to determine whether the item should be posted in a restricted section of the website.

(2) DETERMINATION.—Not later than 45 days after the date of submission of an item, the Council shall— Deadline.

(A) post the item on the website described in subsection (b)(2); or

(B) notify the qualified entity that submitted the item regarding the reason such item shall not be posted and modifications, if any, that the qualified entity may make to allow the item to be posted. Notification.

SEC. 1005. AUTHORIZATION OF APPROPRIATIONS.

21 USC 2014.

There are authorized to be appropriated—

(1) for fiscal year 2007—

(A) \$500,000 to establish the NMIC and Council; and

(B) such sums as are necessary for the operation of the NMIC and Council; and

(2) for each of fiscal years 2008 and 2009, such sums as are necessary for the operation of the NMIC and Council.

TITLE XI—MISCELLANEOUS PROVISIONS

SEC. 1101. REPEALS.

(a) ACT.—Section 710 is repealed.

21 USC 1709.

(b) FORFEITURE ASSETS.—Section 6073 of the Assets Forfeiture Amendments Act of 1988 (21 U.S.C. 1509) is repealed.

SEC. 1102. CONTROLLED SUBSTANCES ACT AMENDMENTS.

Section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)) is amended—

Deadline.
Notification.

(1) in subparagraph (B)(iii), by striking “except that the” and inserting the following: “unless, not sooner than 1 year after the date on which the practitioner submitted the initial notification, the practitioner submits a second notification to the Secretary of the need and intent of the practitioner to treat up to 100 patients. A second notification under this clause shall contain the certifications required by clauses (i) and (ii) of this subparagraph. The”; and

(2) in subparagraph (J)—

(A) in clause (i), by striking “thereafter” and all that follows through the period and inserting “thereafter.”;

(B) in clause (ii), by striking “Drug Addiction Treatment Act of 2000” and inserting “Office of National Drug Control Policy Reauthorization Act of 2006”; and

(C) in clause (iii), by striking “this paragraph should not remain in effect, this paragraph ceases to be in effect” and inserting “subparagraph (B)(iii) should be applied by limiting the total number of patients a practitioner may treat to 30, then the provisions in such subparagraph (B)(iii) permitting more than 30 patients shall not apply, effective”.

SEC. 1103. REPORT ON LAW ENFORCEMENT INTELLIGENCE SHARING.

Not later than 180 days after the date of enactment of this Act, the Director shall submit to Congress a report—

(1) evaluating existing and planned law enforcement intelligence systems used by Federal, State, local, and tribal law enforcement agencies responsible for drug trafficking and drug production enforcement; and

(2) addressing—

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

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

(C) the extent to which Federal, State, local, and tribal law enforcement are sharing law enforcement intelligence information to assess current threats and design appropriate enforcement strategies; and

(D) the measures needed to ensure and to promote effective information sharing among law enforcement intelligence systems operated by Federal, State, local, and tribal law enforcement agencies responsible for drug trafficking and drug production enforcement.

SEC. 1104. REQUIREMENT FOR SOUTH AMERICAN HEROIN STRATEGY.

Deadline.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Director, in coordination with the Secretary of State, shall submit to Congress a comprehensive strategy that addresses the increased threat from South American heroin, and in particular Colombian heroin, and the emerging threat from opium poppy grown in Peru and often intended for transit to Columbia for processing into heroin.

(b) **CONTENTS.**—The strategy submitted under subsection (a) shall include—

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

(2) interdiction and precursor chemical controls;

(3) demand reduction and treatment;

(4) alternative development programs, including direct assistance to regional governments to demobilize and provide alternative livelihoods to former members of insurgent or other groups engaged in heroin, cocoa, or other illicit drug production or trafficking;

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

(6) an assessment of the specific level of funding and resources necessary to simultaneously address the threat from South American heroin and the threat from Colombian and Peruvian coca.

(c) **TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.**—Any content of the strategy submitted under subsection (a) that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant Federal agency, would be detrimental to the law enforcement of national security activities of any Federal, foreign, or international agency, shall be presented to Congress separately from the rest of the strategy.

SEC. 1105. MODEL ACTS.

(a) **IN GENERAL.**—The Director of the Office of National Drug Control Policy shall provide for or shall enter into an agreement with a non-profit corporation that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code to—

(1) advise States on establishing laws and policies to address alcohol and other drug issues, based on the model State drug laws developed by the President's Commission on Model State Drug Laws in 1993; and

(2) revise such model State drug laws and draft supplementary model State laws to take into consideration changes in the alcohol and drug abuse problems in the State involved.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$1,500,000 for each of fiscal years 2007 through 2011.

SEC. 1106. STUDY ON IATROGENIC ADDICTION ASSOCIATED WITH PRESCRIPTION OPIOID ANALGESIC DRUGS.

(a) **IN GENERAL.**—

(1) **STUDY.**—The Director of the Office of National Drug Control Policy shall request the Institute of Medicine of the National Academy of Sciences to enter into an agreement under which the Institute agrees to study certain aspects of iatrogenic addiction to prescription opioid analgesics included in schedules II and III of the Controlled Substances Act (21 U.S.C. 812).

