countries will provide to the Secretary of Health and Human Services current information identifying each of the pesticides used in the production, transportation, and storage of food products imported from production regions of such countries into the United States.

(2) In the case of a foreign country with which the Secretary is unable to enter into an agreement under subsection (a) of this section or for which the information provided under paragraph (1) is insufficient to assure an effective pesticide monitoring program, the Secretary shall, to the extent practicable, obtain the information described in paragraph (1) with respect to such country from other Federal or international agencies or private sources.

(3) The Secretary of Health and Human Services shall assure that appropriate offices of the Food and Drug Administration which are engaged in the monitoring of imported food for pesticide residues receive the information obtained under paragraph (1) or (2).

(4) The Secretary of Health and Human Services shall make available any information obtained under paragraph (1) or (2) to State agencies engaged in the monitoring of imported food for pesticide residues other than information obtained from private sources the disclosure of which to such agencies is restricted.

(c) Coordination with other agencies

The Secretary of Health and Human Services shall—

(1) notify in writing the Department of Agriculture, the Environmental Protection Agency, and the Department of State at the initiation of negotiations with a foreign country to develop a cooperative agreement under subsection (a) of this section; and

(2) coordinate the activities of the Department of Health and Human Services with the activities of those departments and agencies, as appropriate, during the course of such negotiations.

(d) Report

Not later than one year after August 23, 1988, the Secretary of Health and Human Services shall report to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Labor and Human Resources of the Senate and the House of Representatives on the activities undertaken by the Secretary to implement this section. The report shall be made available to appropriate Federal and State agencies and to interested persons.

(Pub. L. 100–418, title IV, § 4703, Aug. 23, 1988, 102 Stat. 1413.)

REFERENCES IN TEXT

The Federal Food, Drug, and Cosmetic Act, referred to in subsec. (a), is act June 25, 1938, ch. 675, 52 Stat. 1040, as amended, which is classified generally to chapter 9 (§ 301 et seq.) of this title. For complete classification of this Act to the Code, see section 301 of this title and Tables.

§ 1403. Pesticide analytical methods

The Secretary of Health and Human Services shall, in consultation with the Administrator of the Environmental Protection Agency—

(1) develop a detailed long-range plan and timetable for research that is necessary for the development of and validation of—

(A) new and improved analytical methods capable of detecting at one time the presence of multiple pesticide residues in food, and

(B) rapid pesticide analytical methods, and

(2) conduct a review to determine whether the use of rapid pesticide analytical methods by the Secretary would enable the Secretary to improve the cost-effectiveness of monitoring and enforcement activities under the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.], including increasing the number of pesticide residues which can be detected and the number of tests for pesticide residues which can be conducted in a cost-effective manner.

The Secretary shall report the plan developed under paragraph (1), the resources necessary to carry out the research described in such paragraph, recommendations for the implementation of such research, and the result of the review conducted under paragraph (2) not later than the expiration of 240 days after August 23, 1988, to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Labor and Human Resources of the Senate and the House of Representatives.

(Pub. L. 100–418, title IV, § 4704, Aug. 23, 1988, 102 Stat. 1414.)

REFERENCES IN TEXT

The Federal Food, Drug, and Cosmetic Act, referred to in text, is act June 25, 1938, ch. 675, 52 Stat. 1040, as amended, which is classified generally to chapter 9 (§ 301 et seq.) of this title. For complete classification of this Act to the Code, see section 301 of this title and Tables.

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CHAPTER REFERRED TO IN OTHER SECTIONS

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§§ 1501, 1502. Repealed. Pub. L. 100–690, title I, § 1009, Nov. 18, 1988, 102 Stat. 4188, as amended by Pub. L. 105–20, § 2(b), June 27, 1997, 111 Stat. 234

Section 1501, Pub. L. 100–690, title I, § 1002, Nov. 18, 1988, 102 Stat. 4181, established Office of National Drug Control Policy in Executive Office of President. See section 1702 of this title.

Section 1502, Pub. L. 100–690, title I, § 1003, Nov. 18, 1988, 102 Stat. 4182; Pub. L. 103–322, title IX, §§ 90201, 90202, 90207, Sept. 13, 1994, 108 Stat. 1990, 1991, 1995, related to appointment and duties of Director, Deputy Directors, and Associate Director of Office of National Drug Control Policy. See section 1703 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 30, 1997, see section 1009 of Pub. L. 100–690, as amended, which was formerly classified to section 1506 of this title.

