

109TH CONGRESS
1ST SESSION

H. R. 1446

To amend the Controlled Substances Act to eliminate the safe-harbor exception for certain packaged pseudoephedrine products used in the manufacture of methamphetamine, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2005

Mr. SOUDER (for himself, Mr. BURTON of Indiana, Mr. PETERSON of Pennsylvania, Mr. BOEHLERT, Ms. BORDALLO, Mr. CASE, and Mr. KENNEDY of Minnesota) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Controlled Substances Act to eliminate the safe-harbor exception for certain packaged pseudoephedrine products used in the manufacture of methamphetamine, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Methamphetamine Abuse Prevention Act of 2005”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

Sec. 1. Short title; table of contents.
 Sec. 2. Findings.

TITLE I—METHAMPHETAMINE PRECURSORS

Subtitle A—Amendments to Controlled Substances Act

Sec. 101. Regulated transactions in methamphetamine precursor chemical products.
 Sec. 102. Authority to establish production quotas.
 Sec. 103. Penalties; authority for manufacturing; quota.

Subtitle B—Amendments to Controlled Substances Import and Export Act

Sec. 111. Restrictions on importation; authority to permit imports for medical, scientific, or other legitimate purposes.
 Sec. 112. Notice of importation or exportation; approval of sale or transfer by importer or exporter.

Subtitle C—General Provisions

Sec. 121. Report by Director of Office of National Drug Control Policy regarding regulation of list I chemicals.

TITLE II—RESOURCES FOR ENFORCEMENT

Sec. 201. Authorization of appropriations relating to COPS grants.
 Sec. 202. Expansion of methamphetamine hot spots program to include personnel and equipment for enforcement, prosecution, and clean-up.
 Sec. 203. Special United States attorneys' program.

TITLE III—GRANT PROGRAMS

Subtitle A—Public Health Service Act

Sec. 301. Grants for services for children of substance abusers.
 Sec. 302. Local grants for treatment of methamphetamine abuse and related conditions.

Subtitle B—Bureau of Justice

Sec. 303. Methamphetamine precursor monitoring grants.

3 **SEC. 2. FINDINGS.**

4 The Congress finds as follows:

5 (1) Methamphetamine, ecstasy, and other syn-
 6 thetic drugs are dangerous drugs distributed
 7 throughout the United States.

1 (2) The manufacture, distribution, and use of
2 methamphetamine and other synthetic drugs result
3 in increased crime, damage to the environment, and
4 hazardous waste that endanger the public, expensive
5 cleanup costs often borne by Federal, State, and
6 local government agencies, and broken families.

7 (3) The Congress has acted many times to limit
8 the availability of chemicals and equipment used in
9 the manufacturing of methamphetamine and other
10 synthetic drugs.

11 (4) Pseudoephedrine is one of the basic pre-
12 cursor chemicals used in the manufacture of meth-
13 amphetamine.

14 (5) The Drug Enforcement Administration has
15 indicated that methamphetamine manufacturers
16 often obtain pseudoephedrine from retail and whole-
17 sale distributors, in both bottles and “blister packs”,
18 and that the use of pseudoephedrine tablets in blis-
19 ter packs is pervasive in the illicit production of
20 methamphetamine in both small and large clandes-
21 tine methamphetamine laboratories.

22 (6) While current law establishes a retail sales
23 limit of 9 grams for most pseudoephedrine products,
24 including common cold medicine, there is no such

1 limit on the sale of blister-packed pseudoephedrine
2 products.

3 (7) The 9 gram limit on bottled
4 pseudoephedrine allows an individual to purchase ap-
5 proximately 366 thirty-milligram tablets per trans-
6 action, which is significantly more than a typical
7 consumer would need for legitimate purposes.

8 (8) Reducing the current 9 gram threshold to
9 6 grams would allow consumers to continue pur-
10 chasing sufficient medication for legitimate purposes
11 and would assist efforts to reduce illegal use of the
12 pseudoephedrine products.

13 (9) The Drug Enforcement Administration rec-
14 ommended in March 2002 that retail distribution of
15 pseudoephedrine tablets in blister packages should
16 not be exempt from the general retail sales limit.

17 (10) In recommending legislation to correct the
18 current disparity in the law between bottled and blis-
19 ter-packed pseudoephedrine tablets, the Drug En-
20 forcement Administration stated that “The removal
21 of this difference would significantly prevent illicit
22 access to this methamphetamine precursor and
23 would be easier for both the government and the in-
24 dustry to monitor and would increase compliance by
25 retailers”.

