

105TH CONGRESS  
1ST SESSION

# S. 1053

To reauthorize the Office of National Drug Control Policy, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 22, 1997

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To reauthorize 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.**

4       This Act may be cited as the “Office of National  
5       Drug Control Policy Reauthorization Act of 1997”.

6       **SEC. 2. REAUTHORIZATION OF OFFICE OF NATIONAL DRUG**  
7       **CONTROL POLICY.**

8       (a) DEFINITIONS.—Section 1010 of the National  
9       Narcotics Leadership Act of 1988 (21 U.S.C. 1507) is

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1 amended by redesignation as Section 1001a (21 U.S.C.  
2 1500):

3 (1) by adding the section designation and the  
4 section heading and inserting the following Section  
5 1001(a):

6 **“SEC. 1001a. DEFINITIONS.”;**

7 (2) by redesignating paragraphs (5) through  
8 (8) as paragraphs (7) through (10), respectively;

9 (3) by redesignating paragraphs (2) through  
10 (4) as paragraphs (3) through (5), respectively;

11 (4) by striking paragraph (1) and inserting the  
12 following:

13 “(1) the term ‘Office’ means the Office of Na-  
14 tional Drug Control Policy;”

15 “(2) the term ‘drug’ has the same meaning as  
16 the term “controlled substance” has in section  
17 102(6) of the Controlled Substances Act (21 U.S.C.  
18 802(6));

19 (5) in paragraph (3), as redesignated, by insert-  
20 ing “including activities to reduce the underage use  
21 of tobacco or alcoholic beverages;” after “demand  
22 reduction,”;

23 (6) in paragraph (4), as redesignated

24 (A) by striking “enforcement” after “any”;

1 (B) by striking “supply” and inserting  
2 “availability” after “reduce the”;

3 (C) in subparagraph (B) striking “enforce-  
4 ment” after “drug”;

5 (7) in paragraph (5), as redesignated

6 (A) by striking “demand for” and insert-  
7 ing “use of” before “drugs”;

8 (B) by inserting “drug abuse” after “in-  
9 cluding”;

10 (C) in subparagraph (A), by striking “drug  
11 abuse”;

12 (D) in subparagraph (D), by striking  
13 “and” at the end;

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

15 “(F) drug-free workplace programs; and”

16 (F) by adding at the end the following:

17 “(G) drug testing”;

18 (8) by inserting after paragraph (5), as redesign-  
19 nated, the following:

20 “(6) the term ‘intergovernmental relations’  
21 means domestic activities conducted by a National  
22 Drug Control Program agency that are intended to  
23 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  
 7 states, territories, and units of local govern-  
 8 ment; and

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

13 (9) in paragraph (10), as redesignated, by

14 (i) inserting “and ‘Strategy’” after  
 15 “National Drug Control Strategy”;

16 (ii) striking “a” and inserting “the”  
 17 after “means”;

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

22 (1) by striking subsection (a) and inserting the  
 23 following:

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

4               “(1) develops national drug control policy;

5               “(2) coordinates and oversees its implementa-  
 6       tion;

7               “(3) assesses and certifies the adequacy of na-  
 8       tional drug control programs and budgets; and

9               “(4) evaluates their effectiveness.

10              “(2) by striking subsection (b) and inserting the  
 11       following:

12              “(b) Director and Deputy Directors.—

13              “(1) There shall be at the head of the Office of Na-  
 14       tional Drug Control Policy a Director of National Drug  
 15       Control Policy.”;

16              “(2) There shall be in the Office of National  
 17       Drug Control Policy a Deputy Director of National  
 18       Drug Control Policy, who shall assist the Director in  
 19       carrying out the responsibilities of the Director  
 20       under this Act.”;

21              “(3) There shall be in the Office of National  
 22       Drug Control Policy a—

23                      (A) Deputy Director for International  
 24       Drug Policy, who shall be responsible for the  
 25       activities described in Section 1001a(4)(A–C);

1 (B) Deputy Director for Demand Reduc-  
 2 tion Policy, who shall be responsible for the ac-  
 3 tivities described in Section 1001a(5); and

4 (C) Deputy Director for Intergovernmental  
 5 Relations, who shall be responsible for the ac-  
 6 tivities described in Section 1001a(4)(D) and  
 7 (6).”;

8 (3) by striking subsection (c) and redesignating  
 9 subsection (d) as subsection (c);

