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S. 1860

To reauthorize the Office of National Drug Control Policy.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14 (legislative day, NOVEMBER 12), 2003

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

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A BILL

To reauthorize the Office of National Drug Control Policy.

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 2003''.

(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.

TITLE II—THE NATIONAL DRUG CONTROL STRATEGY

Sec. 201. Annual preparation and submission of national drug control strategy.
Sec. 202. Performance measurements.

TITLE III—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM AND COUNTER-DRUG TECHNOLOGY ASSESSMENT CENTER

Sec. 301. Purpose of high intensity drug trafficking areas program.
Sec. 302. Designation of HIDTAs and evaluation of HIDTA performance.
Sec. 303. Organization of HIDTAs.
Sec. 304. HIDTA funding.
Sec. 305. Assessment of task forces in HIDTA areas.
Sec. 306. Funding for certain HIDTA areas.
Sec. 307. Report on intelligence sharing.
Sec. 308. Counter-Drug Technology Assessment Center.

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

Sec. 401. Short title.
Sec. 402. Purposes of the national anti-drug media campaign.
Sec. 403. Roles and responsibilities of the Director, the Partnership for a Drug-Free America, and a media buying contractor.
Sec. 404. Responsible use of Federal funds for the national anti-drug media campaign.
Sec. 405. GAO audit of national media campaign.
Sec. 406. Authorization for national media campaign.

TITLE V—AUTHORIZATIONS AND EXTENSION OF TERMINATION DATE

Sec. 501. Authorization of appropriations.
Sec. 502. Extension of termination date.

TITLE VI—DESIGNATION OF UNITED STATES ANTI-DOPING AGENCY

Sec. 601. Designation of United States Anti-Doping Agency.
Sec. 602. Authorization of appropriations.

TITLE VII—DRUG EDUCATION, PREVENTION, AND TREATMENT

Sec. 701. Expansion of substance abuse education and prevention efforts.
Sec. 702. Funding for rural States and economically depressed communities.
Sec. 703. Residential treatment programs for juveniles.
Sec. 704. Drug treatment alternative to prison programs administered by State or local prosecutors.
Sec. 705. Funding for residential treatment centers for women and children.

TITLE VIII—ANABOLIC STEROID CONTROL ACT OF 2003

Sec. 801. Short title.
Sec. 802. Amendments to the Controlled Substances Act.
Sec. 803. Sentencing Commission guidelines.
Sec. 804. Prevention and education programs.
Sec. 805. National survey on drug use and health.

TITLE IX—NATIONAL GUARD COUNTER-DRUG SCHOOLS

Sec. 901. National Guard counter-drug schools.

TITLE X—MISCELLANEOUS PROVISIONS

Sec. 1001. Repeals.
Sec. 1002. Amendment to the Higher Education Act of 1965.
Sec. 1003. Controlled Substances Act amendment.
Sec. 1004. Exportation of narcotic and nonnarcotic drugs.
Sec. 1005. Study of work place environment at ONDCP.
Sec. 1006. Requirement for Latin American heroin strategy.

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—

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

(2) in subparagraph (G), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(H) international drug abuse education, prevention, treatment, research, rehabilitation activities, and interventions for drug abuse and dependence.".

(b) OFFICE.—Section 702(9) is amended by striking "implicates" and inserting "indicates".

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

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

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

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

"(C) coordination and enhancement of Federal, State, and local law enforcement initia-

tives to gather, analyze, and disseminate information and intelligence among law enforcement agencies; and

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

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

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

"(A) 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;

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

"(C) 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.".

(e) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—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.".

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

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

"(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;

"(4) evaluate the effectiveness of National Drug Control Program agencies' programs; and

"(5) develop specific goals and performance measurements needed to assess the effectiveness of—

"(A) the national drug control policy; and

"(B) the programs of the National Drug Control Program agencies.".

(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').

"(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 and Local Affairs.

"(B) REPORTING.—The Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, the Deputy Director for State and Local Affairs, and the Chief Scientist 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—

"(i) in subparagraphs (A) through (H) of section 702(l); and

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

"(D) DEPUTY DIRECTOR FOR SUPPLY REDUCTION.—The Deputy Director for Supply

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

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

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

"(ii) in section 707, the High Intensity Drug Trafficking Areas Program.".

SEC. 103. APPOINTMENT AND RESPONSIBILITIES OF THE DIRECTOR.

(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(d);'';

(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—

"(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 and local 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; and

"(19) shall submit an annual report to Congress detailing how the Office of National Drug Control Policy has consulted with and assisted State

and local governments with respect to the formulation and implementation of the National Drug Control Strategy and other relevant issues.''.

(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)—

(A) by inserting ''notwithstanding any other provision of law,'' after ''(9)''; and

(B) 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

(2) in paragraph (10), by inserting before the period the following: ''and section 706 of the De-

partment 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) UNITED STATES INTERDICTION COORDINATOR.—

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

''(i) UNITED STATES INTERDICTION COORDINATOR.—

''(1) IN GENERAL.—There shall be a United States Interdiction Coordinator, who shall be designated by the Director and who shall be responsible for the coordination of interdiction operations among

National Drug Control Program agencies to prevent and reduce the illegal importation of drugs into the United States.

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

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

"(B) developing a National Drug Control Interdiction plan consistent with the National Drug Control Strategy;

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

"(D) advising the Director on the efforts of each National Drug Control Program agency to implement the National Drug Control Interdiction plan.".

(2) AMENDMENT TO HOMELAND SECURITY ACT OF 2002.—Section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458) is amended by striking "shall—" through paragraph (2) and inserting

"shall ensure the adequacy of resources within the Department for illicit drug interdiction.".

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

Section 705 is amended—

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

(2) 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 seizing drugs, as well as statistical information on the geographic areas of such seizures; and

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

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

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

TITLE II—THE NATIONAL DRUG CONTROL STRATEGY

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

Section 706 is amended to read as follows:

"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 1st 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 drug abuse and the consequences of such drug abuse in the United States by limiting the availability of, and reducing the demand for, illegal drugs.

"(2) CONTENTS.—

"(A) IN GENERAL.—The National Drug Control Strategy submitted under paragraph (1) shall include—

"(i) comprehensive, research-based, long range, quantifiable goals for reducing drug abuse and the consequences of drug abuse 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) 5-year projections 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 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 Counter-Drug Technology Assess-

ment Center to reduce the availability and abuse of drugs; and

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

"(I) screening chemicals for 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.

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

that involves 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.

"(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 and local officials;

"(iv) private citizens and 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 and local 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 Central 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:

"(c) PERFORMANCE MEASUREMENT SYSTEM.—Not later than February 1st 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 annual 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 casual drug use population, the addicted drug user population, and groups that are at risk for 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 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).".

TITLE III—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM AND COUNTER-DRUG TECHNOLOGY ASSESSMENT CENTER

SEC. 301. PURPOSE OF HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM.

Section 707(a) is amended—

(1) by striking "There is" and inserting the following:

"(1) IN GENERAL.—There is"; and

(2) by adding at the end the following:

"(2) PURPOSE.—The purpose of the High Intensity Drug Trafficking Areas program is to reduce

drug trafficking and drug production in designated areas in the United States by—

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

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

"(C) providing reliable 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 HIDTA designated areas.".

SEC. 302. DESIGNATION OF HIDTAS AND EVALUATION OF HIDTA PERFORMANCE.

