

108TH CONGRESS  
1ST SESSION

# 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

---

## A BILL

To reauthorize the Office of National Drug Control Policy.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE, REFERENCE, AND TABLE OF**  
4 **CONTENTS.**

5       (a) SHORT TITLE.—This Act may be cited as the  
6 “Office of National Drug Control Policy Reauthorization  
7 Act of 2003”.

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

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

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

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

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

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

TITLE II—THE NATIONAL DRUG CONTROL STRATEGY

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

TITLE III—HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-  
 GRAM AND COUNTER-DRUG TECHNOLOGY ASSESSMENT CEN-  
 TER

- 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.

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

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

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

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

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

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

4                   “(H) international drug abuse education,  
5                   prevention, treatment, research, rehabilitation  
6                   activities, and interventions for drug abuse and  
7                   dependence.”.

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

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

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

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

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

24                           “(C) coordination and enhancement of  
25                           Federal, State, and local law enforcement initia-

1           tives to gather, analyze, and disseminate infor-  
2           mation and intelligence among law enforcement  
3           agencies; and

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

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

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

16           “(A) activities to control international traf-  
17          ficking in, and availability of, illegal drugs, in-  
18          cluding—

19           “(i) accurate assessment and moni-  
20          toring of international drug production and  
21          interdiction programs and policies; and

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

1           “(B) activities to conduct and promote  
2 international law enforcement programs and  
3 policies to reduce the supply of drugs; and

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

10       (e) DEFINITION OF APPROPRIATE CONGRESSIONAL  
11 COMMITTEES.—Section 702 is amended by adding at the  
12 end the following:

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

22 **SEC. 102. ESTABLISHMENT OF THE OFFICE OF NATIONAL**  
23 **DRUG CONTROL POLICY.**

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

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

4               “(1) develop national drug control policy;

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

7               “(3) assess and certify the adequacy of national  
8 drug control programs and the budget for those pro-  
9 grams;

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

12              “(5) develop specific goals and performance  
13 measurements needed to assess the effectiveness  
14 of—

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

16                      “(B) the programs of the National Drug  
17 Control Program agencies.”.

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

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

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

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

5           “(3) OTHER DEPUTY DIRECTORS.—

6           “(A) IN GENERAL.—There shall be a Dep-  
7  uty Director for Demand Reduction, a Deputy  
8  Director for Supply Reduction, and a Deputy  
9  Director for State and Local Affairs.

10          “(B) REPORTING.—The Deputy Director  
11 for Demand Reduction, the Deputy Director for  
12 Supply Reduction, the Deputy Director for  
13 State and Local Affairs, and the Chief Scientist  
14 shall report directly to the Deputy Director of  
15 the Office of National Drug Control Policy.

16          “(C) DEPUTY DIRECTOR FOR DEMAND RE-  
17  DUCTION.—The Deputy Director for Demand  
18  Reduction shall be responsible for the activi-  
19  ties—

20               “(i) in subparagraphs (A) through  
21               (H) of section 702(l); and

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

24          “(D) DEPUTY DIRECTOR FOR SUPPLY RE-  
25  DUCTION.—The Deputy Director for Supply

1 Reduction shall be responsible for the activities  
2 in subparagraphs (A) through (C) in section  
3 702(11).

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

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

10 “(ii) in section 707, the High Inten-  
11 sity Drug Trafficking Areas Program.”.

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

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

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

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

1           (1) in paragraph (4), by striking “Federal de-  
2           partments and agencies engaged in drug enforce-  
3           ment” and inserting “National Drug Control Pro-  
4           gram agencies”;

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

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

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

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

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

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

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

1           “(C) supporting the substance abuse infor-  
2 mation clearinghouse administered by the Ad-  
3 ministrator of the Substance Abuse and Mental  
4 Health Services Administration and established  
5 in section 501(d)(16) of the Public Health  
6 Service Act by—

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

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

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

13                   “(16) shall coordinate with the private sector to  
14 promote private research and development of medi-  
15 cations to treat addiction;

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

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

23                   “(19) shall submit an annual report to Con-  
24 gress detailing how the Office of National Drug  
25 Control Policy has consulted with and assisted State

1 and local governments with respect to the formula-  
2 tion and implementation of the National Drug Con-  
3 trol Strategy and other relevant issues.”.

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

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

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

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

15 (1) in paragraph (9)—

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

18 (B) by striking “Strategy; and” and insert-  
19 ing “Strategy and notify the appropriate con-  
20 gressional committees of any fund control no-  
21 tice issued in accordance with section  
22 704(f)(5);”; and

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

1 department of State Authorization Act for Fiscal Year  
2 2003 (22 U.S.C. 229j-1)”.

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

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

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

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

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

17 (f) UNITED STATES INTERDICTION COORDINATOR.—

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

20 “(i) UNITED STATES INTERDICTION COORDI-  
21 NATOR.—

22 “(1) IN GENERAL.—There shall be a United  
23 States Interdiction Coordinator, who shall be des-  
24 ignated by the Director and who shall be responsible  
25 for the coordination of interdiction operations among

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

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

7 “(A) coordinating National Drug Control  
8 Program agencies’ interdiction activities to en-  
9 sure consistency with the National Drug Con-  
10 trol Strategy;

11 “(B) developing a National Drug Control  
12 Interdiction plan consistent with the National  
13 Drug Control Strategy;

14 “(C) assessing the sufficiency of National  
15 Drug Control Program agencies’ assets com-  
16 mitted to illicit drug interdiction; and

17 “(D) advising the Director on the efforts  
18 of each National Drug Control Program agency  
19 to implement the National Drug Control Inter-  
20 diction plan.”.

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

1 “shall ensure the adequacy of resources within the  
2 Department for illicit drug interdiction.”.

3 **SEC. 104. AMENDMENTS TO ENSURE COORDINATION WITH**  
4 **OTHER AGENCIES.**

5 Section 705 is amended—

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

8 (2) by amending subsection (a)(3) to read as  
9 follows:

10 “(3) REQUIRED REPORTS.—

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

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

1 “(i) the number and type of seizures  
2 of drugs by each component of the Depart-  
3 ment seizing drugs, as well as statistical  
4 information on the geographic areas of  
5 such seizures; and

6 “(ii) the number of air and maritime  
7 patrol hours undertaken by each compo-  
8 nent of the Department primarily dedi-  
9 cated to drug supply reduction missions.

10 “(C) SECRETARY OF DEFENSE.—The Sec-  
11 retary of Defense shall, by July 1 of each year,  
12 submit to the Director and the appropriate con-  
13 gressional committees information for the pre-  
14 ceeding year regarding the number of air and  
15 maritime patrol hours primarily dedicated to  
16 drug supply reduction missions undertaken by  
17 each component of the Department of De-  
18 fense.”; and

19 (3) in subsection (b)(2)(B), by striking “Pro-  
20 gram” and inserting “Strategy”.

21 **TITLE II—THE NATIONAL DRUG**  
22 **CONTROL STRATEGY**

23 **SEC. 201. ANNUAL PREPARATION AND SUBMISSION OF NA-**  
24 **TIONAL DRUG CONTROL STRATEGY.**

25 Section 706 is amended to read as follows:

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

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

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

14 “(2) CONTENTS.—

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

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

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

1 which the National Drug Control Strategy  
2 is submitted;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(ix) a review of the research agenda  
25 of the Counter-Drug Technology Assess-

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

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

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

9                   “(II) developing promising com-  
10                  pounds;

11                  “(III) conducting clinical trials;

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

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

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

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

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

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

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

9 “(A) shall consult with—

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

12 “(ii) Congress;

13 “(iii) State and local officials;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 **TITLE III—HIGH INTENSITY**  
 13 **DRUG TRAFFICKING AREAS**  
 14 **PROGRAM AND COUNTER-**  
 15 **DRUG TECHNOLOGY ASSESS-**  
 16 **MENT CENTER**

17 **SEC. 301. PURPOSE OF HIGH INTENSITY DRUG TRAF-**  
 18 **FICKING AREAS PROGRAM.**

19 Section 707(a) is amended—

20 (1) by striking “There is” and inserting the fol-  
 21 lowing:

22 “(1) IN GENERAL.—There is”; and

23 (2) by adding at the end the following:

24 “(2) PURPOSE.—The purpose of the High In-  
 25 tensity Drug Trafficking Areas program is to reduce

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

3 “(A) facilitating cooperation among Fed-  
4 eral, State, and local law enforcement agencies  
5 to share information and implement coordinated  
6 enforcement activities;

7 “(B) enhancing intelligence sharing among  
8 Federal, State, and local law enforcement agen-  
9 cies;

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

13 “(D) supporting coordinated law enforce-  
14 ment strategies which maximize use of available  
15 resources to reduce the supply of illegal drugs  
16 in HIDTA designated areas.”.

17 **SEC. 302. DESIGNATION OF HDTAS AND EVALUATION OF**  
18 **HIDTA PERFORMANCE.**

19 (a) CONSULTATION.—Section 707(b) is amended by  
20 striking “Secretary of the Treasury,” and inserting “the  
21 Secretary of Homeland Security,”.