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

11 “(d) OFFICE OF NATIONAL DRUG CONTROL POLICY  
 12 GIFT FUND.—There is established in the Treasury a fund  
 13 for the receipt of gifts, both real and personal, for the  
 14 purpose of aiding or facilitating the work of the Office  
 15 under Section 1003(c). The Office is authorized to accept,  
 16 hold, administer, and, solely to encourage funding for con-  
 17 ferences, solicit contributions to the fund. Amounts depos-  
 18 ited in the fund are authorized to be appropriated, to re-  
 19 main available until expended for authorized purposes at  
 20 the discretion of the Director. The Director is required  
 21 to establish written rules setting forth the criteria to be  
 22 used in determining whether the solicitation and accept-  
 23 ance of real and personal gifts (pursuant to Section  
 24 1002(d) of the National Narcotics Leadership Act of 1988  
 25 (21 USC 1501(d)) would reflect unfavorably upon the

1 ability of the Office of National Drug Control Policy or  
 2 any employee to carry out its responsibilities or official  
 3 duties in a fair and objective manner, or would com-  
 4 promise the integrity, or the appearance of the integrity,  
 5 of its programs or of any official involved in those pro-  
 6 grams.

7 (c) APPOINTMENT AND DUTIES OF DIRECTOR AND  
 8 DEPUTY DIRECTORS.—Section 1003 of the National Nar-  
 9 cotics Leadership Act of 1988 (21 U.S.C. 1502) is amend-  
 10 ed—

11 (1) by striking the section designation and the  
 12 section heading and inserting the following:

13 **“SEC. 1003. APPOINTMENT AND DUTIES OF DIRECTOR AND**  
 14 **DEPUTY DIRECTORS.”;**

15 (2) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) by inserting “the Deputy Direc-  
 18 tor,” after “The Director”; and

19 (ii) by inserting “Policy” after “De-  
 20 mand Reduction”;

21 (iii) by striking “Deputy Director for  
 22 Supply Reduction” and inserting “Deputy  
 23 Director for International Drug Policy”;

24 (iv) by striking “Associate Deputy Di-  
 25 rector for National Drug Control Policy”

1 and inserting “Deputy Director for Inter-  
 2 governmental Relations”;

3 (B) by redesignating paragraphs (3) and  
 4 (4) as paragraphs (5) and (6) and redesignat-  
 5 ing paragraph (2) as paragraph (4);

6 (C) by inserting after paragraph (1) the  
 7 following:

8 “(2) The Deputy Director shall—

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

11 “(B) serve as the Director in the absence  
 12 of the Director or during any period in which  
 13 the office of the Director is vacant.”

14 “(3) In the absence of the Deputy Director, or  
 15 if the office of the Deputy Director is vacant, the  
 16 Director shall designate such other officer of the Of-  
 17 fice to serve as the Director if the Director is absent  
 18 or unable to serve.”;

19 (D) in paragraph (4), as redesignated—

20 (i) by inserting “the Deputy Direc-  
 21 tor,” after “The Director”;

22 (ii) by inserting “Policy” after “De-  
 23 mand Reduction”;



1 (iii) by striking “Deputy Director for  
2 Supply Reduction” and inserting “Deputy  
3 Director for International Drug Policy”;

4 (iv) by striking “Associate Deputy Di-  
5 rector for National Drug Control Policy”  
6 and inserting “Deputy Director for Inter-  
7 governmental Relations”;

8 (iii) by striking “Director, a Deputy”  
9 and inserting “Director or a Deputy Direc-  
10 tor”; and

11 (iv) by striking “, or Associate Direc-  
12 tor”; and

13 (E) in paragraph (6) as redesignated:

14 (i) section 5313 of title 5, United  
15 States Code, is amended by adding at the  
16 end “Deputy Director of National Drug  
17 Control Policy”;

18 (ii) section 5314 of title 5, United  
19 States Code, is amended—

20 (a) by adding “Policy” after  
21 “Deputy Director for Demand Reduc-  
22 tion”;

23 (b) by striking “Supply Reduc-  
24 tion” and inserting “International

1 Drug Policy” after “Deputy Director  
2 for”; and

3 (c) by adding “Deputy Director  
4 for Intergovernmental Relations, Of-  
5 fice of National Drug Control Policy”,  
6 after Administrator, Office of Infor-  
7 mation and Regulatory Affairs”;

8 (iii) section 5315 of title 5, United  
9 States Code, is amended by deleting the  
10 following: “Associate Director for National  
11 Drug Control Policy”; and

12 (F) by adding at the end the following:

13 “(7) PROHIBITION ON POLITICAL CAMPAIGN-  
14 ING.—

15 “A Federal officer in the Office of Na-  
16 tional Drug Control Policy who is appointed by  
17 the President, by and with the advice and con-  
18 sent of the Senate, may not participate in Fed-  
19 eral election campaign activities, except that  
20 such official is not prohibited by this subsection  
21 from making contributions to individual can-  
22 didates.”

