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 Federal agencies 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 Education, 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, §4704, Aug. 23, 1988, 102 Stat. 1414.)

§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 Education, 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.

CHANGE OF NAME

Committee on Education, Labor, and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

CHAPTER 20—NATIONAL DRUG CONTROL PROGRAM

SUBCHAPTER I—OFFICE OF NATIONAL DRUG CONTROL POLICY

Sec. 1501, 1502. Repealed.

1502a. Transferred.

1503 to 1505. Repealed.

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

1506 to 1509. Repealed.

SUBCHAPTER II—DRUG-FREE COMMUNITIES

1521. Findings.

1522. Purposes.

1523. Definitions.

1524. Authorization of appropriations.

PART A—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

1531. Establishment of drug-free communities support program.


SUBCHAPTER I—OFFICE OF NATIONAL DRUG CONTROL POLICY


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.

§ 1502a. Transferred

CODIFICATION


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 Homeland Security, 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).


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.

AMENDMENTS

EFFECTIVE DATE OF 2002 AMENDMENT
Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of Title 10, Armed Forces.


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.


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.


FIVE-YEAR EXTENSION OF DRUG-FREE COMMUNITIES SUPPORT PROGRAM
Pub. L. 107–82, § 1(a), Dec. 14, 2001, 115 Stat. 814, provided that: “(1) In the next 15 years, the youth population in the United States will grow by 21 percent, adding 6,500,000 youth to the population of the United States. Even if drug use rates remain constant, there will be a huge surge in drug-related problems, such as academic failure, drug-related violence, and HIV incidence, simply due to this population increase.
(2) According to the 1994–1996 National Household Survey, 60 percent of students age 12 to 17 who frequently cut classes and who reported delinquent behavior in the past 6 months used marijuana 52 days or more in the previous year.
(3) The 2000 Washington Kids Count survey conducted by the University of Washington reported that students whose peers have little or no involvement with drinking and drugs have higher math and reading scores than students whose peers had low level drinking or drug use.
(4) Substance abuse prevention works. In 1999, only 10 percent of teens saw marijuana users as popular, compared to 17 percent in 1998 and 19 percent in 1997. The rate of past-month use of any drug among 12- to 17-year-olds declined 26 percent between 1997 and 1999. Marijuana use for sixth through eighth graders is at the lowest point in 5 years, as is use of cocaine, inhalants, and hallucinogens.
“(5) Community Anti-Drug Coalitions throughout the United States are successfully developing and implementing comprehensive, long-term strategies to reduce substance abuse among youth on a sustained basis. For example:

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

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

“(C) The Miami Coalition used a three-part strategy to decrease the percentage of high school seniors who reported using marijuana at least once during the most recent 30-day period. The development of a media strategy, the creation of a network of prevention agencies, and discussions with high school students about the dangers of marijuana all contributed to a decrease in the percentage of seniors who reported using marijuana from 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 has helped 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 was 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 and older 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 initates, 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 26.6 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 who believed that drug use was increasing in 1999.

“(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 1996 States spent $77,900,000,000 to shovel up the wrackage of substance abuse, only $5,000,000,000 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 ANTI-DRUG COALITION INSTITUTE


“(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall, using amounts authorized to be appropriated by subsection (d), make a directed grant to Community Anti-Drug Coalitions of America to provide for the continuation of the National Community Anti-drug Coalition Institute.

“(b) 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.

“(c) 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.

“(4) For each of the fiscal years 2008 through 2012, $2,000,000.”

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 1968 (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.


§ 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.

(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;

(10) $99,000,000 for fiscal year 2007;

(11) $109,000,000 for fiscal year 2008;

(12) $114,000,000 for fiscal year 2009;

(13) $119,000,000 for fiscal year 2010;

(14) $124,000,000 for fiscal year 2011; and

(15) $129,000,000 for fiscal year 2012.

(b) Administrative costs

(1) Limitation

Not more than 3 percent of the funds appropriated for this subchapter may be used by the Office of National Drug Control Policy to pay for administrative costs associated with their responsibilities under the subchapter.

(2) Designated agency

The agency delegated to carry out this program under section 1531(d) of this title may use up to 5 percent of the funds allocated for grants under this subchapter for administrative costs associated with carrying out the program.

(3) Limitation and program funds

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.

(4) Administration

Not later than 30 days after receiving recommendations from the Advisory Commission under section 1531(d) of this title, the Director shall appoint an Administrator to carry out the Program.

(5) 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.

§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;

(10) $99,000,000 for fiscal year 2007;

(11) $109,000,000 for fiscal year 2008;

(12) $114,000,000 for fiscal year 2009;

(13) $119,000,000 for fiscal year 2010;

(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) The coalition shall—

(A) be a coalition, as defined in section 1023 of the Drug-Free Communities Act of 1997, to carry out activities necessary to carry out this section, which is section 2(a)(2), meaning section 202, of Pub. L. 91–513, amended subsec. (b) generally.

(b) Generally

See Codification note above.


Subsec. (b)(5). Pub. L. 107–82, §1(b), added subsec. (b) generally. See Codification note above. Prior to amendment, text read as follows: "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.

2005—Subsec. (a)(5) to (10). Pub. L. 107–82, §1(b), added paras. (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."
(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) a nonprofit organization; 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.

(7) Additional criteria

The Director shall not impose any eligibility criteria on new applicants or renewal grantees not provided in this subchapter.

(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, 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 $125,000 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, 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 $125,000 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 $125,000 for a fiscal year.

(4) Process for suspension

A grantee shall not be suspended or terminated under paragraph (1)(A)(ii), (2)(A)(iii), or (3)(E) unless that grantee is afforded a fair, timely, and independent appeal prior to such suspension or termination.

(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. 109–469, §§802(a), 803, 804, which directed amendment of section 1032 of the “Drug-Free Communities Act of 1997”, were executed to this section, which is section 1032 of the National Narcotics Leadership Act of 1988, to reflect the probable intent of Congress. See 2006 Amendment notes below.

AMENDMENTS


§ 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)(5).

(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.

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

§ 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.


§ 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.

(2) Initial grants

The amount of the initial grant awarded to a coalition under subsection (a) of this title for that fiscal year may not exceed $75,000.

(3) Renewal grants

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

(j) Fiscal year limitation on amount available for grants

The total amount available for grants under this section, including renewal grants under subsection (a) of this title for that fiscal year may not exceed $75,000.

(k) Priority in awarding initial grants

In awarding initial grants under this section, priority shall be given to 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.

(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.

$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.
§ 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.


§ 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.


§ 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.


§ 1547. Staff

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


§ 1548. Termination

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


AMENDMENTS


CHAPTER 21—BIOMATERIALS ACCESS ASSURANCE

§ 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,