(2) **IATROGENIC ADDICTION.**—In this section, the term “iatrogenic addiction” means an addiction developed from the use of an opioid analgesic by an individual with no previous history of any addiction, who has lawfully obtained and used the drug

21 USC 1701
note.
Contracts.

Contracts.

for a legitimate medical purpose by administration from, or pursuant to the prescription or order of, an individual practitioner acting in the usual course of professional practice.

(b) **REQUIREMENTS.**—The study conducted pursuant to this section shall assess the current scientific literature to determine, if possible—

(1) the rate of iatrogenic addiction associated with the appropriate use of prescription drugs described in subsection (a);

(2) the impact of iatrogenic addiction associated with the appropriate use of prescription drugs described in subsection (a) on the individual, the prescriber, other patients, and society in general;

(3) the comparative abuse liability of prescription drugs described in subsection (a) when used properly by the ultimate user for a legitimate medical purpose; and

(4)(A) what types of prospective or retrospective studies should be undertaken to determine the rate of iatrogenic addiction associated with the appropriate use of the prescription drugs described in subsection (a); and

(B) a feasible timeline for conducting and reporting such studies, should the current state of the scientific literature be insufficient to determine the rate, impact, and comparative abuse liability of prescription drugs described in subsection (a).

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall ensure that the agreement under subsection (a) provides for the submission of a report to the Congress on the status of the study conducted pursuant to this section.

SEC. 1107. REQUIREMENT FOR STRATEGY TO STOP INTERNET ADVERTISING OF PRESCRIPTION MEDICINES WITHOUT A PRESCRIPTION.

Deadline.

Not later than 120 days after the date of the enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to Congress a strategy to stop advertisements that provide information about obtaining over the Internet drugs (as defined in section 702(3) of the Office of National Drug Control Policy Reauthorization Act of 1998) for which a prescription is required without the use of such a lawful prescription.

SEC. 1108. REQUIREMENT FOR STUDY ON DIVERSION AND INAPPROPRIATE USES OF PRESCRIPTION DRUGS.

Deadline.
Reports.

Not later than 90 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy, in consultation with the Secretary of Health and Human Services, shall submit to Congress a report that includes a plan to conduct a study on the illegal diversion and inappropriate uses of prescription drugs, including the following:

(1) Methods to utilize both public use surveys that are in existence as of the date of enactment of this Act and other surveys to provide appropriate baseline data on the natural history of diversion and abuse of prescription drugs that are included in schedules under the Controlled Substances Act to evaluate the extent and nature of potential problems with such use to guide corrective actions which may reduce such problems without unintentionally hindering access to these

drugs for legitimate medical purposes. Specifically, other surveys to be considered are those that address the abuse of these substances on a regional or national basis, and those that address the diversion of these substances on a regional or national basis.

(2) A scientifically based analysis of the relative contribution of both innate and acquired genetic factors, environmental factors, psychological factors, and drug characteristics that contribute to addiction to prescription drugs.

SEC. 1109. REQUIREMENT FOR AFGHAN HEROIN STRATEGY.

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

(b) **CONTENTS.**—The strategy shall include—

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

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

(3) interdiction and precursor chemical controls;

(4) demand reduction and treatment;

(5) alternative development programs;

(6) 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

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

(c) **TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.**—Any content of the strategy that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant Federal agency, would be detrimental to the law enforcement or national security activities of any Federal, foreign, or international agency, shall be presented to Congress separately from the rest of the strategy.

SEC. 1110. REQUIREMENT FOR SOUTHWEST BORDER COUNTER-NARCOTICS STRATEGY. 21 USC 1705
note.

(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, and every 2 years thereafter, the Director of National Drug Control Policy shall submit to the Congress a Southwest Border Counternarcotics Strategy. Deadlines.

(b) **PURPOSES.**—The Southwest Border Counternarcotics Strategy shall—

(1) set forth the Government's strategy for preventing the illegal trafficking of drugs across the international border between the United States and Mexico, including through ports of entry and between ports of entry on that border;

(2) state the specific roles and responsibilities of the relevant National Drug Control Program agencies (as defined in section 702 of the Office of National Drug Control Policy

Reauthorization Act of 1998 (21 U.S.C. 1701)) for implementing that strategy; and

(3) identify the specific resources required to enable the relevant National Drug Control Program agencies to implement that strategy.

(c) **SPECIFIC CONTENT RELATED TO DRUG TUNNELS BETWEEN THE UNITED STATES AND MEXICO.**—The Southwest Border Counternarcotics Strategy shall include—

(1) a strategy to end the construction and use of tunnels and subterranean passages that cross the international border between the United States and Mexico for the purpose of illegal trafficking of drugs across such border; and

(2) recommendations for criminal penalties for persons who construct or use such a tunnel or subterranean passage for such a purpose.