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

24 (1) in paragraph (1), by inserting “significant”  
25 before “center”; and

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

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

6           (c) EVALUATION OF HIDTA PERFORMANCE.—Sec-  
7 tion 707 is amended by adding at the end the following:

8           “(e) EVALUATION.—

9           “(1) INITIAL REPORT.—Not later than 90 days  
10 after enactment of the Office of National Drug Con-  
11 trol Policy Reauthorization Act of 2003, the Direc-  
12 tor shall, after consulting with the Executive Boards  
13 of each designated HIDTA, submit a report to Con-  
14 gress which describes, for each designated HIDTA—

15                   “(A) the specific purposes for the HIDTA;

16                   “(B) the specific long-term and short-term  
17 goals and objectives for the HIDTA;

18                   “(C) the measurements which will be used  
19 to evaluate the performance of the HIDTA in  
20 achieving the long-term and short-term goals;  
21 and

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

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

6                   “(A) describes—

7                           “(i) the specific purposes for the  
8 HIDTA; and

9                           “(ii) the specific long-term and short-  
10 term goals and objectives for the HIDTA;  
11 and

12                   “(B) includes an evaluation of the per-  
13 formance of the each HIDTA in accomplishing  
14 the specific long-term and short-term goals and  
15 objectives identified under paragraph (1)(B).”.

16 **SEC. 303. ORGANIZATION OF HIDTAS.**

17           Section 707 is amended by adding at the end the fol-  
18 lowing:

19                   “(f) ORGANIZATION OF HIDTAS.—

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

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

3                   “(A) an equal number of representatives  
4 from—

5                           “(i) Federal law enforcement; and

6                           “(ii) State and local law enforcement;

7                           and

8                           “(B) any other representative the Board  
9 determines would be appropriate.

10           “(3) RESPONSIBILITIES.—The Executive Board  
11 shall be responsible for—

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

14                   “(B) managing the HIDTA;

15                   “(C) reviewing and approving all funding  
16 proposals consistent with the overall objective of  
17 the HIDTA; and

18                   “(D) preparing and reviewing all reports to  
19 the Director on the HIDTA’s activities.”.

20 **SEC. 304. HIDTA FUNDING.**

21           Section 707 is amended by adding at the end the fol-  
22 lowing:

23           “(g) FUNDING.—

1           “(1) APPROPRIATIONS.—There are authorized  
2 to be appropriated for funding activities of high in-  
3 tensity drug trafficking areas under this section—

4                   “(A) \$280,000,000 for fiscal year 2004;

5                   “(B) \$290,000,000 for fiscal years 2005  
6 and 2006; and

7                   “(C) \$300,000,000 for fiscal years 2007  
8 and 2008.

9           “(2) ANNUAL HIDTA PROGRAM BUDGET SUB-  
10 MISSIONS.—As part of the documentation that sup-  
11 ports the President’s annual budget request for the  
12 Office, the Director shall submit to Congress a  
13 budget justification that includes the following:

14                   “(A) The amount requested for each  
15 HIDTA with supporting narrative descriptions  
16 and rationale for each request.

17                   “(B) A detailed justification for each fund-  
18 ing request which explains the reasons for the  
19 requested funding level, how such funding level  
20 was determined based on a current assessment  
21 of the drug trafficking threat in each HIDTA,  
22 and how such funding will ensure that the goals  
23 and objectives of each HIDTA will be achieved.

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

1 above the total requested funding for all HIDTAs  
2 for discretionary grants. Such funds may be used to  
3 respond to any emerging drug trafficking threat in  
4 an existing HIDTA, or to establish a new high in-  
5 tensity trafficking area in accordance with the provi-  
6 sions outlined in this Act.”.

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

8 Not later than 180 days after the date of enactment  
9 of this Act, the Director shall submit to Congress a re-  
10 port—

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

13 (2) describing—

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

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

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

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

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

5           (F) the nature and extent to which such  
6           information and enforcement activities are co-  
7           ordinated with Joint Terrorism Task Forces in  
8           the HIDTA area; and

9           (G) any recommendations for measures  
10          needed to ensure that task force resources are  
11          utilized efficiently and effectively to reduce the  
12          availability of illegal drugs in the HIDTA areas.

13 **SEC. 306. FUNDING FOR CERTAIN HIGH INTENSITY DRUG**  
14 **TRAFFICKING AREAS.**

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

17          (b) **FINDINGS.**—Congress finds the following:

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

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

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

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

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

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

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

1 critical to preserving and strengthening the social  
2 fabric in such communities.

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

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

17 “(6) SPECIFIC PURPOSES.—

18 “(A) IN GENERAL.—The Director shall en-  
19 sure that, of the amounts appropriated for a  
20 fiscal year for the Program, at least \$1,000,000  
21 is used in high intensity drug trafficking areas  
22 with severe neighborhood safety and illegal drug  
23 distribution problems.

24 “(B) REQUIRED USES.—The funds used  
25 under subparagraph (A) shall be used—

1           “(i) to ensure the safety of neighbor-  
2           hoods and the protection of communities,  
3           including the prevention of the intimidat-  
4           tion of potential witnesses of illegal drug  
5           distribution and related activities; and

6           “(ii) to combat illegal drug trafficking  
7           through such methods as the Director con-  
8           siders appropriate, such as establishing or  
9           operating (or both) a toll-free telephone  
10          hotline for use by the public to provide in-  
11          formation about illegal drug-related activi-  
12          ties.”.

13 **SEC. 307. REPORT ON INTELLIGENCE SHARING.**

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

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

21           (2) addressing—

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

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

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

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

14 **SEC. 308. COUNTER-DRUG TECHNOLOGY ASSESSMENT CEN-**  
15 **TER.**

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

18 “(b) CHIEF SCIENTIST.—There shall be at the head  
19 of the Center the Chief Scientist, who shall be appointed  
20 by the Director from among individuals qualified and dis-  
21 tinguished in the area of science, medicine, engineering,  
22 or technology.”.

23 (b) RESPONSIBILITIES.—

24 (1) RESEARCH AND DEVELOPMENT.—Section  
25 708 is amended by—

1 (A) redesignating subsection (d) as sub-  
2 section (e); and

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

5 “(c) RESEARCH AND DEVELOPMENT RESPONSIBIL-  
6 ITIES.—The Chief Scientist shall be responsible to the Di-  
7 rector for—

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

12 “(A) advanced surveillance, tracking, and  
13 radar imaging;

14 “(B) electronic support measures;

15 “(C) communications;

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

18 “(E) chemical, biological, radiological (in-  
19 cluding neutron and electron), and other means  
20 of detection;

21 “(2) identifying demand reduction basic and  
22 applied research needs and initiatives, in consulta-  
23 tion with affected National Drug Control Program  
24 agencies, including—

1           “(A) improving treatment through  
2           neuroscientific advances;

3           “(B) improving the transfer of biomedical  
4           research to the clinical setting; and

5           “(C) in consultation with the National In-  
6           stitute of Drug Abuse, and through interagency  
7           agreements or grants, examining addiction and  
8           rehabilitation research and the application of  
9           technology to expanding the effectiveness of  
10          availability of drug treatment;

11          “(3) making a priority ranking of such needs  
12          identified in paragraphs (1) and (2) according to fis-  
13          cal and technological feasibility, as part of a Na-  
14          tional Counter-Drug Research and Development  
15          Program;

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

19          “(5) providing support to the development and  
20          implementation of the national drug control per-  
21          formance measurement system established under  
22          subsection (c) of section 706; and

23          “(6) transferring funds made available to a Na-  
24          tional Drug Control Program agency for counter-  
25          drug technology research and development to an-

1 other account within such agency or to another Na-  
2 tional Drug Control Program agency for counter-  
3 drug technology research and development, pursuant  
4 to the authority of the Director under section 704.

5 “(d) LIMITATION ON AUTHORITY.—The authority  
6 granted to the Director under this section shall not extend  
7 to the awarding of contracts, management of individual  
8 projects, or other operational activities.”.

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

12 “(e) ASSISTANCE AND SUPPORT TO THE OFFICE OF  
13 NATIONAL DRUG CONTROL POLICY.—The Secretary of  
14 Defense, the Secretary of Homeland Security, and the  
15 Secretary of Health and Human Services shall, to the  
16 maximum extent practicable, render assistance and sup-  
17 port to the Office and to the Director in the conduct of  
18 Counterdrug technology assessment.”.

19 (3) TECHNOLOGY TRANSFER PROGRAM.—Sec-  
20 tion 708 is amended by adding at the end the fol-  
21 lowing:

22 “(f) TECHNOLOGY TRANSFER PROGRAM.—

23 “(1) PROGRAM.—The Chief Scientist, with the  
24 advice and counsel of experts from State and local  
25 law enforcement agencies, shall be responsible to the

1 Director for coordination and implementation of a  
2 counter-drug technology transfer program.

3 “(2) PURPOSE.—The purpose of the Tech-  
4 nology Transfer Program shall be for the  
5 Counterdrug Technology Assessment Center to  
6 transfer technology and associated training directly  
7 to State and local law enforcement agencies.

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

10 “(A) the need of potential recipients for  
11 such technology;

12 “(B) the effectiveness of the technology to  
13 enhance current counter-drug activities of po-  
14 tential recipients; and

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

17 “(4) AGREEMENT AUTHORITY.—The Director  
18 may enter into an agreement with the Secretary of  
19 Homeland Security to transfer technology with both  
20 counter-drug and homeland security applications to  
21 State and local law enforcement agencies on a reim-  
22 bursable basis.

