

Office of National Drug Control Policy Reauthorization Act of 2006

[Public Law 109–469]

[As Amended Through P.L. 117–103, Enacted March 15, 2022]

【Currency: This publication is a compilation of the text of Public Law 109-469. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To reauthorize the Office of National Drug Control Policy Act.

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

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

(a) 【21 U.S.C. 1701 note】 SHORT TITLE.—This Act may be cited as the “Office of National Drug Control Policy Reauthorization Act of 2006”.

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

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

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

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

Sec. 101. Amendments to definitions.

Sec. 102. Establishment of the Office of National Drug Control Policy.

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Sec. 104. Amendments to ensure coordination with other agencies.

Sec. 105. Budgetary matters.

TITLE II—THE NATIONAL DRUG CONTROL STRATEGY

Sec. 201. Annual preparation and submission of National Drug Control Strategy.

Sec. 202. Performance measurements.

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TITLE III—HIGH INTENSITY DRUG TRAFFICKING AREAS

- Sec. 301. High Intensity Drug Trafficking Areas Program.
- Sec. 302. Funding for certain high intensity drug trafficking areas.
- Sec. 303. Assessment.

TITLE IV—TECHNOLOGY

- Sec. 401. Counterdrug Technology Assessment Center.

TITLE V—NATIONAL YOUTH MEDIA CAMPAIGN

- Sec. 501. National Youth Anti-Drug Media Campaign.

TITLE VI—AUTHORIZATIONS AND EXTENSION OF TERMINATION DATE

- Sec. 601. Authorization of appropriations.
- Sec. 602. Extension of termination date.

TITLE VII—ANTI-DOPING AGENCY

- Sec. 701. Designation of United States Anti-Doping Agency.
- Sec. 702. Records, audit, and report.
- Sec. 703. Authorization of appropriations.

TITLE VIII—DRUG-FREE COMMUNITIES

- Sec. 801. Reauthorization.
- Sec. 802. Suspension of grants.
- Sec. 803. Grant award increase.
- Sec. 804. Prohibition on additional eligibility criteria.
- Sec. 805. National Community Anti-Drug Coalition Institute.

TITLE IX—NATIONAL GUARD COUNTERDRUG SCHOOLS

- Sec. 901. National Guard counterdrug schools.

**TITLE X—NATIONAL METHAMPHETAMINE INFORMATION
CLEARINGHOUSE ACT OF 2006**

- Sec. 1001. Short title.
- Sec. 1002. Definitions.
- Sec. 1003. Establishment of clearinghouse and advisory council.
- Sec. 1004. NMIC requirements and review.
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TITLE XI—MISCELLANEOUS PROVISIONS

- Sec. 1101. Repeals.
- Sec. 1102. Controlled Substances Act amendments.
- Sec. 1103. Report on law enforcement intelligence sharing.
- Sec. 1104. Requirement for South American heroin strategy.
- Sec. 1105. Model acts.¹
- Sec. 1106. Study on iatrogenic addiction associated with prescription opioid analgesic drugs.
- Sec. 1107. Requirement for strategy to stop Internet advertising of prescription medicines without a prescription.
- Sec. 1108. Requirement for study on diversion and inappropriate uses of prescription drugs.
- Sec. 1109. Requirement for Afghan Heroin Strategy.
- Sec. 1110. Requirement for Southwest Border Counternarcotics Strategy.²
- Sec. 1111. Requirement for Scientific Study of Mycoherbicide in Illicit Drug Crop Eradication.
- Sec. 1112. Requirement for Study of State Precursor Chemical Control Laws.
- Sec. 1113. Requirement for Study of Drug Endangered Children Programs.
- Sec. 1114. Study on drug court hearings in nontraditional places.
- Sec. 1115. Report on tribal Government participation in HIDTA process.
- Sec. 1116. Report on school drug testing.

¹ Section 8217(h) of Public Law 115–271 repealed section 1105 without providing a corresponding amendment to strike the item relating to such section in the table of contents.

