

Calendar No. 273

105TH CONGRESS
1ST Session

H. R. 2610

AN ACT

To amend the National Narcotics Leadership Act of 1988 to extend the authorization for the Office of National Drug Control Policy until September 30, 1999, to expand the responsibilities and powers of the Director of the Office of National Drug Control Policy, and for other purposes.

NOVEMBER 6, 1997

Reported with an amendment

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IN THE SENATE OF THE UNITED STATES

OCTOBER 22, 1997

Received; read twice and referred to the Committee on the Judiciary

NOVEMBER 6, 1997

Reported by Mr. HATCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**AN ACT**

To amend the National Narcotics Leadership Act of 1988 to extend the authorization for the Office of National Drug Control Policy until September 30, 1999, to expand the responsibilities and powers of the Director of the Office of National Drug Control Policy, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; AMENDMENT REFERENCES.**

4 (a) ~~SHORT TITLE.~~—This Act may be cited as the
5 “National Narcotics Leadership Act Amendments of
6 1997”.

1 (b) ~~AMENDMENT REFERENCES.—Except as other-~~
 2 ~~wise expressly provided, whenever in this Act an amend-~~
 3 ~~ment or repeal is expressed in terms of an amendment~~
 4 ~~to, or repeal of, a section or other provision, the reference~~
 5 ~~shall be considered to be made to a section or other provi-~~
 6 ~~sion of the National Narcotics Leadership Act of 1988 (21~~
 7 ~~U.S.C. 1501 et seq.).~~

8 **SEC. 2. DEPUTY DIRECTORS.**

9 (a) ~~ESTABLISHMENT.—Section 1002 (21 U.S.C.~~
 10 ~~1501) is amended—~~

11 (1) ~~in subsection (b)—~~

12 (A) ~~by amending paragraph (2) to read as~~
 13 ~~follows:~~

14 ~~“(2) There shall be in the Office of National Drug~~
 15 ~~Control Policy a Deputy Director of the Office of National~~
 16 ~~Drug Control Policy, a Deputy Director for Demand Re-~~
 17 ~~duction, a Deputy Director for Supply Reduction, a Dep-~~
 18 ~~uty Director for State and Local Affairs, and a Deputy~~
 19 ~~Director of Intelligence.”; and~~

20 (B) ~~by amending paragraph (3) to read as~~
 21 ~~follows:~~

22 ~~“(3) The Deputy Director of the Office of National~~
 23 ~~Drug Control Policy, the Deputy Director for Demand Re-~~
 24 ~~duction, the Deputy Director for Supply Reduction, the~~
 25 ~~Deputy Director for State and Local Affairs, and the Dep-~~

1 uty Director of Intelligence shall assist the Director in car-
 2 rying out the responsibilities of the Director under this
 3 Act.”; and

4 (2) by amending subsection (c)(2) to read as
 5 follows:

6 “(2) The Deputy Director for State and Local Affairs
 7 shall be the head of the Bureau of State and Local Af-
 8 fairs.”.

9 (b) APPOINTMENT.—

10 (1) IN GENERAL.—Section 1003(a) (21 U.S.C.
 11 1502(a)) is amended—

12 (A) in each of paragraphs (1) and (2), by
 13 inserting “the Deputy Director of the Office of
 14 National Drug Control Policy,” after “The Di-
 15 rector,”;

16 (B) in each of paragraphs (1) and (2), by
 17 striking “and the Associate Director for Na-
 18 tional Drug Control Policy” and inserting “the
 19 Deputy Director for State and Local Affairs;
 20 and the Deputy Director of Intelligence”; and

21 (C) in paragraph (2), by striking “, a Dep-
 22 uty Director, or Associate Director” and insert-
 23 ing “or as a Deputy Director”.

24 (2) DEADLINE FOR NOMINATION.—The Presi-
 25 dent shall submit to the Senate nominations of indi-

viduals for appointment as the Deputy Director of the Office of National Drug Control Policy, the Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, the Deputy Director for State and Local Affairs, and the Deputy Director of Intelligence of the Office of National Drug Control Policy by not later than 90 days after the date of the enactment of this Act.

~~(3)~~ CONTINUED SERVICE OF ASSOCIATE DIRECTOR.—The individual serving on the date of the enactment of this Act as Associate Director for National Drug Control Policy may act as the Deputy Director for State and Local Affairs until such time as an individual is appointed to that position in accordance with the amendments made by this Act.

~~(4)~~ CLERICAL AMENDMENT.—The heading of section 1003 (21 U.S.C. 1502) is amended to read as follows:

“SEC. 1003. APPOINTMENT AND DUTIES OF DIRECTOR AND DEPUTY DIRECTORS.”.

~~(c)~~ COMPENSATION.—

~~(1)~~ IN GENERAL.—Chapter 53 of title 5, United States Code, is amended—

~~(A)~~ in section 5314, by inserting after the item relating to the Deputy Director for Supply

1 Reduction, Office of National Drug Control
2 Policy, the following:

3 “Deputy Director for State and Local Affairs,
4 Office of National Drug Control Policy.

5 “Deputy Director of Intelligence, Office of Na-
6 tional Drug Control Policy.”;

7 (B) in section 5313, by adding at the end
8 the following:

9 “Deputy Director of the Office of National
10 Drug Control Policy.”; and

11 (C) in section 5315, by striking the item
12 relating to the Associate Director for National
13 Drug Control Policy, Office of National Drug
14 Control Policy.

15 (2) CLERICAL AMENDMENT.—Section 1003(a)
16 (21 U.S.C. 1502(a)) is amended by striking para-
17 graph (4)(C).

18 **SEC. 3. EXPANSION OF RESPONSIBILITIES OF DIRECTOR.**

19 (a) EXPANSION OF RESPONSIBILITIES.—Section
20 1003(b) (21 U.S.C. 1502(b)) is amended—

21 (1) by amending paragraph (1) to read as fol-
22 lows:

23 “(1) establish Federal policies, objectives, goals,
24 priorities, and performance measures (including spe-
25 cific annual agency targets expressed in terms of

1 precise percentages) for the National Drug Control
2 Program and for each National Drug Control Pro-
3 gram agency, which include targets for the following:

4 “(A) reduction of unlawful drug use to 3
5 percent of the population of the United States
6 or less by December 31, 2001 (as measured in
7 terms of overall illicit drug use during the past
8 30 days by the National Household Survey),
9 and achievement of at least 25 percent of such
10 reduction during each of 1998, 1999, 2000, and
11 2001;

12 “(B) reduction of adolescent unlawful drug
13 use (as measured in terms of illicit drug use
14 during the past 30 days by the Monitoring the
15 Future Survey of the University of Michigan or
16 the National PRIDE Survey conducted by the
17 National Parents’ Resource Institute for Drug
18 Education) to 3 percent of the adolescent popu-
19 lation of the United States or less by December
20 31, 2001, and achievement of at least 25 per-
21 cent of such reduction during each of 1998,
22 1999, 2000, and 2001;

23 “(C) reduction of the availability of co-
24 caine, heroin, marijuana, and methamphet-

1 amine in the United States by 80 percent by
2 December 31, 2001;

3 “(D) reduction of the respective nationwide
4 average street purity levels for cocaine, heroin,
5 marijuana, and methamphetamine (as esti-
6 mated by the interagency drug flows assessment
7 led by the Office of National Drug Control Pol-
8 icy, and based on statistics collected by the
9 Drug Enforcement Administration and other
10 National Drug Control Program agencies iden-
11 tified as relevant by the Director) by 60 percent
12 by December 31, 2001, and achievement of at
13 least 25 percent of each such reduction during
14 each of 1998, 1999, 2000, and 2001;

15 “(E) reduction of drug-related crime in the
16 United States by 50 percent by December 31,
17 2001, and achievement of at least 25 percent of
18 such reduction during each of 1998, 1999,
19 2000, and 2001, including—

20 “(i) reduction of State and Federal
21 unlawful drug trafficking and distribution;

22 “(ii) reduction of State and Federal
23 crimes committed by persons under the in-
24 fluence of unlawful drugs; and

1 “(iii) reduction of State and Federal
2 crimes committed for the purpose of ob-
3 taining unlawful drugs or obtaining prop-
4 erty that is intended to be used for the
5 purchase of unlawful drugs; and

6 “(F) reduction of drug-related emergency
7 room incidents in the United States (as meas-
8 ured by data of the Drug Abuse Warning Net-
9 work on illicit drug abuse), including incidents
10 involving gunshot wounds and automobile acci-
11 dents in which illicit drugs are identified in the
12 bloodstream of the victim, by 50 percent by De-
13 cember 31, 2001;”;

14 (2) by amending paragraph (3) to read as fol-
15 lows:

16 “(3) coordinate, oversee, and evaluate the effec-
17 tiveness of the implementation of the policies, objec-
18 tives, goals, performance measures, and priorities es-
19 tablished under paragraph (1) and the fulfillment of
20 the responsibilities of the National Drug Control
21 Program agencies under the National Drug Control
22 Strategy;”;

23 (3) in paragraph (5), by inserting “and non-
24 governmental entities involved in demand reduction”
25 after “governments”;

1 (4) by striking “and” at the end of paragraph
2 (7);

3 (5) by striking the period at the end of para-
4 graph (8) and inserting a semicolon; and

5 (6) by adding at the end the following new
6 paragraphs:

7 “(9) require each National Drug Control Pro-
8 gram agency to submit to the Director on a semi-
9 annual basis (beginning with the first 6 months of
10 1998) an evaluation of progress by the agency with
11 respect to drug control program goals using the per-
12 formance measures referred to in paragraph (1), in-
13 cluding progress with respect to—

14 “(A) success in reducing domestic and for-
15 eign sources of illegal drugs;

16 “(B) success in protecting the borders of
17 the United States (and in particular the South-
18 western border of the United States) from pen-
19 etration by illegal narcotics;

20 “(C) success in reducing violent crime as-
21 sociated with drug use in the United States;

22 “(D) success in reducing the negative
23 health and social consequences of drug use in
24 the United States; and

1 “(E) implementation of drug treatment
2 and prevention programs in the United States
3 and improvements in the adequacy and effec-
4 tiveness of such programs;

5 “(10) submit to Congress on a semi-annual
6 basis, not later than 60 days after the date of the
7 last day of the applicable 6-month period, a sum-
8 mary of—

9 “(A) each of the evaluations received by
10 the Director under paragraph (9); and

11 “(B) the progress of each National Drug
12 Control Program agency toward the drug con-
13 trol program goals of the agency using the per-
14 formance measures described in paragraph (1);

15 “(11) require the National Drug Control Pro-
16 gram agencies to submit to the Director not later
17 than February 1 of each year a detailed accounting
18 of all funds expended by the agencies for National
19 Drug Control Program activities during the previous
20 fiscal year, and require such accounting to be au-
21 thenticated by the Inspector General for each agency
22 prior to submission to the Director;

