

105TH CONGRESS
2D SESSION

S. 2347

To provide for a coordinated effort to combat methamphetamine abuse, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 23, 1998

Mr. HARKIN introduced the following bill; which was read twice and referred
to the Committee on Labor and Human Resources

A BILL

To provide for a coordinated effort to combat
methamphetamine abuse, 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 (a) SHORT TITLE.—This Act may be cited as the
5 “Comprehensive Methamphetamine Abuse Reduction
6 Act”.

1 **SEC. 2. EXPANDING METHAMPHETAMINE ABUSE PREVEN-**
2 **TION EFFORTS.**

3 Section 515 of the Public Health Service Act (42
4 U.S.C. 290bb–21) is amended by adding at the end the
5 following:

6 “(e) PREVENTION OF METHAMPHETAMINE ABUSE
7 AND ADDICTION.—

8 “(1) GRANTS.—The Director of the Center for
9 Substance Abuse Prevention (referred to in this sec-
10 tion as the ‘Director’) may make grants to and enter
11 into contracts and cooperative agreements with pub-
12 lic and non-profit private entities to enable such en-
13 tities—

14 “(A) to carry out school-based programs
15 concerning the dangers of methamphetamine
16 abuse and addiction, using methods that are ef-
17 fective and evidence-based; and

18 “(B) to carry out community-based meth-
19 amphetamine abuse and addiction prevention
20 programs that are effective and evidence-based.

21 “(2) USE OF FUNDS.—Amounts made available
22 under a grant, contract or cooperative agreement
23 under paragraph (1) shall be used for planning, es-
24 tablishing, or administering methamphetamine pre-
25 vention programs in accordance with paragraph (3).

1 “(3) PREVENTION PROGRAMS AND ACTIVI-
2 TIES.—

3 “(A) IN GENERAL.—Amounts provided
4 under this subsection may be used—

5 “(i) to carry out school-based pro-
6 grams that are focused on those districts
7 with high or increasing rates of meth-
8 amphetamine abuse and addiction and tar-
9 geted at populations which are most at
10 risk to start methamphetamine abuse;

11 “(ii) to carry out community-based
12 prevention programs that are focused on
13 those populations within the community
14 that are most at-risk for methamphet-
15 amine abuse and addiction;

16 “(iii) to assist local government enti-
17 ties to conduct appropriate methamphet-
18 amine prevention activities;

19 “(iv) to train and educate State and
20 local law enforcement officials on the signs
21 of methamphetamine abuse and addiction
22 and the options for treatment and preven-
23 tion;

24 “(v) for planning, administration, and
25 educational activities related to the preven-

tion of methamphetamine abuse and addiction;

“(vi) for the monitoring and evaluation of methamphetamine prevention activities, and reporting and disseminating resulting information to the public; and

“(vii) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

“(B) PRIORITY.—The Director shall give priority in making grants under this subsection to rural and urban areas that are experiencing a high rate or rapid increases in methamphetamine abuse and addiction.

“(4) ANALYSES AND EVALUATION.—

“(A) IN GENERAL.—Not less than \$500,000 of the amount available in each fiscal year to carry out this subsection shall be made available to the Director, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for methamphetamine abuse and addiction and the development of appropriate strategies for disseminating in-

1 formation about and implementing these pro-
2 grams.

3 “(B) ANNUAL REPORTS.—The Director
4 shall submit to the Committee on Labor and
5 Human Resources and Committee on Appro-
6 priations of the Senate and the Committee on
7 Commerce and Committee on Appropriations of
8 the House of Representatives, an annual report
9 with the results of the analyses and evaluation
10 under subparagraph (A).

11 “(5) AUTHORIZATION OF APPROPRIATIONS.—
12 There is authorized to be appropriated to carry out
13 paragraph (1), \$20,000,000 for fiscal year 1999,
14 and such sums as may be necessary for each suc-
15 ceeding fiscal year.”.