23 (3) in subsection (b)—

24 (A) in paragraph (1), by inserting “goals”  
25 in front of “objectives”;

1 (B) by striking paragraph (2) and insert-  
 2 ing the following:

3 “(2) promulgate the National Drug Control  
 4 Strategy and annual Strategy Report in accordance  
 5 with Section 1005;”

6 (C) in paragraph (3) by adding “goals,”  
 7 after “policies,”;

8 (D) in paragraph (4)(B) by inserting  
 9 “goals” after “the policies”;

10 (E) in paragraph (5), by inserting “the  
 11 foundation and implementation of National  
 12 Drug Control Policy and”; after “respect to”;  
 13 and

14 (F) in paragraph (8)—

15 (i) by striking “second following fiscal  
 16 year” and inserting “next budget year  
 17 scheduled for formulation under the Budg-  
 18 et and Accounting Act of 1921, as amend-  
 19 ed, and each of the 4 subsequent fiscal  
 20 years.”; and

21 (ii) by striking “annual”; and

22 (4) in subsection (c)—

23 (A) in paragraph (1)—

24 (i) by striking “transmit” and insert-  
 25 ing “submit” after “shall”;

1 (ii) by striking “and” and inserting  
2 “prior to submission” after “President”;

3 (B) by striking paragraph (2) and insert-  
4 ing the following:

5 “(2) RESPONSIBILITIES OF NATIONAL DRUG  
6 CONTROL PROGRAM AGENCIES.—

7 (A) Each Federal Government program  
8 manager, agency head, and department head  
9 with responsibilities under the National Drug  
10 Control Strategy shall transmit the drug control  
11 budget request of the agency or department to  
12 the Director at the same time as such request  
13 is submitted to their superiors (and before sub-  
14 mission to the Office of Management and  
15 Budget) in the preparation of the budget of the  
16 President submitted to Congress under section  
17 1105(a) of title 31, United States Code.”; and

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

19 “(B) The Director shall request the head  
20 of a department or agency to include in the de-  
21 partment’s or agency’s budget submission to  
22 the Office of Management and Budget funding  
23 requests for specific initiatives that are consist-  
24 ent with the President’s priorities for the Na-  
25 tional Drug Control Strategy and certifications

made pursuant to paragraph (3), and the head of the department or agency shall comply with such a request.”; and

(D) by adding at the end the following:

“(C) The head of each National Drug Control Program agency shall ensure timely development and submission to the Director of drug control budget requests transmitted pursuant to subsection (c)(2), in such format as may be designated by the Director with the concurrence of the Director of the Office of Management and Budget.”

(E) in paragraph (3)—

(i) by striking “(3) The Director” and inserting the following:

“(3) CERTIFICATION.—The Director shall—”;

(ii) in subparagraph (B), by striking “and” after “adequate”;

(iii) in subparagraph (C), by inserting “; and” following “(B)”;

(F) in paragraph (4), by striking “(4)” and redesignating it as “(D)” and striking “the Director shall”;

1 (G) by striking paragraphs (5), (7), and  
2 (8), and redesignating paragraph (6) as para-  
3 graph (4); and

4 (H) in paragraph (4), as redesignated—

5 (i) by inserting “Reprogramming and  
6 Transfer” Transfer Requests” after “(4)”;

7 (ii) by adding at the end the follow-  
8 ing:

9 “(C) The Director shall annually submit to  
10 Congress a report describing the approval of  
11 any reprogramming or transfer of appropriated  
12 funds pursuant to this section.”;

13 (5) in subsection (d)—

14 (A) in paragraph (1)—

15 (i) by striking “up to 75 and” after  
16 “of”;

17 (ii) by striking “additional” after  
18 “such”; and

19 (B) in paragraph (5)—

20 (i) by striking “accept and use” and  
21 inserting “accept, use, and solicit”;