23 “(12) submit to Congress not later than April
24 1 of each year the information submitted to the Di-
25 rector under paragraph (11);

1 “(13) submit to Congress not later than August
2 1 of each year a report including—

3 “(A) the budget guidance provided by the
4 Director to each National Drug Control Pro-
5 gram agency for the fiscal year in which the re-
6 port is submitted and for the other fiscal years
7 within the applicable five-year budget plan re-
8 lating to such fiscal year; and

9 “(B) a summary of the request of each
10 National Drug Control Program agency to the
11 Director under this Act (prior to review of the
12 request by the Office of Management and
13 Budget) for the resources required to achieve
14 the targets of the agency under this Act;

15 “(14) act as a representative of the President
16 before Congress on all aspects of the National Drug
17 Control Program;

18 “(15) act as the primary spokesperson of the
19 President on drug issues;

20 “(16) make recommendations to National Drug
21 Control Program agency heads with respect to im-
22 plementation of Federal counter-drug programs;

23 “(17) take such actions as necessary to oppose
24 any attempt to legalize the use of a substance (in
25 any form) that—

1 “(A) is listed in schedule I of section 202
2 of the Controlled Substances Act (21 U.S.C.
3 812); and

4 “(B) has not been approved for use for
5 medical purposes by the Food and Drug Ad-
6 ministration; and

7 “(18) ensure that drug prevention and drug
8 treatment research and information is effectively dis-
9 seminated by National Drug Control Program agen-
10 cies to State and local governments and nongovern-
11 mental entities involved in demand reduction by—

12 “(A) encouraging formal consultation be-
13 tween any such agency that conducts or spon-
14 sors research, and any such agency that dis-
15 seminates information in developing research
16 and information product development agendas;

17 “(B) encouraging such agencies (as appro-
18 priate) to develop and implement dissemination
19 plans that specifically target State and local
20 governments and nongovernmental entities in-
21 volved in demand reduction; and

22 “(C) developing a single interagency clear-
23 inghouse for the dissemination of research and
24 information by such agencies to State and local

1 governments and nongovernmental agencies in-
 2 volved in demand reduction.”.

3 ~~(b) SURVEY OF DRUG USE.—~~(1) The University of
 4 Michigan shall not be prohibited under any law from con-
 5 ducting the survey of drug use among young people in the
 6 United States known as the Monitoring the Future Sur-
 7 vey.

8 (2) The National Parents’ Resource Institute for
 9 Drug Education in Atlanta, Georgia, shall not be prohib-
 10 ited under any law from conducting the survey of drug
 11 use among young people in the United States known as
 12 the National PRIDE Survey.

13 **SEC. 4. EXPANSION OF POWERS OF DIRECTOR.**

14 Section 1003(d) ~~(21 U.S.C. 1502(d))~~ is amended—

15 (1) in paragraph (9), by striking the period and
 16 inserting a semicolon; and

17 (2) by adding at the end the following new
 18 paragraphs:

19 “(10) require the heads of National Drug Con-
 20 trol Program agencies to provide the Director with
 21 statistics, studies, reports, and any other informa-
 22 tion regarding Federal control of drug abuse;

23 “(11) require the heads of National Drug Con-
 24 trol Program agencies to provide the Director with

1 information regarding any position (before an indi-
 2 vidual is nominated for such position) that—

3 “(A) relates to the National Drug Control
 4 Program;

5 “(B) is at or above the level of Deputy As-
 6 sistant Secretary; and

7 “(C) involves responsibility for Federal
 8 counternarcotics or anti-drug programs; and

9 “(12) make recommendations to the National
 10 Drug Intelligence Center on the specific projects
 11 that the Director determines will enhance the effec-
 12 tiveness of implementation of the National Drug
 13 Control Strategy.”.

14 **SEC. 5. SUBMISSION OF NATIONAL DRUG CONTROL STRAT-**
 15 **EGY.**

16 (a) IN GENERAL.—Section 1005(a) is amended—

17 (1) by amending paragraph (2)(A) to read as
 18 follows:

19 “(A) include comprehensive, research-based,
 20 specific, long-range goals and performance measures
 21 (including specific annual targets expressed in terms
 22 of precise percentages) for reducing drug abuse and
 23 the consequences of drug abuse in the United
 24 States;”;

1 (2) by striking “and” at the end of paragraph
2 ~~(2)(C)~~;

3 ~~(3)~~ by striking paragraph ~~(2)(D)~~;

4 (4) by adding at the end of paragraph (2) the
5 following new paragraphs:

6 “(D) include 4-year projections for National
7 Drug Control Program priorities (including budget
8 priorities); and

9 “(E) review international, Federal, State, local,
10 and private sector drug control activities to ensure
11 that the United States pursues well-coordinated and
12 effective drug control at all levels of government.”;

13 (5) in paragraph ~~(3)(A)~~, by striking clauses (iv)
14 and (v) and inserting the following:

15 “(iv) private citizens and organizations with ex-
16 perience and expertise in demand reduction;

17 “(v) private citizens and organizations with ex-
18 perience and expertise in supply reduction; and

19 “(vi) appropriate representatives of foreign gov-
20 ernments.”;

21 (6) in paragraph (4)—

22 (A) in subparagraph (B), by amending
23 clauses (i) through (vi) to read as follows:

1 “(i) the quantities of cocaine, heroin, mari-
2 juana, methamphetamine, ecstasy, and rohypnol
3 available for consumption in the United States;

4 “(ii) the amount of cocaine, heroin, mari-
5 juana, ecstasy, rohypnol, methamphetamine,
6 and precursor chemicals entering the United
7 States;

8 “(iii) the number of hectares of marijuana,
9 poppy, and coca cultivated and destroyed do-
10 mestically and in other countries;

11 “(iv) the number of metric tons of mari-
12 juana, cocaine, heroin, and methamphetamine
13 seized;

14 “(v) the number of cocaine and meth-
15 amphetamine processing labs destroyed domes-
16 tically and in other countries;

17 “(vi) changes in the price and purity of
18 heroin and cocaine, changes in price of meth-
19 amphetamine, and changes in
20 tetrahydrocannabinol level of marijuana;”;

21 (B) by striking “and” at the end of sub-
22 paragraph (C);

23 (C) by striking the period at the end sub-
24 paragraph (D) and inserting “; and”; and

1 (D) by adding at the end the following new
2 subparagraph:

3 “(E) assessment of the cultivation of illegal
4 drugs in the United States.”; and

5 (7) in paragraph (5)—

6 (A) in the matter preceding subparagraph
7 (A), by striking “February 1, 1995” and insert-
8 ing “February 1, 1998”;

9 (B) in the matter preceding subparagraph
10 (A), by striking “second”;

11 (C) by striking “and” at the end of sub-
12 paragraph (C);

13 (D) by striking the period at the end of
14 subparagraph (D) and inserting “; and”; and

15 (E) by adding at the end the following new
16 subparagraph:

17 “(E) a description of the National Drug Con-
18 trol Program performance measures described in
19 subsection (a)(2)(A).”.

20 (b) GOALS AND PERFORMANCE MEASURES FOR NA-
21 TIONAL DRUG CONTROL STRATEGY.—Section 1005(b) is
22 amended—

23 (1) in the heading, by striking “, OBJECTIVES,
24 AND PRIORITIES” and inserting “AND PERFORM-
25 ANCE MEASURES”;

1 (2) in the matter after the heading, by inserting
2 “(1)” before “Each National Drug Control Strat-
3 egy”;

4 (3) by redesignating paragraphs (1) through
5 (6) as subparagraphs (A) through (F);

6 (4) in subparagraph (A) (as redesignated by
7 paragraph (3)), by striking “and priorities” and in-
8 serting “and performance measures”;

9 (5) in subparagraph (C) (as redesignated by
10 paragraph (3)), by striking “3-year projections” and
11 inserting “4-year projections”; and

12 (6) by adding at the end the following new
13 paragraph:

14 “(2) In establishing the performance measures re-
15 quired by this subsection, the Director shall—

16 “(A) establish performance measures and tar-
17 gets expressed in terms of precise percentages for
18 each National Drug Control Strategy goal and objec-
19 tive;

20 “(B) revise such performance measures and
21 targets as necessary, and reflect such performance
22 measures and targets in the National Drug Control
23 Program budget submitted to Congress;

24 “(C) consult with affected National Drug Con-
25 trol Program agencies;

1 “(D) identify programs and activities of Na-
2 tional Drug Control Program agencies that support
3 the goals of the National Drug Control Strategy;

4 “(E) evaluate in detail the implementation by
5 each National Drug Control Program agency of pro-
6 gram activities supporting the National Drug Con-
7 trol Strategy;

8 “(F) monitor consistency between the drug-re-
9 lated goals of the National Drug Control Program
10 agencies and ensure that drug control agency goals
11 and budgets fully support, and are fully consistent
12 with, the National Drug Control Strategy;

13 “(G) coordinate the development and implemen-
14 tation of national drug control data collection and
15 reporting systems to support Federal policy formula-
16 tion and performance measurement;

17 “(H) ensure that no Federal drug control funds
18 are expended for any study or contract relating to
19 the legalization (for a medical use or any other use)
20 of a substance listed in schedule I of section 202 of
21 the Controlled Substances Act (21 U.S.C. 812); and

22 “(I) ensure that no Federal funds appropriated
23 for the High Intensity Drug Trafficking Program
24 are expended for the expansion of drug treatment
25 programs.”.

1 **SEC. 6. REPORT ON DESIGNATION OF HIGH INTENSITY**
2 **DRUG TRAFFICKING AREAS.**

3 Section 1005(c)(3) is amended to read as follows:

4 “(3) Not later than March 1 of each year, the Direc-
5 tor shall submit to Congress a report—

6 “(A) on the effectiveness of, and need for, the
7 designation of areas under this subsection as high
8 intensity drug trafficking areas; and

9 “(B) that includes any recommendations of the
10 Director for legislative action with respect to such
11 designation.”.

12 **SEC. 7. REPROGRAMMING AND TRANSFER OF FUNDS.**

13 (a) **EXPANSION OF TRANSFER AUTHORITY.**—Section
14 1003(d)(8) (~~21 U.S.C. 1502(d)(8)~~) is amended to read as
15 follows:

16 “(8) except to the extent that the Director’s au-
17 thority under this paragraph is limited in an annual
18 appropriations Act, and with the concurrence of the
19 head of the affected agency and upon advance ap-
20 proval of the Committees on Appropriations and the
21 authorizing committees of the House of Representa-
22 tives and the Senate, transfer funds appropriated to
23 a National Drug Control Program agency program,
24 activity, or function designated by the Director pur-
25 suant to subsection (c) to a different National Drug
26 Control Program agency program, activity, or func-

1 tion designated by the Director pursuant to such
 2 subsection in an amount that does not exceed 5 per-
 3 cent of the amount appropriated to either program,
 4 activity, or function.”.