(11) In its October 2004 National Synthetic Drugs Action Plan, the Department of Justice and the Office of National Drug Control Policy also recommended that the manufacture, import, export, and distribution of pseudoephedrine and other synthetic drug precursor chemicals be subject to increased governmental oversight to reduce the danger of diversion to illegal drug production.

TITLE I—METHAMPHETAMINE PRECURSORS

Subtitle A—Amendments to Controlled Substances Act

SEC. 101. REGULATED TRANSACTIONS IN METHAMPHET- AMINE PRECURSOR CHEMICAL PRODUCTS.

(a) REDUCTION OF RETAIL SALES THRESHOLD.—
Section 102(39)(A)(iv)(II) of the Controlled Substances Act (21 U.S.C. 802(39)(A)(iv)(II)) is amended by striking “shall be 9 grams” and all that follows and inserting the following: “shall be any quantity of pseudoephedrine over 6.0 grams in a single transaction, or any quantity of phenylpropanolamine over 6.0 grams in a single transaction, which quantity is—

“(aa) with respect to nonliquids, sold in package sizes of not more than 3.0 grams of

pseudoephedrine base or 3.0 grams of phenylpropanolamine base, respectively, and packaged in blister packs, each blister containing not more than 2 dosage units, or where the use of blister packs is technically infeasible, packaged in unit dose packets or pouches; and

“(bb) with respect to liquids, sold in package sizes of not more than 3.0 grams of pseudoephedrine base, or 3.0 grams of phenylpropanolamine base, respectively; or”.

(b) ELIMINATION OF BLISTER PACK EXEMPTION.—

(1) REGULATED TRANSACTION.—Section 102(39)(A)(iv)(I)(aa) of the Controlled Substances Act (21 U.S.C. 802(39)(A)(iv)(I)(aa)) is amended by striking “, except that” and all that follows through “1996)”.

(2) DEFINITION.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(A) by striking paragraph (45); and

1 (B) by redesignating paragraph (46) as
2 paragraph (45).

3 (3) RULE OF LAW.—To the extent that there
4 exists a conflict between the amendment made by
5 paragraph (1) and section 401(d) of the Comprehen-
6 sive Methamphetamine Control Act of 1996 (21
7 U.S.C. 802 note), the amendment shall control.

8 (c) COMBINATIONS INVOLVING DERIVATIVES.—Sec-
9 tion 102(39) of the Controlled Substances Act (21 U.S.C.
10 802(39)) is amended—

11 (1) in subparagraph (A)(iv)(I)(aa), by striking
12 “the drug contains” and all that follows through
13 “unless otherwise provided” and inserting the fol-
14 lowing: “the drug contains ephedrine,
15 pseudoephedrine, or phenylpropanolamine unless
16 otherwise provided”; and

17 (2) by inserting after and below subparagraph
18 (B) the following:

19 “Each reference in subparagraph (A)(iv) to ephed-
20 rine, pseudoephedrine, or phenylpropanolamine in-
21 cludes each of the salts, optical isomers, and salts of
22 optical isomers of such chemical.”.

1 **SEC. 102. AUTHORITY TO ESTABLISH PRODUCTION**
2 **QUOTAS.**

3 Section 306 of the Controlled Substances Act (21
4 U.S.C. 826) is amended—

5 (1) in subsection (a), by inserting “and for
6 ephedrine, pseudoephedrine, and phenylpropanola-
7 mine” after “for each basic class of controlled sub-
8 stance in schedules I and II”;

9 (2) in subsection (b), by inserting “or for
10 ephedrine, pseudoephedrine, or phenylpropanola-
11 mine” after “for each basic class of controlled sub-
12 stance in schedule I or II” each place such term ap-
13 pears;

14 (3) in subsection (c), in the first sentence, by
15 inserting “and for ephedrine, pseudoephedrine, and
16 phenylpropanolamine” after “for the basic classes of
17 controlled substances in schedules I and II”;

18 (4) in subsection (d), by inserting “or ephed-
19 rine, pseudoephedrine, or phenylpropanolamine”
20 after “that basic class of controlled substance”;

21 (5) in subsection (e), by inserting “or for
22 ephedrine, pseudoephedrine, or phenylpropanola-
23 mine” after “for a basic class of controlled sub-
24 stance in schedule I or II” each place such term ap-
25 pears;

26 (6) in subsection (f)—

1 (A) by inserting “or ephedrine,
2 pseudoephedrine, or phenylpropanolamine”
3 after “controlled substances in schedules I and
4 II”;

5 (B) by inserting “or of ephedrine,
6 pseudoephedrine, or phenylpropanolamine”
7 after “the manufacture of a controlled sub-
8 stance”; and

9 (C) by inserting “or chemicals” after
10 “such incidentally produced substances”; and

11 (7) by adding at the end the following sub-
12 section:

13 “(g) Each reference in this section to ephedrine,
14 pseudoephedrine, or phenylpropanolamine includes each of
15 the salts, optical isomers, and salts of optical isomers of
16 such chemical.”.