² Section 8221(b)(2) of Public Law 115–271 repealed sections 1110 and 1110A without providing a corresponding amendment to strike the items relating to such sections (or section) in the table of contents.

- Sec. 1117. Report on ONDCP performance bonuses.
- Sec. 1118. Requirement for disclosure of Federal sponsorship of all Federal advertising or other communication materials.
- Sec. 1119. Awards for demonstration programs by local partnerships to coerce abstinence in chronic hard-drug users under community supervision through the use of drug testing and sanctions.
- Sec. 1120. Policy relating to syringe exchange programs.

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TITLE III—HIGH INTENSITY DRUG TRAFFICKING AREAS

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SEC. 302. FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.

(a) [21 U.S.C. 1701 note] SHORT TITLE.—This section may be cited as the “Dawson Family Community Protection Act”.

(b) [21 U.S.C. 1706 note] FINDINGS.—Congress finds the following:

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

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

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

(4) In all phases of counternarcotics law enforcement—from prevention to investigation to prosecution to reentry—the voluntary cooperation of ordinary citizens is a critical component.

(5) Voluntary cooperation is difficult for law enforcement officials to obtain when citizens feel that cooperation carries the risk of violent retaliation by illegal drug trafficking organizations and their affiliates.

(6) Public confidence that law enforcement is doing all it can to make communities safe is a prerequisite for voluntary cooperation among people who may be subject to intimidation or reprisal (or both).

(7) Witness protection programs are insufficient on their own to provide security because many individuals and families who strive every day to make distressed neighborhoods livable for their children, other relatives, and neighbors will resist or refuse offers of relocation by local, State, and Federal prosecutorial agencies and because, moreover, the continued presence of strong individuals and families is critical to preserving and strengthening the social fabric in such communities.

(8) Where (as in certain sections of Baltimore City) interstate trafficking of illegal drugs has severe ancillary local consequences within areas designated as high intensity drug trafficking areas, it is important that supplementary High Intensity Drug Trafficking Areas Program funds be committed to support initiatives aimed at making the affected communities

safe for the residents of those communities and encouraging their cooperation with tribal, local, State, and Federal law enforcement efforts to combat illegal drug trafficking.

(c) FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.—Section 707, as amended by section 301, is amended by adding at the end the following:

“(q) SPECIFIC PURPOSES.—

“(1) IN GENERAL.—The Director shall ensure that, of the amounts appropriated for a fiscal year for the Program, at least \$7,000,000 is used in high intensity drug trafficking areas with severe neighborhood safety and illegal drug distribution problems.

“(2) REQUIRED USES.—The funds used under paragraph (1) shall be used—

“(A) to ensure the safety of neighborhoods and the protection of communities, including the prevention of the intimidation of potential witnesses of illegal drug distribution and related activities; and

“(B) to combat illegal drug trafficking through such methods as the Director considers appropriate, such as establishing or operating (or both) a toll-free telephone hotline for use by the public to provide information about illegal drug-related activities.”.

SEC. 303. ASSESSMENT.

The Director shall assess the ability of the HIDTA Program to respond to the so-called “balloon effect”, whereby urban drug traffickers facing intensive law enforcement efforts expand and spread their trafficking and distribution into rural, suburban, and smaller urban areas by conducting a demonstration project examining the ability of the New York/New Jersey HIDTA, with its new single co-located Organized Crime and Drug Enforcement Task Force/High Intensity Drug Trafficking Area Strike Force and HIDTA Regional Intelligence Center, to address the movement of drug traffickers into the more rural, suburban, and smaller areas encompassed by the counties of Albany, Onondaga, Monroe, and Erie in New York State and by annexing these counties into the existing New York/New Jersey HIDTA.

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TITLE VII—ANTI-DOPING AGENCY

SEC. 701. [21 U.S.C. 2001] DESIGNATION OF UNITED STATES ANTI-DOPING AGENCY.