5 (b) REPORT.—Section 1003(e)(7) (21 U.S.C.
 6 1502(e)(7)) is amended to read as follows:

7 “(7)(A) The Director shall report to Congress on a
 8 quarterly basis (beginning with the first quarter of 1998)
 9 on—

10 “(i) the need for any reprogramming or trans-
 11 fer of funds appropriated for National Drug Control
 12 Program activities; and

13 “(ii) any funds appropriated for National Drug
 14 Control Program activities that were reprogrammed
 15 or transferred during the quarter covered by the re-
 16 port.

17 “(B) The Director shall report to Congress as re-
 18 quired by paragraph (A) not later than 30 days after the
 19 last day of each applicable quarter.”.

20 **SEC. 8. LONG-TERM PLAN FOR REDUCTION OF DRUG USE.**

21 Section 1003 (21 U.S.C. 1502) is amended by adding
 22 at the end the following new subsection:

23 “(g) LONG-TERM PLAN FOR REDUCTION OF DRUG
 24 USE.—Not later than March 1, 1998, the Director shall
 25 submit to Congress a long-term plan for reducing the pop-

1 ulation of illegal drug users in the United States by De-
 2 cember 31, 2001, to 3 percent of the population of the
 3 United States or less. Such plan shall include—

4 “(1) a request for funds and other resources
 5 necessary to achieve such reduction within the guide-
 6 lines of the balanced budget agreement of 1997; and
 7 “(2) the justifications for each such request.”.

8 **SEC. 9. DRUG POLICY COUNCIL.**

9 The National Narcotics Leadership Act of 1988 (21
 10 U.S.C. 1501 et seq.) is further amended by adding at the
 11 end of chapter 1 the following new section:

12 **“SEC. 1013. DRUG POLICY COUNCIL.**

13 “(a) **ESTABLISHMENT.**—There is established in the
 14 Executive Office of the President a Drug Policy Council,
 15 which shall be composed of the members of the President’s
 16 cabinet, and the purpose of which shall be to make cabi-
 17 net-level decisions regarding national drug policy.

18 “(b) **CHAIRMAN.**—The President shall be the Chair-
 19 man of the Drug Policy Council established by subsection
 20 (a).”.

21 “(c) **EXECUTIVE DIRECTOR.**—The Director of the
 22 Office of National Drug Control Policy shall be the Execu-
 23 tive Director of the Drug Policy Council established by
 24 subsection (a).”.

1 **SEC. 10. DEFINITION OF NATIONAL DRUG CONTROL PRO-**
 2 **GRAM AGENCY.**

3 Section ~~1010(6)~~ (~~21 U.S.C. 1507(6)~~) is amended to
 4 read as follows:

5 “~~(6)~~ the term ‘National Drug Control Program
 6 agency’ means any agency that is responsible for im-
 7 plementing any aspect of the National Drug Control
 8 Strategy, including any agency that receives Federal
 9 funds to implement any aspect of the National Drug
 10 Control Strategy;”.

11 **SEC. 11. EXTENSION OF DATE FOR TERMINATION OF OF-**
 12 **FICE OF NATIONAL DRUG CONTROL POLICY.**

13 Section 1009 is amended by striking “September 30,
 14 1997” and inserting “September 30, 1999”.

15 **SEC. 12. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
 16 **TIONS.**

17 Section ~~1011~~ is amended by striking “8 succeeding
 18 fiscal years” and inserting “10 succeeding fiscal years”.

19 **SEC. 13. REPORT REQUIRED.**

20 Not later than November 1, 1997, the Director of the
 21 Office of National Drug Control Policy shall submit to
 22 Congress a report including—

23 (1) proposed goals, targets, performance meas-
 24 ures (as described in section 1003(b)(1) of the Na-
 25 tional Narcotics Leadership Act of 1998 (~~21 U.S.C.~~
 26 ~~1502(b)(1)~~), and specific initiatives with respect to

1 the National Drug Control Program, including the
 2 High Intensity Drug Trafficking Area Program; and
 3 ~~(2)~~ proposals to coordinate the efforts of all
 4 National Drug Control Program agencies.

5 **SEC. 14. APPOINTMENT OF TEMPORARY ADMINISTRATOR**
 6 **FOR DRUG-FREE COMMUNITIES SUPPORT**
 7 **PROGRAM.**

8 (a) IN GENERAL.—Section 1031(e) (21 U.S.C.
 9 ~~1531(e)~~) is amended—

10 (1) by inserting “(1)” after “(c) ADMINISTRA-
 11 TION.—”; and

12 (2) by adding at the end the following new
 13 paragraph:

14 “(2) The Director shall appoint an individual to act
 15 as Administrator until such time as an individual is ap-
 16 pointed to such position under paragraph (1).”.

17 (b) DEADLINE FOR APPOINTMENT.—The Director of
 18 the Office of National Drug Control Policy shall appoint
 19 an individual to act as Administrator of the Drug-Free
 20 Communities Support Program under section 1031(e)(2)
 21 of the National Narcotics Leadership Act of 1988 (as
 22 added by subsection (a)) not later than 30 days after the
 23 date of the enactment of this Act.

1 **SEC. 15. CONSISTENCY WITH NATIONAL SECURITY ACT OF**
 2 **1947.**

3 Section 1004 (21 U.S.C. 1503) is amended—

4 (1) in subsection (a)—

5 (A) by striking “(1)”;

6 (B) by striking “(2)(A)” and inserting

7 “(b) CONSISTENCY WITH NATIONAL SECURITY
 8 ACT OF 1947.—(1)”;

9 (C) by striking “(B)” and inserting “(2)”;

10 and

11 (D) by striking “subparagraph (A)” and

12 inserting “paragraph (1)”;

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

15 **SECTION 1. SHORT TITLE.**

16 *This Act may be cited as the “Office of National Drug*
 17 *Control Policy Reauthorization Act of 1997”.*

18 **SEC. 2. REAUTHORIZATION OF OFFICE OF NATIONAL DRUG**
 19 **CONTROL POLICY.**

20 (a) *DEFINITIONS.—The National Narcotics Leadership*
 21 *Act of 1988 (21 U.S.C. 1501 et seq.) is amended by insert-*
 22 *ing after section 1001 the following:*

23 **“SEC. 1001A. DEFINITIONS.**

24 *“In this subtitle:*

25 *“(1) DEMAND REDUCTION.—The term ‘demand*
 26 *reduction’ means any activity conducted by a Na-*

1 *tional Drug Control Program agency, other than an*
2 *enforcement activity, that is intended to reduce the*
3 *use of drugs, including—*

4 *“(A) drug abuse education;*

5 *“(B) drug abuse prevention;*

6 *“(C) drug abuse treatment;*

7 *“(D) drug abuse research;*

8 *“(E) drug abuse rehabilitation;*

9 *“(F) drug-free workplace programs; and*

10 *“(G) drug testing.*

11 *“(2) DIRECTOR.—The term ‘Director’ means the*
12 *Director of National Drug Control Policy.*

13 *“(3) DRUG.—The term ‘drug’ has the meaning*
14 *given the term ‘controlled substance’ in section 102(6)*
15 *of the Controlled Substances Act (21 U.S.C. 802(6)).*

16 *“(4) DRUG CONTROL.—The term ‘drug control’*
17 *means any activity conducted by a National Drug*
18 *Control Program agency involving supply reduction*
19 *or demand reduction, including any activity to re-*
20 *duce the use of tobacco or alcoholic beverages by un-*
21 *derage individuals.*

22 *“(5) FUND.—The term ‘Fund’ means the fund*
23 *established under section 1002(d).*

24 *“(6) NATIONAL DRUG CONTROL PROGRAM.—The*
25 *term ‘National Drug Control Program’ means pro-*

grams, policies, and activities undertaken by National Drug Control Program agencies pursuant to the responsibilities of such agencies under the National Drug Control Strategy.

“(7) NATIONAL DRUG CONTROL PROGRAM AGENCY.—The term ‘National Drug Control Program agency’ means any department or agency and all dedicated units thereof, with responsibilities under the National Drug Control Strategy, as designated jointly by the Director and the President.

“(8) NATIONAL DRUG CONTROL STRATEGY.—The terms ‘National Drug Control Strategy’ and ‘Strategy’ mean the strategy developed and submitted to Congress under section 1005.

“(9) OFFICE.—Unless the context clearly implicates otherwise, the term ‘Office’ means the Office of National Drug Control Policy established under section 1002(a).

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

1 “(A) coordination and facilitation of Fed-
 2 eral, State, and local law enforcement drug con-
 3 trol efforts;

4 “(B) promotion of coordination and co-
 5 operation among the drug supply reduction and
 6 demand reduction agencies of the various States,
 7 territories, and units of local government; and

8 “(C) such other cooperative governmental
 9 activities which promote a comprehensive ap-
 10 proach to drug control at the national, State,
 11 territory, and local levels.

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

17 “(A) international drug control;

18 “(B) foreign and domestic drug intelligence;

19 “(C) interdiction; and

20 “(D) domestic drug law enforcement, in-
 21 cluding law enforcement directed at drug users.”.

22 (b) ESTABLISHMENT OF OFFICE OF NATIONAL DRUG
 23 CONTROL POLICY.—Section 1002 of the National Narcotics
 24 Leadership Act of 1988 (21 U.S.C. 1501) is amended—

1 (1) *by striking subsections (a) and (b) and in-*
 2 *serting the following:*

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

6 “(1) *develop national drug control policy;*

7 “(2) *coordinate and oversee the implementation*
 8 *of that national drug control policy;*

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

12 “(4) *evaluate the effectiveness of the national*
 13 *drug control programs.*

14 “(b) *DIRECTOR AND DEPUTY DIRECTORS.—*

15 “(1) *DIRECTOR.—There shall be at the head of*
 16 *the Office a Director of National Drug Control Policy.*

17 “(2) *DEPUTY DIRECTOR OF NATIONAL DRUG*
 18 *CONTROL POLICY.—There shall be in the Office a Dep-*
 19 *uty Director of National Drug Control Policy, who*
 20 *shall assist the Director in carrying out the respon-*
 21 *sibilities of the Director under this Act.*

22 “(3) *OTHER DEPUTY DIRECTORS.—There shall*
 23 *be in the Office—*

24 “(A) *a Deputy Director for Demand Reduc-*
 25 *tion, who shall be responsible for the activities*

1 *described in subparagraphs (A) through (G) of*
 2 *section 1001A(1);*

3 *“(B) a Deputy Director for Supply Reduc-*
 4 *tion, who shall be responsible for the activities*
 5 *described in subparagraphs (A) through (C) of*
 6 *section 1001A(11); and*

7 *“(C) a Deputy Director for State and Local*
 8 *Affairs, who shall be responsible for the activities*
 9 *described in subparagraphs (A) through (C) of*
 10 *section 1001A(10).”;*

11 *(2) by striking subsection (c) and redesignating*
 12 *subsection (d) as subsection (c); and*