22 (ii) by inserting “and gifts” after  
23 “property”; and

1 (iii) by inserting “, and the private  
2 sector, as authorized in section 1002(d)”  
3 before the semicolon;

4 (C) in paragraph (7)—

5 (i) in subparagraph (A) by striking  
6 “and” at the end; and

7 (ii) in subparagraph (B), by adding  
8 “and” at the end; and

9 (iii) by adding at the end the follow-  
10 ing:

11 “(C) commission special studies and re-  
12 ports by a National Drug Control Program  
13 agency, with the concurrence of the head of the  
14 affected agency”;

15 (D) by striking paragraph (8) and replac-  
16 ing it with:

17 “(8) except to the extent that the Director’s au-  
18 thority under this paragraph is limited to an annual  
19 appropriations Act, and with the concurrence of the  
20 head of the affected agency and upon advance notice  
21 to the Committees of Appropriations of each House  
22 of Congress, transfer funds appropriated to a Na-  
23 tional Drug Control Program agency program, activ-  
24 ity, or function designated by the Director pursuant  
25 to subsection (c) to a different National Drug Con-

1 trol Program agency program, activity, or function  
 2 designated by the Director pursuant to subsection  
 3 (c) in an amount that does not exceed 2 percent of  
 4 the amount appropriated to either program, activity,  
 5 or function;”

6 (E) by striking paragraph (9) and insert-  
 7 ing the following:

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

12 “(10) participate in the drug certification proc-  
 13 ess pursuant to section 490 of the Foreign Assist-  
 14 ance Act of 1961 (22 U.S.C. 2291j).”;

15 (6) in subsection (e)—

16 (A) in paragraph (1)—

17 (i) by inserting “Evaluations” after  
 18 “(1)”;

19 (ii) by inserting “Compensation” after  
 20 “(2)”;

21 (iii) by indenting subparagraphs (A),  
 22 (B), (C), and (D) below and to the right;  
 23 and

24 (7) by striking the second subsection designated  
 25 as subsection (f).



1 (d) COORDINATION WITH EXECUTIVE BRANCH DE-  
 2 PARTMENTS AND AGENCIES.—Section 1004 of the Na-  
 3 tional Narcotics Leadership Act of 1988 (21 U.S.C. 1503)  
 4 is amended—

5 (1) by striking the section designation and the  
 6 section heading and inserting the following:

7 **“SEC. 1004. COORDINATION WITH EXECUTIVE BRANCH DE-**  
 8 **PARTMENTS AND AGENCIES IN SUPPLY RE-**  
 9 **DUCTION, DEMAND REDUCTION, AND INTER-**  
 10 **GOVERNMENTAL RELATIONS.”;**

11 (2) in subsection (a)(1)—

12 (A) by inserting “cooperate with and” be-  
 13 fore “provide”; and

14 (B) by inserting “and the annual report to  
 15 Congress.” after “control.”;

16 (e) DEVELOPMENT AND SUBMISSION OF NATIONAL  
 17 DRUG CONTROL STRATEGY.—Section 1005 of the Na-  
 18 tional Narcotics Leadership Act of 1988 (21 U.S.C. 1504)  
 19 is amended to read as follows:

20 **“SEC. 1005. DEVELOPMENT, SUBMISSION, IMPLEMENTA-**  
 21 **TION, AND ASSESSMENT OF NATIONAL DRUG**  
 22 **CONTROL STRATEGY.**

23 “(a) TIMING, CONTENT, AND PROCESS FOR DEVEL-  
 24 OPMENT AND SUBMISSION OF THE NATIONAL DRUG CON-  
 25 TROL STRATEGY.—

1           “(1) Not later than February 1, 1997, the  
2       President shall submit to the Congress a National  
3       Drug Control Strategy, which shall set forth a com-  
4       prehensive 10-year plan for reducing drug abuse and  
5       its consequences in the United States by limiting the  
6       availability of and reducing the demand for illegal  
7       drugs. Any part of such strategy that involves infor-  
8       mation properly classified under criteria established  
9       by an Executive order shall be presented to Congress  
10      separately from the rest of the strategy.”;

11           “(2) The National Drug Control Strategy sub-  
12      mitted under paragraph (1) shall include—

13           “(A) comprehensive, research-based, long-  
14      range goals for reducing drug abuse and the  
15      consequences of drug abuse in the United  
16      States;

17           “(B) measureable objectives to accomplish  
18      long-term goals;

19           “(C) 5-year projections for program and  
20      budget priorities; and

21           “(D) a review of State, local, and private  
22      sector drug control activities to ensure that the  
23      United States pursues well-coordinated and ef-  
24      fective drug control at all levels of government.