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105–20, § 1, June 27, 1997, 111 Stat. 224, provided that: ''This Act [enacting subchapter II of this chapter and amending former sections 1504, 1506 to 1508 of this title, section 2291 of Title 22, Foreign Relations and Intercourse, and provisions set out as notes under this section] may be cited as the 'Drug-Free Communities Act of 1997'.''

SHORT TITLE

Section 1 of Pub. L. 100–690 provided that: ''This Act [see Tables for classification] may be cited as the 'Anti-Drug Abuse Act of 1988'.''

Section 1001 of Pub. L. 100–690 provided that: ''This subtitle [subtitle A (§§ 1001–1048) of title I of Pub. L. 100–690, enacting this chapter, amending section 1115 of this title, sections 5312, 5314, and 5315 of Title 5, Government Organization and Employees, section 1105 of Title 31, Money and Finance, and section 402 of Title 50, War and National Defense, repealing sections 1103, 1111 to 1114, 1116, and 1201 to 1204 of this title, enacting provisions set out as notes under sections 1201 and 1501 of this title, and repealing provisions set out as notes under section 1201 of this title may be cited as the 'National Narcotics Leadership Act of 1988'.''

REFERENCES TO SUBTITLE A OF PUB. L. 100–690

Pub. L. 105–20, § 2(b), June 27, 1997, 111 Stat. 234, provided that: ''Each reference in Federal law to subtitle A of the Anti-Drug Abuse Act of 1988 [see section 1001 of Pub. L. 100–690, set out above], with the exception of section 1001 of such subtitle, in any provision of law that is in effect on the day before the date of enactment of this Act [June 27, 1997] shall be deemed to be a reference to chapter 1 of the National Narcotics Leadership Act of 1988 [chapter 1 of subtitle A (§§ 1002–1012) of title I of Pub. L. 100–690, see Tables for classification] (as so designated by this section).''

§ 1502a. Transferred

CODIFICATION

Section, Pub. L. 100–690, title I, § 1003A, as added Pub. L. 101–510, div. A, title X, § 1011, Nov. 5, 1990, 104 Stat. 1633, and amended, which related to the Counter-Drug Technology Assessment Center, was renumbered section 1008 of Pub. L. 100–690 by Pub. L. 103–322, title IX, § 90204(c)(2), (3), Sept. 13, 1994, 108 Stat. 1994, and transferred to former section 1505 of this title.

§§ 1503 to 1505. Repealed. Pub. L. 100–690, title I, § 1009, Nov. 18, 1988, 102 Stat. 4188, as amended by Pub. L. 105–20, § 2(b), June 27, 1997, 111 Stat. 234

Section 1503, Pub. L. 100–690, title I, § 1004, Nov. 18, 1988, 102 Stat. 4184, related to coordination between Office of National Drug Control Policy and executive branch departments and agencies. See section 1704 of this title.

Section 1504, Pub. L. 100–690, title I, § 1005, Nov. 18, 1988, 102 Stat. 4185; Pub. L. 103–322, title IX, § 90203, Sept. 13, 1994, 108 Stat. 1991; Pub. L. 105–20, § 2(b), June 27, 1997, 111 Stat. 234, related to annual development and submission of National Drug Control Strategy by President to Congress. See section 1705 of this title.

Section 1505, Pub. L. 100–690, title I, § 1008, formerly § 1003A, as added Pub. L. 101–510, div. A, title X, § 1011, Nov. 5, 1990, 104 Stat. 1633; renumbered § 1008 and amended Pub. L. 103–322, title IX, § 90204(a), (b), (c)(2), (3), Sept. 13, 1994, 108 Stat. 1993, 1994, established Counter-Drug Technology Assessment Center within Office of National Drug Control Policy. See section 1707 of this title.

A prior section 1505, Pub. L. 100–690, title I, § 1008, Nov. 18, 1988, 102 Stat. 4188, provided for an executive reorganization study and report to Congress and the President no later than Jan. 15, 1990, prior to repeal by Pub. L. 103–322, § 90204(c)(1).

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 30, 1997, see section 1009 of Pub. L. 100–690, as amended, which was formerly classified to section 1506 of this title.

§ 1505a. Annual report on development and deployment of narcotics detection technologies

(a) Report requirement

Not later than December 1st of each year, the Director of the Office of National Drug Control Policy shall submit to Congress and the President a report on the development and deployment of narcotics detection technologies by Federal agencies. Each such report shall be prepared in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Transportation, and the Secretary of the Treasury.