(a) DEFINITIONS.—In this title:

(1) UNITED STATES OLYMPIC COMMITTEE.—The term “United States Olympic Committee” means the organization established by the “Ted Stevens Olympic and Amateur Sports Act” (36 U.S.C. 220501 et seq.).

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

(3) **AMATEUR ATHLETE.**—The term “amateur athlete” means an athlete who meets the eligibility standards established by the national governing body or paralympic sports organization for the sport in which the athlete competes (36 U.S.C. 22501(b)(1)).⁴

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

(1)(A) serve as the independent anti-doping organization for the amateur athletic competitions recognized by the United States Olympic and Paralympic Committee;

(B) be responsible for certifying in advance any testing conducted by international organizations under the World Anti-Doping Code for international amateur athletes and athletic competitions occurring within the jurisdiction of the United States; and

(C) be recognized worldwide as the independent national anti-doping organization for the United States;

(2) ensure that athletes participating in amateur athletic activities recognized by the United States Olympic Committee are prevented from using performance-enhancing drugs or prohibited performance-enhancing methods adopted by the Agency;

(3) implement anti-doping education, research, testing, and adjudication programs to prevent United States Amateur Athletes participating in any activity recognized by the United States Olympic Committee from using performance-enhancing drugs or prohibited performance-enhancing methods adopted by the Agency;

(4) serve as the United States representative responsible for coordination with other anti-doping organizations coordinating amateur athletic competitions recognized by the United States Olympic Committee to ensure the integrity of athletic competition, the health of the athletes, and the prevention of use by United States amateur athletes of performance-enhancing drugs or prohibited performance-enhancing methods adopted by the Agency; and

(5) promote a positive youth sport experience by using a portion of the funding of the United States Anti-Doping Agency to provide educational materials on sportsmanship, character building, and healthy performance for the athletes, parents, and coaches who participate in youth sports.

(c) **DUE PROCESS IN ARBITRATION PROCEEDINGS.**—Any action taken by the United States Anti-Doping Agency to enforce a policy, procedure, or requirement of the United States Anti-Doping Agency against a person with respect to a violation of Federal law, including an investigation, a disciplinary action, a sanction, or any other administrative action, shall be carried out in a manner that provides due process protection to the person.

SEC. 702. [21 U.S.C. 2002] RECORDS, AUDIT, AND REPORT.

(a) **RECORDS.**—The United States Anti-Doping Agency shall keep correct and complete records of account.

⁴ So in original. Probably should be “220501(b)(1).”.

(b) REPORT.—The United States Anti-Doping Agency shall submit an annual report to Congress which shall include—

- (1) an audit conducted and submitted in accordance with section 10101 of title 36, United States Code; and
- (2) a description of the activities of the agency.

SEC. 703. [21 U.S.C. 2003] AUTHORIZATION OF APPROPRIATIONS.

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

- (1) for fiscal year 2023, \$15,500,000;
- (2) for fiscal year 2024, \$16,200,000;
- (3) for fiscal year 2025, \$16,900,000;
- (4) for fiscal year 2026, \$17,700,000;
- (5) for fiscal year 2027, \$18,500,000;
- (6) for fiscal year 2028, \$19,800,000;
- (7) for fiscal year 2029, \$22,100,000;
- (8) for fiscal year 2030, \$24,900,000; and
- (9) for fiscal year 2031, \$23,700,000.

TITLE VIII—DRUG-FREE COMMUNITIES

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SEC. 802. SUSPENSION OF GRANTS.

(a) IN GENERAL.—Section 1032(b) of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 1532(b)) is amended by adding at the end the following:

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

(b) [21 U.S.C. 1532 note] REPORT TO CONGRESS.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to Congress a report detailing the appeals process required by section 1032(b)(4) of the Anti-Drug Abuse Act of 1988, as added by subsection (a).