17 **SEC. 103. PENALTIES; AUTHORITY FOR MANUFACTURING;**
18 **QUOTA.**

19 Section 402(b) of the Controlled Substances Act (21
20 U.S.C. 842(b)) is amended by inserting after “manufac-
21 ture a controlled substance in schedule I or II” the fol-
22 lowing: “, or ephedrine, pseudoephedrine, or phenyl-
23 propanolamine or any of the salts, optical isomers, or salts
24 of optical isomers of such chemical,”

1 **Subtitle B—Amendments to Con-**
2 **trolled Substances Import and**
3 **Export Act**

4 **SEC. 111. RESTRICTIONS ON IMPORTATION; AUTHORITY TO**
5 **PERMIT IMPORTS FOR MEDICAL, SCIENTIFIC,**
6 **OR OTHER LEGITIMATE PURPOSES.**

7 Section 1002(a) of the Controlled Substances Import
8 and Export Act (21 U.S.C. 952(a)) is amended—

9 (1) in the matter preceding paragraph (1), by
10 inserting “or ephedrine, pseudoephedrine, or phenyl-
11 propanolamine,” after “schedule III, IV, or V of title
12 II,”;

13 (2) in paragraph (1), by inserting “, and of
14 ephedrine, pseudoephedrine, and phenylpropanola-
15 mine, ” after “coca leaves”; and

16 (3) by adding at the end the following sub-
17 sections:

18 “(d)(1) With respect to a registrant under section
19 1008 who is authorized under subsection (a)(1) to import
20 ephedrine, pseudoephedrine, or phenylpropanolamine, at
21 any time during the year the registrant may apply for an
22 increase in the amount of such chemical that the reg-
23 istrant is authorized to import, and the Attorney General
24 may approve the application if the Attorney General deter-
25 mines that the approval is necessary to provide for med-

1 ical, scientific, or other legitimate purposes regarding the
2 chemical.

3 “(2) Not later than 60 days after receiving an appli-
4 cation under paragraph (1), the Attorney General shall
5 approve or deny the application. In approving such an ap-
6 plication, the Attorney General shall specify the period of
7 time for which the approval is in effect, or shall provide
8 that the approval is effective until the registrant involved
9 is notified by the Attorney General that the approval is
10 terminated.

11 “(e) Each reference in this section to ephedrine,
12 pseudoephedrine, or phenylpropanolamine includes each of
13 the salts, optical isomers, and salts of optical isomers of
14 such chemical.”.

15 **SEC. 112. NOTICE OF IMPORTATION OR EXPORTATION; AP-**
16 **PROVAL OF SALE OR TRANSFER BY IM-**
17 **PORTER OR EXPORTER.**

18 (a) IN GENERAL.—Section 1018 of the Controlled
19 Substances Import and Export Act (21 U.S.C. 971) is
20 amended—

21 (1) by redesignating subsections (d) and (e) as
22 subsections (e) and (f), respectively; and

23 (2) by inserting after subsection (c) the fol-
24 lowing subsection:

1 “(d)(1)(A) Information provided in a notice under
2 subsection (a) shall include the name of the person to
3 whom the importer or exporter involved intends to transfer
4 the listed chemical involved.

5 “(B) After a notice under subsection (a) is provided
6 to the Attorney General, if circumstances change and the
7 importer or exporter will not be transferring the listed
8 chemical to the transferee identified in the notice, the im-
9 porter or exporter may not transfer the listed chemical
10 until after the expiration of the 15-day period beginning
11 on the date on which the importer or exporter updates
12 the notice to identify the most recent prospective trans-
13 feree. The preceding sentence applies with respect to
14 changing circumstances regarding a transferee identified
15 in an update to the same extent and in the same manner
16 as such sentence applies with respect to changing cir-
17 cumstances regarding a transferee identified in a notice
18 under subsection (a).