(b) Matters to be included

Each report under subsection (a) of this section shall include—

(1) a description of each project implemented by a Federal agency relating to the development or deployment of narcotics detection technology;

(2) the agency responsible for each project described in paragraph (1);

(3) the amount of funds obligated or expended to carry out each project described in paragraph (1) during the fiscal year in which the report is submitted or during any fiscal year preceding the fiscal year in which the report is submitted;

(4) the amount of funds estimated to be obligated or expended for each project described in paragraph (1) during any fiscal year after the fiscal year in which the report is submitted to Congress; and

(5) a detailed timeline for implementation of each project described in paragraph (1).

(Pub. L. 105–85, div. A, title X, § 1034, Nov. 18, 1997, 111 Stat. 1884.)

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 1998, and not as part of the National Narcotics Leadership Act of 1988 which comprises this chapter.

§§ 1506 to 1508. Repealed. Pub. L. 100–690, title I, § 1009, Nov. 18, 1988, 102 Stat. 4188, as amended by Pub. L. 105–20, § 2(b), June 27, 1997, 111 Stat. 234

Section 1506, Pub. L. 100–690, title I, § 1009, Nov. 18, 1988, 102 Stat. 4188; Pub. L. 103–322, title IX, § 90208(a), Sept. 13, 1994, 108 Stat. 1995; Pub. L. 105–20, § 2(b), June 27, 1997, 111 Stat. 234, repealed this subchapter, and the amendments made by this subchapter, except for section 1007, effective Sept. 30, 1997.

Section 1507, Pub. L. 100–690, title I, § 1010, Nov. 18, 1988, 102 Stat. 4188; Pub. L. 105–20, § 2(b), June 27, 1997, 111 Stat. 234, defined terms for purposes of this subchapter. See section 1701 of this title.

Section 1508, Pub. L. 100–690, title I, § 1011, Nov. 18, 1988, 102 Stat. 4189; Pub. L. 103–322, title IX, § 90206, Sept. 13, 1994, 108 Stat. 1995; Pub. L. 105–20, § 2(b), June 27, 1997, 111 Stat. 234, authorized appropriations to carry out this subchapter. See section 1711 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 30, 1997, see section 1009 of Pub. L. 100–690, as amended, which was formerly classified to section 1506 of this title.

§ 1509. Establishment of Special Forfeiture Fund

(a) In general

There is established in the Treasury of the United States the Special Forfeiture Fund (hereafter referred to in this section as the "Fund") which shall be available to the Director of the National Drug Control Policy without fiscal year limitation in such amounts as may be specified in appropriations Acts.

(b) Deposits

There shall be deposited into the Fund the amounts specified by section 524(c)(8) of title 28 and section 9703(g)[1] of title 31 and any earnings on the investments authorized by subsection (d) of this section.

(c) Super surplus

(1) Any unobligated balance up to $20,000,000 remaining in the Fund on September 30 of a fiscal year shall be available to the Director, subject to paragraph (2), to transfer to, and for obligation and expenditure in connection with drug control activities of, any Federal agency or State or local entity with responsibilities under the National Drug Control Strategy.

(2) A transfer may be made under paragraph (1) only with the advance written approval of the Committees on Appropriations of each House of Congress.

(d) Investment of Fund

Amounts in the Fund which are not currently needed for the purposes of this section shall be kept on deposit or invested in obligations of, or guaranteed by, the United States and all earnings on such investments shall be deposited in the Fund.

(e) President's budget

The President shall, in consultation with the Director for National Drug Control Policy, include, as part of the budget submitted to the Congress under section 1105(a) of title 31, a separate and detailed request for the use of the amounts in the Fund. This request shall reflect the priorities of the National Drug Control Strategy.

(f) Funds provided supplemental

Funds disbursed under this subsection[2] shall not be used to supplant existing funds, but shall be used to supplement the amount of funds that would be otherwise available.

(Pub. L. 100–690, title VI, § 6073, Nov. 18, 1988, 102 Stat. 4323; Pub. L. 101–647, title XX, § 2001(b), Nov. 29, 1990, 104 Stat. 4854; Pub. L. 102–393, title VI, § 638(c), Oct. 6, 1992, 106 Stat. 1788; Pub. L. 103–322, title IX, § 90205(a), (d), Sept. 13, 1994, 108 Stat. 1994, 1995; Pub. L. 105–277, div. C, title VII, § 712, Oct. 21, 1998, 112 Stat. 2681–692.)

AMENDMENT OF SECTION

For repeal of amendment by Pub. L. 105–277, see Termination Date of 1998 Amendment note below.

REFERENCES IN TEXT

Section 9703(g) of title 31, referred to in subsec. (b), probably means the section 9703 of title 31 added by section 638(b)(1) of Pub. L. 102–393.

CODIFICATION

Subsec. (g) of this section, which required the President to submit to both Houses of Congress, no later

[1] See References in Text note below.