(a) CONSULTATION.—Section 707(b) is amended by striking "Secretary of the Treasury," and inserting "the Secretary of Homeland Security,".

(b) FACTORS FOR CONSIDERATION.—Section 707(c) is amended—

(1) in paragraph (1), by inserting "significant" before "center"; and

(2) by striking paragraph (3) and inserting the following:

"(3) drug-related production, manufacturing, importation, or distribution in the area is having a significant harmful local or regional impact; and".

(c) EVALUATION OF HIDTA PERFORMANCE.—Section 707 is amended by adding at the end the following:

"(e) EVALUATION.—

"(1) INITIAL REPORT.—Not later than 90 days after enactment of the Office of National Drug Control Policy Reauthorization Act of 2003, the Director shall, after consulting with the Executive Boards of each designated HIDTA, submit a report to Congress which describes, for each designated HIDTA—

"(A) the specific purposes for the HIDTA;

"(B) the specific long-term and short-term goals and objectives for the HIDTA;

"(C) the measurements which will be used to evaluate the performance of the HIDTA in achieving the long-term and short-term goals; and

"(D) the reporting requirements needed to evaluate the performance of the HIDTA in achieving the long-term and short-term goals.

"(2) EVALUATION OF HIDTA PROGRAM AS PART OF NATIONAL DRUG CONTROL STRATEGY.—For each designated HIDTA, the Director shall submit, as part of the annual National Drug Control Strategy, a report that—

"(A) describes—

"(i) the specific purposes for the HIDTA; and

"(ii) the specific long-term and short-term goals and objectives for the HIDTA; and

"(B) includes an evaluation of the performance of the each HIDTA in accomplishing the specific long-term and short-term goals and objectives identified under paragraph (1)(B).".

SEC. 303. ORGANIZATION OF HIDTAS.

Section 707 is amended by adding at the end the following:

"(f) ORGANIZATION OF HIDTAS.—

"(1) EXECUTIVE BOARD AND OFFICERS.—Each HIDTA shall be governed by an Executive Board. The Executive Board shall designate a President, Vice President, and any other officers to the Board that it determines is necessary.

"(2) MEMBERSHIP.—The membership of the Board shall consist of—

"(A) an equal number of representatives from—

"(i) Federal law enforcement; and

"(ii) State and local law enforcement; and

"(B) any other representative the Board determines would be appropriate.

"(3) RESPONSIBILITIES.—The Executive Board shall be responsible for—

"(A) taking all necessary actions to ensure that the mission of the HIDTA is achieved;

"(B) managing the HIDTA;

"(C) reviewing and approving all funding proposals consistent with the overall objective of the HIDTA; and

"(D) preparing and reviewing all reports to the Director on the HIDTA's activities.".

SEC. 304. HIDTA FUNDING.

Section 707 is amended by adding at the end the following:

"(g) FUNDING.—

"(1) APPROPRIATIONS.—There are authorized to be appropriated for funding activities of high intensity drug trafficking areas under this section—

"(A) $280,000,000 for fiscal year 2004;

"(B) $290,000,000 for fiscal years 2005 and 2006; and

"(C) $300,000,000 for fiscal years 2007 and 2008.

"(2) 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 the following:

"(A) The amount requested for each HIDTA with supporting narrative descriptions and rationale for each request.

"(B) A detailed justification for each funding request which explains the reasons for the requested funding level, how such funding level was determined based on a current assessment of the drug trafficking threat in each HIDTA, and how such funding will ensure that the goals and objectives of each HIDTA will be achieved.

"(3) EMERGING THREAT RESPONSE FUND.—The Director may request not more than 10 percent

above the total requested funding for all HIDTAs for discretionary grants. Such funds may be used to respond to any emerging drug trafficking threat in an existing HIDTA, or to establish a new high intensity trafficking area in accordance with the provisions outlined in this Act.''.

SEC. 305. ASSESSMENT OF TASK FORCES IN HIDTA AREAS.

Not later than 180 days after the date of enactment of this Act, the Director shall submit to Congress a report—

(1) assessing the number and operation of all task forces within each HIDTA; and

(2) describing—

(A) each Federal, State, and/or local task force operating in the HIDTA;

(B) how the task forces coordinate with each other, with any HIDTA task force, and with Organized Crime and Drug Enforcement Task Force investigations;

(C) what steps, if any, each task force takes to share information with other task forces in the HIDTA area;

(D) the role of the HIDTA in coordinating the sharing of such information among task forces;

(E) the nature and extent of cooperation by each Federal, State, and local participant in ensuring that information is shared among law enforcement agencies and with the HIDTA;

(F) the nature and extent to which such information and enforcement activities are coordinated with Joint Terrorism Task Forces in the HIDTA 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 HIDTA areas.

SEC. 306. 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 of 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 counter-narcotics 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 Federal, State, and local 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 Federal, State, and local law enforcement efforts to combat illegal drug trafficking.

(c) FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.—Section 707(h) (21 U.S.C. 1706) is amended by adding at the end the following:

"(6) SPECIFIC PURPOSES.—

"(A) IN GENERAL.—The Director shall ensure that, of the amounts appropriated for a fiscal year for the Program, at least $1,000,000 is used in high intensity drug trafficking areas with severe neighborhood safety and illegal drug distribution problems.

"(B) REQUIRED USES.—The funds used under subparagraph (A) shall be used—

"(i) 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

"(ii) 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. 307. REPORT ON 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 intelligence systems used by Federal, State, and local law enforcement agencies responsible for drug trafficking and drug production enforcement; and

(2) addressing—

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

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

(C) the extent to which Federal, State, and local law enforcement are sharing 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 intelligence systems operated by Federal, State, and local law enforcement agencies responsible for drug trafficking and drug production enforcement.

SEC. 308. COUNTER-DRUG TECHNOLOGY ASSESSMENT CENTER.

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

''(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 Chief Scientist shall be responsible to the Director for—

"(1) identifying and defining the short-, medium-, and long-term scientific and technological needs of Federal, State, and local 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) identifying 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 through interagency agreements or grants, examining addiction and rehabilitation research and the application of technology to expanding the effectiveness of availability of drug treatment;

"(3) making a priority ranking of such needs identified in paragraphs (1) and (2) according to fiscal and technological feasibility, as part of a National Counter-Drug Research and Development Program;

"(4) overseeing and coordinating counter-drug technology initiatives with related activities of other Federal civilian and military departments;

"(5) providing support to the development and implementation of the national drug control performance measurement system established under subsection (c) of section 706; and

"(6) transferring funds made available to a National Drug Control Program agency for counter-drug technology research and development to an-

other account within such agency or to another National Drug Control Program agency for counterdrug technology research and development, pursuant to the authority of the Director under section 704.

''(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 and local law enforcement agencies, shall be responsible to the

Director for coordination and implementation of a counter-drug 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 and local 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 counter-drug 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 counter-drug and homeland security applications to State and local 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 ap-

propriate congressional committees which addresses the following:

"(A) The number of requests received during the previous 12 months.

"(B) The number of requests fulfilled during the previous 12 months.

"(C) A summary of the criteria used in making the determination on what requests were funded and what requests were not funded.

"(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.".

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

SEC. 401. SHORT TITLE.

This title may be cited as the ''National Youth Anti-Drug Media Campaign Reauthorization Act of 2003''.