(d) **CONSULTATION WITH OTHER AGENCIES.**—The Director shall issue the Southwest Border Counternarcotics Strategy in consultation with the heads of the relevant National Drug Control Program agencies.

(e) **LIMITATION.**—The Southwest Border Counternarcotics Strategy shall not change existing agency authorities or the laws governing interagency relationships, but may include recommendations about changes to such authorities or laws.

(f) **REPORT TO CONGRESS.**—The Director shall provide a copy of the Southwest Border Counternarcotics Strategy to the appropriate congressional committees (as defined in section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701)), and to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

(g) **TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.**—Any content of the Southwest Border Counternarcotics Strategy that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant National Drug Control Program agency, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or tribal agency, shall be presented to Congress separately from the rest of the strategy.

SEC. 1111. REQUIREMENT FOR SCIENTIFIC STUDY OF MYCOHERBICIDE IN ILLICIT DRUG CROP ERADICATION.

Deadline.
Reports.

(a) **REQUIREMENT.**—Not later than 90 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to the Congress a report that includes a plan to conduct, on an expedited basis, a scientific study of the use of mycoherbicide as a means of illicit drug crop elimination by an appropriate Government scientific research entity, including a complete and thorough scientific peer review. The study shall include an evaluation of the likely human health and environmental impacts of mycoherbicides derived from fungus naturally existing in the soil.

(b) **STUDY.**—The study required by this section shall be conducted in United States territory and not in any foreign country.

SEC. 1112. REQUIREMENT FOR STUDY OF STATE PRECURSOR CHEMICAL CONTROL LAWS.

(a) **STUDY.**—The Director of National Drug Control Policy, in consultation with the National Alliance for Model State Drug Laws, shall conduct a study of State laws with respect to precursor chemical controls.

(b) **REPORT.**—Not later than 6 months after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit a report to Congress on the results of the study under subsection (a), including—

- (1) a comparison of the State laws studied and the effectiveness of each such law; and
- (2) a list of best practices observed with respect to such laws.

SEC. 1113. REQUIREMENT FOR STUDY OF DRUG ENDANGERED CHILDREN PROGRAMS.

(a) **STUDY.**—The Director of National Drug Control Policy shall conduct a study of methamphetamine-related activities that are conducted by different Drug Endangered Children programs administered by States.

(b) **REPORT.**—Not later than 6 months after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress a report on the results of the study under subsection (a). Such report shall include—

- (1) an analysis of the best practices of the activities studied; and
- (2) recommendations for establishing a national policy to address drug endangered children, based on the Drug Endangered Children programs administered by States.

(c) **DEFINITIONS.**—In this section—

- (1) the term “methamphetamine-related activity” means any activity related to the production, use, or effects of methamphetamine; and
- (2) the term “drug endangered children” means children whose physical, mental, or emotional health are at risk because of the production, use, or effects of methamphetamine by another person.

SEC. 1114. STUDY ON DRUG COURT HEARINGS IN NONTRADITIONAL PLACES.

(a) **FINDING.**—Congress finds that encouraging drug courts and schools to enter into partnerships that allow students to see the repercussions of drug abuse by non-violent offenders may serve as a strong deterrent and promote demand reduction.

(b) **STUDY.**—The Director of the Office of National Drug Control Policy shall conduct a study on drug court programs that conduct hearings in nontraditional public places, such as schools. At a minimum, the study shall evaluate similar programs in operation, such as the program operated in the Fourth Judicial District Drug Court, in Washington County, Arkansas.

(c) **REQUIREMENT.**—At the same time the President submits to Congress the National Drug Control Strategy due February 1, 2007, pursuant to section 706 of the Office of National Drug Control Policy Reauthorization Act of 1998, the President shall submit to Congress a report on the study conducted under subsection (b). The report shall include an evaluation of the results of the

Schools.

Arkansas.

Deadline.
Reports.
President.

study and such recommendations as the President considers appropriate.

(d) DEMAND REDUCTION.—In this section, the term “demand reduction” has the meaning provided in section 702(1) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701(1)).

SEC. 1115. REPORT ON TRIBAL GOVERNMENT PARTICIPATION IN HIDTA PROCESS.

(a) REPORT REQUIREMENT.—The Director of the Office of National Drug Control Policy shall prepare a report for Congress on the representation of tribal governments in the High Intensity Drug Trafficking Areas Program and in high intensity drug trafficking areas designated under that Program. The report shall include—

(1) a list of the tribal governments represented in the Program and a description of the participation by such governments in the Program;

(2) an explanation of the rationale for the level of representation by such governments; and

(3) recommendations by the Director for methods for increasing the number of tribal governments represented in the Program.

(b) DEADLINE.—The report prepared under subsection (a) shall be submitted not later than 1 year after the date of the enactment of this Act.

(c) DEFINITION.—In this section, the term “High Intensity Drug Trafficking Areas Program” means the program established under section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706)

SEC. 1116. REPORT ON SCHOOL DRUG TESTING.