[2] So in original. Probably should be "section".

than 4 months after the end of each fiscal year, a detailed report on amounts deposited in the Fund and a description of expenditures, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 18 of House Document No. 103–7.

Section was enacted as part of the Anti-Drug Abuse Act of 1988 and as part of the Asset Forfeiture Amendments Act of 1988, and not as part of the National Narcotics Leadership Act of 1988 which comprises this chapter.

AMENDMENTS

1998—Subsec. (b). Pub. L. 105–277, § 712(1), temporarily substituted ''section 524(c)(8)'' for ''section 524(c)(9)'' and ''section 9703(g)'' for ''section 9307(g)''. See Termination Date of 1998 Amendment note below.

Subsec. (e). Pub. L. 105–277, § 712(2), temporarily substituted ''Strategy'' for ''strategy''. See Termination Date of 1998 Amendment note below.

1994—Subsec. (b). Pub. L. 103–322, § 90205(a), which directed that this section be amended to read as follows, was executed by amending subsec. (b) of this section generally, to reflect the probable intent of Congress. Prior to amendment, subsec. (b) read as follows: ''There may be transferred to and deposited into the Special Forfeiture Fund, amounts from—

''(1) the Department of Justice Assets Forfeiture Fund pursuant to section 524(c)(9) of title 28; and

''(2) the Department of the Treasury Forfeiture Fund pursuant to section 9703(g)(3)(A) of title 31.''

Subsecs. (c) to (g). Pub. L. 103–322, § 90205(d), added subsec. (c) and redesignated former subsecs. (c) to (f) as (d) to (g), respectively.

1992—Subsec. (b). Pub. L. 102–393 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: ''Deposits in the Fund shall be made by transfer from the Department of Justice Assets Forfeiture Fund in the manner provided in section 524(c)(9) of title 28.''

1990—Subsec. (b). Pub. L. 101–647 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: ''Beginning in fiscal year 1990, there shall be deposited in the Fund not to exceed $150,000,000 in unobligated amounts remaining at the end of each fiscal year from the Department of Justice Assets Forfeiture Fund (28 U.S.C. 524(c)) except that amounts specified in section 524(c)(9) of title 28 may be carried forward and remain available for appropriation in the next fiscal year.''

TERMINATION DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105–277 repealed effective Sept. 30, 2003, see section 715 of Pub. L. 105–277, which is classified to section 1712 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 28 section 524; title 31 section 9703.

SUBCHAPTER II—DRUG-FREE COMMUNITIES

§ 1521. Findings

Congress finds the following:

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

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

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

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

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

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

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

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

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

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

(Pub. L. 100–690, title I, § 1021, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 224.)

FIVE-YEAR EXTENSION OF DRUG-FREE COMMUNITIES SUPPORT PROGRAM

Pub. L. 107–82, § 1(a), Dec. 14, 2001, 115 Stat. 814, provided that: ''Congress makes the following findings:

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

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

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

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

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

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

ing, and changing the norms surrounding alcohol abuse that exist on college and university campuses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

''(D) A 1999 Mellman Group study found that—

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

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

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

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

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

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

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

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

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

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

''(8) Intergovernmental cooperation and coordination through national, State, and local or tribal leadership and partnerships are critical to facilitate the

reduction of substance abuse among youth in communities across the United States.

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

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

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

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

AUTHORIZATION FOR NATIONAL COMMUNITY ANTIDRUG COALITION INSTITUTE

Pub. L. 107–82, § 4, Dec. 14, 2001, 115 Stat. 821, provided that:

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

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

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

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

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

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

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

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

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

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

PROHIBITION AGAINST DUPLICATION OF EFFORT

Pub. L. 107–82, § 5, Dec. 14, 2001, 115 Stat. 821, provided that: ''The Director of the Office of National Drug Control Policy shall ensure that the same or similar activities are not carried out, through the use of funds for administrative costs provided under subchapter II [probably means chapter 2] of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.) or funds provided under section 4 of this Act [set out as a note above], by more than one recipient of such funds.''

§ 1522. Purposes

The purposes of this subchapter are—

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

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

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

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

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

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

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

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

(Pub. L. 100–690, title I, § 1022, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 225.)

§ 1523. Definitions

In this subchapter:

(1) Administrator

The term ''Administrator'' means the Administrator appointed by the Director under section 1531(c) of this title.

(2) Advisory Commission

The term ''Advisory Commission'' means the Advisory Commission established under section 1541 of this title.

(3) Community

The term ''community'' shall have the meaning provided that term by the Administrator, in consultation with the Advisory Commission.

(4) Director

The term ''Director'' means the Director of the Office of National Drug Control Policy.