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TITLE IX—NATIONAL GUARD COUNTERDRUG SCHOOLS

SEC. 901. [32 U.S.C. 112 note] NATIONAL GUARD COUNTERDRUG SCHOOLS.

(a) AUTHORITY TO OPERATE.—Under such regulations as the Secretary of Defense may prescribe, the Chief of the National Guard Bureau may establish and operate, or provide financial assistance to the States to establish and operate, not more than 5 schools (to be known generally as “National Guard counterdrug schools”).

(b) PURPOSE.—The purpose of the National Guard counterdrug schools shall be the provision by the National Guard of training in

drug interdiction and counterdrug activities and drug demand reduction activities to personnel of the following:

- (1) Federal agencies.
 - (2) State, local, and tribal law enforcement agencies.
 - (3) Community-based organizations engaged in such activities.
 - (4) Other non-Federal governmental and private entities and organizations engaged in such activities.
- (c) COUNTERDRUG SCHOOLS SPECIFIED.—The National Guard counterdrug schools operated under the authority in subsection (a) are as follows:

- (1) The Multi-Jurisdictional Counterdrug Task Force Training (MCTFT), St. Petersburg, Florida.
- (2) The Midwest Counterdrug Training Center (MCTC), Johnston, Iowa.
- (3) The Regional Counterdrug Training Academy (RCTA), Meridian, Mississippi.
- (4) The Northeast Regional Counterdrug Training Center (NCTC), Fort Indiantown Gap, Pennsylvania.
- (5) The Western Regional Counterdrug Training Center, Camp Murray, Washington.

(d) USE OF NATIONAL GUARD PERSONNEL.—

- (1) IN GENERAL.—To the extent provided for in the State drug interdiction and counterdrug activities plan of a State in which a National Guard counterdrug school is located, personnel of the National Guard of that State who are ordered to perform full-time National Guard duty authorized under section 112(b) of title 32, United States Code, may provide training referred to in subsection (b) at that school.

(2) DEFINITION.—In this subsection, the term “State drug interdiction and counterdrug activities plan”, in the case of a State, means the current plan submitted by the Governor of the State to the Secretary of Defense under section 112 of title 32, United States Code.

(e) CURRICULUM REVIEW.—The Secretary of Defense shall review the curriculum and program structure of each school established under this section.

(f) TREATMENT UNDER AUTHORITY TO PROVIDE COUNTERDRUG SUPPORT.—The provisions of section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 374 note) shall apply to any activities of a National Guard counterdrug school under this section that are for an agency referred to in subsection (a) of such section 1004 and for a purpose set forth in subsection (b) of such section 1004.

(g) ANNUAL REPORT ON ACTIVITIES.—Not later than February 1 each year, the Secretary of Defense shall submit to Congress a report on the activities of the National Guard counterdrug schools during the preceding year. Each such report shall set forth a description of the activities of each National Guard counterdrug school for the fiscal year preceding the fiscal year during which the report is submitted, including—

- (1) the amount of funding made available and the appropriation account for each National Guard counterdrug school during such fiscal year;

(2) the cumulative amount of funding made available for each National Guard counterdrug school during five fiscal years preceding such fiscal year;

(3) a description of the curriculum and training used at each National Guard counterdrug school;

(4) a description of how the activities conducted at each National Guard counterdrug school fulfilled Department of Defense counterdrug mission;

(5) a list of the entities described in subsection (b) whose personnel received training at each National Guard counterdrug school; and

(6) updates, if any, to the Department of Defense regulations prescribed under subsection (a).

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Not more than \$30,000,000 may be expended by the Secretary of Defense for purposes of the National Guard counterdrug schools in any fiscal year.

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

TITLE X—NATIONAL METHAMPHETAMINE INFORMATION CLEARINGHOUSE ACT OF 2006

SEC. 1001. [21 U.S.C. 2001 note] SHORT TITLE.

This title may be cited as the “National Methamphetamine Information Clearinghouse Act of 2006”.

SEC. 1002. [21 U.S.C. 2011] DEFINITIONS.