(a) REPORT REQUIREMENT.—The Director of National Drug Control Policy shall prepare a report on drug testing in schools. The report shall include a list of secondary schools that have initiated drug testing from among those schools that have attended conferences on drug testing sponsored by the Office of National Drug Control Policy.

(b) DEADLINE.—Not later than 120 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress the report required under subsection (a).

SEC. 1117. REPORT ON ONDCP PERFORMANCE BONUSES.

(a) REPORT REQUIREMENT.—The Director of National Drug Control Policy shall prepare a report on performance bonuses at the Office of National Drug Control Policy. The report shall include a list of employees who received performance bonuses, and the amount of such bonuses, for the period beginning on October 1, 2004, and ending on the date of submission of the report.

(b) DEADLINE.—Not later than 120 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress the report required under subsection (a).

SEC. 1118. REQUIREMENT FOR DISCLOSURE OF FEDERAL SPONSORSHIP OF ALL FEDERAL ADVERTISING OR OTHER COMMUNICATION MATERIALS.

“SEC. 712. REQUIREMENT FOR DISCLOSURE OF FEDERAL SPONSORSHIP OF ALL FEDERAL ADVERTISING OR OTHER COMMUNICATION MATERIALS.

“(a) REQUIREMENT.—Each advertisement or other communication paid for by the Office, either directly or through a contract awarded by the Office, shall include a prominent notice informing the target audience that the advertisement or other communication is paid for by the Office.

Notice.

“(b) ADVERTISEMENT OR OTHER COMMUNICATION.—In this section, the term ‘advertisement or other communication’ includes—

“(1) an advertisement disseminated in any form, including print or by any electronic means; and

“(2) a communication by an individual in any form, including speech, print, or by any electronic means.”.

SEC. 1119. AWARDS FOR DEMONSTRATION PROGRAMS BY LOCAL PARTNERSHIPS TO COERCE ABSTINENCE IN CHRONIC HARD-DRUG USERS UNDER COMMUNITY SUPERVISION THROUGH THE USE OF DRUG TESTING AND SANCTIONS.

At the end of the Act, insert the following:

“SEC. 716. AWARDS FOR DEMONSTRATION PROGRAMS BY LOCAL PARTNERSHIPS TO COERCE ABSTINENCE IN CHRONIC HARD-DRUG USERS UNDER COMMUNITY SUPERVISION THROUGH THE USE OF DRUG TESTING AND SANCTIONS.

21 USC 1714.

“(a) AWARDS REQUIRED.—The Director shall make competitive awards to fund demonstration programs by eligible partnerships for the purpose of reducing the use of illicit drugs by chronic hard-drug users living in the community while under the supervision of the criminal justice system.

“(b) USE OF AWARD AMOUNTS.—Award amounts received under this section shall be used—

“(1) to support the efforts of the agencies, organizations, and researchers included in the eligible partnership;

“(2) to develop and field a drug testing and graduated sanctions program for chronic hard-drug users living in the community under criminal justice supervision; and

“(3) to assist individuals described in subsection (a) by strengthening rehabilitation efforts through such means as job training, drug treatment, or other services.

“(c) ELIGIBLE PARTNERSHIP DEFINED.—In this section, the term ‘eligible partnership’ means a working group whose application to the Director—

“(1) identifies the roles played, and certifies the involvement of, two or more agencies or organizations, which may include—

“(A) State, local, or tribal agencies (such as those carrying out police, probation, prosecution, courts, corrections, parole, or treatment functions);

“(B) Federal agencies (such as the Drug Enforcement Agency, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and United States Attorney offices); and

“(C) community-based organizations;

“(2) includes a qualified researcher;

“(3) includes a plan for using judicial or other criminal justice authority to administer drug tests to individuals described in subsection (a) at least twice a week, and to swiftly

and certainly impose a known set of graduated sanctions for non-compliance with community-release provisions relating to drug abstinence (whether imposed as a pre-trial, probation, or parole condition or otherwise);

“(4) includes a strategy for responding to a range of substance use and abuse problems and a range of criminal histories;

“(5) includes a plan for integrating data infrastructure among the agencies and organizations included in the eligible partnership to enable seamless, real-time tracking of individuals described in subsection (a);

“(6) includes a plan to monitor and measure the progress toward reducing the percentage of the population of individuals described in subsection (a) who, upon being summoned for a drug test, either fail to show up or who test positive for drugs.

“(d) REPORTS TO CONGRESS.—

“(1) INTERIM REPORT.—Not later than June 1, 2009, the Director shall submit to Congress a report that identifies the best practices in reducing the use of illicit drugs by chronic hard-drug users, including the best practices identified through the activities funded under this section.

“(2) FINAL REPORT.—Not later than June 1, 2010, the Director shall submit to Congress a report on the demonstration programs funded under this section, including on the matters specified in paragraph (1).

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$4,900,000 for each of fiscal years 2007 through 2009.”.