(5) Eligible coalition

The term ''eligible coalition'' means a coalition that meets the applicable criteria under section 1532(a) of this title.

(6) Grant recipient

The term ''grant recipient'' means the recipient of a grant award under section 1532 of this title.

(7) Nonprofit organization

The term ''nonprofit organization'' means an organization described under section 501(c)(3) of title 26 that is exempt from taxation under section 501(a) of title 26.

(8) Program

The term ''Program'' means the program established under section 1531(a) of this title.

(9) Substance abuse

The term ''substance abuse'' means—

(A) the illegal use or abuse of drugs, including substances listed in schedules I through V of section 812 of this title;

(B) the abuse of inhalants; or

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

(10) Youth

The term ''youth'' shall have the meaning provided that term by the Administrator, in consultation with the Advisory Commission.

(Pub. L. 100–690, title I, § 1023, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 225.)

REFERENCES IN TEXT

Section 812 of this title, referred to in par. (9)(A), was in the original ''section 112 of the Controlled Substances Act (21 U.S.C. 812)'', and was translated as reading ''section 202'', meaning section 202 of Pub. L. 91–513, to reflect the probable intent of Congress, because Pub. L. 91–513 does not contain a section 112.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1532 of this title.

§ 1524. Authorization of appropriations

(a) In general

There are authorized to be appropriated to the Office of National Drug Control Policy to carry out this subchapter—

(1) $10,000,000 for fiscal year 1998;
(2) $20,000,000 for fiscal year 1999;
(3) $30,000,000 for fiscal year 2000;
(4) $40,000,000 for fiscal year 2001;
(5) $50,600,000 for fiscal year 2002;
(6) $60,000,000 for fiscal year 2003;
(7) $70,000,000 for fiscal year 2004;
(8) $80,000,000 for fiscal year 2005;
(9) $90,000,000 for fiscal year 2006; and
(10) $99,000,000 for fiscal year 2007.

(b) Administrative costs

Not more than the following percentages of the amounts authorized under subsection (a) of this section may be used to pay administrative costs:

(1) 10 percent for fiscal year 1998.
(2) 6 percent for fiscal year 1999.
(3) 4 percent for fiscal year 2000.
(4) 3 percent for fiscal year 2001.
(5) 6 percent for each of fiscal years 2002 through 2007.

(Pub. L. 100–690, title I, § 1024, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 226; amended Pub. L. 107–82, § 1(b), (c), Dec. 14, 2001, 115 Stat. 817.)

AMENDMENTS

2001—Subsec. (a)(5) to (10). Pub. L. 107–82, § 1(b), added pars. (5) to (10) and struck out former par. (5) which read as follows: ''$43,500,000 for fiscal year 2002.''

Subsec. (b)(5). Pub. L. 107–82, § 1(c), added par. (5) and struck out former par. (5) which read as follows: ''3 percent for fiscal year 2002.''

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1533, 1535 of this title.

PART A—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

§ 1531. Establishment of drug-free communities support program

(a) Establishment

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

(b) Program

In carrying out the Program, the Director shall—

(1) make and track grants to grant recipients;

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

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

(c) Administration

Not later than 30 days after receiving recommendations from the Advisory Commission under section 1542(a)(1) of this title, the Director shall appoint an Administrator to carry out the Program.

(d) Contracting

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

(Pub. L. 100–690, title I, § 1031, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 226.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1523, 1535 of this title.

§ 1532. Program authorization

(a) Grant eligibility

To be eligible to receive an initial grant or a renewal grant under this part, a coalition shall meet each of the following criteria:

(1) Application

The coalition shall submit an application to the Administrator in accordance with section 1533(a)(2) of this title.

(2) Major sector involvement

(A) In general

The coalition shall consist of 1 or more representatives of each of the following categories:

(i) Youth.
(ii) Parents.
(iii) Businesses.
(iv) The media.
(v) Schools.
(vi) Organizations serving youth.
(vii) Law enforcement.
(viii) Religious or fraternal organizations.
(ix) Civic and volunteer groups.
(x) Health care professionals.
(xi) State, local, or tribal governmental agencies with expertise in the field of substance abuse (including, if applicable, the State authority with primary authority for substance abuse).

(xii) Other organizations involved in reducing substance abuse.

(B) Elected officials

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

(i) the Federal Government; and

(ii) the government of the appropriate State and political subdivision thereof or the governing body or an Indian tribe (as that term is defined in section 450b(e) of title 25).