16 **SEC. 3. EXPANDING CRIMINAL PENALTIES AND LAW EN-**
17 **FORCEMENT FUNDING.**

18 (a) SWIFT AND CERTAIN PUNISHMENT OF METH-
19 AMPHETAMINE LABORATORY OPERATORS.—

20 (1) FEDERAL SENTENCING GUIDELINES.—

21 (A) IN GENERAL.—Pursuant to its author-
22 ity under section 994(p) of title 28, United
23 States Code, the United States Sentencing
24 Commission shall promulgate Federal sentenc-
25 ing guidelines or amend existing Federal sen-

1 tencing guidelines for any offense relating to
2 the manufacture, attempt to manufacture, or
3 conspiracy to manufacture amphetamine or
4 methamphetamine in violation of the Controlled
5 Substances Act (21 U.S.C. 801 et seq.), the
6 Controlled Substances Import and Export Act
7 (21 U.S.C. 951 et seq.), or the Maritime Drug
8 Law Enforcement Act (46 U.S.C. App. 1901 et
9 seq.) in accordance with this paragraph.

10 (B) REQUIREMENTS.—In carrying out this
11 paragraph, the United States Sentencing Com-
12 mission shall, with respect to each offense de-
13 scribed in subparagraph (A)—

14 (i) increase the base offense level for
15 the offense—

16 (I) by not less than 3 offense lev-
17 els above the applicable level in effect
18 on the date of enactment of this Act;
19 or

20 (II) if the resulting base offense
21 level after an increase under subclause
22 (II) would be less than level 27, to not
23 less than level 27; or

24 (ii) if the offense created a substantial
25 risk of danger to the health and safety of

1 another person (including any Federal,
2 State, or local law enforcement officer law-
3 fully present at the location of the offense,
4 increase the base offense level for the of-
5 fense—

6 (I) by not less than 6 offense lev-
7 els above the applicable level in effect
8 on the date of enactment of this Act;
9 or

10 (II) if the resulting base offense
11 level after an increase under clause (i)
12 would be less than level 30, to not less
13 than level 30.

14 (C) EMERGENCY AUTHORITY TO SENTENC-
15 ING COMMISSION.—The United States Sentenc-
16 ing Commission shall promulgate the guidelines
17 or amendments provided for under this para-
18 graph as soon as practicable after the date of
19 enactment of this Act in accordance with the
20 procedure set forth in section 21(a) of the Sen-
21 tencing Act of 1987 (Public Law 100–182), as
22 though the authority under that Act had not
23 expired.

24 (2) EFFECTIVE DATE.—The amendments made
25 pursuant to this subsection shall apply with respect

1 to any offense occurring on or after the date that is
 2 60 days after the date of enactment of this Act.

3 (b) INCREASED RESOURCES FOR LAW ENFORCE-
 4 MENT.—There are authorized to be appropriated to the
 5 Office of National Drug Control Policy to combat the traf-
 6 ficking of methamphetamine in areas designated by the
 7 Director of National Drug Control Policy as high intensity
 8 drug trafficking areas—

9 (1) \$25,000,000 for fiscal year 1999; and

10 (2) such sums as may be necessary for each of
 11 fiscal years 2000 through 2004.

12 **SEC. 4. TREATMENT OF METHAMPHETAMINE ABUSE.**

13 Section 507 of the Public Health Service Act (42
 14 U.S.C. 290bb) is amended by adding at the end the follow-
 15 ing:

16 “(d) TREATMENT OF METHAMPHETAMINE ABUSE
 17 AND ADDICTION.—

18 “(1) GRANTS.—The Director of the Center for
 19 Substance Abuse Treatment (referred to in this sec-
 20 tion as the ‘Director’) may make grants to and enter
 21 into contracts and cooperative agreements with pub-
 22 lic and non-profit private entities for the purpose of
 23 expanding activities for the treatment of meth-
 24 amphetamine abuse and addiction.

1 “(2) USE OF FUNDS.—Amounts made available
2 under a grant, contract or cooperative agreement
3 under paragraph (1) shall be used for planning, es-
4 tablishing, or administering methamphetamine treat-
5 ment programs in accordance with paragraph (3).