In this title—

(1) the term “Council” means the National Methamphetamine Advisory Council established under section 1003(b)(1);

(2) the term “drug endangered children” means children whose physical, mental, or emotional health are at risk because of the production, use, or other effects of methamphetamine production or use by another person;

(3) the term “National Methamphetamine Information Clearinghouse” or “NMIC” means the information clearinghouse established under section 1003(a); and

(4) the term “qualified entity” means a State, local, or tribal government, school board, or public health, law enforcement, nonprofit, community anti-drug coalition, or other nongovernmental organization providing services related to methamphetamines.

SEC. 1003. [21 U.S.C. 2012] ESTABLISHMENT OF CLEARINGHOUSE AND ADVISORY COUNCIL.

(a) CLEARINGHOUSE.—There is established, under the supervision of the Attorney General of the United States, an information clearinghouse to be known as the National Methamphetamine Information Clearinghouse.

(b) ADVISORY COUNCIL.—

(1) **IN GENERAL.**—There is established an advisory council to be known as the National Methamphetamine Advisory Council.

(2) **MEMBERSHIP.**—The Council shall consist of 10 members appointed by the Attorney General—

(A) not fewer than 3 of whom shall be representatives of law enforcement agencies;

(B) not fewer than 4 of whom shall be representatives of nongovernmental and nonprofit organizations providing services or training and implementing programs or strategies related to methamphetamines; and

(C) 1 of whom shall be a representative of the Department of Health and Human Services.

(3) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for 3 years. Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) **PERSONNEL MATTERS.**—

(A) **TRAVEL EXPENSES.**—The members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council.

(B) **NO COMPENSATION.**—The members of the Council shall not receive compensation for the performance of the duties of a member of the Council.

SEC. 1004. [21 U.S.C. 2013] NMIC REQUIREMENTS AND REVIEW.

(a) **IN GENERAL.**—The NMIC shall promote sharing information regarding successful law enforcement, treatment, environmental, prevention, social services, and other programs related to the production, use, or effects of methamphetamine and grants available for such programs.

(b) **COMPONENTS.**—The NMIC shall include—

(1) a toll-free number; and

(2) a website that provides a searchable database, which—

(A) provides information on the short-term and long-term effects of methamphetamine use;

(B) provides information regarding methamphetamine treatment and prevention programs and strategies and programs for drug endangered children, including descriptions of successful programs and strategies and contact information for such programs and strategies;

(C) provides information regarding grants for methamphetamine-related programs, including contact information and links to websites;

(D) allows a qualified entity to submit items to be posted on the website regarding successful public or private programs or other useful information related to the production, use, or effects of methamphetamine;

(E) includes a restricted section that may only be accessed by a law enforcement organization that contains

successful strategies, training techniques, and other information that the Council determines helpful to law enforcement agency efforts to identify or combat the production, use, or effects of methamphetamine;

(F) allows public access to all information not in a restricted section; and

(G) contains any additional information the Council determines may be useful in identifying or combating the production, use, or effects of methamphetamine.

Thirty days after the website in paragraph (2) is operational, no funds shall be expended to continue the website methresources.gov.

(c) REVIEW OF POSTED INFORMATION.—

(1) IN GENERAL.—Not later than 30 days after the date of submission of an item by a qualified entity, the Council shall review an item submitted for posting on the website described in subsection (b)(2)—

(A) to evaluate and determine whether the item, as submitted or as modified, meets the requirements for posting; and

(B) in consultation with the Attorney General, to determine whether the item should be posted in a restricted section of the website.

(2) DETERMINATION.—Not later than 45 days after the date of submission of an item, the Council shall—

(A) post the item on the website described in subsection (b)(2); or

(B) notify the qualified entity that submitted the item regarding the reason such item shall not be posted and modifications, if any, that the qualified entity may make to allow the item to be posted.