SEC. 402. PURPOSES OF THE NATIONAL ANTI-DRUG MEDIA CAMPAIGN.

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

(1) in section 101, by striking ''Drug-Free Media Campaign Act of 1998'' and inserting ''National Youth Anti-Drug Media Campaign Act''; and

(2) in section 102—

(A) in subsection (a), by striking ''national media campaign'' and all that follows through the period and inserting the following: ''national youth anti-drug media campaign (referred to in this subtitle as the 'national media campaign') in accordance with this subtitle 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."; and

(B) in subsection (b), by striking "105" and inserting "106".

SEC. 403. ROLES AND RESPONSIBILITIES OF THE DIRECTOR, THE PARTNERSHIP FOR A DRUG-FREE AMERICA, AND A MEDIA BUYING CONTRACTOR.

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

(1) by adding at the end the following:

"(c) 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 section 102(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 that address 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 section 103(c);

"(II) 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 and approved by the Partnership for a Drug-Free America; and

"(III) any other advertisements that the Partnership for a Drug-Free America determines it is unable to provide;

"(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 service or material, or conduct any function or activity which can be provided by the Partnership for a Drug Free America"; and

(2) in section 103—

(A) in subparagraph (A), by inserting ", including the strategic planning for, and accounting of, such purchases" after "space";

(B) in subparagraph (C), by striking "out-of-pocket"; and

(C) in subparagraph (F), by striking ''the Office of National Drug Control Policy'' and inserting ''either the Office of National Drug Control Policy or the designee of the Office''.

SEC. 404. RESPONSIBLE USE OF FEDERAL FUNDS FOR THE NATIONAL ANTI-DRUG MEDIA CAMPAIGN.

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

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

''(2) ADVERTISING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), in carrying out this subtitle, the Director shall ensure that sufficient funds are allocated to meet the stated goals of the national media campaign.

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

''(i) the advertisements are 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);

"(ii) the Partnership for a Drug-Free America is unable to provide such advertisements; and

"(iii) the Director receives prior approval from the appropriate congressional committees.";

(2) in subsection (b), by striking "105" and inserting "106";

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

"(c) MATCHING REQUIREMENT.—

"(1) NO COST MATCH.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made available for the national media campaign under section 106 shall be used to require a no cost match of equivalent value of advertising broadcast time, print space, or in-kind contributions to the national media campaign, prior to the Director executing a contract for the purchase of any advertising time or space for the national media campaign.

"(B) EXCEPTION.—The Director shall ensure that all no cost matches of advertising material, time, space, or in-kind contributions pro-

vided pursuant to subparagraph (A) directly relate to substance abuse prevention and specifically promote the specific purposes set forth in section 102(a).

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

(4) by adding at the end the following:

"(d) RESPONSIBLE USE OF FEDERAL FUNDS.—

"(1) IN GENERAL.—The Director shall ensure that—

"(A) for each fiscal year, not less than 85 percent of the amounts appropriated under this subtitle shall be used for the purchase of advertising time and space for the national media campaign;

"(B) no Federal funds are used to pay any entity for any activity or service that duplicates, in whole or in part, any material, function, activity, or service provided by the Partnership for a Drug-Free America;

"(C) no more than $5,000,000 is used in each fiscal year to develop advertising material pursuant to subsection (a)(2)(B)(ii); and

"(D) a corporation, partnership, or individual, shall not be considered a bidder for a contract under this subtitle if such corporation, partnership, or individual has, within the previous 10-year period, in connection with the national media campaign—

"(i) been convicted of any Federal criminal offense;

"(ii) been subject to any Federal civil judgment or penalty in a civil proceeding instituted by the United States; or

"(iii) settled any Federal civil proceeding or potential proceeding instituted by the United States.

"(2) NEW CONTRACT.—Notwithstanding any other provision of law, if a corporation, partnership, or individual does not qualify for consideration under paragraph (1)(B), then not later than 90 days after the date of enactment of the National Youth Anti-Drug Media Campaign Reauthorization Act of 2003, the Director shall—

"(A) terminate any existing contract prior to the expiration; or

"(B) prior to exercising any option to extend or to renew any contract that is in effect on the date of introduction of the National Youth Anti-Drug Media Campaign Reauthorization Act of 2003, publish a notice of solicitation of bids for a new contract for the purchase of advertising time and space, provided that termination of the existing contract and any solicitation of a new contract shall be carried out in a manner to ensure that the national media campaign is not interrupted until the execution of the new contract.

"(3) CONGRESSIONAL NOTIFICATION.—Prior to entering into a contract for the purchase of advertising time and space in accordance with this subsection, the Director shall notify appropriate congressional committees.";

(5) by striking section 104 and inserting the following:

"SEC. 104. FINANCIAL AND PERFORMANCE ACCOUNTABILITY.

"The Director shall—

"(1) carry out (through the Defense Contract Audit Agency or an independent auditor) an examination of records as described in section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d) and an audit of the costs described in section 306 of that Act (41 U.S.C. 256);

"(2) annually evaluate the effectiveness of the national media campaign based on—

"(A) the 'Monitoring the Future Study' published by the Department of Health and Human Services;

"(B) the Attitude Tracking Study published by the Partnership for a Drug-Free America; and

"(C) other relevant studies or publications, as determined by the Director, including tracking and evaluation data collected according to marketing and advertising industry standards; and

"(3) submit a report to Congress in accordance with section 105, including the evaluation referred to in paragraph (2)."; and

(6) by striking section 105 and inserting the following:

"SEC. 105. REPORT TO CONGRESS.

''The Director shall annually 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 this subtitle;

''(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 re-

lated to the campaign in accordance with this subtitle; and

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

SEC. 405. GAO AUDIT OF NATIONAL MEDIA CAMPAIGN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the General Accounting Office shall report to Congress on the national media campaign.

(b) CONTENTS.—The report described in subsection (a) shall include information an assessment of—

(1) the strategy, objectives and policies and practices of the campaign;

(2) the Office's management and strategic focus on the campaign;

(3) the steps taken to ensure that the campaign operates effectively and minimizes the potential for waste, fraud, and abuse.

(4) the roles of the Office, the Partnership for a Drug Free America, and the Media Buying Contractor, and the coordination of their efforts;

(5) the existence, if any, of any duplication of roles and responsibilities between the Partnership

for a Drug Free America and the Media Buying Contractor;

(6) the policies and practices for supervising contractors who assist in the national media campaign;

(7) the manner in which advertising time and space and no-cost matches are obtained;

(8) the coordination of the national media campaign among different media outlets; and

(9) potential reforms to the management and operation of the national media campaign to ensure that the campaign operates effectively and efficiently.

SEC. 406. AUTHORIZATION FOR NATIONAL MEDIA CAMPAIGN.

The Drug-Free Media Campaign Act of 1998 (21 U.S.C. 1801 et seq) is amended by adding at the end the following:

"SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this subtitle, $195,000,000 for each of the fiscal years 2004 through 2008.''.

TITLE V—AUTHORIZATIONS AND EXTENSION OF TERMINATION DATE

SEC. 501. 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 ''2004 through 2008''.

SEC. 502. 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, 2008, this title and the amendments made to this title''.

TITLE VI—DESIGNATION OF UNITED STATES ANTI-DOPING AGENCY

SEC. 601. DESIGNATION OF UNITED STATES ANTI-DOPING AGENCY.