(C) Representation

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

(3) Commitment

The coalition shall demonstrate, to the satisfaction of the Administrator—

(A) that the representatives of the coalition have worked together on substance abuse reduction initiatives, which, at a minimum, includes initiatives that target drugs referenced in section 1523(9)(A) of this title, for a period of not less than 6 months, acting through entities such as task forces, subcommittees, or community boards; and

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

(4) Mission and strategies

The coalition shall, with respect to the community involved—

(A) have as its principal mission the reduction of substance abuse, which, at a minimum, includes the use and abuse of drugs referenced in section 1523(9)(A) of this title, in a comprehensive and long-term manner, with a primary focus on youth in the community;

(B) describe and document the nature and extent of the substance abuse problem, which, at a minimum, includes the use and abuse of drugs referenced in section 1523(9)(A) of this title, in the community;

(C)(i) provide a description of substance abuse prevention and treatment programs and activities, which, at a minimum, includes programs and activities relating to the use and abuse of drugs referenced in section 1523(9)(A) of this title, in existence at the time of the grant application; and

(ii) identify substance abuse programs and service gaps, which, at a minimum, includes programs and gaps relating to the use and abuse of drugs referenced in section 1523(9)(A) of this title, in the community;

(D) develop a strategic plan to reduce substance abuse among youth, which, at a minimum, includes the use and abuse of drugs referenced in section 1523(9)(A) of this title, in a comprehensive and long-term fashion; and

(E) work to develop a consensus regarding the priorities of the community to combat substance abuse among youth, which, at a minimum, includes the use and abuse of drugs referenced in section 1523(9)(A) of this title.

(5) Sustainability

The coalition shall demonstrate that the coalition is an ongoing concern by demonstrating that the coalition—

(A) is—

(i)(I) a nonprofit organization; or

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

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

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

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

(6) Accountability

The coalition shall—

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

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

(ii) approved by the Administrator;

(B) conduct—

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

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

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

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

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

(b) Grant amounts

(1) In general

(A) Grants

(i) In general

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

(ii) Suspension of grants

If such grant recipient fails to continue to meet the criteria specified in subsection (a) of this section, the Administrator may suspend the grant, after providing written

notice to the grant recipient and an opportunity to appeal.

(iii) Renewal grants

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

(iv) Limitation

The amount of a grant award under this subparagraph may not exceed $100,000 for a fiscal year.

(B) Coalition awards

(i) In general

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

(ii) Exception

The Administrator may make a grant to more than 1 eligible coalition that represents a community if—

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

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

(2) Rural coalition grants

(A) In general

(i) In general

In addition to awarding grants under paragraph (1), to stimulate the development of coalitions in sparsely populated and rural areas, the Administrator, in consultation with the Advisory Commission, may award a grant in accordance with this section to a coalition that represents a county with a population that does not exceed 30,000 individuals. In awarding a grant under this paragraph, the Administrator may waive any requirement under subsection (a) of this section if the Administrator considers that waiver to be appropriate.

(ii) Matching requirement

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

(iii) Suspension of grants

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

(B) Renewal grants

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

(C) Limitations

(i) Amount

The amount of a grant award under this paragraph shall not exceed $100,000 for a fiscal year.

(ii) Awards

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

(3) Additional grants

(A) In general

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

(B) Scope of grants

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

(C) No priority for applications

The Administrator may not afford a higher priority in the award of an additional grant under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather than an application for a grant under this paragraph.

(D) Renewal grants

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

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

(ii) For the third and fourth fiscal years of that 4-fiscal-year period, the amount

equal to 67 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

(E) Suspension

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

(F) Limitation

The amount of a grant award under this paragraph may not exceed $100,000 for a fiscal year.

(c) Treatment of funds for coalitions representing certain organizations

Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition for purposes of this section.

(d) Priority in awarding grants

In awarding grants under subsection (b)(1)(A)(i) of this section, priority shall be given to a coalition serving economically disadvantaged areas.

(Pub. L. 100–690, title I, § 1032, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 227; amended Pub. L. 107–82, § 1(d), (g), (h), Dec. 14, 2001, 115 Stat. 818, 819.)

AMENDMENTS

2001—Subsec. (b)(3). Pub. L. 107–82, § 1(d), added par. (3).
Subsec. (c). Pub. L. 107–82, § 1(g), added subsec. (c).
Subsec. (d). Pub. L. 107–82, § 1(h), added subsec. (d).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1523, 1533, 1535 of this title.

§ 1533. Information collection and dissemination with respect to grant recipients

(a) Coalition information

(1) General auditing authority

For the purpose of audit and examination, the Administrator—

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

(B) may periodically request information from a grant recipient to ensure that the grant recipient meets the applicable criteria under section 1532(a) of this title.