23 “(5) REPORT.—On or before July 1 of each  
24 year, the Director shall submit a report to the ap-

1       appropriate congressional committees which addresses  
2       the following:

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

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

7               “(C) A summary of the criteria used in  
8               making the determination on what requests  
9               were funded and what requests were not fund-  
10              ed.

11              “(D) A general assessment of the future  
12              needs of the program, based on expected  
13              changes in threats, expected technologies, and  
14              likely need from potential recipients.

15              “(E) An assessment of the effectiveness of  
16              the technologies transferred, based in part on  
17              the evaluations provided by the recipients, with  
18              a recommendation whether the technology  
19              should continue to be offered through the pro-  
20              gram.”.

1 **TITLE IV—REAUTHORIZATION**  
2 **AND IMPROVEMENT OF THE**  
3 **NATIONAL ANTI-DRUG MEDIA**  
4 **CAMPAIGN**

5 **SEC. 401. SHORT TITLE.**

6 This title may be cited as the “National Youth Anti-  
7 Drug Media Campaign Reauthorization Act of 2003”.

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

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

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

15 (2) in section 102—

16 (A) in subsection (a), by striking “national  
17 media campaign” and all that follows through  
18 the period and inserting the following: “national  
19 youth anti-drug media campaign (referred to in  
20 this subtitle as the ‘national media campaign’)  
21 in accordance with this subtitle for the purposes  
22 of—

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

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

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

6                       (B) in subsection (b), by striking “105”  
7           and inserting “106”.

8 **SEC. 403. ROLES AND RESPONSIBILITIES OF THE DIREC-**  
9                       **TOR, THE PARTNERSHIP FOR A DRUG-FREE**  
10                      **AMERICA, AND A MEDIA BUYING CON-**  
11                      **TRACTOR.**

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

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

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

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

21                       “(2) RESPONSIBILITIES.—

22                       “(A) DIRECTOR.—The Director shall be  
23 responsible for implementing a focused national  
24 media campaign to meet the purposes set forth  
25 in section 102(a), and shall approve—

1 “(i) the strategy of the national media  
2 campaign;

3 “(ii) all advertising and promotional  
4 material used in the national media cam-  
5 paign; and

6 “(iii) the plan for the purchase of ad-  
7 vertising time and space for the national  
8 media campaign.

9 “(B) THE PARTNERSHIP FOR A DRUG-  
10 FREE AMERICA.—The Director shall request  
11 that the Partnership for a Drug-Free Amer-  
12 ica—

13 “(i) develop and recommend strategies  
14 to achieve the goals of the national media  
15 campaign that address national and local  
16 drug threats in specific regions or States,  
17 such as methamphetamine and ecstasy;

18 “(ii) create all advertising to be used  
19 in the national media campaign, except ad-  
20 vertisements that are—

21 “(I) provided by other nonprofit  
22 entities pursuant to section 103(c);

23 “(II) intended to reach a minor-  
24 ity, ethnic, or other special audience  
25 that cannot be obtained at no cost

1 (not including production costs and  
2 talent reuse payments), provided that  
3 any such advertising material is re-  
4 viewed and approved by the Partner-  
5 ship for a Drug-Free America; and

6 “(III) any other advertisements  
7 that the Partnership for a Drug-Free  
8 America determines it is unable to  
9 provide;

10 “(C) MEDIA BUYING CONTRACTOR.—The  
11 Director shall enter into a contract with a  
12 media buying contractor to plan and purchase  
13 advertising time and space for the national  
14 media campaign. The media buying contractor  
15 shall not provide any service or material, or  
16 conduct any function or activity which can be  
17 provided by the Partnership for a Drug Free  
18 America”; and

19 (2) in section 103—

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

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

1 (C) in subparagraph (F), by striking “the  
2 Office of National Drug Control Policy” and in-  
3 serting “either the Office of National Drug  
4 Control Policy or the designee of the Office”.

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

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

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

11 “(2) ADVERTISING.—

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

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

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

1                   “(ii) the Partnership for a Drug-Free  
2                   America is unable to provide such adver-  
3                   tisements; and

4                   “(iii) the Director receives prior ap-  
5                   proval from the appropriate congressional  
6                   committees.”;

7                   (2) in subsection (b), by striking “105” and in-  
8                   serting “106”;

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

11                 “(c) MATCHING REQUIREMENT.—

12                   “(1) NO COST MATCH.—

13                   “(A) IN GENERAL.—Except as provided in  
14                   subparagraph (B), amounts made available for  
15                   the national media campaign under section 106  
16                   shall be used to require a no cost match of  
17                   equivalent value of advertising broadcast time,  
18                   print space, or in-kind contributions to the na-  
19                   tional media campaign, prior to the Director  
20                   executing a contract for the purchase of any ad-  
21                   vertising time or space for the national media  
22                   campaign.

23                   “(B) EXCEPTION.—The Director shall en-  
24                   sure that all no cost matches of advertising ma-  
25                   terial, time, space, or in-kind contributions pro-

1           vided pursuant to subparagraph (A) directly re-  
2           late to substance abuse prevention and specifi-  
3           cally promote the specific purposes set forth in  
4           section 102(a).

5           “(2) SPONSORSHIP IDENTIFICATION.—Any ad-  
6           vertising material donated to the national media  
7           campaign at no cost shall not be subject to the spon-  
8           sorship identification provisions in section 317 of the  
9           Communications Act of 1934 (47 U.S.C. 317).”;

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

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

12           “(1) IN GENERAL.—The Director shall ensure  
13           that—

14           “(A) for each fiscal year, not less than 85  
15           percent of the amounts appropriated under this  
16           subtitle shall be used for the purchase of adver-  
17           tising time and space for the national media  
18           campaign;

19           “(B) no Federal funds are used to pay any  
20           entity for any activity or service that duplicates,  
21           in whole or in part, any material, function, ac-  
22           tivity, or service provided by the Partnership  
23           for a Drug-Free America;

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

4           “(D) a corporation, partnership, or indi-  
5 vidual, shall not be considered a bidder for a  
6 contract under this subtitle if such corporation,  
7 partnership, or individual has, within the pre-  
8 vious 10-year period, in connection with the na-  
9 tional media campaign—

10           “(i) been convicted of any Federal  
11 criminal offense;

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

15           “(iii) settled any Federal civil pro-  
16 ceeding or potential proceeding instituted  
17 by the United States.

18           “(2) NEW CONTRACT.—Notwithstanding any  
19 other provision of law, if a corporation, partnership,  
20 or individual does not qualify for consideration  
21 under paragraph (1)(B), then not later than 90 days  
22 after the date of enactment of the National Youth  
23 Anti-Drug Media Campaign Reauthorization Act of  
24 2003, the Director shall—

1           “(A) terminate any existing contract prior  
2 to the expiration; or

3           “(B) prior to exercising any option to ex-  
4 tend or to renew any contract that is in effect  
5 on the date of introduction of the National  
6 Youth Anti-Drug Media Campaign Reauthoriza-  
7 tion Act of 2003, publish a notice of solicitation  
8 of bids for a new contract for the purchase of  
9 advertising time and space, provided that termi-  
10 nation of the existing contract and any solicita-  
11 tion of a new contract shall be carried out in  
12 a manner to ensure that the national media  
13 campaign is not interrupted until the execution  
14 of the new contract.

15           “(3) CONGRESSIONAL NOTIFICATION.—Prior to  
16 entering into a contract for the purchase of adver-  
17 tising time and space in accordance with this sub-  
18 section, the Director shall notify appropriate con-  
19 gressional committees.”;

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

22 **“SEC. 104. FINANCIAL AND PERFORMANCE ACCOUNT-**  
23 **ABILITY.**

24           “The Director shall—

1           “(1) carry out (through the Defense Contract  
2           Audit Agency or an independent auditor) an exam-  
3           ination of records as described in section 304C of  
4           the Federal Property and Administrative Services  
5           Act of 1949 (41 U.S.C. 254d) and an audit of the  
6           costs described in section 306 of that Act (41 U.S.C.  
7           256);

8           “(2) annually evaluate the effectiveness of the  
9           national media campaign based on—

10                   “(A) the ‘Monitoring the Future Study’  
11                   published by the Department of Health and  
12                   Human Services;

13                   “(B) the Attitude Tracking Study pub-  
14                   lished by the Partnership for a Drug-Free  
15                   America; and

16                   “(C) other relevant studies or publications,  
17                   as determined by the Director, including track-  
18                   ing and evaluation data collected according to  
19                   marketing and advertising industry standards;  
20                   and

21           “(3) submit a report to Congress in accordance  
22           with section 105, including the evaluation referred to  
23           in paragraph (2).”; and

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

1 **“SEC. 105. REPORT TO CONGRESS.**

2 “The Director shall annually submit a report to Con-  
3 gress that describes—

4 “(1) the strategy of the national media cam-  
5 paign and whether specific objectives of the cam-  
6 paign were accomplished;

7 “(2) steps taken to ensure that the national  
8 media campaign operates in an effective and effi-  
9 cient manner consistent with the overall strategy  
10 and focus of the campaign;

11 “(3) plans to purchase advertising time and  
12 space;

13 “(4) policies and practices implemented to en-  
14 sure that Federal funds are used responsibly to pur-  
15 chase advertising time and space and eliminate the  
16 potential for waste, fraud, and abuse;

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

20 “(6) specific policies and steps implemented to  
21 ensure compliance with this subtitle;

22 “(7) steps taken to ensure that the national  
23 media campaign will secure, to the maximum extent  
24 possible, no cost matches of advertising time and  
25 space or in-kind contributions that are directly re-

1       lated to the campaign in accordance with this sub-  
2       title; and

3               “(8) a review and evaluation of the effectiveness  
4       of the national media campaign strategy for the past  
5       year.”.