SEC. 1120. POLICY RELATING TO SYRINGE EXCHANGE PROGRAMS.

Section 703(a) (21 U.S.C. 1702(a)) is amended by adding at the end the following:

“When developing the national drug control policy, any policy of the Director relating to syringe exchange programs for intravenous drug users shall be based on the best available medical and scientific evidence regarding their effectiveness in promoting individual health and preventing the spread of infectious disease, and their impact on drug addiction and use. In making any policy relating to syringe exchange programs, the Director shall consult

with the National Institutes of Health and the National Academy of Sciences.”.

Approved December 29, 2006.

LEGISLATIVE HISTORY—H.R. 6344 (S. 2560):

CONGRESSIONAL RECORD, Vol. 152 (2006):

Dec. 7, considered and passed House.

Dec. 8, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 42 (2006):

Dec. 29, Presidential statement.



STOP Act (Engrossed Amendment as Agreed to by Senate)

HR 864 EAS

*In the Senate of the United States,
December 6, 2006.*

Resolved, That the bill from the House of Representatives (H.R. 864) entitled 'An Act to provide for programs and activities with respect to the prevention of underage drinking.', do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Sober Truth on Preventing Underage Drinking Act' or the 'STOP Act'.

SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Section 519B of the Public Health Service Act (42 U.S.C. 290bb-25b) is amended by striking subsections (a) through (f) and inserting the following:

“(a) Definitions- For purposes of this section:

“(1) The term 'alcohol beverage industry' means the brewers, vintners, distillers, importers, distributors, and retail or online outlets that sell or serve beer, wine, and distilled spirits.

“(2) The term 'school-based prevention' means programs, which are institutionalized, and run by staff members or school-designated persons or organizations in any grade of school, kindergarten through 12th grade.

“(3) The term 'youth' means persons under the age of 21.

“(4) The term 'IOM report' means the report released in September 2003 by the National Research Council, Institute of Medicine, and entitled 'Reducing Underage Drinking: A Collective Responsibility'.

“(b) Sense of Congress- It is the sense of the Congress that:

“(1) A multi-faceted effort is needed to more successfully address the problem of underage drinking in the United States. A coordinated approach to prevention, intervention, treatment, enforcement, and research is key to making progress. This Act recognizes the need for a focused national effort, and addresses particulars of the Federal portion of that effort, as well as Federal support for State activities.

“(2) The Secretary of Health and Human Services shall continue to conduct research and collect data on the short and long-range impact of alcohol use and abuse upon adolescent brain development and other organ systems.

*`(3) States and communities, including colleges and universities, are encouraged to adopt comprehensive prevention approaches, including--
` (A) evidence-based screening, programs and curricula;
` (B) brief intervention strategies;
` (C) consistent policy enforcement; and
` (D) environmental changes that limit underage access to alcohol.*

`(4) Public health groups, consumer groups, and the alcohol beverage industry should continue and expand evidence-based efforts to prevent and reduce underage drinking.

`(5) The entertainment industries have a powerful impact on youth, and they should use rating systems and marketing codes to reduce the likelihood that underage audiences will be exposed to movies, recordings, or television programs with unsuitable alcohol content.

`(6) The National Collegiate Athletic Association, its member colleges and universities, and athletic conferences should affirm a commitment to a policy of discouraging alcohol use among underage students and other young fans.

`(7) Alcohol is a unique product and should be regulated differently than other products by the States and Federal Government. States have primary authority to regulate alcohol distribution and sale, and the Federal Government should support and supplement these State efforts. States also have a responsibility to fight youth access to alcohol and reduce underage drinking. Continued State regulation and licensing of the manufacture, importation, sale, distribution, transportation and storage of alcoholic beverages are clearly in the public interest and are critical to promoting responsible consumption, preventing illegal access to alcohol by persons under 21 years of age from commercial and non-commercial sources, maintaining industry integrity and an orderly marketplace, and furthering effective State tax collection.

`(c) Interagency Coordinating Committee; Annual Report on State Underage Drinking Prevention and Enforcement Activities-

`(1) INTERAGENCY COORDINATING COMMITTEE ON THE PREVENTION OF UNDERAGE DRINKING-

`(A) IN GENERAL- The Secretary, in collaboration with the Federal officials specified in subparagraph (B), shall formally establish and enhance the efforts of the interagency coordinating committee, that began operating in 2004, focusing on underage drinking (referred to in this subsection as the 'Committee').

`(B) OTHER AGENCIES- The officials referred to in paragraph (1) are the Secretary of Education, the Attorney General, the Secretary of Transportation, the Secretary of the Treasury, the Secretary of Defense, the Surgeon General, the Director of the Centers for Disease Control and Prevention, the Director of the National Institute on Alcohol Abuse and Alcoholism, the Administrator of the Substance Abuse and Mental Health Services Administration, the Director of the National Institute on Drug

Abuse, the Assistant Secretary for Children and Families, the Director of the Office of National Drug Control Policy, the Administrator of the National Highway Traffic Safety Administration, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Chairman of the Federal Trade Commission, and such other Federal officials as the Secretary of Health and Human Services determines to be appropriate.