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

14 *“(d) OFFICE OF NATIONAL DRUG CONTROL POLICY*
 15 *GIFT FUND.—*

16 *“(1) ESTABLISHMENT.—There is established in*
 17 *the Treasury a Fund for the receipt of gifts, both real*
 18 *and personal, for the purpose of aiding or facilitating*
 19 *the work of the Office under section 1003(c).*

20 *“(2) CONTRIBUTIONS.—The Office may accept,*
 21 *hold, and administer contributions to the Fund.*

22 *“(3) USE OF AMOUNTS DEPOSITED.—Amounts*
 23 *deposited in the Fund are authorized to be appro-*
 24 *priated, to remain available until expended for au-*
 25 *thorized purposes at the discretion of the Director.”.*

1 (c) *APPOINTMENT AND DUTIES OF DIRECTOR AND*
 2 *DEPUTY DIRECTORS.*—Section 1003 of the National Nar-
 3 *cotics Leadership Act of 1988 (21 U.S.C. 1502) is amended*
 4 *to read as follows:*

5 **“SEC. 1003. APPOINTMENT AND DUTIES OF DIRECTOR AND**
 6 **DEPUTY DIRECTORS.**

7 “(a) *APPOINTMENT.*—

8 “(1) *IN GENERAL.*—The Director, the Deputy
 9 *Director of National Drug Control Policy, the Deputy*
 10 *Director for Demand Reduction, the Deputy Director*
 11 *for Supply Reduction, and the Deputy Director for*
 12 *State and Local Affairs, shall each be appointed by*
 13 *the President, by and with the advice and consent of*
 14 *the Senate, and shall serve at the pleasure of the*
 15 *President. In appointing the Deputy Director for De-*
 16 *mand Reduction under this paragraph, the President*
 17 *shall take into consideration the scientific, edu-*
 18 *cational or professional background of the individual,*
 19 *and whether the individual has experience in the*
 20 *fields of substance abuse prevention, education, or*
 21 *treatment.*

22 “(2) *DUTIES OF DEPUTY DIRECTOR OF NATIONAL*
 23 *DRUG CONTROL POLICY.*—The Deputy Director of Na-
 24 *tional Drug Control Policy shall—*

1 “(A) carry out the duties and powers pre-
2 scribed by the Director; and

3 “(B) serve as the Director in the absence of
4 the Director or during any period in which the
5 office of the Director is vacant.

6 “(3) DESIGNATION OF OTHER OFFICERS.—In the
7 absence of the Deputy Director, or if the office of the
8 Deputy Director is vacant, the Director shall des-
9 ignate such other permanent employee of the Office to
10 serve as the Director, if the Director is absent or un-
11 able to serve.

12 “(4) PROHIBITION.—No person shall serve as Di-
13 rector or a Deputy Director while serving in any
14 other position in the Federal Government.

15 “(5) PROHIBITION ON POLITICAL CAMPAIGN-
16 ING.—Any officer or employee of the Office who is ap-
17 pointed to that position by the President, by and with
18 the advice and consent of the Senate, may not partici-
19 pate in Federal election campaign activities, except
20 that such official is not prohibited by this paragraph
21 from making contributions to individual candidates.

22 “(b) RESPONSIBILITIES.—The Director shall—

23 “(1) establish policies, goals, objectives, and pri-
24 orities for the National Drug Control Program;

1 “(2) promulgate the National Drug Control
2 Strategy and each report under section 1005(b) in ac-
3 cordance with section 1005;

4 “(3) coordinate and oversee the implementation
5 by the National Drug Control Program agencies of
6 the policies, goals, objectives, and priorities estab-
7 lished under paragraph (1) and the fulfillment of the
8 responsibilities of such agencies under the National
9 Drug Control Strategy;

10 “(4) make such recommendations to the Presi-
11 dent as the Director determines are appropriate re-
12 garding changes in the organization, management,
13 and budgets of Federal departments and agencies en-
14 gaged in drug enforcement, and changes in the alloca-
15 tion of personnel to and within such departments and
16 agencies, to implement the policies, goals, priorities,
17 and objectives established under paragraph (1) and
18 the National Drug Control Strategy;

19 “(5) consult with and assist State and local gov-
20 ernments with respect to the formulation and imple-
21 mentation of National Drug Control Policy and their
22 relations with the National Drug Control Program
23 agencies;

24 “(6) appear before duly constituted committees
25 and subcommittees of the House of Representatives

1 *and of the Senate to represent the drug policies of the*
2 *executive branch;*

3 “(7) *notify any National Drug Control Program*
4 *agency if its policies are not in compliance with the*
5 *responsibilities of such agency under the National*
6 *Drug Control Strategy and transmit a copy of each*
7 *such notification to the President;*

8 “(8) *provide, by July 1 of each year, budget rec-*
9 *ommendations to the heads of departments and agen-*
10 *cies with responsibilities under the National Drug*
11 *Control Program, which recommendations shall apply*
12 *to next budget year scheduled for formulation under*
13 *the Budget and Accounting Act of 1921, and each of*
14 *the 4 subsequent fiscal years, and address funding*
15 *priorities developed in the National Drug Control*
16 *Strategy;*

17 “(9) *serve as the representative of the President*
18 *in appearing before Congress on all issues relating to*
19 *the National Drug Control Program; and*

20 “(10) *serve as primary spokesperson of the Ad-*
21 *ministration on drug issues.*

22 “(c) *NATIONAL DRUG CONTROL PROGRAM BUDGET.—*

23 “(1) *IN GENERAL.—For each fiscal year, with*
24 *the advice of the program managers of departments*

1 *and agencies with responsibilities under the National*
2 *Drug Control Program, the Director shall—*

3 “(A) *develop a consolidated National Drug*
4 *Control Program budget proposal to implement*
5 *the National Drug Control Strategy;*

6 “(B) *submit the budget proposal to the*
7 *President; and*

8 “(C) *after submission under subparagraph*
9 *(B), submit a copy of the budget proposal to*
10 *Congress.*

11 “(2) *RESPONSIBILITIES OF NATIONAL DRUG CON-*
12 *TROL PROGRAM AGENCIES.—*

13 “(A) *IN GENERAL.—Each Federal Govern-*
14 *ment program manager, agency head, and de-*
15 *partment head with responsibilities under the*
16 *National Drug Control Strategy shall transmit*
17 *the drug control budget request of the agency or*
18 *department to the Director at the same time as*
19 *such request is submitted to their superiors (and*
20 *before submission to the Office of Management*
21 *and Budget) in the preparation of the budget of*
22 *the President submitted to Congress under sec-*
23 *tion 1105(a) of title 31, United States Code.*

24 “(B) *REQUESTS FOR SPECIFIC INITIA-*
25 *TIVES.—The Director shall request the head of a*

1 *department or agency to include in the budget*
2 *submission of the department or agency to the*
3 *Office of Management and Budget funding re-*
4 *quests for specific initiatives that are consistent*
5 *with the priorities of the President for the Na-*
6 *tional Drug Control Strategy and certifications*
7 *made pursuant to paragraph (3), and the head*
8 *of the department or agency shall comply with*
9 *such a request.*

10 “(C) *SUBMISSION OF DRUG CONTROL BUDG-*
11 *ET REQUESTS.—The head of each National Drug*
12 *Control Program agency shall ensure timely de-*
13 *velopment and submission to the Director of*
14 *drug control budget requests transmitted pursu-*
15 *ant to this paragraph, in such format as may be*
16 *designated by the Director with the concurrence*
17 *of the Director of the Office of Management and*
18 *Budget.*

19 “(3) *CERTIFICATION.—The Director shall—*

20 “(A) *review each drug control budget re-*
21 *quest submitted to the Director under paragraph*
22 *(2);*

23 “(B) *certify in writing as to the adequacy*
24 *of such request in whole or in part to implement*
25 *the objectives of the National Drug Control*

1 *Strategy for the year for which the request is*
 2 *submitted and, with respect to a request that is*
 3 *not certified as adequate to implement the objec-*
 4 *tives of the National Drug Control Strategy, in-*
 5 *clude in the certification an initiative or fund-*
 6 *ing level that would make the request adequate;*

7 “(C) notify the program manager, agency
 8 head, or department head, as applicable, regard-
 9 ing each certification under subparagraph (B);
 10 and

11 “(D) maintain a record of each certification
 12 under subparagraph (B).

13 “(4) *REPROGRAMMING AND TRANSFER RE-*
 14 *QUESTS.—*

15 “(A) *IN GENERAL.—*No National Drug Con-
 16 trol Program agency shall submit to Congress a
 17 reprogramming or transfer request with respect
 18 to any amount of appropriated funds in an
 19 amount exceeding \$5,000,000 which is included
 20 in the National Drug Control Program budget
 21 unless the request has been approved by the Di-
 22 rector.

23 “(B) *APPEAL.—*The head of any National
 24 Drug Control Program agency may appeal to the
 25 President any disapproval by the Director of a

1 *reprogramming or transfer request under this*
2 *paragraph.*

3 “(C) *REPORT.*—*The Director shall annually*
4 *submit to Congress a report describing the ap-*
5 *proval of any reprogramming or transfer of ap-*
6 *propriated funds pursuant to this paragraph.*

7 “(d) *POWERS OF THE DIRECTOR.*—*In carrying out*
8 *subsection (b), the Director may—*

9 “(1) *select, appoint, employ, and fix compensa-*
10 *tion of such officers and employees as may be nec-*
11 *essary to carry out the functions of the Office of Na-*
12 *tional Drug Control Policy under this title;*

13 “(2) *request the head of a department or agency*
14 *or program to place department, agency, or program*
15 *personnel who are engaged in drug control activities*
16 *on temporary detail to another department or agency*
17 *in order to implement the National Drug Control*
18 *Strategy, and the head of the department or agency*
19 *shall comply with such a request;*

20 “(3) *use for administrative purposes, on a reim-*
21 *bursable basis, the available services, equipment, per-*
22 *sonnel, and facilities of Federal, State, and local*
23 *agencies;*

24 “(4) *procure the services of experts and consult-*
25 *ants in accordance with section 3109 of title 5, Unit-*

1 *ed States Code, relating to appointments in the Fed-*
2 *eral Service, at rates of compensation for individuals*
3 *not to exceed the daily equivalent of the rate of pay*
4 *payable under level IV of the Executive Schedule*
5 *under section 5311 of title 5, United States Code;*

6 *“(5) accept and use gifts and donations of prop-*
7 *erty from Federal, State, and local government agen-*
8 *cies, and from the private sector, as authorized in sec-*
9 *tion 1002(d);*

10 *“(6) use the mails in the same manner as any*
11 *other department or agency of the executive branch;*

12 *“(7) monitor implementation of the National*
13 *Drug Control Program, including—*

14 *“(A) conducting program and performance*
15 *audits and evaluations;*

16 *“(B) requesting assistance from the Inspec-*
17 *tor General of the relevant agency in such audits*
18 *and evaluations; and*

19 *“(C) commissioning studies and reports by*
20 *a National Drug Control Program agency, with*
21 *the concurrence of the head of the affected agen-*
22 *cy;*