6       **SEC. 405. GAO AUDIT OF NATIONAL MEDIA CAMPAIGN.**

7       (a) IN GENERAL.—Not later than 1 year after the  
8       date of enactment of this Act, the General Accounting Of-  
9       fice shall report to Congress on the national media cam-  
10      paign.

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

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

15              (2) the Office’s management and strategic focus  
16      on the campaign;

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

20              (4) the roles of the Office, the Partnership for  
21      a Drug Free America, and the Media Buying Con-  
22      tractor, and the coordination of their efforts;

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

1 for a Drug Free America and the Media Buying  
2 Contractor;

3 (6) the policies and practices for supervising  
4 contractors who assist in the national media cam-  
5 paign;

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

8 (8) the coordination of the national media cam-  
9 paign among different media outlets; and

10 (9) potential reforms to the management and  
11 operation of the national media campaign to ensure  
12 that the campaign operates effectively and effi-  
13 ciently.

14 **SEC. 406. AUTHORIZATION FOR NATIONAL MEDIA CAM-**  
15 **PAIGN.**

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

19 **“SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

20 “There is authorized to be appropriated to the Office  
21 of National Drug Control Policy to carry out this subtitle,  
22 \$195,000,000 for each of the fiscal years 2004 through  
23 2008.”.

1 **TITLE V—AUTHORIZATIONS AND**  
2 **EXTENSION OF TERMINATION**  
3 **DATE**

4 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

5 Section 714 is amended—

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

8 (2) by striking “1999 through 2003” and in-  
9 serting “2004 through 2008”.

10 **SEC. 502. EXTENSION OF TERMINATION DATE.**

11 Section 715(a) is amended by striking “September  
12 30, 2003, this title and the amendments made by this  
13 title” and inserting “September 30, 2008, this title and  
14 the amendments made to this title”.

15 **TITLE VI—DESIGNATION OF**  
16 **UNITED STATES ANTI-DOPING**  
17 **AGENCY**

18 **SEC. 601. DESIGNATION OF UNITED STATES ANTI-DOPING**  
19 **AGENCY.**

20 (a) DEFINITIONS.—In this title:

21 (1) UNITED STATES OLYMPIC COMMITTEE.—

22 The term “United States Olympic Committee”  
23 means the organization established by the “Ted Ste-  
24 vens Olympic and Amateur Sports Act” (36 U.S.C.  
25 220501 et seq.).

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

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

11       (b) IN GENERAL.—The United States Anti-Doping  
12 Agency shall—

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

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

20           (3) implement anti-doping education, research,  
21 testing, and adjudication programs to prevent  
22 United States Amateur Athletes participating in any  
23 activity recognized by the United States Olympic  
24 Committee from using performance-enhancing  
25 drugs; and

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

9 **SEC. 602. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

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

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

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

17       **TITLE VII—DRUG EDUCATION,**  
18       **PREVENTION, AND TREATMENT**

19       **SEC. 701. EXPANSION OF SUBSTANCE ABUSE EDUCATION**  
20       **AND PREVENTION EFFORTS.**

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

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

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

3           “(A) to carry out school-based programs con-  
4           cerning the dangers of abuse of and addiction to il-  
5           licit drugs, using methods that are effective and re-  
6           search-based, including initiatives that give students  
7           the responsibility to create their own antidrug abuse  
8           education programs for their schools; and

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

12          “(2) Amounts made available under a grant, con-  
13          tract, or cooperative agreement under paragraph (1) shall  
14          be used for planning, establishing, or administering pre-  
15          vention programs relating to illicit drugs in accordance  
16          with paragraph (3).

17          “(3)(A) Amounts provided under this subsection may  
18          be used—

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

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

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

3 “(iii) to assist local government entities to con-  
4 duct appropriate prevention activities relating to il-  
5 licit drugs;

6 “(iv) to train and educate State and local law  
7 enforcement officials, prevention and education offi-  
8 cials, members of community antidrug coalitions and  
9 parents on the signs of abuse of and addiction to il-  
10 licit drugs, and the options for treatment and pre-  
11 vention;

12 “(v) for planning, administration, and edu-  
13 cational activities related to the prevention of abuse  
14 of and addiction to illicit drugs;

15 “(vi) for the monitoring and evaluation of pre-  
16 vention activities relating to illicit drugs, and report-  
17 ing and disseminating resulting information to the  
18 public; and

19 “(vii) for targeted pilot programs with evalua-  
20 tion components to encourage innovation and experi-  
21 mentation with new methodologies.

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

1       “(4)(A) Not less than \$500,000 of the amount avail-  
2 able in each fiscal year to carry out this subsection shall  
3 be made available to the Administrator, acting in consulta-  
4 tion with other Federal agencies, to support and conduct  
5 periodic analyses and evaluations of effective prevention  
6 programs for abuse of and addiction to illicit drugs and  
7 the development of appropriate strategies for dissemi-  
8 nating information about and implementing these pro-  
9 grams.

10       “(B) The Administrator shall submit to the commit-  
11 tees of Congress referred to in subparagraph (C) an an-  
12 nual report with the results of the analyses and evaluation  
13 conducted pursuant to subparagraph (A).

14       “(C) The committees of Congress referred to in sub-  
15 paragraph (B) are the following:

16               “(i) The Committees on Health, Education,  
17 Labor, and Pensions, the Judiciary, and Appropria-  
18 tions of the Senate.

19               “(ii) The Committees on Energy and Com-  
20 merce, the Judiciary, and Appropriations of the  
21 House of Representatives.”.

22       (b) AUTHORIZATION OF APPROPRIATIONS FOR EX-  
23 PANSION OF ABUSE PREVENTION EFFORTS AND PRACTI-  
24 TIONER REGISTRATION REQUIREMENTS.—There is au-  
25 thorized to be appropriated to carry out section 515(e) of

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

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

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

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

19 **“SEC. 510. FUNDING FOR RURAL STATES AND ECONOMICALLY DEPRESSED COMMUNITIES.**

21 “(a) IN GENERAL.—The Director of the Center for  
 22 Substance Abuse Treatment (in this section referred to  
 23 as the ‘Director’) may award grants, cooperative agree-  
 24 ments, or contracts to public and nonprofit private entities  
 25 for the purpose of providing treatment facilities in rural

1 States and economically depressed communities that have  
2 high rates of drug addiction but lack the resources to pro-  
3 vide adequate treatment.

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

12 “(c) EQUITABLE ALLOCATION OF AWARDS.—In mak-  
13 ing awards under subsection (a), the Director shall ensure  
14 that the awards are equitably allocated among the prin-  
15 cipal geographic regions of the United States, subject to  
16 the availability of qualified applicants for the awards.

17 “(d) APPLICATION.—Each entity desiring an award  
18 under subsection (a) shall submit to the Director an appli-  
19 cation at such time, in such manner and containing such  
20 information as the Director determines necessary, includ-  
21 ing a certification that—

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

1           “(2) the plans of the entity for such a program  
2           are consistent with the policies of such entity regard-  
3           ing the treatment of substance abuse; and

4           “(3) the entity, or any other entity through  
5           which the applicant will provide services, meets all  
6           applicable State licensure or certification require-  
7           ments regarding the provision of the services in-  
8           volved.

9           “(e) REQUIREMENT OF MATCHING FUNDS.—

10           “(1) NON-FEDERAL SHARE.—Each entity re-  
11           ceiving an award under this section shall make avail-  
12           able (directly or through donations from public or  
13           private entities) non-Federal contributions toward  
14           the costs of activities funded by such an award in  
15           an amount that—

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

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

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

1           “(2) DETERMINATION OF AMOUNT OF NON-  
2 FEDERAL SHARE.—The non-Federal share of pay-  
3 ments required under paragraph (1) may be in cash  
4 or in kind, fairly evaluated, including plant, equip-  
5 ment, or services. Amounts provided by the Federal  
6 Government, or services assisted or subsidized to  
7 any significant extent by the Federal Government,  
8 may not be included in determining the amount of  
9 such non-Federal contributions.

10          “(f) REPORTS TO DIRECTOR.—Not later than 1 year  
11 after receiving an award under subsection (a) and annu-  
12 ally thereafter, each entity receiving an award under such  
13 subsection shall submit to the Director a report—

14           “(1) describing the use of the award and the  
15 costs of services provided under the award;

16           “(2) specifying the number of individuals served  
17 by the award and the type and cost of services pro-  
18 vided; and

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

21          “(g) EVALUATIONS; DISSEMINATION OF FIND-  
22 INGS.—The Director shall, directly or through contract,  
23 provide for the conduct of evaluations of programs carried  
24 out pursuant to subsection (a). The Director shall dissemi-

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

3 “(h) MINIMUM ALLOCATION.—Unless all eligible ap-  
4 plications submitted by any State or unit of local govern-  
5 ment within such State for a grant under this section have  
6 been funded, such State, together with grantees within the  
7 State (other than Indian tribes), shall be allocated in each  
8 fiscal year under this section not less than 0.75 percent  
9 of the total amount appropriated in the fiscal year for  
10 grants under this section.