`(C) CHAIR- The Secretary of Health and Human Services shall serve as the chair of the Committee.

`(D) DUTIES- The Committee shall guide policy and program development across the Federal Government with respect to underage drinking, provided, however, that nothing in this section shall be construed as transferring regulatory or program authority from an Agency to the Coordinating Committee.

`(E) CONSULTATIONS- The Committee shall actively seek the input of and shall consult with all appropriate and interested parties, including States, public health research and interest groups, foundations, and alcohol beverage industry trade associations and companies.

`(F) ANNUAL REPORT-

`(i) IN GENERAL- The Secretary, on behalf of the Committee, shall annually submit to the Congress a report that summarizes--

`(I) all programs and policies of Federal agencies designed to prevent and reduce underage drinking;

`(II) the extent of progress in preventing and reducing underage drinking nationally;

`(III) data that the Secretary shall collect with respect to the information specified in clause (ii); and

`(IV) such other information regarding underage drinking as the Secretary determines to be appropriate.

`(ii) CERTAIN INFORMATION- The report under clause (i) shall include information on the following:

`(I) Patterns and consequences of underage drinking as reported in research and surveys such as, but not limited to Monitoring the Future, Youth Risk Behavior Surveillance System, the National Survey on Drug Use and Health, and the Fatality Analysis Reporting System.

`(II) Measures of the availability of alcohol from commercial and non-commercial sources to underage populations.

`(III) Measures of the exposure of underage populations to messages regarding alcohol in

advertising and the entertainment media as reported by the Federal Trade Commission.

`(IV) Surveillance data, including information on the onset and prevalence of underage drinking, consumption patterns and the means of underage access. The Secretary shall develop a plan to improve the collection, measurement and consistency of reporting Federal underage alcohol data.

`(V) Any additional findings resulting from research conducted or supported under subsection (f).

`(VI) Evidence-based best practices to prevent and reduce underage drinking and provide treatment services to those youth who need them.

`(2) ANNUAL REPORT ON STATE UNDERAGE DRINKING PREVENTION AND ENFORCEMENT ACTIVITIES-

`(A) IN GENERAL- The Secretary shall, with input and collaboration from other appropriate Federal agencies, States, Indian tribes, territories, and public health, consumer, and alcohol beverage industry groups, annually issue a report on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

`(B) STATE PERFORMANCE MEASURES-

`(i) IN GENERAL- The Secretary shall develop, in consultation with the Committee, a set of measures to be used in preparing the report on best practices.

`(ii) CATEGORIES- In developing these measures, the Secretary shall consider categories including, but not limited to:

`(I) Whether or not the State has comprehensive anti-underage drinking laws such as for the illegal sale, purchase, attempt to purchase, consumption, or possession of alcohol; illegal use of fraudulent ID; illegal furnishing or obtaining of alcohol for an individual under 21 years; the degree of strictness of the penalties for such offenses; and the prevalence of the enforcement of each of these infractions.

`(II) Whether or not the State has comprehensive liability statutes pertaining to underage access to alcohol such as dram shop, social host, and house party laws, and the prevalence of enforcement of each of these laws.

`(III) Whether or not the State encourages and conducts comprehensive enforcement efforts to prevent underage access to alcohol at retail outlets,

such as random compliance checks and shoulder tap programs, and the number of compliance checks within alcohol retail outlets measured against the number of total alcohol retail outlets in each State, and the result of such checks.

`(IV) Whether or not the State encourages training on the proper selling and serving of alcohol for all sellers and servers of alcohol as a condition of employment.

`(V) Whether or not the State has policies and regulations with regard to direct sales to consumers and home delivery of alcoholic beverages.

`(VI) Whether or not the State has programs or laws to deter adults from purchasing alcohol for minors; and the number of adults targeted by these programs.

`(VII) Whether or not the State has programs targeted to youths, parents, and caregivers to deter underage drinking; and the number of individuals served by these programs.

`(VIII) Whether or not the State has enacted graduated drivers licenses and the extent of those provisions.

`(IX) The amount that the State invests, per youth capita, on the prevention of underage drinking, further broken down by the amount spent on--

`(aa) compliance check programs in retail outlets, including providing technology to prevent and detect the use of false identification by minors to make alcohol purchases;

`(bb) checkpoints and saturation patrols that include the goal of reducing and deterring underage drinking;

`(cc) community-based, school-based, and higher-education-based programs to prevent underage drinking;

`(dd) underage drinking prevention programs that target youth within the juvenile justice and child welfare systems; and

`(ee) other State efforts or programs as deemed appropriate.

`(3) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to carry out this subsection \$1,000,000 for fiscal year 2007, and \$1,000,000 for each of the fiscal years 2008 through 2010.