23 *“(8) except to the extent that the authority of the*
24 *Director under this paragraph is limited in an an-*
25 *nual appropriations Act, with the concurrence of the*

1 *head of each affected agency, and upon advance notice*
2 *to the Committees of Appropriations of the House of*
3 *Representative and the Senate, transfer funds appro-*
4 *propriated to a National Drug Control Program agency*
5 *to a different National Drug Control Program agency,*
6 *in an amount that does not exceed 2 percent of the*
7 *total amount appropriated to the National Drug Con-*
8 *trol Program agency from which funds are trans-*
9 *ferred under this paragraph;*

10 “(9) *issue to the head of a National Drug Con-*
11 *trol Program agency a fund control notice described*
12 *in subsection (f) to ensure compliance with the Na-*
13 *tional Drug Control Program; and*

14 “(10) *participate in the drug certification proc-*
15 *ess pursuant to section 490 of the Foreign Assistance*
16 *Act of 1961 (22 U.S.C. 2291j).*

17 “(e) *PERSONNEL DETAILED TO OFFICE.—*

18 “(1) *EVALUATIONS.—Notwithstanding any pro-*
19 *vision of chapter 43 of title 5, United States Code, the*
20 *Director shall perform the evaluation of the perform-*
21 *ance of any employee detailed to the Office of Na-*
22 *tional Drug Control Policy for purposes of the appli-*
23 *cable performance appraisal system established under*
24 *such chapter for any rating period, or part thereof,*
25 *that such employee is detailed to such office.*

1 “(2) *COMPENSATION.*—

2 “(A) *BONUS PAYMENTS.*—*Notwithstanding*
3 *any other provision of law, the Director may*
4 *provide periodic bonus payments to any em-*
5 *ployee detailed to the Office of National Drug*
6 *Control Policy.*

7 “(B) *RESTRICTIONS.*—*An amount paid*
8 *under this paragraph to an employee for any pe-*
9 *riod—*

10 “(i) *shall not be greater than 20 per-*
11 *cent of the basic pay paid or payable to*
12 *such employee for such period; and*

13 “(ii) *shall be in addition to the basic*
14 *pay of such employee.*

15 “(C) *AGGREGATE AMOUNT.*—*The aggregate*
16 *amount paid during any fiscal year to an em-*
17 *ployee detailed to the Office of National Drug*
18 *Control Policy as basic pay, awards, bonuses,*
19 *and other compensation shall not exceed the an-*
20 *nuual rate payable at the end of such fiscal year*
21 *for positions at level III of the Executive Sched-*
22 *ule.”.*

23 (d) *COORDINATION WITH EXECUTIVE BRANCH DE-*
24 *PARTMENTS AND AGENCIES.*—*Section 1004 of the National*

1 *Narcotics Leadership Act of 1988 (21 U.S.C. 1503) is*
 2 *amended—*

3 *(1) by striking the section designation and the*
 4 *section heading and inserting the following:*

5 **“SEC. 1004. COORDINATION WITH NATIONAL DRUG CON-**
 6 **TROL PROGRAM AGENCIES IN DEMAND RE-**
 7 **DUCTION, SUPPLY REDUCTION, AND STATE**
 8 **AND LOCAL AFFAIRS.”;**

9 *(2) in subsection (a)—*

10 *(A) by striking paragraph (1) and inserting*
 11 *the following:*

12 *“(1) IN GENERAL.—Upon the request of the Di-*
 13 *rector, the head of any National Drug Control Pro-*
 14 *gram agency shall cooperate with and provide to the*
 15 *Director any statistics, studies, reports, and other in-*
 16 *formation of the agency pertaining to—*

17 *“(A) drug abuse control; or*

18 *“(B) the manner in which amounts made*
 19 *available to that agency for drug control are*
 20 *being used by that agency.”; and*

21 *(B) by adding at the end the following:*

22 *“(3) ILLEGAL DRUG CULTIVATION.—The Sec-*
 23 *retary of Agriculture shall annually submit to the Di-*
 24 *rector an assessment of the acreage of illegal drug cul-*
 25 *tivation in the United States.”.*

1 (e) *DEVELOPMENT AND SUBMISSION OF NATIONAL*
 2 *DRUG CONTROL STRATEGY.*—Section 1005 of the National
 3 *Narcotics Leadership Act of 1988 (21 U.S.C. 1504)* is
 4 *amended to read as follows:*

5 **“SEC. 1005. DEVELOPMENT, SUBMISSION, IMPLEMENTA-**
 6 **TION, AND ASSESSMENT OF NATIONAL DRUG**
 7 **CONTROL STRATEGY.**

8 “(a) *TIMING, CONTENTS, AND PROCESS FOR DEVELOP-*
 9 *MENT AND SUBMISSION OF NATIONAL DRUG CONTROL*
 10 *STRATEGY.*—

11 “(1) *TIMING.*—Not later than February 1, 1997,
 12 *the President shall submit to Congress a National*
 13 *Drug Control Strategy, which shall set forth a com-*
 14 *prehensive plan, covering a period of not more than*
 15 *10 years, for reducing drug abuse and the con-*
 16 *sequences of drug abuse in the United States, by lim-*
 17 *iting the availability of and reducing the demand for*
 18 *illegal drugs.*

19 “(2) *CONTENTS.*—

20 “(A) *IN GENERAL.*—The National Drug
 21 *Control Strategy submitted under paragraph (1)*
 22 *shall include—*

23 “(i) *comprehensive, research-based,*
 24 *long-range, quantifiable, goals for reducing*

1 *drug abuse and the consequences of drug*
2 *abuse in the United States;*

3 “(ii) *short-term measurable objectives*
4 *to accomplish long-term quantifiable goals*
5 *that the Director determines may be real-*
6 *istically achieved during the 2-year period*
7 *beginning on the date on which the strategy*
8 *is submitted;*

9 “(iii) *5-year projections for program*
10 *and budget priorities; and*

11 “(iv) *a review of State, local, and pri-*
12 *vate sector drug control activities to ensure*
13 *that the United States pursues well-coordi-*
14 *nated and effective drug control at all levels*
15 *of government.*

16 “(B) *CLASSIFIED INFORMATION.—Any con-*
17 *tents of the National Drug Control Strategy that*
18 *involves information properly classified under*
19 *criteria established by an Executive order shall*
20 *be presented to Congress separately from the rest*
21 *of the Strategy.*

22 “(3) *PROCESS FOR DEVELOPMENT AND SUBMIS-*
23 *SION.—*

1 “(A) *CONSULTATION.*—*In developing and*
2 *effectively implementing the National Drug Con-*
3 *trol Strategy, the Director—*

4 “(i) *shall consult with—*

5 “(I) *the heads of the National*
6 *Drug Control Program agencies;*

7 “(II) *Congress;*

8 “(III) *State and local officials;*

9 “(IV) *private citizens and organi-*
10 *zations with experience and expertise*
11 *in demand reduction; and*

12 “(V) *private citizens and organi-*
13 *zations with experience and expertise*
14 *in supply reduction; and*

15 “(ii) *may require the National Drug*
16 *Intelligence Center and the El Paso Intel-*
17 *ligence Center to undertake specific tasks or*
18 *projects to implement the Strategy.*

19 “(B) *INCLUSION IN STRATEGY.*—*The Na-*
20 *tional Drug Control Strategy under this sub-*
21 *section, and each report submitted under sub-*
22 *section (b), shall include a list of each entity*
23 *consulted under subparagraph (A)(i).*

24 “(4) *MODIFICATION AND RESUBMITTAL.*—*Not-*
25 *withstanding any other provision of law, the Director*

1 *may modify a National Drug Control Strategy sub-*
2 *mitted under paragraph (1) at any time.*

3 “(b) *ANNUAL STRATEGY REPORT.*—

4 “(1) *IN GENERAL.*—*Not later than February 1,*
5 *1998, and on February 1 of each year thereafter, the*
6 *President shall submit to Congress a report on the*
7 *progress in implementing the Strategy under sub-*
8 *section (a), which shall include—*

9 “(A) *an assessment of the Federal effective-*
10 *ness in achieving the Strategy goals and objec-*
11 *tives using the performance measurement system*
12 *described in subsection (c), including—*

13 “(i) *an assessment of drug use and*
14 *availability in the United States; and*

15 “(ii) *an estimate of the effectiveness of*
16 *interdiction, treatment, prevention, law en-*
17 *forcement, and international programs*
18 *under the National Drug Control Strategy*
19 *in effect during the preceding year, or in ef-*
20 *fect as of the date on which the report is*
21 *submitted;*

22 “(B) *any modifications of the Strategy or*
23 *the performance measurement system described*
24 *in subsection (c);*

1 “(C) an assessment of how the budget pro-
2 posal submitted under section 1003(c) is in-
3 tended to implement the Strategy and whether
4 the funding levels contained in such proposal are
5 sufficient to implement such Strategy;

6 “(D) beginning on February 1, 1999, and
7 every 2 years thereafter, measurable data evalu-
8 ating the success or failure in achieving the
9 short-term measurable objectives described in
10 subsection (a)(2)(A)(ii);

11 “(E) an assessment of current drug use (in-
12 cluding inhalants) and availability, impact of
13 drug use, and treatment availability, which as-
14 sessment shall include—

15 “(i) estimates of drug prevalence and
16 frequency of use as measured by national,
17 State, and local surveys of illicit drug use
18 and by other special studies of—

19 “(I) casual and chronic drug use;

20 “(II) high-risk populations, in-
21 cluding school dropouts, the homeless
22 and transient, arrestees, parolees, pro-
23 bationers, and juvenile delinquents;
24 and

1 “(III) drug use in the workplace
2 and the productivity lost by such use;

3 “(ii) an assessment of the reduction of
4 drug availability against an ascertained
5 baseline, as measured by—

6 “(I) the quantities of cocaine, her-
7 oin, marijuana, methamphetamine,
8 and other drugs available for consump-
9 tion in the United States;

10 “(II) the amount of marijuana,
11 cocaine, and heroin entering the Unit-
12 ed States;

13 “(III) the number of hectares of
14 marijuana, poppy, and coca cultivated
15 and destroyed;

16 “(IV) the number of metric tons of
17 marijuana, heroin, and cocaine seized;

18 “(V) the number of cocaine and
19 methamphetamine processing labora-
20 tories destroyed;

21 “(VI) changes in the price and
22 purity of heroin and cocaine;

23 “(VII) the amount and type of
24 controlled substances diverted from le-

1 *gitimate retail and wholesale sources;*
2 *and*

3 *“(VIII) the effectiveness of Federal*
4 *technology programs at improving*
5 *drug detection capabilities in interdic-*
6 *tion, and at United States ports of*
7 *entry;*

8 *“(iii) an assessment of the reduction of*
9 *the consequences of drug use and availabil-*
10 *ity, which shall include estimation of—*