(2) Application process

The Administrator shall issue a request for proposal regarding, with respect to the grants awarded under section 1532 of this title, the application process, grant renewal, and suspension or withholding of renewal grants. Each application under this paragraph shall be in writing and shall be subject to review by the Administrator.

(3) Reporting

The Administrator shall, to the maximum extent practicable and in a manner consistent with applicable law, minimize reporting requirements by a grant recipient and expedite any application for a renewal grant made under this part.

(b) Data collection and dissemination

(1) In general

The Administrator may collect data from—

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

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

(2) Activities of Administrator

The Administrator may—

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

(B) conduct an evaluation of the Program; and

(C) disseminate information described in this subsection to—

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

(ii) the general public.

(3) Consultation

The Administrator shall carry out activities under this subsection in consultation with the Advisory Commission and the National Community Antidrug Coalition Institute.

(4) Limitation on use of certain funds for evaluation of Program

Amounts for activities under paragraph (2)(B) may not be derived from amounts under section 1524(a) of this title except for amounts that are available under section 1524(b) of this title for administrative costs.

(Pub. L. 100–690, title I, § 1033, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 230; amended Pub. L. 107–82, § 1(e), (f), Dec. 14, 2001, 115 Stat. 818.)

AMENDMENTS

2001—Subsec. (b)(3). Pub. L. 107–82, § 1(e), added par. (3).
Subsec. (b)(4). Pub. L. 107–82, § 1(f), added par. (4).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1532 of this title.

§ 1534. Technical assistance and training

(a) In general

(1) Technical assistance and agreements

With respect to any grant recipient or other organization, the Administrator may—

(A) offer technical assistance and training; and

(B) enter into contracts and cooperative agreements.

(2) Coordination of programs

The Administrator may facilitate the coordination of programs between a grant recipient and other organizations and entities.

(b) Training

The Administrator may provide training to any representative designated by a grant recipient in—

(1) coalition building;

(2) task force development;

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

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

(Pub. L. 100–690, title I, § 1034, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 231.)

§ 1535. Supplemental grants for coalition mentoring activities

(a) Authority to make grants

As part of the program established under section 1531 of this title, the Director may award an initial grant under this subsection, and renewal grants under subsection (f) of this section, to any coalition awarded a grant under section 1532 of this title that meets the criteria specified in subsection (d) of this section in order to fund coalition mentoring activities by such coalition in support of the program.

(b) Treatment with other grants

(1) Supplement

A grant awarded to a coalition under this section is in addition to any grant awarded to the coalition under section 1532 of this title.

(2) Requirement for basic grant

A coalition may not be awarded a grant under this section for a fiscal year unless the coalition was awarded a grant or renewal grant under section 1532(b) of this title for that fiscal year.

(c) Application

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

(d) Criteria

A coalition meets the criteria specified in this subsection if the coalition—

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

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

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

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

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

(e) Use of grant funds

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

(f) Renewal grants

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

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

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

(g) Grant amounts

(1) In general

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

(2) Initial grants

The amount of the initial grant awarded to a coalition under subsection (a) of this section may not exceed $75,000.

(3) Renewal grants

The total amount of renewal grants awarded to a coalition under subsection (f) of this section for any fiscal year may not exceed $75,000.

(h) Fiscal year limitation on amount available for grants

The total amount available for grants under this section, including renewal grants under subsection (f) of this section, in any fiscal year may not exceed the amount equal to five percent of the amount authorized to be appropriated by section 1524(a) of this title for that fiscal year.

(i) Priority in awarding initial grants

In awarding initial grants under this section, priority shall be given to a coalition that expressly proposes to provide mentorship to a coalition or aspiring coalition serving economically disadvantaged areas.

(Pub. L. 100–690, title I, § 1035, as added Pub. L. 107–82, § 2, Dec. 14, 2001, 115 Stat. 819.)

PART B—ADVISORY COMMISSION

§ 1541. Establishment of Advisory Commission

(a) Establishment

There is established a commission to be known as the ''Advisory Commission on Drug-Free Communities''.

(b) Purpose

The Advisory Commission shall advise, consult with, and make recommendations to the Di-

rector concerning matters related to the activities carried out under the Program.

(Pub. L. 100–690, title I, § 1041, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 231.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1523 of this title.

§ 1542. Duties

(a) In general

The Advisory Commission—

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

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

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

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

(5) may—

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

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

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

(b) Recommendations

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

(c) Conflict of interest

A member of the Advisory Commission shall recuse himself or herself from any decision that would constitute a conflict of interest.

(Pub. L. 100–690, title I, § 1042, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 231.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1531 of this title.