6 “(3) TREATMENT PROGRAMS AND ACTIVI-
7 TIES.—

8 “(A) IN GENERAL.—Amounts provided
9 under this subsection may be used for—

10 “(i) evidence-based programs designed
11 to assist individuals to quit their use of
12 methamphetamine and remain drug-free;

13 “(ii) training in recognizing meth-
14 amphetamine abuse and addiction for
15 health professionals, including physicians,
16 nurses, dentists, health educators, public
17 health professionals, and other health care
18 providers;

19 “(iii) training in methamphetamine
20 treatment methods for health plans, health
21 professionals, including physicians, nurses,
22 dentists, health educators, public health
23 professionals, and other health care provid-
24 ers;

1 “(iv) planning, administration, and
2 educational activities related to the treat-
3 ment of methamphetamine abuse and ad-
4 diction;

5 “(v) the monitoring and evaluation of
6 methamphetamine treatment activities, and
7 reporting and disseminating resulting in-
8 formation to health professionals and the
9 public;

10 “(vi) targeted pilot programs with
11 evaluation components to encourage inno-
12 vation and experimentation with new meth-
13 odologies; and

14 “(vii) coordination with the Center for
15 Mental Health Services on the connection
16 between methamphetamine abuse and ad-
17 diction and mental illness.

18 “(B) PRIORITY.—The Director shall give
19 priority in making grants under this subsection
20 to rural and urban areas that are experiencing
21 a high rate or rapid increases in methamphet-
22 amine abuse and addiction.

23 “(4) ANALYSES AND EVALUATION.—

24 “(A) IN GENERAL.—Not more than
25 \$1,000,000 of the amount available in each fis-

1 cal year to carry out this subsection shall be
2 made available to the Director, acting in con-
3 sultation with other Federal agencies, to sup-
4 port and conduct periodic analyses and evalua-
5 tions of effective treatments for methamphet-
6 amine abuse and addiction and the development
7 of appropriate strategies for disseminating in-
8 formation about and implementing treatment
9 services.

10 “(B) ANNUAL REPORT.—The Director
11 shall submit to the Committee on Labor and
12 Human Resources and Committee on Appro-
13 priations of the Senate and the Committee on
14 Commerce and Committee on Appropriations of
15 the House or Representatives, an annual report
16 with the results of the analyses and evaluation
17 conducted under subparagraph (A).

18 “(5) AUTHORIZATION OF APPROPRIATIONS.—
19 There is authorized to be appropriated to carry out
20 paragraph (1), \$40,000,000 for fiscal year 1999,
21 and such sums as may be necessary for each suc-
22 ceeding fiscal year.”.

1 **SEC. 5. EXPANDING METHAMPHETAMINE RESEARCH.**

2 Section 464N of the Public Health Service Act (42
3 U.S.C. 285o–2) is amended by adding at the end the fol-
4 lowing:

5 “(c) METHAMPHETAMINE RESEARCH.—

6 “(1) GRANTS.—The Director of the Institute
7 may make grants to expand interdisciplinary re-
8 search relating to methamphetamine abuse and ad-
9 diction and other biomedical, behavioral and social
10 issues related to methamphetamine abuse and addic-
11 tion.

12 “(2) USE OF FUNDS.—Amounts made available
13 under a grant under paragraph (1) may be used to
14 conduct interdisciplinary research on methamphet-
15 amine abuse and addiction, including research on—

16 “(A) the effects of methamphetamine
17 abuse on the human body;

18 “(B) the addictive nature of methamphet-
19 amine and how such effects differ with respect
20 to different individuals;

21 “(C) the connection between methamphet-
22 amine abuse and mental illness;

23 “(D) the identification and evaluation of
24 the most effective methods of prevention of
25 methamphetamine abuse and addiction;

1 “(E) the identification and development of
2 the most effective methods of treatment of
3 methamphetamine addiction, including pharma-
4 cological treatments;

5 “(F) risk factors for methamphetamine
6 abuse;

7 “(G) effects of methamphetamine abuse
8 and addiction on pregnant women and their
9 fetuses;

10 “(H) cultural, social, behavioral, neuro-
11 logical and psychological reasons that individ-
12 uals abuse methamphetamine, or refrain from
13 abusing methamphetamine.

14 “(3) RESEARCH RESULTS.—The Director shall
15 promptly disseminate research results under this
16 subsection to Federal, State and local entities in-
17 volved in combating methamphetamine abuse and
18 addiction.

19 “(4) AUTHORIZATION OF APPROPRIATIONS.—
20 There is authorized to be appropriated to carry out
21 paragraph (1), \$16,000,000 for fiscal year 1999,
22 and such sums as may be necessary for each suc-
23 ceeding fiscal year.”.

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