(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)).

(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;

(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; and

(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 by United States amateur athletes.

SEC. 602. AUTHORIZATION OF APPROPRIATIONS.

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

(1) for fiscal year 2004, $7,200,000;

(2) for fiscal year 2005, $9,200,000;

(3) for fiscal year 2006, $9,500,000;

(4) for fiscal year 2007, $9,900,000; and

(5) for fiscal year 2008, $10,500,000.

TITLE VII—DRUG EDUCATION, PREVENTION, AND TREATMENT

SEC. 701. EXPANSION OF SUBSTANCE ABUSE EDUCATION AND PREVENTION EFFORTS.

(a) EXPANSION OF EFFORTS.—Section 515 of the Public Health Service Act (42 U.S.C. 290bb–21) is amended by adding at the end the following:

''(e)(1) The Director of the Prevention Center may make grants to and enter into contracts and cooperative

agreements with public and nonprofit private entities to enable such entities—

"(A) to carry out school-based programs concerning the dangers of abuse of and addiction to illicit drugs, using methods that are effective and research-based, including initiatives that give students the responsibility to create their own antidrug abuse education programs for their schools; and

"(B) to carry out community-based abuse and addiction prevention programs relating to illicit drugs that are effective and research-based.

"(2) Amounts made available under a grant, contract, or cooperative agreement under paragraph (1) shall be used for planning, establishing, or administering prevention programs relating to illicit drugs in accordance with paragraph (3).

"(3)(A) Amounts provided under this subsection may be used—

"(i) to carry out school-based programs that are focused on those districts with high or increasing rates of drug abuse and addiction and targeted at populations which are most at-risk to start abuse of illicit drugs;

"(ii) to carry out community-based prevention programs that are focused on those populations

within the community that are most at-risk for abuse of and addiction to illicit drugs;

''(iii) to assist local government entities to conduct appropriate prevention activities relating to illicit drugs;

''(iv) to train and educate State and local law enforcement officials, prevention and education officials, members of community antidrug coalitions and parents on the signs of abuse of and addiction to illicit drugs, and the options for treatment and prevention;

''(v) for planning, administration, and educational activities related to the prevention of abuse of and addiction to illicit drugs;

''(vi) for the monitoring and evaluation of prevention activities relating to illicit drugs, and reporting and disseminating resulting information to the public; and

''(vii) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

''(B) The Director of the Prevention Center shall give priority in making grants under this subsection to rural States, urban areas, and other areas that are experiencing a high rate or rapid increases in drug abuse and addiction.

"(4)(A) Not less than $500,000 of the amount available in each fiscal year to carry out this subsection shall be made available to the Administrator, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for abuse of and addiction to illicit drugs and the development of appropriate strategies for disseminating information about and implementing these programs.

"(B) The Administrator shall submit to the committees of Congress referred to in subparagraph (C) an annual report with the results of the analyses and evaluation conducted pursuant to subparagraph (A).

"(C) The committees of Congress referred to in subparagraph (B) are the following:

"(i) The Committees on Health, Education, Labor, and Pensions, the Judiciary, and Appropriations of the Senate.

"(ii) The Committees on Energy and Commerce, the Judiciary, and Appropriations of the House of Representatives.".

(b) AUTHORIZATION OF APPROPRIATIONS FOR EXPANSION OF ABUSE PREVENTION EFFORTS AND PRACTITIONER REGISTRATION REQUIREMENTS.—There is authorized to be appropriated to carry out section 515(e) of

the Public Health Service Act (as added by subsection (a)) and section 303(g)(2) of the Controlled Substances Act (as added by section 18(a) of this Act), $100,000,000 for fiscal year 2005, and such sums as may be necessary for each succeeding fiscal year.

(c) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

SEC. 702. FUNDING FOR RURAL STATES AND ECONOMICALLY DEPRESSED COMMUNITIES.

Subpart 1 of part B of title 5 of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended by inserting after section 509 the following:

"SEC. 510. FUNDING FOR RURAL STATES AND ECONOMICALLY DEPRESSED COMMUNITIES.

"(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment (in this section referred to as the 'Director') may award grants, cooperative agreements, or contracts to public and nonprofit private entities for the purpose of providing treatment facilities in rural

States and economically depressed communities that have high rates of drug addiction but lack the resources to provide adequate treatment.

"(b) DURATION OF AWARD.—The Director shall award grants, cooperative agreements, and contracts under subsection (a) for a period not to exceed 5 years. Such awards shall be subject to annual approval by the Director and subject to the availability of appropriations for the fiscal year involved. This subsection may not be construed to establish a limitation on the number of awards that may be made to an entity.

"(c) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, subject to the availability of qualified applicants for the awards.

"(d) APPLICATION.—Each entity desiring an award under subsection (a) shall submit to the Director an application at such time, in such manner and containing such information as the Director determines necessary, including a certification that—

"(1) the entity has the capacity to carry out a program described in subsection (a);

"(2) the plans of the entity for such a program are consistent with the policies of such entity regarding the treatment of substance abuse; and

"(3) the entity, or any other entity through which the applicant will provide services, meets all applicable State licensure or certification requirements regarding the provision of the services involved.

"(e) REQUIREMENT OF MATCHING FUNDS.—

"(1) NON-FEDERAL SHARE.—Each entity receiving an award under this section shall make available (directly or through donations from public or private entities) non-Federal contributions toward the costs of activities funded by such an award in an amount that—

"(A) for the first fiscal year for which the applicant receives payments under the award, shall be not less than $1 for each $9 of Federal funds provided in the award;

"(B) for any second such fiscal year, shall be not less than $1 for each $9 of Federal funds provided in the award; and

"(C) for any subsequent fiscal year, shall be not less than $1 for each $3 of Federal funds provided in the award.

"(2) DETERMINATION OF AMOUNT OF NON-FEDERAL SHARE.—The non-Federal share of payments required under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

"(f) REPORTS TO DIRECTOR.—Not later than 1 year after receiving an award under subsection (a) and annually thereafter, each entity receiving an award under such subsection shall submit to the Director a report—

"(1) describing the use of the award and the costs of services provided under the award;

"(2) specifying the number of individuals served by the award and the type and cost of services provided; and

"(3) providing such other information as the Director determines to be appropriate.

"(g) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall dissemi-

nate to the States the findings made as a result of the evaluations.

"(h) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants under this section.

"(i) DEFINITION OF RURAL STATE.—In this section, the term 'rural State' has the meaning given such term in section 1501(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796bb(B)).

"(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2005, 2006, and 2007.

"SEC. 511. FUNDING FOR RESIDENTIAL TREATMENT CENTERS FOR WOMEN AND CHILDREN.

"(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment (in this section referred to as the 'Director') may award grants, cooperative agreements, or contracts to public and nonprofit private entities to establish treatment facilities that—

"(1) provide residential treatment for methamphetamine-, heroin-, and other drug-addicted women with minor children; and

"(2) offer specialized treatment for methamphetamine-, heroin-, and other drug-addicted mothers and allow the minor children of those mothers to reside with them in the facility or nearby while treatment is ongoing.

"(b) DURATION OF AWARD.—The Director shall award grants, cooperative agreements, and contracts under subsection (a) for a period not to exceed 5 years. Such awards shall be subject to annual approval by the Director and subject to the availability of appropriations for the fiscal year involved. This subsection may not be construed to establish a limitation on the number of awards that may be made to an entity.