SEC. 1005. [21 U.S.C. 2014] AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—

(1) for fiscal year 2007—

(A) \$500,000 to establish the NMIC and Council; and

(B) such sums as are necessary for the operation of the NMIC and Council; and

(2) for each of fiscal years 2008 and 2009, such sums as are necessary for the operation of the NMIC and Council.

TITLE XI—MISCELLANEOUS PROVISIONS

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SEC. 1103. REPORT ON LAW ENFORCEMENT INTELLIGENCE SHARING.

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

(1) evaluating existing and planned law enforcement intelligence systems used by Federal, State, local, and tribal law enforcement agencies responsible for drug trafficking and drug production enforcement; and

(2) addressing—

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

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

(C) the extent to which Federal, State, local, and tribal law enforcement are sharing law enforcement intelligence information to assess current threats and design appropriate enforcement strategies; and

(D) the measures needed to ensure and to promote effective information sharing among law enforcement intelligence systems operated by Federal, State, local, and tribal law enforcement agencies responsible for drug trafficking and drug production enforcement.

SEC. 1104. REQUIREMENT FOR SOUTH AMERICAN HEROIN STRATEGY.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Director, in coordination with the Secretary of State, shall submit to Congress a comprehensive strategy that addresses the increased threat from South American heroin, and in particular Colombian heroin, and the emerging threat from opium poppy grown in Peru and often intended for transit to Columbia for processing into heroin.

(b) **CONTENTS.**—The strategy submitted under subsection (a) shall include—

(1) opium eradication efforts to eliminate the problem at the source to prevent heroin from entering the stream of commerce;

(2) interdiction and precursor chemical controls;

(3) demand reduction and treatment;

(4) alternative development programs, including direct assistance to regional governments to demobilize and provide alternative livelihoods to former members of insurgent or other groups engaged in heroin, cocoa, or other illicit drug production or trafficking;

(5) efforts to inform and involve local citizens in the programs described in paragraphs (1) through (4), such as through leaflets advertising rewards for information; and

(6) an assessment of the specific level of funding and resources necessary to simultaneously address the threat from South American heroin and the threat from Colombian and Peruvian coca.

(c) **TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.**—Any content of the strategy submitted under subsection (a) that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant Federal agency, would be detrimental to the law enforcement of national security activities of any Federal, foreign, or international agency, shall be presented to Congress separately from the rest of the strategy.

【Section 1105 was repealed by section 8217(h) of Public Law 115–271.】

SEC. 1106. STUDY ON IATROGENIC ADDICTION ASSOCIATED WITH PRESCRIPTION OPIOID ANALGESIC DRUGS.

(a) IN GENERAL.—

(1) STUDY.—The Director of the Office of National Drug Control Policy shall request the Institute of Medicine of the National Academy of Sciences to enter into an agreement under which the Institute agrees to study certain aspects of iatrogenic addiction to prescription opioid analgesics included in schedules II and III of the Controlled Substances Act (21 U.S.C. 812).

(2) IATROGENIC ADDICTION.—In this section, the term “iatrogenic addiction” means an addiction developed from the use of an opioid analgesic by an individual with no previous history of any addiction, who has lawfully obtained and used the drug for a legitimate medical purpose by administration from, or pursuant to the prescription or order of, an individual practitioner acting in the usual course of professional practice.

(b) REQUIREMENTS.—The study conducted pursuant to this section shall assess the current scientific literature to determine, if possible—

(1) the rate of iatrogenic addiction associated with the appropriate use of prescription drugs described in subsection (a);

(2) the impact of iatrogenic addiction associated with the appropriate use of prescription drugs described in subsection (a) on the individual, the prescriber, other patients, and society in general;

(3) the comparative abuse liability of prescription drugs described in subsection (a) when used properly by the ultimate user for a legitimate medical purpose; and

(4)(A) what types of prospective or retrospective studies should be undertaken to determine the rate of iatrogenic addiction associated with the appropriate use of the prescription drugs described in subsection (a); and

(B) a feasible timeline for conducting and reporting such studies, should the current state of the scientific literature be insufficient to determine the rate, impact, and comparative abuse liability of prescription drugs described in subsection (a).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall ensure that the agreement under subsection (a) provides for the submission of a report to the Congress on the status of the study conducted pursuant to this section.