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

15 “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
16 are authorized to be appropriated to carry out this section  
17 \$50,000,000 for each of fiscal years 2005, 2006, and  
18 2007.

19 **“SEC. 511. FUNDING FOR RESIDENTIAL TREATMENT CEN-**  
20 **TERS FOR WOMEN AND CHILDREN.**

21 “(a) IN GENERAL.—The Director of the Center for  
22 Substance Abuse Treatment (in this section referred to  
23 as the ‘Director’) may award grants, cooperative agree-  
24 ments, or contracts to public and nonprofit private entities  
25 to establish treatment facilities that—

1           “(1) provide residential treatment for meth-  
2           amphetamine-, heroin-, and other drug-addicted  
3           women with minor children; and

4           “(2) offer specialized treatment for meth-  
5           amphetamine-, heroin-, and other drug-addicted  
6           mothers and allow the minor children of those moth-  
7           ers to reside with them in the facility or nearby  
8           while treatment is ongoing.

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

17          “(c) EQUITABLE ALLOCATION OF AWARDS.—In mak-  
18          ing awards under subsection (a), the Director shall ensure  
19          that the awards are equitably allocated among the prin-  
20          cipal geographic regions of the United States, subject to  
21          the availability of qualified applicants for the awards.

22          “(d) APPLICATION.—Each entity desiring an award  
23          under subsection (a) shall submit to the Director an appli-  
24          cation at such time, in such manner and containing such

1 information as the Director determines necessary, includ-  
2 ing a certification that—

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

5 “(2) the plans of the entity for such a program  
6 are consistent with the policies of such entity regard-  
7 ing the treatment of substance abuse; and

8 “(3) the entity, or any other entity through  
9 which the applicant will provide services, meets all  
10 applicable State licensure or certification require-  
11 ments regarding the provision of the services in-  
12 volved.

13 “(e) PRIORITY.—In making grants under this sec-  
14 tion, the Director shall give priority to areas experiencing  
15 a high rate or rapid increase in drug abuse and addiction.

16 “(f) REQUIREMENT OF MATCHING FUNDS.—

17 “(1) NON-FEDERAL SHARE.—Each entity re-  
18 ceiving an award under this section shall make avail-  
19 able (directly or through donations from public or  
20 private entities) non-Federal contributions toward  
21 the costs of activities funded by such an award in  
22 an amount that—

23 “(A) for the first fiscal year for which the  
24 applicant receives payments under the award,

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

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

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

9 “(2) DETERMINATION OF AMOUNT OF NON-  
10 FEDERAL SHARE.—The non-Federal share of pay-  
11 ments required under paragraph (1) may be in cash  
12 or in kind, fairly evaluated, including plant, equip-  
13 ment, or services. Amounts provided by the Federal  
14 Government, or services assisted or subsidized to  
15 any significant extent by the Federal Government,  
16 may not be included in determining the amount of  
17 such non-Federal contributions.

18 “(g) REPORTS TO DIRECTOR.—Not later than 1 year  
19 after receiving an award under subsection (a) and annu-  
20 ally thereafter, each entity receiving an award under such  
21 subsection shall submit to the Director a report—

22 “(1) describing the use of the award and the  
23 costs of services provided under the award;

1           “(2) specifying the number of individuals served  
2           by the award and the type and cost of services pro-  
3           vided; and

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

6           “(h) EVALUATIONS; DISSEMINATION OF FIND-  
7           INGS.—The Director shall, directly or through contract,  
8           provide for the conduct of evaluations of programs carried  
9           out pursuant to subsection (a). The Director shall dissemi-  
10          nate to the States the findings made as a result of the  
11          evaluations.

12          “(i) MINIMUM ALLOCATION.—Unless all eligible ap-  
13          plications submitted by any State or units of local govern-  
14          ment within such State for a grant under this section have  
15          been funded, such State, together with grantees within the  
16          State (other than Indian tribes), shall be allocated in each  
17          fiscal year under this section not less than 0.75 percent  
18          of the total amount appropriated in the fiscal year for  
19          grants under this section.

20          “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
21          are authorized to be appropriated to carry out this section  
22          \$10,000,000 for each of fiscal years 2005, 2006, and  
23          2007.”.

1 **SEC. 703. RESIDENTIAL TREATMENT PROGRAMS FOR JUVE-**  
2 **NILES.**

3 Title V of the Public Health Service Act (42 U.S.C.  
4 290aa et seq.) is amended by adding at the end the fol-  
5 lowing:

6 **“PART H—RESIDENTIAL TREATMENT PROGRAMS**  
7 **FOR JUVENILES**

8 **“SEC. 591. RESIDENTIAL TREATMENT PROGRAMS FOR JU-**  
9 **VENILES.**

10 “(a) IN GENERAL.—The Director of the Center for  
11 Substance Abuse Treatment (in this section referred to  
12 as the ‘Director’) may award grants, cooperative agree-  
13 ments, or contracts to public and nonprofit private entities  
14 to provide treatment to juveniles for substance abuse  
15 through programs that—

16 “(1) are effective and science-based; and

17 “(2) provide facilities in which the juveniles re-  
18 side during the course of receiving such treatment.

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

1       “(c) **EQUITABLE ALLOCATION OF AWARDS.**—In mak-  
2 ing awards under subsection (a), the Director shall ensure  
3 that the awards are equitably allocated among the prin-  
4 cipal geographic regions of the United States, as well as  
5 among Indian tribes, subject to the availability of qualified  
6 applicants for the awards.

7       “(d) **AVAILABILITY OF SERVICES FOR EACH PARTIC-**  
8 **IPANT.**— Each entity receiving an award under subsection  
9 (a) shall use the funds provided under such subsection to  
10 operate programs in which—

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

14           “(2) services will be made available to each per-  
15 son admitted to the program; and

16           “(3) the entity will, in consultation with the ju-  
17 venile and, if appropriate the parent or guardian of  
18 the juvenile, prepare an individualized plan for the  
19 provision of treatment services including—

20           “(A) individual, group, and family coun-  
21 seling, as appropriate, regarding substance  
22 abuse; and

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

1       “(e) ELIGIBLE SUPPLEMENTAL SERVICES.—In addi-  
2 tion to activities described in subsection (b), grants under  
3 subsection (a) may be used to provide the following serv-  
4 ices:

5               “(1) Referrals for necessary hospital services.

6               “(2) Counseling on the human immuno-  
7 deficiency virus and on acquired immune deficiency  
8 syndrome.

9               “(3) Counseling on domestic violence and sexual  
10 abuse.

11              “(4) Planning for and counseling to assist re-  
12 entry into society, both before and after discharge,  
13 including referrals to any public or nonprofit private  
14 entities in the community involved that provide serv-  
15 ices appropriate for the juvenile.

16       “(f) APPLICATION.—Each entity desiring an award  
17 under subsection (a) shall submit to the Director an appli-  
18 cation at such time, in such manner, and containing such  
19 information as the Director may require including a cer-  
20 tification that—

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

23              “(2) the plans of the applicant for the program  
24 are consistent with the policies of such agency re-  
25 garding the treatment of substance abuse;

1           “(3) the applicant, or any entity through which  
2           the applicant will provide services, meets all applica-  
3           ble State licensure or certification requirements re-  
4           garding the provision of the services involved;

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

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

11          “(6) the applicant involved will provide for con-  
12          tinuing education in treatment services for the indi-  
13          viduals who will provide treatment in the program;  
14          and

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

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

19                 “(B) will be adjusted to reflect the eco-  
20                 nomic condition of the juvenile involved; and

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

1           ance with section 673(2) of the Omnibus Budg-  
2           et Reconciliation Act of 1981 (42 U.S.C.  
3           9902(2)).

4           “(g) PRIORITY.—In making grants under this sec-  
5           tion, the Director shall give priority to areas experiencing  
6           a high rate or rapid increase in drug abuse and addiction.

7           “(h) REQUIREMENT OF MATCHING FUNDS.—

8                 “(1) NON-FEDERAL SHARE.—Each entity re-  
9           ceiving an award under this section shall make avail-  
10          able (directly or through donations from public or  
11          private entities) non-Federal contributions toward  
12          the costs of activities funded by such an award in  
13          an amount that—

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

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

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

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

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

8       “(i) REPORTS TO DIRECTOR.—Not later than 1 year  
9       after receiving an award under subsection (a) and annu-  
10      ally thereafter, each entity receiving an award under such  
11      subsection shall submit to the Director a report—

12             “(1) describing the use of the award and the  
13             costs of services provided under the award;

14             “(2) specifying the number of juveniles served  
15             by the award and the type and cost of services pro-  
16             vided; and

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

19       “(j) EVALUATIONS; DISSEMINATION OF FINDINGS.—  
20      The Director shall, directly or through contract, provide  
21      for the conduct of evaluations of programs carried out  
22      pursuant to subsection (a). The Director shall disseminate  
23      to the States the findings made as a result of the evalua-  
24      tions.