25           “(3) CONSULTATIONS.—

1           “(A) In developing and effectively imple-  
2           menting the National Drug Control Strategy,  
3           the Director shall consult with—

4                   “(i) the heads of the National Drug  
5           Control Program agencies;

6                   “(ii) Congress;

7                   “(iii) State and local officials;

8                   “(iv) private citizens and organiza-  
9           tions with experience and expertise in de-  
10          mand reduction; and

11                   “(v) private citizens and organizations  
12          with experience and expertise in supply re-  
13          duction;

14           “(B) The National Drug Control Strategy  
15          and each annual Strategy Report shall indicate  
16          the persons consulted under this paragraph.

17          “(b) ANNUAL STRATEGY REPORT.—Not later than  
18          February 1, 1998, and on February 1 of each year there-  
19          after, the President shall submit to Congress an annual  
20          report on the progress in implementing the Strategy under  
21          subsection (a), which shall include—

22                   “(1) an assessment of the Federal effectiveness  
23          in achieving the Strategy goals and objectives using  
24          the performance measurement system described in  
25          subsection (c);

1 “(2) any modifications of the Strategy;

2 “(3) an assessment of how the budget proposal  
3 submitted under section 1003(c) (21 U.S.C.  
4 1502(c)) is intended to implement the strategy and  
5 whether the funding levels contained in such pro-  
6 posal are sufficient to implement such strategy;

7 “(4) an assessment of current drug use and  
8 availability, impact of drug use, and treatment avail-  
9 ability. This assessment will include—

10 “(A) estimates of drug prevalence and fre-  
11 quency of use as measured by national, State,  
12 and local surveys of illicit drug use and by  
13 other special studies of—

14 “(i) casual and chronic drug use;

15 “(ii) high-risk populations, including  
16 school dropouts, the homeless and tran-  
17 sient, arrestees, parolees, probationers, and  
18 juvenile delinquents; and

19 “(iii) drug use in the workplace and  
20 the productivity lost by such use;

21 “(B) an assessment of the reduction of  
22 drug availability against an ascertained base-  
23 line, as measured by—

24 “(i) the quantities of cocaine, heroin,  
25 marijuana, methamphetamine, and other

1 drugs available for consumption in the  
2 United States;

3 “(ii) the amount of marijuana, co-  
4 caine, and heroin entering the United  
5 States;

6 “(iii) the number of hectares of mari-  
7 juana, poppy, and coca cultivated and de-  
8 stroyed;

9 “(iv) the number of metric tons of  
10 marijuana, heroin, and cocaine seized;

11 “(v) the number of cocaine and meth-  
12 amphetamine processing laboratories de-  
13 stroyed;

14 “(vi) changes in the price and purity  
15 of heroin and cocaine;

16 “(vii) the amount and type of con-  
17 trolled substances diverted from legitimate  
18 retail and wholesale sources; and

19 “(viii) the effectiveness of Federal  
20 technology programs at improving drug de-  
21 tection capabilities in interdiction, and at  
22 United States port of entry;

23 “(C) an assessment of the reduction of the  
24 consequences of drug use and availability, which  
25 shall include estimation of—

1 “(i) burdens drug users placed on  
2 hospital emergency departments in the  
3 United States, such as the quantity of  
4 drug-related services provided;

5 “(ii) the annual national health care  
6 costs of drug use, including costs associ-  
7 ated with people becoming infected with  
8 the human immunodeficiency virus and  
9 other infectious diseases as a result of  
10 drug use;

11 “(iii) the extent of drug-related crime  
12 and criminal activity; and

13 “(iv) the contribution of drugs to the  
14 underground economy, as measured by the  
15 retail value of drugs sold in the United  
16 States;

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

19 “(i) public and private treatment ca-  
20 pacity within each State, including infor-  
21 mation on the treatment capacity available  
22 in relation to the capacity actually used;

23 “(ii) the extent, within each State, to  
24 which treatment is available;

1                   “(iii) the number of drug users the  
2                   Director estimates could benefit from  
3                   treatment; and

4                   “(iv) the specific factors that restrict  
5                   the availability of treatment services to  
6                   those seeking it and proposed administra-  
7                   tive or legislative remedies to make treat-  
8                   ment available to those individuals;

9                   “(E) a review of the research agenda of  
10                  the Counter-Drug Technology Assessment Cen-  
11                  ter to reduce the availability and abuse of  
12                  drugs;

13                  “(5) an assessment of private sector initiatives  
14                  and cooperative efforts between the Federal Govern-  
15                  ment and State and local governments for drug con-  
16                  trol.