`(d) National Media Campaign To Prevent Underage Drinking-

`(1) SCOPE OF THE CAMPAIGN- The Secretary shall continue to fund and oversee the production, broadcasting, and evaluation of the national adult-oriented media public service campaign if the Secretary determines that such campaign is effective in achieving the media campaign's measurable objectives.

`(2) REPORT- The Secretary shall provide a report to the Congress annually detailing the production, broadcasting, and evaluation of the campaign referred to in paragraph (1), and to detail in the report the effectiveness of the campaign in reducing underage drinking, the need for and likely effectiveness of an expanded adult-oriented media campaign, and the feasibility and the likely effectiveness of a national youth-focused media campaign to combat underage drinking.

`(3) CONSULTATION REQUIREMENT- In carrying out the media campaign, the Secretary shall direct the entity carrying out the national adult-oriented media public service campaign to consult with interested parties including both the alcohol beverage industry and public health and consumer groups. The progress of this consultative process is to be covered in the report under paragraph (2).

`(4) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to carry out this subsection, \$1,000,000 for fiscal year 2007 and \$1,000,000 for each of the fiscal years 2008 through 2010.

^(e) Interventions-

^(1) COMMUNITY-BASED COALITION ENHANCEMENT GRANTS TO PREVENT UNDERAGE DRINKING-

^(A) AUTHORIZATION OF PROGRAM- The Administrator of the Substance Abuse and Mental Health Services Administration, in consultation with the Director of the Office of National Drug Control Policy, shall award, if the Administrator determines that the Department of Health and Human Services is not currently conducting activities that duplicate activities of the type described in this subsection, 'enhancement grants' to eligible entities to design, test, evaluate and disseminate effective strategies to maximize the effectiveness of community-wide approaches to preventing and reducing underage drinking. This subsection is subject to the availability of appropriations.

^(B) PURPOSES- The purposes of this paragraph are to--

^(i) prevent and reduce alcohol use among youth in communities throughout the United States;

^(ii) strengthen collaboration among communities, the Federal Government, and State, local, and tribal governments;

^(iii) enhance intergovernmental cooperation and coordination on the issue of alcohol use among youth;

^(iv) serve as a catalyst for increased citizen participation and greater collaboration among all sectors and organizations of a community that first demonstrates a

long-term commitment to reducing alcohol use among youth;

`(v) disseminate to communities timely information regarding state-of-the-art practices and initiatives that have proven to be effective in preventing and reducing alcohol use among youth; and

`(vi) enhance, not supplant, effective local community initiatives for preventing and reducing alcohol use among youth.

`(C) APPLICATION- An eligible entity desiring an enhancement grant under this paragraph shall submit an application to the Administrator at such time, and in such manner, and accompanied by such information as the Administrator may require. Each application shall include--

`(i) a complete description of the entity's current underage alcohol use prevention initiatives and how the grant will appropriately enhance the focus on underage drinking issues; or

`(ii) a complete description of the entity's current initiatives, and how it will use this grant to enhance those initiatives by adding a focus on underage drinking prevention.

`(D) USES OF FUNDS- Each eligible entity that receives a grant under this paragraph shall use the grant funds to carry out the activities described in such entity's application submitted pursuant to subparagraph (C). Grants under this paragraph shall not exceed \$50,000 per year and may not exceed four years.

`(E) SUPPLEMENT NOT SUPPLANT- Grant funds provided under this paragraph shall be used to supplement, not supplant, Federal and non-Federal funds available for carrying out the activities described in this paragraph.

`(F) EVALUATION- Grants under this paragraph shall be subject to the same evaluation requirements and procedures as the evaluation requirements and procedures imposed on recipients of drug free community grants.

`(G) DEFINITIONS- For purposes of this paragraph, the term 'eligible entity' means an organization that is currently receiving or has received grant funds under the Drug-Free Communities Act of 1997 (21 U.S.C. 1521 et seq.).

`(H) ADMINISTRATIVE EXPENSES- Not more than 6 percent of a grant under this paragraph may be expended for administrative expenses.

`(I) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to carry out this paragraph \$5,000,000 for fiscal year 2007, and \$5,000,000 for each of the fiscal years 2008 through 2010.

*`(2) GRANTS DIRECTED AT PREVENTING AND REDUCING
ALCOHOL ABUSE AT INSTITUTIONS OF HIGHER EDUCATION-*

`(A) AUTHORIZATION OF PROGRAM- The Secretary shall award grants to eligible entities to enable the entities to prevent and reduce the rate of underage alcohol consumption including binge drinking among students at institutions of higher education.

`(B) APPLICATIONS- An eligible entity that desires to receive a grant under this paragraph shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall include--

`(i) a description of how the eligible entity will work to enhance an existing, or where none exists to build a, statewide coalition;

`(ii) a description of how the eligible entity will target underage students in the State;

`(iii) a description of how the eligible entity intends to ensure that the statewide coalition is actually implementing the purpose of this section and moving toward indicators described in subparagraph (D);

`(iv) a list of the members of the statewide coalition or interested parties involved in the work of the eligible entity;

`(v) a description of how the eligible entity intends to work with State agencies on substance abuse prevention and education;

`(vi) the anticipated impact of funds provided under this paragraph in preventing and reducing the rates of underage alcohol use;

`(vii) outreach strategies, including ways in which the eligible entity proposes to--

`(I) reach out to students and community stakeholders;

`(II) promote the purpose of this paragraph;

`(III) address the range of needs of the students and the surrounding communities; and

`(IV) address community norms for underage students regarding alcohol use; and

`(viii) such additional information as required by the Secretary.