11 *“(I) the burden drug users placed*
12 *on hospital emergency departments in*
13 *the United States, such as the quantity*
14 *of drug-related services provided;*

15 *“(II) the annual national health*
16 *care costs of drug use, including costs*
17 *associated with people becoming in-*
18 *fectured with the human immuno-*
19 *deficiency virus and other infectious*
20 *diseases as a result of drug use;*

21 *“(III) the extent of drug-related*
22 *crime and criminal activity; and*

23 *“(IV) the contribution of drugs to*
24 *the underground economy, as measured*

1 *by the retail value of drugs sold in the*
2 *United States;*

3 *“(iv) a determination of the status of*
4 *drug treatment in the United States, by as-*
5 *sessing—*

6 *“(I) public and private treatment*
7 *capacity within each State, including*
8 *information on the treatment capacity*
9 *available in relation to the capacity*
10 *actually used;*

11 *“(II) the extent, within each*
12 *State, to which treatment is available;*

13 *“(III) the number of drug users*
14 *the Director estimates could benefit*
15 *from treatment; and*

16 *“(IV) the specific factors that re-*
17 *strict the availability of treatment*
18 *services to those seeking it and pro-*
19 *posed administrative or legislative*
20 *remedies to make treatment available*
21 *to those individuals; and*

22 *“(v) a review of the research agenda of*
23 *the Counter-Drug Technology Assessment*
24 *Center to reduce the availability and abuse*
25 *of drugs; and*

1 “(F) *an assessment of private sector initia-*
2 *tives and cooperative efforts between the Federal*
3 *Government and State and local governments for*
4 *drug control.*

5 “(2) *SUBMISSION OF REVISED STRATEGY.—The*
6 *President may submit to Congress a revised National*
7 *Drug Control Strategy that meets the requirements of*
8 *this section—*

9 “(A) *at any time, upon a determination by*
10 *the President and the Director that the National*
11 *Drug Control Strategy in effect is not suffi-*
12 *ciently effective; and*

13 “(B) *if a new President or Director takes*
14 *office.*

15 “(c) *PERFORMANCE MEASUREMENT SYSTEM.—*

16 “(1) *IN GENERAL.—Not later than November 1,*
17 *1997, the Director shall submit to Congress a descrip-*
18 *tion of the national drug control performance meas-*
19 *urement system, designed in consultation with af-*
20 *ected National Drug Control Program agencies,*
21 *that—*

22 “(A) *develops performance objectives, meas-*
23 *ures, and targets for each National Drug Control*
24 *Strategy goal and objective;*

1 “(B) revises performance objectives, meas-
2 ures, and targets, to conform with National Drug
3 Control Program Agency budgets;

4 “(C) identifies major programs and activi-
5 ties of the National Drug Control Program agen-
6 cies that support the goals and objectives of the
7 National Drug Control Strategy;

8 “(D) evaluates implementation of major
9 program activities supporting the National Drug
10 Control Strategy developed under section 1005;

11 “(E) monitors consistency between the drug-
12 related goals and objectives of the National Drug
13 Control Program agencies and ensures that drug
14 control agency goals and budgets support and
15 are fully consistent with the National Drug Con-
16 trol Strategy; and

17 “(F) coordinates the development and im-
18 plementation of national drug control data col-
19 lection and reporting systems to support policy
20 formulation and performance measurement, in-
21 cluding an assessment of—

22 “(i) the quality of current drug use
23 measurement instruments and techniques to
24 measure supply reduction and demand re-
25 duction activities;

1 “(ii) the adequacy of the coverage of
 2 existing national drug use measurement in-
 3 struments and techniques to measure the
 4 casual drug user population and groups
 5 that are at risk for drug use; and

6 “(iii) the actions the Director shall
 7 take to correct any deficiencies and limita-
 8 tions identified pursuant to subparagraphs
 9 (A) and (B) of subsection (b)(4).

10 “(2) MODIFICATIONS.—A description of any
 11 modifications made during the preceding year to the
 12 national drug control performance measurement sys-
 13 tem described in paragraph (1) shall be included in
 14 each report submitted under subsection (b).”.

15 (f) *HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-*
 16 *GRAM.*—The National Narcotics Leadership Act of 1988 (21
 17 U.S.C. 1501 et seq.) is amended by inserting after section
 18 1005 the following:

19 “**SEC. 1005A. HIGH INTENSITY DRUG TRAFFICKING AREAS**
 20 **PROGRAM.**

21 “(a) *ESTABLISHMENT.*—There is established in the Of-
 22 fice a program to be known as the High Intensity Drug
 23 Trafficking Areas Program.

24 “(b) *DESIGNATION.*—The Director, upon consultation
 25 with the Attorney General, the Secretary of the Treasury,

1 *heads of the National Drug Control Program agencies, and*
2 *the Governor of each State, may designate any specified*
3 *area of the United States as a high intensity drug traffick-*
4 *ing area. After making such a designation and in order*
5 *to provide Federal assistance to the area so designated, the*
6 *Director may—*

7 “(1) *obligate such sums as appropriated for the*
8 *High Intensity Drug Trafficking Areas Program;*

9 “(2) *direct the temporary reassignment of Fed-*
10 *eral personnel to such area, subject to the approval of*
11 *the Secretary of the department or head of the agency*
12 *that employs such personnel;*

13 “(3) *take any other action authorized under sec-*
14 *tion 1003 to provide increased Federal assistance to*
15 *such areas;*

16 “(4) *coordinate activities under this paragraph*
17 *(specifically administrative, recordkeeping, and funds*
18 *management activities) with State and local officials.*

19 “(c) *FACTORS FOR CONSIDERATION.—In considering*
20 *whether to designate an area under this section as a high*
21 *intensity drug trafficking area, the Director shall consider,*
22 *in addition to such other criteria as the Director considers*
23 *to be appropriate, the extent to which—*

24 “(1) *the area is a center of illegal drug produc-*
25 *tion, manufacturing, importation, or distribution;*

1 “(2) *State and local law enforcement agencies*
 2 *have committed resources to respond to the drug traf-*
 3 *ficking problem in the area, thereby indicating a de-*
 4 *termination to respond aggressively to the problem;*

5 “(3) *drug-related activities in the area are hav-*
 6 *ing a harmful impact in other areas of the country;*
 7 *and*

8 “(4) *a significant increase in allocation of Fed-*
 9 *eral resources is necessary to respond adequately to*
 10 *drug-related activities in the area.”.*

11 (g) *COUNTER-DRUG TECHNOLOGY ASSESSMENT CEN-*
 12 *TER.—Section 1008 of the National Narcotics Leadership*
 13 *Act of 1988 (21 U.S.C. 1505) is amended to read as follows:*
 14 **“SEC. 1008. COUNTER-DRUG TECHNOLOGY ASSESSMENT**
 15 **CENTER.**

16 “(a) *ESTABLISHMENT.—There is established within*
 17 *the Office the Counter-Drug Technology Assessment Center*
 18 *(in this section referred to as the ‘Center’). The Center shall*
 19 *operate under the authority of the Director of National*
 20 *Drug Control Policy and shall serve as the central counter-*
 21 *drug technology research and development organization of*
 22 *the United States Government.*

23 “(b) *DIRECTOR OF TECHNOLOGY.—There shall be at*
 24 *the head of the Center the Director of Technology, who shall*
 25 *be appointed by the Director of National Drug Control Pol-*

1 *icy from among individuals qualified and distinguished in*
 2 *the area of science, medicine, engineering, or technology.*

3 “(c) *ADDITIONAL RESPONSIBILITIES OF THE DIREC-*
 4 *TOR OF NATIONAL DRUG CONTROL POLICY.—*

5 “(1) *IN GENERAL.—The Director, acting through*
 6 *the Director of Technology shall—*

7 “(A) *identify and define the short-, me-*
 8 *dium-, and long-term scientific and technological*
 9 *needs of Federal, State, and local drug supply*
 10 *reduction agencies, including—*

11 “(i) *advanced surveillance, tracking,*
 12 *and radar imaging;*

13 “(ii) *electronic support measures;*

14 “(iii) *communications;*

15 “(iv) *data fusion, advanced computer*
 16 *systems, and artificial intelligence; and*

17 “(v) *chemical, biological, radiological*
 18 *(including neutron, electron, and graviton),*
 19 *and other means of detection;*

20 “(B) *identify demand reduction basic and*
 21 *applied research needs and initiatives, in con-*
 22 *sultation with affected National Drug Control*
 23 *Program agencies, including—*

24 “(i) *improving treatment through*
 25 *neuroscientific advances;*

1 “(ii) improving the transfer of bio-
2 medical research to the clinical setting; and

3 “(iii) in consultation with the Na-
4 tional Institute on Drug Abuse, and through
5 interagency agreements or grants, examin-
6 ing addiction and rehabilitation research
7 and the application of technology to ex-
8 panding the effectiveness or availability of
9 drug treatment;

10 “(C) make a priority ranking of such needs
11 identified in subparagraphs (A) and (B) accord-
12 ing to fiscal and technological feasibility, as part
13 of a National Counter-Drug Enforcement Re-
14 search and Development Program;

15 “(D) oversee and coordinate counter-drug
16 technology initiatives with related activities of
17 other Federal civilian and military departments;

18 “(E) provide support to the development
19 and implementation of the national drug control
20 performance measurement system; and

21 “(F) pursuant to the authority of the Direc-
22 tor of National Drug Control Policy under sec-
23 tion 1003, submit requests to Congress for the re-
24 programming or transfer of funds appropriated

3 “(2) *LIMITATION ON AUTHORITY.*—*The authority*
4 *granted to the Director under this subsection shall not*
5 *extend to the award of contracts, management of indi-*
6 *vidual projects, or other operational activities.*

7 “(d) ASSISTANCE AND SUPPORT TO OFFICE OF NA-
8 TIONAL DRUG CONTROL POLICY.—The Department of De-
9 fense and the Department of Health and Human Services
10 shall, to the fullest extent possible, render assistance and
11 support to the Office and to the Director in the conduct
12 of counter-drug technology assessment.”.