"(c) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, subject to the availability of qualified applicants for the awards.

"(d) APPLICATION.—Each entity desiring an award under subsection (a) shall submit to the Director an application at such time, in such manner and containing such

information as the Director determines necessary, including a certification that—

"(1) the entity has the capacity to carry out a program described in subsection (a);

"(2) the plans of the entity for such a program are consistent with the policies of such entity regarding the treatment of substance abuse; and

"(3) the entity, or any other entity through which the applicant will provide services, meets all applicable State licensure or certification requirements regarding the provision of the services involved.

"(e) PRIORITY.—In making grants under this section, the Director shall give priority to areas experiencing a high rate or rapid increase in drug abuse and addiction.

"(f) REQUIREMENT OF MATCHING FUNDS.—

"(1) NON-FEDERAL SHARE.—Each entity receiving an award under this section shall make available (directly or through donations from public or private entities) non-Federal contributions toward the costs of activities funded by such an award in an amount that—

"(A) for the first fiscal year for which the applicant receives payments under the award,

shall be not less than $1 for each $9 of Federal funds provided in the award;

"(B) for any second such fiscal year, shall be not less than $1 for each $9 of Federal funds provided in the award; and

"(C) for any subsequent fiscal year, shall be not less than $1 for each $3 of Federal funds provided in the award.

"(2) DETERMINATION OF AMOUNT OF NON-FEDERAL SHARE.—The non-Federal share of payments required under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

"(g) REPORTS TO DIRECTOR.—Not later than 1 year after receiving an award under subsection (a) and annually thereafter, each entity receiving an award under such subsection shall submit to the Director a report—

"(1) describing the use of the award and the costs of services provided under the award;

"(2) specifying the number of individuals served by the award and the type and cost of services provided; and

"(3) providing such other information as the Director determines to be appropriate.

"(h) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.

"(i) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or units of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants under this section.

"(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2005, 2006, and 2007.".

SEC. 703. RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

"PART H—RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES

"SEC. 591. RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES.

''(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment (in this section referred to as the 'Director') may award grants, cooperative agreements, or contracts to public and nonprofit private entities to provide treatment to juveniles for substance abuse through programs that—

''(1) are effective and science-based; and

''(2) provide facilities in which the juveniles reside during the course of receiving such treatment.

''(b) DURATION OF AWARD.—The Director shall award grants, cooperative agreements, and contracts under subsection (a) for a period not to exceed 5 years. Such awards shall be subject to annual approval by the Director and subject to the availability of appropriations for the fiscal year involved. This subsection may not be construed to establish a limitation on the number of awards that may be made to an entity.

"(c) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, as well as among Indian tribes, subject to the availability of qualified applicants for the awards.

"(d) AVAILABILITY OF SERVICES FOR EACH PARTICIPANT.— Each entity receiving an award under subsection (a) shall use the funds provided under such subsection to operate programs in which—

"(1) treatment services will be available either directly or through agreements with other public or nonprofit private entities;

"(2) services will be made available to each person admitted to the program; and

"(3) the entity will, in consultation with the juvenile and, if appropriate the parent or guardian of the juvenile, prepare an individualized plan for the provision of treatment services including—

"(A) individual, group, and family counseling, as appropriate, regarding substance abuse; and

"(B) followup services to assist the juvenile or young adult in preventing a relapse into such abuse.

"(e) ELIGIBLE SUPPLEMENTAL SERVICES.—In addition to activities described in subsection (b), grants under subsection (a) may be used to provide the following services:

"(1) Referrals for necessary hospital services.

"(2) Counseling on the human immunodeficiency virus and on acquired immune deficiency syndrome.

"(3) Counseling on domestic violence and sexual abuse.

"(4) Planning for and counseling to assist reentry into society, both before and after discharge, including referrals to any public or nonprofit private entities in the community involved that provide services appropriate for the juvenile.

"(f) APPLICATION.—Each entity desiring an award under subsection (a) shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require including a certification that—

"(1) the applicant has the capacity to carry out a program described in subsection (a);

"(2) the plans of the applicant for the program are consistent with the policies of such agency regarding the treatment of substance abuse;

"(3) the applicant, or any entity through which the applicant will provide services, meets all applicable State licensure or certification requirements regarding the provision of the services involved;

"(4) the applicant will provide outreach services in the community involved to identify juveniles who are engaging in substance abuse and to encourage the juveniles to undergo treatment for such abuse;

"(5) the program will be operated at a location that is accessible to low-income juveniles;

"(6) the applicant involved will provide for continuing education in treatment services for the individuals who will provide treatment in the program; and

"(7) if a charge is imposed for the provision of services to or on behalf of a juvenile, such charge—

"(A) will be made according to a schedule of charges that is made available to the public;

"(B) will be adjusted to reflect the economic condition of the juvenile involved; and

"(C) will not be imposed on any juvenile whose family has an income of less than 185 percent of the poverty line, as established by the Director of the Office for Management and Budget and revised by the Secretary in accord-

ance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)).

"(g) PRIORITY.—In making grants under this section, the Director shall give priority to areas experiencing a high rate or rapid increase in drug abuse and addiction.

"(h) REQUIREMENT OF MATCHING FUNDS.—

"(1) NON-FEDERAL SHARE.—Each entity receiving an award under this section shall make available (directly or through donations from public or private entities) non-Federal contributions toward the costs of activities funded by such an award in an amount that—

"(A) for the first fiscal year for which the applicant receives payments under the award, shall be not less than $1 for each $9 of Federal funds provided in the award;

"(B) for any second such fiscal year, shall be not less than $1 for each $9 of Federal funds provided in the award; and

"(C) for any subsequent fiscal year, shall be not less than $1 for each $3 of Federal funds provided in the award.

"(2) DETERMINATION OF AMOUNT OF NON-FEDERAL SHARE.—The non-Federal share of pay-

ments required under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

''(i) REPORTS TO DIRECTOR.—Not later than 1 year after receiving an award under subsection (a) and annually thereafter, each entity receiving an award under such subsection shall submit to the Director a report—

''(1) describing the use of the award and the costs of services provided under the award;

''(2) specifying the number of juveniles served by the award and the type and cost of services provided; and

''(3) providing such other information as the Director determines to be appropriate.

''(j) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.

''(k) REPORTS TO CONGRESS.—

"(1) INITIAL REPORT.—Not later than October 1, 2005, the Director shall submit to the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate, a report describing programs carried out pursuant to this section.

"(2) PERIODIC REPORTS.—Not less than biennially after the date described in paragraph (1), the Director shall prepare a report describing programs carried out pursuant to this section during the preceding 2-year period, and shall submit the report to the Administrator for inclusion in the biennial report under section 501(k).

"(3) SUMMARY.—Each report under this subsection shall include a summary of any evaluations conducted under subsection (j) during the period with respect to which the report is prepared.

"(l) DEFINITIONS.—In this section:

"(1) JUVENILE.—The term 'juvenile' means anyone 18 years of age or younger at the time of admission to a program operated pursuant to subsection (a).

"(2) TREATMENT SERVICES.—The term 'treatment services' means treatment for substance abuse,

including the counseling and services described in subsection (d)(3).

"SEC. 592. OUTPATIENT TREATMENT PROGRAMS FOR JUVENILES.