`(C) USES OF FUNDS- Each eligible entity that receives a grant under this paragraph shall use the grant funds to carry out the activities described in such entity's application submitted pursuant to subparagraph (B).

`(D) ACCOUNTABILITY- On the date on which the Secretary first publishes a notice in the Federal Register soliciting applications for grants under this paragraph, the Secretary shall include in the

notice achievement indicators for the program authorized under this paragraph. The achievement indicators shall be designed--

- `(i) to measure the impact that the statewide coalitions assisted under this paragraph are having on the institutions of higher education and the surrounding communities, including changes in the number of incidents of any kind in which students have abused alcohol or consumed alcohol while under the age of 21 (including violations, physical assaults, sexual assaults, reports of intimidation, disruptions of school functions, disruptions of student studies, mental health referrals, illnesses, or deaths);*
- `(ii) to measure the quality and accessibility of the programs or information offered by the eligible entity; and*
- `(iii) to provide such other measures of program impact as the Secretary determines appropriate.*

`(E) SUPPLEMENT NOT SUPPLANT- Grant funds provided under this paragraph shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this paragraph.

`(F) DEFINITIONS- For purposes of this paragraph:

- `(i) ELIGIBLE ENTITY- The term 'eligible entity' means a State, institution of higher education, or nonprofit entity.*
- `(ii) INSTITUTION OF HIGHER EDUCATION- The term 'institution of higher education' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).*
- `(iii) SECRETARY- The term 'Secretary' means the Secretary of Education.*
- `(iv) STATE- The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.*
- `(v) STATEWIDE COALITION- The term 'statewide coalition' means a coalition that--*

`(I) includes, but is not limited to--

`(aa) institutions of higher education within a State; and

`(bb) a nonprofit group, a community underage drinking prevention coalition, or another substance abuse prevention group within a State; and

`(II) works toward lowering the alcohol abuse rate by targeting underage students at institutions of higher education throughout the State and in the surrounding communities.

`(vi) SURROUNDING COMMUNITY- The term 'surrounding community' means the community--

*`(I) that surrounds an institution of higher education participating in a statewide coalition;
` (II) where the students from the institution of higher education take part in the community; and
` (III) where students from the institution of higher education live in off-campus housing.*

`(G) ADMINISTRATIVE EXPENSES- Not more than 5 percent of a grant under this paragraph may be expended for administrative expenses.

`(H) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to carry out this paragraph \$5,000,000 for fiscal year 2007, and \$5,000,000 for each of the fiscal years 2008 through 2010.

`(f) Additional Research-

`(1) ADDITIONAL RESEARCH ON UNDERAGE DRINKING-

`(A) IN GENERAL- The Secretary shall, subject to the availability of appropriations, collect data, and conduct or support research that is not duplicative of research currently being conducted or supported by the Department of Health and Human Services, on underage drinking, with respect to the following:

`(i) Comprehensive community-based programs or strategies and statewide systems to prevent and reduce underage drinking, across the underage years from early childhood to age 21, including programs funded and implemented by government entities, public health interest groups and foundations, and alcohol beverage companies and trade associations.

`(ii) Annually obtain and report more precise information than is currently collected on the scope of the underage drinking problem and patterns of underage alcohol consumption, including improved knowledge about the problem and progress in preventing, reducing and treating underage drinking; as well as information on the rate of exposure of youth to advertising and other media messages encouraging and discouraging alcohol consumption.

`(iii) Compiling information on the involvement of alcohol in unnatural deaths of persons ages 12 to 20 in the United States, including suicides, homicides, and unintentional injuries such as falls, drownings, burns, poisonings, and motor vehicle crash deaths.

`(B) CERTAIN MATTERS- The Secretary shall carry out activities toward the following objectives with respect to underage drinking:

`(i) Obtaining new epidemiological data within the national or targeted surveys that identify alcohol use and attitudes about alcohol use during pre- and early adolescence, including harm caused to self or others as a result of

adolescent alcohol use such as violence, date rape, risky sexual behavior, and prenatal alcohol exposure.

“(ii) Developing or identifying successful clinical treatments for youth with alcohol problems.

“(C) PEER REVIEW- Research under subparagraph (A) shall meet current Federal standards for scientific peer review.

“(2) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to carry out this subsection \$6,000,000 for fiscal year 2007, and \$6,000,000 for each of the fiscal years 2008 through 2010.”.

Attest:

Secretary.

109th CONGRESS
2d Session
H. R. 864
AMENDMENT