13 (h) *TERMINATION OF OFFICE OF NATIONAL DRUG*
14 *CONTROL POLICY.*—*Section 1009 of the National Narcotics*
15 *Leadership Act of 1988 (42 U.S.C. 1506) is amended to*
16 *read as follows:*

17 ***“SEC. 1009. TERMINATION OF OFFICE OF NATIONAL DRUG***
18 ***CONTROL POLICY.***

19 *“Effective on September 30, 2001, this subtitle and the*
20 *amendments made by this subtitle are repealed.”.*

21 (i) COUNCIL ON COUNTER-NARCOTICS.—Section 1010
22 of the National Narcotics Leadership Act of 1988 (21 U.S.C.
23 1509) is amended to read as follows:

1 **“SEC. 1010. COUNCIL ON COUNTER-NARCOTICS.**

2 “(a) *ESTABLISHMENT.*—*There is established a council*
 3 *to be known as the President’s Council on Counter-Narcotics*
 4 *(in this section referred to as the ‘Council’).*

5 “(b) *MEMBERSHIP.*—

6 “(1) *IN GENERAL.*—*Subject to paragraph (2), the*
 7 *Council shall be composed of 16 members, of whom—*

8 “(A) *1 shall be the President, who shall*
 9 *serve as Chairman of the Council;*

10 “(B) *1 shall be the Vice President;*

11 “(C) *1 shall be the Secretary of State;*

12 “(D) *1 shall be the Secretary of the Treas-*
 13 *ury;*

14 “(E) *1 shall be the Secretary of Defense;*

15 “(F) *1 shall be the Attorney General;*

16 “(G) *1 shall be the Secretary of Transpor-*
 17 *tation;*

18 “(H) *1 shall be the Representative of the*
 19 *United States of America to the United Nations;*

20 “(I) *1 shall be the Director of the Office of*
 21 *Management and Budget;*

22 “(J) *1 shall be the Chief of Staff to the*
 23 *President;*

24 “(K) *1 shall be the Director of the Office,*
 25 *who shall serve as the Executive Director of the*
 26 *Council;*

1 “(L) 1 shall be the Director of Central Intel-
2 ligence;

3 “(M) 1 shall be the Assistant to the Presi-
4 dent for National Security Affairs;

5 “(N) 1 shall be the Counsel to the President;

6 “(O) 1 shall be the Chairman of the Joint
7 Chiefs of Staff; and

8 “(P) 1 shall be the National Security Ad-
9 viser to the Vice President.

10 “(2) *ADDITIONAL MEMBERS.*—*The President*
11 *may, in the discretion of the President, appoint addi-*
12 *tional members to the Council, of whom—*

13 “(A) 1 may be the Secretary of Health and
14 Human Services;

15 “(B) 1 may be the Secretary of Education;

16 “(C) 1 may be the Assistant to the Presi-
17 dent for Domestic Policy; and

18 “(D) 1 or more may be other officials of de-
19 partments and agencies of the Federal Govern-
20 ment, as determined by the President.

21 “(c) *MEETINGS OF THE COUNCIL.*—*The Council shall*
22 *meet not less than quarterly at the call of the President (or,*
23 *upon the direction of the President, at the call of the Vice*
24 *President). The President (or in the absence of the Presi-*

1 *dent, the Vice President) shall preside over each meeting*
 2 *of the Council.*

3 “(d) *FUNCTIONS.*—

4 “(1) *IN GENERAL.*—*The Council shall advise and*
 5 *assist the President in—*

6 “(A) *providing direction and oversight for*
 7 *the national drug control strategy, including re-*
 8 *lating drug control policy to other national secu-*
 9 *rity interests and establishing priorities; and*

10 “(B) *ensuring coordination among depart-*
 11 *ments and agencies concerning implementation*
 12 *of the President’s national drug control strategy.*

13 “(2) *DUTIES OF DIRECTOR.*—*The Director*
 14 *shall—*

15 “(A) *be the senior drug control policy offi-*
 16 *cial in the executive branch; and*

17 “(B) *serve as the chief drug control policy*
 18 *spokesman for the President.*

19 “(3) *NATIONAL SECURITY MATTERS.*—*In any*
 20 *matter affecting national security interests, the Direc-*
 21 *tor shall work in conjunction with the Assistant to the*
 22 *President for National Security Affairs.*

23 “(e) *ADMINISTRATION.*—

24 “(1) *IN GENERAL.*—*The Council may utilize es-*
 25 *tablished or ad hoc committees, task forces, or inter-*

1 *agency groups chaired by the Director (or a represent-*
 2 *ative of the Director) in carrying out the functions of*
 3 *the Council under this section.*

4 *“(2) STAFF.—The staff of the Office, in coordi-*
 5 *nation with the staffs of the Vice President and the*
 6 *Assistant to the President for National Security Af-*
 7 *fairs, shall act as staff for the Council.*

8 *“(3) COOPERATION FROM OTHER AGENCIES.—*
 9 *Each department and agency of the executive branch*
 10 *shall—*

11 *“(A) cooperate with the Council in carrying*
 12 *out the functions of the Council under this sec-*
 13 *tion; and*

14 *“(B) provide such assistance, information,*
 15 *and advice as the Council may request, to the ex-*
 16 *tent permitted by law.”.*

17 *(j) PARENTS ADVISORY COUNCIL ON YOUTH DRUG*
 18 *ABUSE.—The National Narcotics Leadership Act of 1988*
 19 *(21 U.S.C. 1501 et seq.) is amended by inserting after sec-*
 20 *tion 1010 the following:*

21 **“SEC. 1010A. PARENTS ADVISORY COUNCIL ON YOUTH**
 22 **DRUG ABUSE.**

23 *“(a) ESTABLISHMENT.—*

24 *“(1) ESTABLISHMENT.—There is established a*
 25 *Council to be known as the Parents Advisory Council*

1 *on Youth Drug Abuse (in this section referred to as*
2 *the ‘Council’).*

3 “(2) *MEMBERSHIP.*—

4 “(A) *COMPOSITION.*—*The Council shall be*
5 *composed of 16 members, of whom—*

6 “(i) *4 shall be appointed by the Presi-*
7 *dent, each of whom shall be a parent or*
8 *guardian of a child who is not less than 6*
9 *and not more than 18 years of age as of the*
10 *date on which the appointment is made;*

11 “(ii) *4 shall be appointed by the Ma-*
12 *jority Leader of the Senate, 3 of whom shall*
13 *be a parent or guardian of a child who is*
14 *not less than 6 and not more than 18 years*
15 *of age as of the date on which the appoint-*
16 *ment is made;*

17 “(iii) *2 shall be appointed by the Mi-*
18 *nority Leader of the Senate, each of whom*
19 *shall be a parent or guardian of a child*
20 *who is not less than 6 and not more than*
21 *18 years of age as of the date on which the*
22 *appointment is made;*

23 “(iv) *4 shall be appointed by the*
24 *Speaker of the House of Representatives, 3*
25 *of whom shall be a parent or guardian of*

1 *a child who is not less than 6 and not more*
2 *than 18 years of age as of the date on which*
3 *the appointment is made; and*

4 “(v) 2 shall be appointed by the Minor-
5 *ity Leader of the House of Representatives,*
6 *each of whom shall be a parent or guardian*
7 *of a child who is not less than 6 and not*
8 *more than 18 years of age as of the date on*
9 *which the appointment is made.*

10 “(B) REQUIREMENTS.—

11 “(i) IN GENERAL.—*Each member of*
12 *the Council shall be an individual from the*
13 *private sector with a demonstrated interest*
14 *and expertise in research, education, treat-*
15 *ment, or prevention activities related to*
16 *youth drug abuse.*

17 “(ii) REPRESENTATIVES OF NONPROFIT
18 ORGANIZATIONS.—*Not less than 1 member*
19 *appointed under each of clauses (i) through*
20 *(v) of paragraph (1)(A) shall be a rep-*
21 *resentative of a nonprofit organization fo-*
22 *cused on involving parents in antidrug edu-*
23 *cation and prevention.*

24 “(C) DATE.—*The appointments of the ini-*
25 *tial members of the Council shall be made not*

1 *later than 60 days after the date of enactment of*
2 *this section.*

3 “(D) *DIRECTOR.*—*The Director may, in the*
4 *discretion of the Director, serve as an adviser to*
5 *the Council and attend such meetings and hear-*
6 *ings of the Council as the Director considers to*
7 *be appropriate.*

8 “(3) *PERIOD OF APPOINTMENT; VACANCIES.*—

9 “(A) *PERIOD OF APPOINTMENT.*—*Each*
10 *member of the Council shall be appointed for a*
11 *term of 3 years, except that, of the initial mem-*
12 *bers of the Council—*

13 “(i) *1 member appointed under each of*
14 *clauses (i) through (v) of paragraph (1)(A)*
15 *shall be appointed for a term of 1 year; and*

16 “(ii) *1 member appointed under each*
17 *of clauses (i) through (v) of paragraph*
18 *(1)(A) shall be appointed for a term of 2*
19 *years.*

20 “(B) *VACANCIES.*—*Any vacancy in the*
21 *Council shall not affect its powers, provided that*
22 *a quorum is present, but shall be filled in the*
23 *same manner as the original appointment. Any*
24 *member appointed to fill a vacancy occurring be-*
25 *fore the expiration of the term for which the*

1 *member's predecessor was appointed shall be ap-*
2 *pointed only for the remainder of that term.*

3 *“(C) APPOINTMENT OF SUCCESSOR.—To the*
4 *extent necessary to prevent a vacancy in the*
5 *membership of the Council, a member of the*
6 *Council may serve for not more than 6 months*
7 *after the expiration of the term of that member,*
8 *if the successor of that member has not been ap-*
9 *pointed.*

10 *“(4) INITIAL MEETING.—Not later than 120 days*
11 *after the date on which all initial members of the*
12 *Council have been appointed, the Council shall hold*
13 *its first meeting.*

14 *“(5) MEETINGS.—The Council shall meet at the*
15 *call of the Chairperson.*

16 *“(6) QUORUM.—Nine members of the Council*
17 *shall constitute a quorum, but a lesser number of*
18 *members may hold hearings.*

19 *“(7) CHAIRPERSON AND VICE CHAIRPERSON.—*

20 *“(A) IN GENERAL.—The members of the*
21 *Council shall select a Chairperson and Vice*
22 *Chairperson from among the members of the*
23 *Council.*

24 *“(B) DUTIES OF CHAIRPERSON.—The*
25 *Chairperson of the Council shall—*

1 “(i) serve as the executive director of
2 the Council;

3 “(ii) direct the administration of the
4 Council;

5 “(iii) assign officer and committee du-
6 ties relating to the Council; and

7 “(iv) issue the reports, policy positions,
8 and statements of the Council.

9 “(C) DUTIES OF VICE CHAIRPERSON.—If
10 the Chairperson of the Council is unable to serve,
11 the Vice Chairperson shall serve as the Chair-
12 person.

13 “(b) DUTIES OF THE COUNCIL.—

14 “(1) IN GENERAL.—The Council—

15 “(A) shall advise the President and the
16 Members of the Cabinet, including the Director,
17 on drug prevention, education, and treatment;
18 and

19 “(B) may issue reports and recommenda-
20 tions on drug prevention, education, and treat-
21 ment, in addition to the annual report detailed
22 in paragraph (2), as the Council considers ap-
23 propriate.