"(a) GRANTS.—The Secretary, acting through the Director of the Center for Substance Abuse Treatment, shall make grants to eligible entities to establish projects for the outpatient treatment of substance abuse among juveniles.

"(b) PREVENTION.—Entities receiving grants under this section shall engage in activities to prevent substance abuse among juveniles.

"(c) EVALUATION.—The Secretary shall evaluate projects carried out under subsection (a) and shall disseminate to appropriate public and private entities information on effective projects.

"SEC. 593. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—There are authorized to be appropriated to carry out this part $100,000,000 for each of the fiscal years 2005 through 2007.

"(b) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this part have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each

fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

"(c) TRANSFER.—In addition to the amounts authorized in subsection (a), there is authorized to be appropriated for the fiscal year from the special forfeiture fund of the Director of the Office of National Drug Control Policy such sums as may be necessary.

"(d) RULE OF CONSTRUCTION.—The amounts authorized to be appropriated in this section are in addition to any other amounts that are authorized to be appropriated and are available for drug treatment programs for juveniles.".

SEC. 704. DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS ADMINISTERED BY STATE OR LOCAL PROSECUTORS.

(a) PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following new part:

"PART CC—PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS

"SEC. 2901. PILOT PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Attorney General may make grants to State or local prosecutors for the purpose of developing, implementing, or expanding drug treatment alternative to prison programs that comply with the requirements of this part.

''(b) USE OF FUNDS.—A State or local prosecutor who receives a grant under this part shall use amounts provided under the grant to develop, implement, or expand the drug treatment alternative to prison programs for which the grant was made, which may include payment of the following expenses:

''(1) Salaries, personnel costs, equipment costs, and other costs directly related to the operation of the program, including the enforcement unit.

''(2) Payments to licensed substance abuse treatment providers for providing treatment to offenders participating in the program for which the grant was made, including aftercare supervision, vocational training, education, and job placement.

''(3) Payments to public and nonprofit private entities for providing treatment to offenders participating in the program for which the grant was made.

"(c) FEDERAL SHARE.—The Federal share of a grant under this part shall not exceed 75 percent of the cost of the program.

"(d) SUPPLEMENT AND NOT SUPPLANT.—Grant amounts received under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be available for activities funded under this part.

"SEC. 2902. PROGRAM REQUIREMENTS.

"A drug treatment alternative to prison program with respect to which a grant is made under this part shall comply with the following requirements:

"(1) A State or local prosecutor shall administer the program.

"(2) An eligible offender may participate in the program only with the consent of the State or local prosecutor.

"(3) Each eligible offender who participates in the program shall, as an alternative to incarceration, be sentenced to or placed with a long term, drug free residential substance abuse treatment provider that is licensed under State or local law.

"(4) Each eligible offender who participates in the program shall serve a sentence of imprisonment with respect to the underlying crime if that offender

does not successfully complete treatment with the residential substance abuse provider.

"(5) Each residential substance abuse provider treating an offender under the program shall—

"(A) make periodic reports of the progress of treatment of that offender to the State or local prosecutor carrying out the program and to the appropriate court in which the defendant was convicted; and

"(B) notify that prosecutor and that court if that offender absconds from the facility of the treatment provider or otherwise violates the terms and conditions of the program.

"(6) The program shall have an enforcement unit comprised of law enforcement officers under the supervision of the State or local prosecutor carrying out the program, the duties of which shall include verifying an offender's addresses and other contacts, and, if necessary, locating, apprehending, and arresting an offender who has absconded from the facility of a residential substance abuse treatment provider or otherwise violated the terms and conditions of the program, and returning such offender to court for sentence on the underlying crime.

"SEC. 2903. APPLICATIONS.

''(a) IN GENERAL.—To request a grant under this part, a State or local prosecutor shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

''(b) CERTIFICATIONS.—Each such application shall contain the certification of the State or local prosecutor that the program for which the grant is requested shall meet each of the requirements of this part.

"SEC. 2904. GEOGRAPHIC DISTRIBUTION.

''The Attorney General shall ensure that, to the extent practicable, the distribution of grant awards is equitable and includes State or local prosecutors—

''(1) in each State; and

''(2) in rural, suburban, and urban jurisdictions.

"SEC. 2905. REPORTS AND EVALUATIONS.

''For each fiscal year, each recipient of a grant under this part during that fiscal year shall submit to the Attorney General a report regarding the effectiveness of activities carried out using that grant. Each report shall include an evaluation in such form and containing such information as the Attorney General may reasonably require. The Attorney General shall specify the dates on which such reports shall be submitted.

"SEC. 2906. DEFINITIONS.

"In this part:

"(1) The term 'State or local prosecutor' means any district attorney, State attorney general, county attorney, or corporation counsel who has authority to prosecute criminal offenses under State or local law.

"(2) The term 'eligible offender' means an individual who—

"(A) has been convicted of, or pled guilty to, or admitted guilt with respect to a crime for which a sentence of imprisonment is required and has not completed such sentence;

"(B) has never been convicted of, or pled guilty to, or admitted guilt with respect to, and is not presently charged with, a felony crime of violence, a major drug offense, including drug trafficking, or a crime that is considered a violent felony under State or local law; and

"(C) has been found by a professional substance abuse screener to be in need of substance abuse treatment because that offender has a history of substance abuse that is a significant contributing factor to that offender's criminal conduct.

"(3) The term 'felony crime of violence' has the meaning given such term in section 924(c)(3) of title 18, United States Code.

"(4) The term 'major drug offense' has the meaning given such term in section 36(a) of title 18, United States Code.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by adding at the end the following new paragraph:

"(24) There are authorized to be appropriated to carry out part CC $30,000,000 for each of fiscal years 2005 through 2007.".

SEC. 705. FUNDING FOR RESIDENTIAL TREATMENT CENTERS FOR WOMEN AND CHILDREN.

(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment shall provide awards of grants, cooperative agreement, or contracts to public and nonprofit private entities for the purpose of providing treatment facilities that—

(1) provide residential treatment for methamphetamine, heroin, and other drug addicted women with minor children; and

(2) offer specialized treatment for methamphetamine-, heroin-, and other drug-addicted mothers

and allow the minor children of those mothers to reside with them in the facility or nearby while treatment is ongoing.

(b) MINIMUM QUALIFICATIONS FOR RECEIPT OF AWARD.—With respect to the principal agency of the State involved that administers programs relating to substance abuse, the Director may make an award under subsection (a) to an applicant only if the agency has certified to the Director that—

(1) the applicant has the capacity to carry out a program described in subsection (a);

(2) the plans of the applicant for such a program are consistent with the policies of such agency regarding the treatment of substance abuse; and

(3) the applicant, or any entity through which the applicant will provide authorized services, meets all applicable State licensure or certification requirements regarding the provision of the services involved.

(c) REQUIREMENT OF MATCHING FUNDS.—

(1) IN GENERAL.—With respect to the costs of the program to be carried out by an applicant pursuant to subsection (a), a funding agreement for an award under such subsection is that the applicant will make available (directly or through donations

from public or private entities) non-Federal contributions toward such costs in an amount that—

(A) for the first fiscal year for which the applicant receives payments under an award under such subsection, is not less than $1 for each $9 of Federal funds provided in the award;

(B) for any second such fiscal year, is not less than $1 for each $9 of Federal funds provided in the award; and

(C) for any subsequent such fiscal year, is not less than $1 for each $3 of Federal funds provided in the award.