17                  “(c) PERFORMANCE MEASUREMENT SYSTEM.—The  
18                  Director shall include with the annual Strategy Report a  
19                  description of the national drug control performance  
20                  measurement system, designed in consultation with af-  
21                  fected National Drug Control Program agencies, that—

22                         “(1) develops performance objectives, measures,  
23                         and targets for each National Drug Control Strategy  
24                         goal and objective;

1           “(2) revises performance objectives, targets,  
2           and measures to conform with National Drug Con-  
3           trol Program Agency budgets;

4           “(3) identifies major programs and activities of  
5           the National Drug Control Program Agencies that  
6           support the goals and objectives of the National  
7           Drug Control Strategy;

8           “(4) evaluates implementation of major pro-  
9           gram activities supporting the National Drug Con-  
10          trol Strategy developed under section 1005 (21 USC  
11          1504(a));

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

17          “(6) coordinates the development and imple-  
18          mentation of national drug control data collection  
19          and reporting systems to support policy formulation  
20          and performance measurement, including—

21                 “(A) an assessment of the quality of cur-  
22                 rent drug use measurement instruments and  
23                 techniques to measure supply reduction and de-  
24                 mand reduction activities;



1           “(B) an assessment of the adequacy of the  
2           coverage of existing national drug use measure-  
3           ment instruments and techniques to measure  
4           the casual drug user population and groups  
5           that are at risk for drug use; and

6           “(C) an assessment of the actions the Di-  
7           rector shall take to correct any deficiencies and  
8           limitations identified pursuant to subpara-  
9           graphs (b)(4)(A) and (B).

10       (f) HIGH INTENSITY DRUG TRAFFICKING AREAS  
11 PROGRAM.—The National Narcotics Leadership Act of  
12 1988 is amended by inserting after section 1005 the fol-  
13 lowing:

14       **“SEC. 1005A. HIGH INTENSITY DRUG TRAFFICKING AREAS**  
15                       **PROGRAM.**

16       “(a) There is established in the Office a program to  
17 be known as the High Intensity Drug Trafficking Areas  
18 Program.

19       “(b) The Director, upon consultation with the Attor-  
20 ney General, the Secretary of the Treasury, the Secretary  
21 of Health and Human Services, heads of the National  
22 Drug Control Program agencies, and the Governors of  
23 each State, may designate any specified area of the United  
24 States as a high intensity drug trafficking area. After

1 making such a designation and in order to provide Federal  
2 assistance to the area so designated, the Director may—

3 “(1) obligate such sums as appropriated for the  
4 High Intensity Drug Trafficking Area Program;

5 “(2) direct the temporary reassignment of Fed-  
6 eral personnel to such area, subject to the approval  
7 of the Secretary of the department or head of the  
8 agency that employs such personnel;

9 “(3) take any other action authorized under  
10 section 1003 to provide increased Federal assistance  
11 to such areas;

12 “(4) coordinate actions under this paragraph  
13 with State and local officials; and

14 “(5) in consultation with affected National  
15 Drug Control Policy agencies, promulgate such regu-  
16 lations for the effective implementation of the High  
17 Intensity Drug Trafficking Areas Program.

18 “(c) When considering the designation of an area  
19 under this section as a high intensity drug trafficking  
20 area, the Director shall consider, in addition to such other  
21 criteria as the Director considers to be appropriate, the  
22 extent to which—

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

10 “(4) drug-related activities in the area are hav-  
11 ing a harmful impact in other areas of the country;  
12 and

(g) COUNTER-DRUG TECHNOLOGY ASSESSMENT  
CENTER.—Section 1008 of the National Narcotics Lead-  
ership Act of 1988 (21 U.S.C. 1505) is amended to read  
as follows:

“(a) ESTABLISHMENT.—There is established within the Office the Counter-Drug Technology Assessment Center (in this section referred to as the ‘Center’). The Center shall operate under the authority of the Director of Na-

1 tional Drug Control Policy and shall serve as the central  
 2 counter-drug technology research and development organi-  
 3 zation of the United States Government.