1 “(2) *SUBMISSION TO CONGRESS.*—Any report or
2 *recommendation issued by the Council shall be sub-*
3 *mitted to Congress.*

4 “(3) *ADVICE ON THE NATIONAL DRUG CONTROL*
5 *STRATEGY.*—Not later than December 1, 1998, and on
6 *December 1 of each year thereafter, the Council shall*
7 *submit to the Director an annual report containing*
8 *drug control strategy recommendations on drug pre-*
9 *vention, education, and treatment. Each report sub-*
10 *mitted to the Director under this paragraph shall be*
11 *included as an appendix to the report submitted by*
12 *the Director under section 1005(b).*

13 “(c) *POWERS OF THE COUNCIL.*—

14 “(1) *HEARINGS.*—The Council may hold such
15 *hearings, sit and act at such times and places, take*
16 *such testimony, and receive such evidence as the*
17 *Council considers advisable to carry out the purposes*
18 *of this section.*

19 “(2) *INFORMATION FROM FEDERAL AGENCIES.*—
20 *The Council may secure directly from any depart-*
21 *ment or agency of the Federal Government such infor-*
22 *mation as the Council considers to be necessary to*
23 *carry out this section. Upon request of the Chair-*
24 *person of the Council, the head of that department or*
25 *agency shall furnish such information to the Council,*

1 *unless the head of that department or agency deter-*
2 *mines that furnishing the information to the Council*
3 *would threaten the national security of the United*
4 *States, the health, safety, or privacy of any individ-*
5 *ual, or the integrity of an ongoing investigation.*

6 *“(3) POSTAL SERVICES.—The Council may use*
7 *the United States mails in the same manner and*
8 *under the same conditions as other departments and*
9 *agencies of the Federal Government.*

10 *“(4) GIFTS.—The Council may solicit, accept,*
11 *use, and dispose of gifts or donations of services or*
12 *property in connection with performing the duties of*
13 *the Council under this section.*

14 *“(d) EXPENSES.—The members of the Council shall be*
15 *allowed travel expenses, including per diem in lieu of sub-*
16 *sistence, at rates authorized for employees of agencies under*
17 *subchapter I of chapter 57 of title 5, United States Code,*
18 *while away from their homes or regular places of business*
19 *in the performance of services for the Council.*

20 *“(e) AUTHORIZATION OF APPROPRIATIONS.—There are*
21 *authorized to be appropriated to the Council such sums as*
22 *may be necessary carry out this section.”.*

23 *(k) AUTHORIZATION OF APPROPRIATIONS.—Section*
24 *1011 of the National Narcotics Leadership Act of 1988 (21*
25 *U.S.C. 1508) is amended to read as follows:*

1 **“SEC. 1011. AUTHORIZATION OF APPROPRIATIONS.**

2 *“There are authorized to be appropriated to carry out*
 3 *this subtitle, to remain available until expended, such sums*
 4 *as may be necessary for each of fiscal years 1998 through*
 5 *2001.”.*

6 *(l) ESTABLISHMENT OF SPECIAL FORFEITURE*
 7 *FUND.—Section 6073 of the Asset Forfeiture Amendments*
 8 *Act of 1988 (42 U.S.C. 1509) is amended—*

9 *(1) in subsection (b)—*

10 *(A) by striking “section 524(c)(9)” and in-*
 11 *serting “section 524(c)(8)”;* and

12 *(B) by striking “section 9307(g)” and in-*
 13 *serting “section 9703(g)”;* and

14 *(2) in subsection (e), by striking “strategy” and*
 15 *inserting “Strategy”.*

16 *(m) CONFORMING AMENDMENTS.—Chapter 53 of title*
 17 *5, United States Code, is amended—*

18 *(1) in section 5313, by adding at the end the fol-*
 19 *lowing:*

20 *“Deputy Director of National Drug Control Policy”;*
 21 *and*

22 *(2) in section 5314—*

23 *(A) by inserting after “Administrator, Of-*
 24 *fice of Information and Regulatory Affairs, Of-*
 25 *fice of Management and Budget” the following:*

1 *“Deputy Director for State and Local Affairs, Office*
 2 *of National Drug Control Policy”*; and

3 *(B) in section 5315, by striking “Associate*
 4 *Director for National Drug Control Policy, Of-*
 5 *fice of National Drug Control Policy”.*

6 **SEC. 3. DRUG INTERDICTION.**

7 *(a) DEFINITIONS.—In this section—*

8 *(1) the term “Director” means the Director of the*
 9 *Office of National Drug Control Policy; and*

10 *(2) the term “Federal drug control agency”*
 11 *means—*

12 *(A) the Office of National Drug Control*
 13 *Policy;*

14 *(B) the Department of Defense;*

15 *(C) the Drug Enforcement Administration;*

16 *(D) the Federal Bureau of Investigation;*

17 *(E) the Immigration and Naturalization*
 18 *Service;*

19 *(F) the United States Coast Guard;*

20 *(G) the United States Customs Service; and*

21 *(H) any other department or agency of the*
 22 *Federal Government that the Director determines*
 23 *to be relevant.*

24 *(b) REPORT.—In order to assist Congress in determin-*
 25 *ing the personnel, equipment, funding, and other resources*

1 *that would be required by Federal drug control agencies in*
2 *order to achieve a level of interdiction success at or above*
3 *the highest level achieved before the date of enactment of*
4 *this Act, not later than 90 days after the date of enactment*
5 *of this Act, the Director shall submit to Congress and to*
6 *each Federal drug control program agency a report, which*
7 *shall include—*

8 *(1) with respect to the southern and western bor-*
9 *der regions of the United States (including the Pacific*
10 *coast, the border with Mexico, the Gulf of Mexico*
11 *coast, and other ports of entry) and in overall totals,*
12 *data relating to—*

13 *(A) the amount of marijuana, heroin, meth-*
14 *amphetamine, and cocaine—*

15 *(i) seized during the year of highest re-*
16 *corded seizures for each drug in each region*
17 *and during the year of highest recorded*
18 *overall seizures; and*

19 *(ii) disrupted during the year of high-*
20 *est recorded disruptions for each drug in*
21 *each region and during the year of highest*
22 *recorded overall seizures; and*

23 *(B) the number of persons arrested for vio-*
24 *lations of section 1010(a) of the Controlled Sub-*
25 *stances Import and Export Act (21 U.S.C.*

1 960(a)) and related offenses during the year of
2 the highest number of arrests on record for each
3 region and during the year of highest recorded
4 overall arrests;

5 (2) the price of cocaine, heroin, methamphet-
6 amine, and marijuana during the year of highest
7 price on record during the preceding 10-year period,
8 adjusted for purity; and

9 (3) a description of the personnel, equipment,
10 funding, and other resources of the Federal drug con-
11 trol agency devoted to drug interdiction and securing
12 the borders of the United States against drug traffick-
13 ing for each of the years identified in paragraphs (1)
14 and (2) for each Federal drug control agency.

15 (b) BUDGET PROCESS.—

16 (1) INFORMATION TO DIRECTOR.—Based on the
17 report submitted under subsection (b), each Federal
18 drug control agency shall submit to the Director, as
19 part of each annual drug control budget request sub-
20 mitted by the Federal drug control agency to the Di-
21 rector under section 1003(c)(2) of the National Nar-
22 cotics Leadership Act of 1988 (as amended by this
23 Act), a description of the specific personnel, equip-
24 ment, funding, and other resources that would be re-
25 quired for the Federal drug control agency to meet or

1 *exceed the highest level of interdiction success for that*
 2 *agency identified in the report submitted under sub-*
 3 *section (b).*

4 (2) *INFORMATION TO CONGRESS.—The Director*
 5 *shall include each submission under paragraph (1) in*
 6 *each annual consolidated National Drug Control Pro-*
 7 *gram budget proposal submitted by the Director to*
 8 *Congress under section 1003(c) of the National Nar-*
 9 *cotics Leadership Act of 1988 (as amended by this*
 10 *Act), which submission shall be accompanied by a de-*
 11 *scription of any additional resources that would be*
 12 *required by the Federal drug control agencies to meet*
 13 *the highest level of interdiction success identified in*
 14 *the report submitted under subsection (b).*

15 **SEC. 4. REPORT ON AN ALLIANCE AGAINST NARCOTICS**
 16 **TRAFFICKING IN THE WESTERN HEMI-**
 17 **SPHERE.**

18 (a) *SENSE OF CONGRESS ON DISCUSSIONS FOR*
 19 *ALLIANCE.—*

20 (1) *SENSE OF CONGRESS.—It is the sense of*
 21 *Congress that the President should discuss with the*
 22 *democratically-elected governments of the Western*
 23 *Hemisphere the prospect of forming a multilateral al-*
 24 *liance to address problems relating to international*
 25 *drug trafficking in the Western Hemisphere.*

1 (2) *CONSULTATIONS.*—*In the consultations on*
 2 *the prospect of forming an alliance described in para-*
 3 *graph (1), the President should seek the input of such*
 4 *governments on the possibility of forming 1 or more*
 5 *structures within the alliance—*

6 *(A) to develop a regional, multilateral strat-*
 7 *egy to address the threat posed to nations in the*
 8 *Western Hemisphere by drug trafficking; and*

9 *(B) to establish a new mechanism for im-*
 10 *proving multilateral coordination of drug inter-*
 11 *diction and drug-related law enforcement activi-*
 12 *ties in the Western Hemisphere.*

13 ***(b) REPORT.***—

14 *(1) REQUIREMENT.*—*Not later than 60 days*
 15 *after the date of enactment of this Act, the President*
 16 *shall submit to Congress a report on the proposal dis-*
 17 *cussed under subsection (a). The report shall include*
 18 *the following:*

19 *(A) An analysis of the reactions of the gov-*
 20 *ernments concerned to the proposal.*

21 *(B) An assessment of the proposal, includ-*
 22 *ing an evaluation of the feasibility and advis-*
 23 *ability of forming the alliance.*

24 *(C) A determination in light of the analysis*
 25 *and assessment whether or not the formation of*

1 *the alliance is in the national interests of the*
2 *United States.*

3 *(D) If the President determines that the for-*
4 *mation of the alliance is in the national interests*
5 *of the United States, a plan for encouraging and*
6 *facilitating the formation of the alliance.*

7 *(E) If the President determines that the for-*
8 *mation of the alliance is not in the national in-*
9 *terests of the United States, an alternative pro-*
10 *posal to improve significantly efforts against the*
11 *threats posed by narcotics trafficking in the*
12 *Western Hemisphere, including an explanation*
13 *of how the alternative proposal will—*

14 *(i) improve upon current cooperation*
15 *and coordination of counter-drug efforts*
16 *among nations in the Western Hemisphere;*

17 *(ii) provide for the allocation of the re-*
18 *sources required to make significant*
19 *progress in disrupting and disbanding the*
20 *criminal organizations responsible for the*
21 *trafficking of illegal drugs in the Western*
22 *Hemisphere; and*

23 *(iii) differ from and improve upon*
24 *past strategies adopted by the United States*
25 *Government which have failed to make suf-*

1 *ficient progress against the trafficking of il-*
2 *legal drugs in the Western Hemisphere.*

3 (2) *UNCLASSIFIED FORM.—The report under*
4 *paragraph (1) shall be submitted in unclassified form,*
5 *but may contain a classified annex.*

Passed the House of Representatives October 21,
1997.

Attest:

ROBIN H. CARLE,
Clerk.