§ 1543. Membership

(a) In general

The President shall appoint 11 members to the Advisory Commission as follows:

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

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

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

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

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

(b) Chairperson

The Advisory Commission shall elect a chairperson or co-chairpersons from among its members.

(c) Ex officio members

The ex officio membership of the Advisory Commission shall consist of any two officers or employees of the United States that the Director determines to be necessary for the Advisory Commission to effectively carry out its functions.

(Pub. L. 100–690, title I, § 1043, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 232.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1545 of this title.

§ 1544. Compensation

(a) In general

Members of the Advisory Commission who are officers or employees of the United States shall not receive any additional compensation for service on the Advisory Commission. The remaining members of the Advisory Commission shall receive, for each day (including travel time) that they are engaged in the performance of the functions of the Advisory Commission, compensation at rates not to exceed the daily equivalent to the annual rate of basic pay payable for grade GS–10 of the General Schedule.

(b) Travel expenses

Each member of the Advisory Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5.

(Pub. L. 100–690, title I, § 1044, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 232.)

REFERENCES IN TEXT

Grade GS–10 of the General Schedule, referred to in subsec. (a), is set out under section 5332 of Title 5, Government Organization and Employees.

§ 1545. Terms of office

(a) In general

Subject to subsection (b) of this section, the term of office of a member of the Advisory Commission shall be 3 years, except that, as designated at the time of appointment—

(1) of the initial members appointed under section 1543(a)(1) of this title, two shall be appointed for a term of 2 years;

(2) of the initial members appointed under section 1543(a)(2) of this title, two shall be appointed for a term of 2 years; and

(3) of the initial members appointed under section 1543(a)(3) of this title, one shall be appointed for a term of 1 year.

(b) Vacancies

Any member appointed to fill a vacancy for an unexpired term of a member shall serve for the

remainder of the unexpired term. A member of the Advisory Commission may serve after the expiration of such member's term until a successor has been appointed and taken office.

(Pub. L. 100–690, title I, § 1045, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 233.)

§ 1546. Meetings

(a) In general

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

(b) Quorum

Six members of the Advisory Commission shall constitute a quorum.

(Pub. L. 100–690, title I, § 1046, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 233.)

§ 1547. Staff

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

(Pub. L. 100–690, title I, § 1047, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 233.)

§ 1548. Termination

The Advisory Commission shall terminate at the end of fiscal year 2007.

(Pub. L. 100–690, title I, § 1048, as added Pub. L. 105–20, § 2(a)(2), June 27, 1997, 111 Stat. 234; amended Pub. L. 107–82, § 3, Dec. 14, 2001, 115 Stat. 820.)

AMENDMENTS

2001—Pub. L. 107–82 substituted ''2007'' for ''2002''.

CHAPTER 21—BIOMATERIALS ACCESS ASSURANCE

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§ 1601. Findings

The Congress finds that—

(1) each year millions of citizens of the United States depend on the availability of lifesaving or life-enhancing medical devices, many of which are permanently implantable within the human body;

(2) a continued supply of raw materials and component parts is necessary for the invention, development, improvement, and maintenance of the supply of the devices;

(3) most of the medical devices are made with raw materials and component parts that—

(A) move in interstate commerce;

(B) are not designed or manufactured specifically for use in medical devices; and

(C) come in contact with internal human tissue;

(4) the raw materials and component parts also are used in a variety of nonmedical products;

(5) because small quantities of the raw materials and component parts are used for medical devices, sales of raw materials and component parts for medical devices constitute an extremely small portion of the overall market for the raw materials and component parts;

(6) under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) manufacturers of medical devices are required to demonstrate that the medical devices are safe and effective, including demonstrating that the products are properly designed and have adequate warnings or instructions;

(7) notwithstanding the fact that raw materials and component parts suppliers do not design, produce, or test a final medical device, the suppliers have been the subject of actions alleging inadequate—

(A) design and testing of medical devices manufactured with materials or parts supplied by the suppliers; or

(B) warnings related to the use of such medical devices;

(8) even though suppliers of raw materials and component parts have very rarely been held liable in such actions, such suppliers have ceased supplying certain raw materials and component parts for use in medical devices for a number of reasons, including concerns about the costs of such litigation;

(9) unless alternate sources of supply can be found, the unavailability of raw materials and component parts for medical devices will lead to unavailability of lifesaving and life-enhancing medical devices;

(10) because other suppliers of the raw materials and component parts in foreign nations are refusing to sell raw materials or component parts for use in manufacturing certain medical devices in the United States, the prospects for development of new sources of supply for the full range of threatened raw materials and component parts for medical devices are remote;