SEC. 1107. REQUIREMENT FOR STRATEGY TO STOP INTERNET ADVERTISING OF PRESCRIPTION MEDICINES WITHOUT A PRESCRIPTION.

Not later than 120 days after the date of the enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to Congress a strategy to stop advertisements that provide information about obtaining over the Internet drugs (as defined in section 702(3) of the Office of National Drug Control Policy Reauthorization Act of 1998) for which a prescription is required without the use of such a lawful prescription.

SEC. 1108. REQUIREMENT FOR STUDY ON DIVERSION AND INAPPROPRIATE USES OF PRESCRIPTION DRUGS.

Not later than 90 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy, in consultation with the Secretary of Health and Human Services, shall submit to Congress a report that includes a plan to conduct a study on the illegal diversion and inappropriate uses of prescription drugs, including the following:

(1) Methods to utilize both public use surveys that are in existence as of the date of enactment of this Act and other surveys to provide appropriate baseline data on the natural history of diversion and abuse of prescription drugs that are included in schedules under the Controlled Substances Act to evaluate the extent and nature of potential problems with such use to guide corrective actions which may reduce such problems without unintentionally hindering access to these drugs for legitimate medical purposes. Specifically, other surveys to be considered are those that address the abuse of these substances on a regional or national basis, and those that address the diversion of these substances on a regional or national basis.

(2) A scientifically based analysis of the relative contribution of both innate and acquired genetic factors, environmental factors, psychological factors, and drug characteristics that contribute to addiction to prescription drugs.

SEC. 1109. REQUIREMENT FOR AFGHAN HEROIN STRATEGY.

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

(b) **CONTENTS.**—The strategy shall include—

(1) opium crop eradication efforts to eliminate the problem at the source to prevent heroin from entering the stream of commerce;

(2) destruction or other direct elimination of stockpiles of heroin and raw opium, and heroin production and storage facilities;

(3) interdiction and precursor chemical controls;

(4) demand reduction and treatment;

(5) alternative development programs;

(6) measures to improve cooperation and coordination between Federal Government agencies, and between such agencies, agencies of foreign governments, and international organizations with responsibility for the prevention of heroin production in, or trafficking out of, Afghanistan; and

(7) an assessment of the specific level of funding and resources necessary to significantly reduce the production and trafficking of heroin.

(c) **TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.**—Any content of the strategy that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant Federal agency, would be detrimental to the law enforcement or national security activities of any Federal,

foreign, or international agency, shall be presented to Congress separately from the rest of the strategy.

【Sections 1110 and 1110A were repealed by section 8221(b)(2) of Public Law 115–271.】

SEC. 1111. REQUIREMENT FOR SCIENTIFIC STUDY OF MYCOHERBICIDE IN ILLICIT DRUG CROP ERADICATION.

(a) **REQUIREMENT.**—Not later than 90 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to the Congress a report that includes a plan to conduct, on an expedited basis, a scientific study of the use of mycoherbicide as a means of illicit drug crop elimination by an appropriate Government scientific research entity, including a complete and thorough scientific peer review. The study shall include an evaluation of the likely human health and environmental impacts of mycoherbicides derived from fungus naturally existing in the soil.

(b) **STUDY.**—The study required by this section shall be conducted in United States territory and not in any foreign country.

SEC. 1112. REQUIREMENT FOR STUDY OF STATE PRECURSOR CHEMICAL CONTROL LAWS.

(a) **STUDY.**—The Director of National Drug Control Policy, in consultation with the National Alliance for Model State Drug Laws, shall conduct a study of State laws with respect to precursor chemical controls.