(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

(d) REPORTS TO DIRECTOR.—A funding agreement for an award under subsection (a) is that the applicant involved will submit to the Director a report—

(1) describing the utilization and costs of services provided under the award;

(2) specifying the number of individuals served and the type and costs of services provided; and

(3) providing such other information as the Director determines to be appropriate.

(e) REQUIREMENT OF APPLICATION.—The Director may make an award under subsection (a) only if an application for the award is submitted to the Director containing such agreements, and the application is in such form, is made in such manner, and contains such other agreements and such assurances and information as the Director determines to be necessary to carry out this section.

(f) PRIORITY.—In making grants under this section, the Director shall give priority to areas experiencing a high rate or rapid increase in drug abuse and addiction.

(g) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, subject to the availability of qualified applicants for the awards.

(h) DURATION OF AWARD.—The period during which payments are made to an entity from an award under subsection (a) may not exceed 5 years. The provision of such

payments shall be subject to annual approval by the Director of the payments and subject to the availability of appropriations for the fiscal year involved to make the payments. This subsection may not be construed to establish a limitation on the number of awards under such subsection that may be made to an entity.

(i) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.

(j) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2005, 2006, and 2007.

TITLE VIII—ANABOLIC STEROID CONTROL ACT OF 2003

SEC. 801. SHORT TITLE.

This title may be cited as the ''Anabolic Steroid Control Act of 2003''.

SEC. 802. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT.

(a) DEFINITIONS.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (41)—

(A) by realigning the margin so as to align with paragraph (40);

(B) by striking subparagraph (A) and inserting the following:

''(A) The term 'anabolic steroid' means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and includes—

''(i) androstanediol—

''(I) 3β,17β-dihydroxy-5α-androstane; and

''(II) 3α,17β-dihydroxy-5α-androstane;

''(ii) androstanedione (5α-androstan-3,17-dione);

''(iii) androstenediol—

"(I) 1-androstenediol (3β,17β-dihydroxy-5α-androst-1-ene);

"(II) 1-androstenediol (3α,17β-dihydroxy-5α-androst-1-ene);

"(III) 4-androstenediol (3β,17β-dihydroxy-androst-4-ene); and

"(IV) 5-androstenediol (3b,17β-dihydroxy-androst-5-ene);

"(iv) androstenedione—

"(I) 1-androstenedione ([5α]-androst-1-en-3,17-dione);

"(II) 4-androstenedione (androst-4-en-3,17-dione); and

"(III) 5-androstenedione (androst-5-en-3,17-dione);

"(v) bolasterone (7α,17α-dimethyl-17β-hydroxyandrost-4-en-3-one);

"(vi) boldenone (17β-hydroxyandrost-1,4,-diene-3-one);

"(vii) calusterone (7β,17α-dimethyl-17β-hydroxyandrost-4-en-3-one);

"(viii) clostebol (4-chloro-17β-hydroxyandrost-4-en-3-one);

"(ix) dehydrochlormethyltestosterone (4-chloro-17β-hydroxy-17α-methyl-androst-1,4-dien-3-one);

"(x) 4-dihydrotestosterone (17β-hydroxy-androstan-3-one);

"(xi) drostanolone (17β-hydroxy-2α-methyl-5α-androstan-3-one);

"(xii) ethylestrenol (17α-ethyl-17β-hydroxyestr-4-ene);

"(xiii) fluoxymesterone (9-fluoro-17α-methyl-11β,17β-dihydroxyandrost-4-en-3-one);

"(xiv) formebolone (2-formyl-17α-methyl-11α,17β-dihydroxyandrost-1,4-dien-3-one);

"(xv) furazabol (17α-methyl-17β-hydroxyandrostano[2,3-c]-furazan);

"(xvi) 18α-homo-17β-hydroxyestr-4-en-3-one (13β-ethyl-17β-hydroxygon-4-en-3-one);

"(xvii) 4-hydroxytestosterone (4,17β-dihydroxy-androst-4-en-3-one);

"(xviii) 4-hydroxy-19-nortestosterone (4,17β-dihydroxy-estr-4-en-3-one);

"(xix) mestanolone (17α-methyl-17β-hydroxy-5α-androstan-3-one);

"(xx) mesterolone (1α-methyl-17β-hydroxy-[5α]-androstan-3-one);

"(xxi) methandienone (17α-methyl-17β-hydroxyandrost-1,4-dien-3-one);

"(xxii) methandriol (17α-methyl-3β,17β-dihydroxyandrost-5-ene);

"(xxiii) methenolone (1-methyl-17β-hydroxy-5α-androst-1-en-3-one);

"(xxiv) methyltestosterone (17α-methyl-17β-hydroxyandrost-4-en-3-one);

"(xxv) mibolerone (7α,17α-dimethyl-17β-hydroxyestr-4-en-3-one);

"(xxvi) nandrolone (17β-hydroxyestr-4-en-3-one);

"(xxvii) norandrostenediol—

"(I) 19-nor-4-androstenediol (3β, 17β-dihydroxyestr-4-ene);

"(II) 19-nor-4-androstenediol (3α, 17β-dihydroxyestr-4-ene);

"(III) 19-nor-5-androstenediol (3β, 17β-dihydroxyestr-5-ene); and

"(IV) 19-nor-5-androstenediol (3α, 17β-dihydroxyestr-5-ene);

"(xxviii) norandrostenedione—

"(I) 19-nor-4-androstenedione (estr-4-en-3,17-dione); and

"(II) 19-nor-5-androstenedione (estr-5-en-3,17-dione);

"(xxix) norbolethone (18α-homo-17β-hydroxypregna-4-en-3-one);

"(xxx) norclostebol (4-chloro-17β-hydroxyestr-4-en-3-one);

"(xxxi) norethandrolone (17α-ethyl-17β-hydroxyestr-4-en-3-one);

"(xxxii) oxandrolone (17α-methyl-17β-hydroxy-2-oxa-[5α]-androstan-3-one);

"(xxxiii) oxymesterone (17α-methyl-4,17β-dihydroxyandrost-4-en-3-one);

"(xxxiv) oxymetholone (17α-methyl-2-hydroxymethylene-17β-hydroxy-[5α]-androstan-3-one);

"(xxxv) stanozolol (17α-methyl-17β-hydroxy-[5α]-androst-2-eno[3,2-c]-pyrazole);

"(xxxvi) stenbolone (17β-hydroxy-2-methyl-[5α]-androst-1-en-3-one);

"(xxxvii) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);

"(xxxviii) 1-testosterone (17β-Hydroxy-5α-androst-1-en-3-one);

"(xxxix) testosterone (17β-hydroxyandrost-4-en-3-one);

"(xl) tetrahydrogestrinone (13β,17α-diethyl-17β-hydroxygon-4,9,11-trien-3-one);

"(xli) trenbolone (17β-hydroxyestr-4,9,11-trien-3-one); and

"(xlii) any salt, ester, or ether of a drug or substance described in this paragraph; and

(C) by adding at the end the following:

"(C) Notwithstanding subparagraph (A), the Attorney General may not schedule Androstenedione as a controlled substance in accordance with this Act until the Attorney General receives a finding from the Commissioner of Food and Drugs relating to whether Androstenedione is lawfully marketed under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.)."; and

(2) in paragraph (44), by inserting "anabolic steroids," after "marihuana,".