25       “(k) REPORTS TO CONGRESS.—

1           “(1) INITIAL REPORT.—Not later than October  
2           1, 2005, the Director shall submit to the Committee  
3           on the Judiciary of the House of Representatives,  
4           and the Committee on the Judiciary of the Senate,  
5           a report describing programs carried out pursuant  
6           to this section.

7           “(2) PERIODIC REPORTS.—Not less than bien-  
8           nially after the date described in paragraph (1), the  
9           Director shall prepare a report describing programs  
10          carried out pursuant to this section during the pre-  
11          ceding 2-year period, and shall submit the report to  
12          the Administrator for inclusion in the biennial report  
13          under section 501(k).

14          “(3) SUMMARY.—Each report under this sub-  
15          section shall include a summary of any evaluations  
16          conducted under subsection (j) during the period  
17          with respect to which the report is prepared.

18          “(1) DEFINITIONS.—In this section:

19                 “(1) JUVENILE.—The term ‘juvenile’ means  
20                 anyone 18 years of age or younger at the time of ad-  
21                 mission to a program operated pursuant to sub-  
22                 section (a).

23                 “(2) TREATMENT SERVICES.—The term ‘treat-  
24                 ment services’ means treatment for substance abuse,

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

3 **“SEC. 592. OUTPATIENT TREATMENT PROGRAMS FOR JUVE-**  
4 **NILES.**

5 “(a) GRANTS.—The Secretary, acting through the  
6 Director of the Center for Substance Abuse Treatment,  
7 shall make grants to eligible entities to establish projects  
8 for the outpatient treatment of substance abuse among ju-  
9 veniles.

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

13 “(c) EVALUATION.—The Secretary shall evaluate  
14 projects carried out under subsection (a) and shall dis-  
15 seminate to appropriate public and private entities infor-  
16 mation on effective projects.

17 **“SEC. 593. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) IN GENERAL.—There are authorized to be ap-  
19 propriated to carry out this part \$100,000,000 for each  
20 of the fiscal years 2005 through 2007.

21 “(b) MINIMUM ALLOCATION.—Unless all eligible ap-  
22 plications submitted by any State or unit of local govern-  
23 ment within such State for a grant under this part have  
24 been funded, such State, together with grantees within the  
25 State (other than Indian tribes), shall be allocated in each

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

4 “(c) TRANSFER.—In addition to the amounts author-  
5 ized in subsection (a), there is authorized to be appro-  
6 priated for the fiscal year from the special forfeiture fund  
7 of the Director of the Office of National Drug Control Pol-  
8 icy such sums as may be necessary.

9 “(d) RULE OF CONSTRUCTION.—The amounts au-  
10 thorized to be appropriated in this section are in addition  
11 to any other amounts that are authorized to be appro-  
12 priated and are available for drug treatment programs for  
13 juveniles.”.

14 **SEC. 704. DRUG TREATMENT ALTERNATIVE TO PRISON**  
15 **PROGRAMS ADMINISTERED BY STATE OR**  
16 **LOCAL PROSECUTORS.**

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

1     **“PART CC—PROSECUTION DRUG TREATMENT**

2             **ALTERNATIVE TO PRISON PROGRAMS**

3     **“SEC. 2901. PILOT PROGRAM AUTHORIZED.**

4             “(a) IN GENERAL.—The Attorney General may make  
5 grants to State or local prosecutors for the purpose of de-  
6 veloping, implementing, or expanding drug treatment al-  
7 ternative to prison programs that comply with the require-  
8 ments of this part.

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

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

18                 “(2) Payments to licensed substance abuse  
19 treatment providers for providing treatment to of-  
20 fenders participating in the program for which the  
21 grant was made, including aftercare supervision, vo-  
22 cational training, education, and job placement.

23                 “(3) Payments to public and nonprofit private  
24 entities for providing treatment to offenders partici-  
25 pating in the program for which the grant was  
26 made.

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

4       “(d) SUPPLEMENT AND NOT SUPPLANT.—Grant  
5 amounts received under this part shall be used to supple-  
6 ment, and not supplant, non-Federal funds that would  
7 otherwise be available for activities funded under this part.

8       **“SEC. 2902. PROGRAM REQUIREMENTS.**

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

12               “(1) A State or local prosecutor shall admin-  
13 ister the program.

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

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

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

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

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

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

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

14 “(6) The program shall have an enforcement  
15 unit comprised of law enforcement officers under the  
16 supervision of the State or local prosecutor carrying  
17 out the program, the duties of which shall include  
18 verifying an offender’s addresses and other contacts,  
19 and, if necessary, locating, apprehending, and ar-  
20 resting an offender who has absconded from the fa-  
21 cility of a residential substance abuse treatment pro-  
22 vider or otherwise violated the terms and conditions  
23 of the program, and returning such offender to court  
24 for sentence on the underlying crime.

1 **“SEC. 2903. APPLICATIONS.**

2 “(a) IN GENERAL.—To request a grant under this  
3 part, a State or local prosecutor shall submit an applica-  
4 tion to the Attorney General in such form and containing  
5 such information as the Attorney General may reasonably  
6 require.

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

11 **“SEC. 2904. GEOGRAPHIC DISTRIBUTION.**

12 “The Attorney General shall ensure that, to the ex-  
13 tent practicable, the distribution of grant awards is equi-  
14 table and includes State or local prosecutors—

15 “(1) in each State; and

16 “(2) in rural, suburban, and urban jurisdic-  
17 tions.

18 **“SEC. 2905. REPORTS AND EVALUATIONS.**

19 “For each fiscal year, each recipient of a grant under  
20 this part during that fiscal year shall submit to the Attor-  
21 ney General a report regarding the effectiveness of activi-  
22 ties carried out using that grant. Each report shall include  
23 an evaluation in such form and containing such informa-  
24 tion as the Attorney General may reasonably require. The  
25 Attorney General shall specify the dates on which such  
26 reports shall be submitted.

1 **“SEC. 2906. DEFINITIONS.**

2 “In this part:

3 “(1) The term ‘State or local prosecutor’ means  
4 any district attorney, State attorney general, county  
5 attorney, or corporation counsel who has authority  
6 to prosecute criminal offenses under State or local  
7 law.

8 “(2) The term ‘eligible offender’ means an indi-  
9 vidual who—

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

14 “(B) has never been convicted of, or pled  
15 guilty to, or admitted guilt with respect to, and  
16 is not presently charged with, a felony crime of  
17 violence, a major drug offense, including drug  
18 trafficking, or a crime that is considered a vio-  
19 lent felony under State or local law; and

20 “(C) has been found by a professional sub-  
21 stance abuse screener to be in need of sub-  
22 stance abuse treatment because that offender  
23 has a history of substance abuse that is a sig-  
24 nificant contributing factor to that offender’s  
25 criminal conduct.

1           “(3) The term ‘felony crime of violence’ has the  
2 meaning given such term in section 924(c)(3) of title  
3 18, United States Code.

4           “(4) The term ‘major drug offense’ has the  
5 meaning given such term in section 36(a) of title 18,  
6 United States Code.”.

7           (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
8 1001(a) of title I of the Omnibus Crime Control and Safe  
9 Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by  
10 adding at the end the following new paragraph:

11           “(24) There are authorized to be appropriated  
12 to carry out part CC \$30,000,000 for each of fiscal  
13 years 2005 through 2007.”.

14 **SEC. 705. FUNDING FOR RESIDENTIAL TREATMENT CEN-**  
15 **TERS FOR WOMEN AND CHILDREN.**

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

21           (1) provide residential treatment for meth-  
22 amphetamine, heroin, and other drug addicted  
23 women with minor children; and

24           (2) offer specialized treatment for methamphet-  
25 amine-, heroin-, and other drug-addicted mothers

1 and allow the minor children of those mothers to re-  
2 side with them in the facility or nearby while treat-  
3 ment is ongoing.

4 (b) MINIMUM QUALIFICATIONS FOR RECEIPT OF  
5 AWARD.—With respect to the principal agency of the  
6 State involved that administers programs relating to sub-  
7 stance abuse, the Director may make an award under sub-  
8 section (a) to an applicant only if the agency has certified  
9 to the Director that—

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

12 (2) the plans of the applicant for such a pro-  
13 gram are consistent with the policies of such agency  
14 regarding the treatment of substance abuse; and

15 (3) the applicant, or any entity through which  
16 the applicant will provide authorized services, meets  
17 all applicable State licensure or certification require-  
18 ments regarding the provision of the services in-  
19 volved.

20 (c) REQUIREMENT OF MATCHING FUNDS.—

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

1 from public or private entities) non-Federal con-  
2 tributions toward such costs in an amount that—

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

8 (B) for any second such fiscal year, is not  
9 less than \$1 for each \$9 of Federal funds pro-  
10 vided in the award; and

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

14 (2) DETERMINATION OF AMOUNT CONTRIB-  
15 UTED.—Non-Federal contributions required in para-  
16 graph (1) may be in cash or in kind, fairly evalu-  
17 ated, including plant, equipment, or services.  
18 Amounts provided by the Federal Government, or  
19 services assisted or subsidized to any significant ex-  
20 tent by the Federal Government, may not be in-  
21 cluded in determining the amount of such non-Fed-  
22 eral contributions.