4 “(b) DIRECTOR OF TECHNOLOGY.—There shall be at  
 5 the head of the Center the Director of Technology, who  
 6 shall be appointed by the Director of National Drug Con-  
 7 trol Policy from among individuals qualified and distin-  
 8 guished in the area of science, medicine, engineering, or  
 9 technology.

10 “(c) ADDITIONAL RESPONSIBILITIES OF THE DIREC-  
 11 TOR OF NATIONAL DRUG CONTROL POLICY.—

12 “(1) The Director, acting through the Director  
 13 of Technology shall—

14 “(A) identify and define the short-, me-  
 15 dium-, and long-term scientific and techno-  
 16 logical needs of Federal, State, and local drug  
 17 supply reduction agencies, including—

18 “(i) advanced surveillance, tracking,  
 19 and radar imaging;

20 “(ii) electronic support measures;

21 “(iii) communications;

22 “(iv) data fusion, advanced computer  
 23 systems, and artificial intelligence; and

1 “(v) chemical, biological, radiological  
2 (including neutron, electron, and graviton),  
3 and other means of detection;

4 “(B) identify demand reduction basic and  
5 applied research needs and initiatives, in con-  
6 sultation with affected National Drug Control  
7 Program agencies, including—

8 “(i) improving treatment through  
9 neuroscientific advances;

10 “(ii) improving the transfer of bio-  
11 medical research to the clinical setting, and

12 “(iii) developing new advances in drug  
13 abuse prevention programming;

14 “(iv) in consultation with the National  
15 Institute on Drug Abuse, and through  
16 interagency agreements or grants, examine  
17 addiction and rehabilitation research and  
18 the application of technology to expanding  
19 the effectiveness or availability of drug  
20 treatment;

21 “(C) make a priority ranking of such needs  
22 identified in subparagraphs (A) and (B) accord-  
23 ing to fiscal and technological feasibility, as  
24 part of a National Counter-Drug Enforcement  
25 Research and Development Program;

1           “(D) oversee and coordinate counter-drug  
2           technology initiatives with related activities of  
3           other Federal civilian and military departments;

4           “(E) provide support to the development  
5           and implementation of the national drug control  
6           performance measurement system; and

7           “(F) pursuant to the authority of the Di-  
8           rector of National Drug Control Policy under  
9           section 1003 (21 U.S.C. 1502), submit requests  
10          to Congress for the reprogramming or transfer  
11          of funds appropriated for counter-drug tech-  
12          nology research and development.

13          “(2) The authority granted to the Director  
14          under this section shall not extend to the award of  
15          contracts, management of individual projects, or  
16          other operational activities.

17          “(d) ASSISTANCE AND SUPPORT TO OFFICE OF NA-  
18          TIONAL DRUG CONTROL POLICY.—The Department of  
19          Defense and the Department of Health and Human Serv-  
20          ices shall, to the fullest extent possible, render assistance  
21          and support to the Office and its Director, in the conduct  
22          of counter-drug technology assessment.”

23          (h) TERMINATION OF OFFICE OF NATIONAL DRUG  
24          CONTROL POLICY.—Section 1009 of the National Narcot-

1 ics Leadership Act of 1988 (42 U.S.C. 1506) is amended  
2 to read as follows:

3 **“SEC. 1009. TERMINATION OF OFFICE OF NATIONAL DRUG**  
4 **CONTROL POLICY.**

5 “Effective on September 30, 2009, this subtitle and  
6 the amendments made by this subtitle are repealed.”

7 (i) AUTHORIZATION OF APPROPRIATIONS.—Section  
8 1011 of the National Narcotics Leadership Act of 1988  
9 (21 U.S.C. 1508) is amended to read as follows:

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

11 “There are authorized to be appropriated to carry out  
12 this subtitle, to remain available until expended, such  
13 sums as may be necessary for each of the fiscal years  
14 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006,  
15 2007, 2008, and 2009.”

16 (j) ESTABLISHMENT OF SPECIAL FORFEITURE  
17 FUND.—Section 6073 of the Asset Forfeiture Amend-  
18 ments Act of 1988 (42 U.S.C. 1509) is amended—

19 (1) in subsection (b),

20 (A) by striking “section 524(c)(9)” and in-  
21 serting “section 524(c)(8)”;

22 (B) by striking “section 9307(g)” and in-  
23 serting “section 9703(g)”;

- 1 (2) in subsection (e), by striking “strategy” and
- 2 inserting “Strategy”.