(b) AUTHORITY AND CRITERIA FOR CLASSIFICATION.—Section 201(g) of the Controlled Substances Act (21 U.S.C. 811(g)) is amended—

(1) in paragraph (1), by striking "substance from a schedule if such substance" and inserting "drug which contains a controlled substance from the application of titles II and III of the Comprehensive Drug Abuse Prevention and Control Act (21 U.S.C. 802 et seq.) if such drug"; and

(2) in paragraph (3), by adding at the end the following:

"(C) Upon the recommendation of the Secretary of Health and Human Services, a compound, mixture, or preparation which contains any anabolic steroid, which is intended for administration to a human being or an animal, and which, because of its concentration, preparation, formulation or delivery system, does not present any significant potential for abuse.".

(c) ANABOLIC STEROIDS CONTROL ACT.—Section 1903 of the Anabolic Steroids Control Act of 1990 (Public Law 101–647) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 803. SENTENCING COMMISSION GUIDELINES.

The United States Sentencing Commission shall—

(1) review the Federal sentencing guidelines with respect to offenses involving anabolic steroids;

(2) consider amending the Federal sentencing guidelines to provide for increased penalties with respect to offenses involving anabolic steroids in a manner that reflects the seriousness of such offenses and the need to deter anabolic steroid use; and

(3) take such other action that the Commission considers necessary to carry out this section.

SEC. 804. PREVENTION AND EDUCATION PROGRAMS.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this Act as the ''Secretary'') shall award grants to public and nonprofit private entities to enable such entities to carry out science-based education programs in elementary and secondary schools to highlight the harmful effects of anabolic steroids.

(b) ELIGIBILITY.—

(1) APPLICATION.—To be eligible for grants under subsection (a), an entity shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) PREFERENCE.—In awarding grants under subsection (a), the Secretary shall give preference to applicants that intend to use grant funds to carry out programs based on—

(A) the Athletes Training and Learning to Avoid Steroids program;

(B) the Athletes Targeting Healthy Exercise and Nutrition Alternatives program; and

(C) other programs determined to be effective by the National Institute on Drug Abuse.

(c) USE OF FUNDS.—Amounts received under a grant under subsection (a) shall be used primarily for education programs that will directly communicate with

teachers, principals, coaches, as well as elementary and secondary school children concerning the harmful effects of anabolic steroids.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2004 through 2009.

SEC. 805. NATIONAL SURVEY ON DRUG USE AND HEALTH.

(a) IN GENERAL.—The Secretary of Health and Human Services shall ensure that the National Survey on Drug Use and Health includes questions concerning the use of anabolic steroids.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $1,000,000 for each of fiscal years 2004 through 2009.

TITLE IX—NATIONAL GUARD COUNTER-DRUG SCHOOLS

SEC. 901. NATIONAL GUARD COUNTER-DRUG 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 five schools (to be known generally as ''National Guard counter-drug schools'').

(b) PURPOSE.—The purpose of the National Guard counter-drug schools shall be the provision by the National

Guard of training in drug interdiction and counter-drug activities and drug demand reduction activities to personnel of the following:

(1) Federal agencies.

(2) State and local 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) COUNTER-DRUG SCHOOLS SPECIFIED.—The National Guard counter-drug 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) To the extent provided for in the State drug interdiction and counter-drug activities plan of a State in which a National Guard counter-drug 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) In this subsection, the term ''State drug interdiction and counter-drug 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 COUNTER-DRUG 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 counter-drug 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.

(f) ANNUAL REPORTS ON ACTIVITIES.—(1) Not later than February 1 each year, the Secretary of Defense shall submit to Congress a report on the activities of the Na-

tional Guard counter-drug schools during the preceding year.

(2) Each report under paragraph (1) shall set forth the following:

(A) The amount made available for each National Guard counter-drug school during the fiscal year ending in the year preceding the year in which such report is submitted.

(B) A description of the activities of each National Guard counter-drug school during the year preceding the year in which such report is submitted.

(g) BUDGET MATTERS.—The budget of the President that is submitted to Congress under section 1105 of title 31, United States Code, for any fiscal year after fiscal year 2004 shall set forth as a separate budget item the amount requested for such fiscal year for the National Guard counter-drug schools.

(h) AUTHORIZATION OF APPROPRIATIONS.—(1) There is hereby authorized to be appropriated for the Department of Defense for the National Guard for each of fiscal years 2004 through 2008, $30,000,000 for purposes of the National Guard counter-drug schools in such fiscal year.

(2) 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—MISCELLANEOUS PROVISIONS

SEC. 1001. REPEALS.

Sections 709, 710, and 711 are repealed.

SEC. 1002. AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.

Section 484(r)(1) of the Higher Education Act of 1965 (20 U.S.C. 1091(r)(1)) is amended by striking everything preceding the table and inserting the following:

"(1) IN GENERAL.—A student who is convicted of any offense under any Federal or State law involving the possession or the sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any grant, loan, or work assistance under this title shall not be eligible to receive such grant, loan, or work assistance from the date of conviction for the period of time specified in the following table:".

SEC. 1003. CONTROLLED SUBSTANCES ACT AMENDMENTS.

(a) TECHNICAL CHANGE.—Section 303(g)(2)(B) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(B)) is amended by striking clause (iv).

(b) EFFECTIVE DATA PROVISION.—Section 303(g)(2)(J)(ii) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(J)(ii)) is amended by striking ''of the enactment of the Drug Addiction Treatment Act of 2000'' and inserting in its place ''the drugs or combinations of drugs have, under the Federal Food, Drug and Cosmetics Act or section 351 of the Public Health Services Act, been approved for use in maintenance or detoxification treatment as required under paragraph (C)(i)''.

SEC. 1004. EXPORTATION OF NARCOTIC AND NONNARCOTIC DRUGS.

Section 1003 of the Controlled Substance Import and Export Act (21 U.S.C. 953) is amended—

(1) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) substantial evidence is furnished to the Attorney General by the exporter that the narcotic drug is to be applied exclusively to medical, scientific, or other legitimate uses; and''; and

(2) in subsection (c), by striking paragraph (3) and inserting the following:

"(3) substantial evidence is furnished to the Attorney General by the exporter that the controlled substance is to be applied exclusively to medical, scientific, or other legitimate uses; and".

SEC. 1005. STUDY OF WORK PLACE ENVIRONMENT AT ONDCP.

Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the workplace environment at the Office of National Drug Control Policy, including an assessment of the turnover rate of employees and any sexual harassment or hostile work environment claims.

SEC. 1006. REQUIREMENT FOR LATIN AMERICAN HEROIN STRATEGY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Director of National Drug Control Policy shall submit to Congress a comprehensive strategy that addresses the increased threat from Latin American heroin, and in particular Colombian heroin.

(b) CONTENTS.—The strategy shall include a plan for—

(1) opium eradication efforts to eliminate the problem at the source to prevent it from reoccurring before the heroin enters the stream of commerce;

(2) interdiction and precursor chemical controls;

(3) demand reduction and treatment;

(4) provisions that ensure the maintenance at current levels of efforts to eradicate coca in Colombia; and

(5) assessment of the level of additional funding and resources necessary to simultaneously address the threat from Latin American heroin and the threat from Colombian coca.

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