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

1           (1) describing the utilization and costs of serv-  
2           ices provided under the award;

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

5           (3) providing such other information as the Di-  
6           rector determines to be appropriate.

7           (e) REQUIREMENT OF APPLICATION.—The Director  
8           may make an award under subsection (a) only if an appli-  
9           cation for the award is submitted to the Director con-  
10          taining such agreements, and the application is in such  
11          form, is made in such manner, and contains such other  
12          agreements and such assurances and information as the  
13          Director determines to be necessary to carry out this sec-  
14          tion.

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

18          (g) EQUITABLE ALLOCATION OF AWARDS.—In mak-  
19          ing awards under subsection (a), the Director shall ensure  
20          that the awards are equitably allocated among the prin-  
21          cipal geographic regions of the United States, subject to  
22          the availability of qualified applicants for the awards.

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

1 payments shall be subject to annual approval by the Direc-  
2 tor of the payments and subject to the availability of ap-  
3 propriations for the fiscal year involved to make the pay-  
4 ments. This subsection may not be construed to establish  
5 a limitation on the number of awards under such sub-  
6 section that may be made to an entity.

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

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

21 (k) AUTHORIZATION OF APPROPRIATIONS.—There  
22 are authorized to be appropriated to carry out this section  
23 such sums as may be necessary for each of the fiscal years  
24 2005, 2006, and 2007.

1 **TITLE VIII—ANABOLIC STEROID**  
2 **CONTROL ACT OF 2003**

3 **SEC. 801. SHORT TITLE.**

4 This title may be cited as the “Anabolic Steroid Con-  
5 trol Act of 2003”.

6 **SEC. 802. AMENDMENTS TO THE CONTROLLED SUB-**  
7 **STANCES ACT.**

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

10 (1) in paragraph (41)—

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

13 (B) by striking subparagraph (A) and in-  
14 serting the following:

15 “(A) The term ‘anabolic steroid’ means any drug or  
16 hormonal substance, chemically and pharmacologically re-  
17 lated to testosterone (other than estrogens, progestins,  
18 corticosteroids, and dehydroepiandrosterone), and in-  
19 cludes—

20 “(i) androstenediol—

21 “(I)  $3\beta,17\beta$ -dihydroxy- $5\alpha$ -androstan-3,17-

22 “(II)  $3\alpha,17\beta$ -dihydroxy- $5\alpha$ -androstan-3,17-

23 “(ii) androstenedione ( $5\alpha$ -androstan-3,17-  
24 dione);

25 “(iii) androstenediol—

1           “(I) 1-androstenediol ( $3\beta,17\beta$ -dihydroxy-  
2  $5\alpha$ -androst-1-ene);

3           “(II) 1-androstenediol ( $3\alpha,17\beta$ -dihydroxy-  
4  $5\alpha$ -androst-1-ene);

5           “(III) 4-androstenediol ( $3\beta,17\beta$ -dihydroxy-  
6 androst-4-ene); and

7           “(IV) 5-androstenediol ( $3\beta,17\beta$ -dihydroxy-  
8 androst-5-ene);

9           “(iv) androstenedione—

10           “(I) 1-androstenedione ( $[5\alpha]$ -androst-1-en-  
11 3,17-dione);

12           “(II) 4-androstenedione (androst-4-en-  
13 3,17-dione); and

14           “(III) 5-androstenedione (androst-5-en-  
15 3,17-dione);

16           “(v) bolasterone ( $7\alpha,17\alpha$ -dimethyl- $17\beta$ -  
17 hydroxyandrost-4-en-3-one);

18           “(vi) boldenone ( $17\beta$ -hydroxyandrost-1,4,-diene-  
19 3-one);

20           “(vii) calusterone ( $7\beta,17\alpha$ -dimethyl- $17\beta$ -  
21 hydroxyandrost-4-en-3-one);

22           “(viii) clostebol (4-chloro- $17\beta$ -hydroxyandrost-4-  
23 en-3-one);

24           “(ix) dehydrochlormethyltestosterone (4-chloro-  
25  $17\beta$ -hydroxy- $17\alpha$ -methyl-androst-1,4-dien-3-one);

- 1           “(x) 4-dihydrotestosterone (17 $\beta$ -hydroxy-  
2 androstan-3-one);
- 3           “(xi) drostanolone (17 $\beta$ -hydroxy-2 $\alpha$ -methyl-5 $\alpha$ -  
4 androstan-3-one);
- 5           “(xii) ethylestrenol (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-  
6 4-ene);
- 7           “(xiii) fluoxymesterone (9-fluoro-17 $\alpha$ -methyl-  
8 11 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-en-3-one);
- 9           “(xiv) formebolone (2-formyl-17 $\alpha$ -methyl-  
10 11 $\alpha$ ,17 $\beta$ -dihydroxyandrost-1,4-dien-3-one);
- 11           “(xv) furazabol (17 $\alpha$ -methyl-17 $\beta$ -  
12 hydroxyandrostan[2,3-c]-furan);
- 13           “(xvi) 18 $\alpha$ -homo-17 $\beta$ -hydroxyestr-4-en-3-one  
14 (13 $\beta$ -ethyl-17 $\beta$ -hydroxygon-4-en-3-one);
- 15           “(xvii) 4-hydroxytestosterone (4,17 $\beta$ -dihydroxy-  
16 androst-4-en-3-one);
- 17           “(xviii) 4-hydroxy-19-nortestosterone (4,17 $\beta$ -  
18 dihydroxy-estr-4-en-3-one);
- 19           “(xix) mestanolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-  
20 5 $\alpha$ -androstan-3-one);
- 21           “(xx) mesterolone (1 $\alpha$ -methyl-17 $\beta$ -hydroxy-  
22 [5 $\alpha$ ]-androstan-3-one);
- 23           “(xxi) methandienone (17 $\alpha$ -methyl-17 $\beta$ -  
24 hydroxyandrost-1,4-dien-3-one);

- 1           “(xxii) methandriol (17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -  
2 dihydroxyandrost-5-ene);
- 3           “(xxiii) methenolone (1-methyl-17 $\beta$ -hydroxy-5 $\alpha$ -  
4 androst-1-en-3-one);
- 5           “(xxiv) methyltestosterone (17 $\alpha$ -methyl-17 $\beta$ -  
6 hydroxyandrost-4-en-3-one);
- 7           “(xxv) mibolerone (7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -  
8 hydroxyestr-4-en-3-one);
- 9           “(xxvi) nandrolone (17 $\beta$ -hydroxyestr-4-en-3-  
10 one);
- 11          “(xxvii) norandrostenediol—
- 12           “(I) 19-nor-4-androstenediol (3 $\beta$ , 17 $\beta$ -  
13 dihydroxyestr-4-ene);
- 14           “(II) 19-nor-4-androstenediol (3 $\alpha$ , 17 $\beta$ -  
15 dihydroxyestr-4-ene);
- 16           “(III) 19-nor-5-androstenediol (3 $\beta$ , 17 $\beta$ -  
17 dihydroxyestr-5-ene); and
- 18           “(IV) 19-nor-5-androstenediol (3 $\alpha$ , 17 $\beta$ -  
19 dihydroxyestr-5-ene);
- 20          “(xxviii) norandrostenedione—
- 21           “(I) 19-nor-4-androstenedione (estr-4-en-  
22 3,17-dione); and
- 23           “(II) 19-nor-5-androstenedione (estr-5-en-  
24 3,17-dione);

- 1           “(xxix)       norbolethone       (18 $\alpha$ -homo-17 $\beta$ -  
2       hydroxypregna-4-en-3-one);
- 3           “(xxx)       norelostebol (4-chloro-17 $\beta$ -hydroxyestr-4-  
4       en-3-one);
- 5           “(xxxi)       norethandrolone       (17 $\alpha$ -ethyl-17 $\beta$ -  
6       hydroxyestr-4-en-3-one);
- 7           “(xxxii)       oxandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-  
8       2-oxa-[5 $\alpha$ ]-androstan-3-one);
- 9           “(xxxiii)       oxymesterone       (17 $\alpha$ -methyl-4,17 $\beta$ -  
10       dihydroxyandrost-4-en-3-one);
- 11          “(xxxiv)       oxymetholone       (17 $\alpha$ -methyl-2-  
12       hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-  
13       one);
- 14          “(xxxv)       stanozolol (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-  
15       [5 $\alpha$ ]-androst-2-eno[3,2-c]-pyrazole);
- 16          “(xxxvi)       stenbolone (17 $\beta$ -hydroxy-2-methyl-  
17       [5 $\alpha$ ]-androst-1-en-3-one);
- 18          “(xxxvii)       testolactone (13-hydroxy-3-oxo-13,17-  
19       secoandrosta-1,4-dien-17-oic acid lactone);
- 20          “(xxxviii)       1-testosterone (17 $\beta$ -Hydroxy-5 $\alpha$ -  
21       androst-1-en-3-one);
- 22          “(xxxix)       testosterone (17 $\beta$ -hydroxyandrost-4-en-  
23       3-one);
- 24          “(xl)       tetrahydrogestrinone (13 $\beta$ ,17 $\alpha$ -diethyl-  
25       17 $\beta$ -hydroxygon-4,9,11-trien-3-one);

1           “(xli) trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-  
2           3-one); and

3           “(xlii) any salt, ester, or ether of a drug or sub-  
4           stance described in this paragraph; and

5                       (C) by adding at the end the following:

6           “(C) Notwithstanding subparagraph (A), the Attor-  
7           ney General may not schedule Androstenedione as a con-  
8           trolled substance in accordance with this Act until the At-  
9           torney General receives a finding from the Commissioner  
10          of Food and Drugs relating to whether Androstenedione  
11          is lawfully marketed under the Federal Food, Drug, and  
12          Cosmetic Act (21 U.S.C. 321 et seq.)”; and

13                   (2) in paragraph (44), by inserting “anabolic  
14           steroids,” after “marihuana,”.