(b) **REPORT.**—Not later than 6 months after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit a report to Congress on the results of the study under subsection (a), including—

(1) a comparison of the State laws studied and the effectiveness of each such law; and

(2) a list of best practices observed with respect to such laws.

SEC. 1113. REQUIREMENT FOR STUDY OF DRUG ENDANGERED CHILDREN PROGRAMS.

(a) **STUDY.**—The Director of National Drug Control Policy shall conduct a study of methamphetamine-related activities that are conducted by different Drug Endangered Children programs administered by States.

(b) **REPORT.**—Not later than 6 months after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress a report on the results of the study under subsection (a). Such report shall include—

(1) an analysis of the best practices of the activities studied; and

(2) recommendations for establishing a national policy to address drug endangered children, based on the Drug Endangered Children programs administered by States.

(c) **DEFINITIONS.**—In this section—

(1) the term “methamphetamine-related activity” means any activity related to the production, use, or effects of methamphetamine; and

(2) the term “drug endangered children” means children whose physical, mental, or emotional health are at risk be-

cause of the production, use, or effects of methamphetamine by another person.

SEC. 1114. STUDY ON DRUG COURT HEARINGS IN NONTRADITIONAL PLACES.

(a) **FINDING.**—Congress finds that encouraging drug courts and schools to enter into partnerships that allow students to see the repercussions of drug abuse by non-violent offenders may serve as a strong deterrent and promote demand reduction.

(b) **STUDY.**—The Director of the Office of National Drug Control Policy shall conduct a study on drug court programs that conduct hearings in nontraditional public places, such as schools. At a minimum, the study shall evaluate similar programs in operation, such as the program operated in the Fourth Judicial District Drug Court, in Washington County, Arkansas.

(c) **REQUIREMENT.**—At the same time the President submits to Congress the National Drug Control Strategy due February 1, 2007, pursuant to section 706 of the Office of National Drug Control Policy Reauthorization Act of 1998, the President shall submit to Congress a report on the study conducted under subsection (b). The report shall include an evaluation of the results of the study and such recommendations as the President considers appropriate.

(d) **DEMAND REDUCTION.**—In this section, the term “demand reduction” has the meaning provided in section 702(1) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701(1)).

SEC. 1115. REPORT ON TRIBAL GOVERNMENT PARTICIPATION IN HIDTA PROCESS.

(a) **REPORT REQUIREMENT.**—The Director of the Office of National Drug Control Policy shall prepare a report for Congress on the representation of tribal governments in the High Intensity Drug Trafficking Areas Program and in high intensity drug trafficking areas designated under that Program. The report shall include—

(1) a list of the tribal governments represented in the Program and a description of the participation by such governments in the Program;

(2) an explanation of the rationale for the level of representation by such governments; and

(3) recommendations by the Director for methods for increasing the number of tribal governments represented in the Program.

(b) **DEADLINE.**—The report prepared under subsection (a) shall be submitted not later than 1 year after the date of the enactment of this Act.

(c) **DEFINITION.**—In this section, the term “High Intensity Drug Trafficking Areas Program” means the program established under section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706).

SEC. 1116. REPORT ON SCHOOL DRUG TESTING.

(a) **REPORT REQUIREMENT.**—The Director of National Drug Control Policy shall prepare a report on drug testing in schools. The report shall include a list of secondary schools that have initiated drug testing from among those schools that have attended

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conferences on drug testing sponsored by the Office of National Drug Control Policy.

(b) DEADLINE.—Not later than 120 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress the report required under subsection (a).

SEC. 1117. REPORT ON ONDCP PERFORMANCE BONUSES.

(a) REPORT REQUIREMENT.—The Director of National Drug Control Policy shall prepare a report on performance bonuses at the Office of National Drug Control Policy. The report shall include a list of employees who received performance bonuses, and the amount of such bonuses, for the period beginning on October 1, 2004, and ending on the date of submission of the report.

(b) DEADLINE.—Not later than 120 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress the report required under subsection (a).

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