15          (b) AUTHORITY AND CRITERIA FOR CLASSIFICA-  
16          TION.—Section 201(g) of the Controlled Substances Act  
17          (21 U.S.C. 811(g)) is amended—

18                   (1) in paragraph (1), by striking “substance  
19           from a schedule if such substance” and inserting  
20           “drug which contains a controlled substance from  
21           the application of titles II and III of the Comprehen-  
22           sive Drug Abuse Prevention and Control Act (21  
23           U.S.C. 802 et seq.) if such drug”; and

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

1           “(C) Upon the recommendation of the Sec-  
2           retary of Health and Human Services, a compound,  
3           mixture, or preparation which contains any anabolic  
4           steroid, which is intended for administration to a  
5           human being or an animal, and which, because of its  
6           concentration, preparation, formulation or delivery  
7           system, does not present any significant potential for  
8           abuse.”.

9           (c) ANABOLIC STEROIDS CONTROL ACT.—Section  
10          1903 of the Anabolic Steroids Control Act of 1990 (Public  
11          Law 101–647) is amended—

12                 (1) by striking subsection (a); and

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

15          **SEC. 803. SENTENCING COMMISSION GUIDELINES.**

16          The United States Sentencing Commission shall—

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

19                 (2) consider amending the Federal sentencing  
20          guidelines to provide for increased penalties with re-  
21          spect to offenses involving anabolic steroids in a  
22          manner that reflects the seriousness of such offenses  
23          and the need to deter anabolic steroid use; and

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

1 **SEC. 804. PREVENTION AND EDUCATION PROGRAMS.**

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

8 (b) ELIGIBILITY.—

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

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

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

20 (B) the Athletes Targeting Healthy Exer-  
21 cise and Nutrition Alternatives program; and

22 (C) other programs determined to be effec-  
23 tive by the National Institute on Drug Abuse.

24 (c) USE OF FUNDS.—Amounts received under a  
25 grant under subsection (a) shall be used primarily for edu-  
26 cation programs that will directly communicate with

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

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
 5 authorized to be appropriated to carry out this section,  
 6 \$15,000,000 for each of fiscal years 2004 through 2009.

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

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

12 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
 13 authorized to be appropriated to carry out this section,  
 14 \$1,000,000 for each of fiscal years 2004 through 2009.

15 **TITLE IX—NATIONAL GUARD**  
 16 **COUNTER-DRUG SCHOOLS**

17 **SEC. 901. NATIONAL GUARD COUNTER-DRUG SCHOOLS.**

18 (a) AUTHORITY TO OPERATE.—Under such regula-  
 19 tions as the Secretary of Defense may prescribe, the Chief  
 20 of the National Guard Bureau may establish and operate,  
 21 or provide financial assistance to the States to establish  
 22 and operate, not more than five schools (to be known gen-  
 23 erally as “National Guard counter-drug schools”).

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

1 Guard of training in drug interdiction and counter-drug  
2 activities and drug demand reduction activities to per-  
3 sonnel of the following:

4 (1) Federal agencies.

5 (2) State and local law enforcement agencies.

6 (3) Community-based organizations engaged in  
7 such activities.

8 (4) Other non-Federal governmental and pri-  
9 vate entities and organizations engaged in such ac-  
10 tivities.

11 (c) COUNTER-DRUG SCHOOLS SPECIFIED.—The Na-  
12 tional Guard counter-drug schools operated under the au-  
13 thority in subsection (a) are as follows:

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

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

18 (3) The Midwest Counterdrug Training Center  
19 (MCTC), Johnston, Iowa.

20 (4) The Regional Counterdrug Training Acad-  
21 emy (RCTA), Meridian, Mississippi.

22 (5) The Northeast Regional Counterdrug Train-  
23 ing Center (NCTC), Fort Indiantown Gap, Pennsyl-  
24 vania.

1 (d) USE OF NATIONAL GUARD PERSONNEL.—(1) To  
2 the extent provided for in the State drug interdiction and  
3 counter-drug activities plan of a State in which a National  
4 Guard counter-drug school is located, personnel of the Na-  
5 tional Guard of that State who are ordered to perform  
6 full-time National Guard duty authorized under section  
7 112(b) of that title 32, United States Code, may provide  
8 training referred to in subsection (b) at that school.

9 (2) In this subsection, the term “State drug interdic-  
10 tion and counter-drug activities plan”, in the case of a  
11 State, means the current plan submitted by the Governor  
12 of the State to the Secretary of Defense under section 112  
13 of title 32, United States Code.

14 (e) TREATMENT UNDER AUTHORITY TO PROVIDE  
15 COUNTER-DRUG SUPPORT.—The provisions of section  
16 1004 of the National Defense Authorization Act for Fiscal  
17 Year 1991 (Public Law 101–510; 10 U.S.C. 374 note)  
18 shall apply to any activities of a National Guard counter-  
19 drug school under this section that are for an agency re-  
20 ferred to in subsection (a) of such section 1004 and for  
21 a purpose set forth in subsection (b) of such section 1004.

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

1 tional Guard counter-drug schools during the preceding  
2 year.

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

5 (A) The amount made available for each Na-  
6 tional Guard counter-drug school during the fiscal  
7 year ending in the year preceding the year in which  
8 such report is submitted.

9 (B) A description of the activities of each Na-  
10 tional Guard counter-drug school during the year  
11 preceding the year in which such report is sub-  
12 mitted.

13 (g) BUDGET MATTERS.—The budget of the President  
14 that is submitted to Congress under section 1105 of title  
15 31, United States Code, for any fiscal year after fiscal  
16 year 2004 shall set forth as a separate budget item the  
17 amount requested for such fiscal year for the National  
18 Guard counter-drug schools.

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

1       (2) The amount authorized to be appropriated by  
2 paragraph (1) for a fiscal year is in addition to any other  
3 amount authorized to be appropriated for the Department  
4 of Defense for the National Guard for such fiscal year.

5           **TITLE X—MISCELLANEOUS**  
6                           **PROVISIONS**

7   **SEC. 1001. REPEALS.**

8       Sections 709, 710, and 711 are repealed.

9   **SEC. 1002. AMENDMENT TO THE HIGHER EDUCATION ACT**  
10                           **OF 1965.**

11       Section 484(r)(1) of the Higher Education Act of  
12 1965 (20 U.S.C. 1091(r)(1)) is amended by striking ev-  
13 erything preceding the table and inserting the following:

14           “(1) IN GENERAL.—A student who is convicted  
15       of any offense under any Federal or State law in-  
16       volving the possession or the sale of a controlled sub-  
17       stance for conduct that occurred during a period of  
18       enrollment for which the student was receiving any  
19       grant, loan, or work assistance under this title shall  
20       not be eligible to receive such grant, loan, or work  
21       assistance from the date of conviction for the period  
22       of time specified in the following table:”.

1 **SEC. 1003. CONTROLLED SUBSTANCES ACT AMENDMENTS.**

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

5 (b) **EFFECTIVE DATA PROVISION.**—Section  
6 303(g)(2)(J)(ii) of the Controlled Substances Act (21  
7 U.S.C. 823(g)(2)(J)(ii)) is amended by striking “of the  
8 enactment of the Drug Addiction Treatment Act of 2000”  
9 and inserting in its place “the drugs or combinations of  
10 drugs have, under the Federal Food, Drug and Cosmetics  
11 Act or section 351 of the Public Health Services Act, been  
12 approved for use in maintenance or detoxification treat-  
13 ment as required under paragraph (C)(i)”.

14 **SEC. 1004. EXPORTATION OF NARCOTIC AND NONNAR-**  
15 **COTIC DRUGS.**

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

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

20 “(4) substantial evidence is furnished to the At-  
21 torney General by the exporter that the narcotic  
22 drug is to be applied exclusively to medical, sci-  
23 entific, or other legitimate uses; and”;

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



- 1           (1) opium eradication efforts to eliminate the
- 2           problem at the source to prevent it from reoccurring
- 3           before the heroin enters the stream of commerce;
- 4           (2) interdiction and precursor chemical con-
- 5           trols;
- 6           (3) demand reduction and treatment;
- 7           (4) provisions that ensure the maintenance at
- 8           current levels of efforts to eradicate coca in Colom-
- 9           bia; and
- 10          (5) assessment of the level of additional funding
- 11          and resources necessary to simultaneously address
- 12          the threat from Latin American heroin and the
- 13          threat from Colombian coca.

○