19 “(C) If in reliance on subsection (b) an importer or
20 exporter does not provide a notice under subsection (a)
21 with respect to an importation or exportation, but cir-
22 cumstances change and the importer or exporter will not
23 be transferring the listed chemical to a regular customer,
24 the importer or exporter may not transfer the listed chem-
25 ical until after the expiration of the 15-day period begin-

1 ning on the date on which the importer or exporter notifies
2 the Attorney General of the most recent prospective trans-
3 feree. The preceding sentence applies with respect to
4 changing circumstances regarding a transferee identified
5 in a notice under such sentence to the same extent and
6 in the same manner as such sentence applies with respect
7 to the original changing circumstances in which the listed
8 chemical was not transferred to a regular customer.

9 “(2) With respect to the transfer of a listed chemical
10 by an importer or exporter:

11 “(A) The Attorney General may, in accordance
12 with the same procedures as apply under subsection
13 (c)(2), order the suspension of a transfer of the list-
14 ed chemical by the importer or exporter, other than
15 a transfer to a regular customer of the importer or
16 exporter, on the ground that the chemical may be di-
17 verted to the illegal or clandestine manufacture of a
18 controlled substance, subject to the Attorney General
19 ordering such suspension before the expiration of the
20 15-day period that applies with respect to the impor-
21 tation or exportation under subparagraph (B) or (C)
22 of paragraph (1), as the case may be.

23 “(B) From and after the time when the Attor-
24 ney General provides written notice of the order
25 under subparagraph (A) (including a statement of

1 the legal and factual basis for the order) to the im-
2 porter or exporter, the importer or exporter may not
3 carry out the transfer.

4 “(3) For purposes of this subsection:

5 “(A) The terms ‘importer’ and ‘exporter’ mean
6 a regulated person who imports or exports a listed
7 chemical, respectively.

8 “(B) The term ‘transfer’, with respect to a list-
9 ed chemical, includes the sale of the chemical.

10 “(C) The term ‘transferee’ means a person to
11 whom an importer or exporter transfers a listed
12 chemical.”.

13 (b) CONFORMING AMENDMENT.—Section 1010(d)(5)
14 of the Controlled Substances Import and Export Act (21
15 U.S.C. 960(d)(5)) is amended by striking “section
16 1018(e)(2) or (3)” and inserting “paragraph (2) or (3)
17 of section 1018(f)”.

18 **Subtitle C—General Provisions**

19 **SEC. 121. REPORT BY DIRECTOR OF OFFICE OF NATIONAL** 20 **DRUG CONTROL POLICY REGARDING REGU-** 21 **LATION OF LIST I CHEMICALS.**

22 Not later than one year after the date of the enact-
23 ment of this Act, the Director of the Office of National
24 Drug Control Policy, in consultation with the Attorney
25 General, shall submit to the Congress a report that—

1 (1) provides a recommendation by the Director
2 of whether some or all list I chemicals should be in-
3 cluded in schedule V of the schedules of controlled
4 substances; and

5 (2) provides such additional recommendations
6 regarding the regulation of list I chemicals as the
7 Director elects to provide to the Congress.

8 **TITLE II—RESOURCES FOR**
9 **ENFORCEMENT**

10 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS RELATING**
11 **TO COPS GRANTS.**

12 (a) IN GENERAL.—In addition to any other funds au-
13 thorized to be appropriated for fiscal year 2006 for grants
14 under part Q of title I of the Omnibus Crime Control and
15 Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), com-
16 monly known as the COPS program, there are authorized
17 to be appropriated \$15,000,000 for such purpose to pro-
18 vide training to State and local prosecutors and law en-
19 forcement agents for the investigation and prosecution of
20 methamphetamine offenses.

21 (b) RURAL SET-ASIDE.—Of amounts made available
22 under subsection (a), \$3,000,000 shall be available only
23 for prosecutors and law enforcement agents for rural com-
24 munities.

1 **SEC. 202. EXPANSION OF METHAMPHETAMINE HOT SPOTS**
2 **PROGRAM TO INCLUDE PERSONNEL AND**
3 **EQUIPMENT FOR ENFORCEMENT, PROSECU-**
4 **TION, AND CLEANUP.**

5 Section 1701(d) of the Omnibus Crime Control and
6 Safe Streets Act of 1968 (42 U.S.C. 3796dd(d)) is amend-
7 ed—

8 (1) in paragraph (11) by striking “and” at the
9 end;

10 (2) in paragraph (12) by striking the period at
11 the end and inserting “; and”; and

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

13 “(13) hire personnel and purchase equipment to
14 assist in the enforcement and prosecution of meth-
15 amphetamine offenses and the cleanup of meth-
16 amphetamine-affected areas.”.

17 **SEC. 203. SPECIAL UNITED STATES ATTORNEYS’ PROGRAM.**

18 (a) IN GENERAL.—The Attorney General shall allo-
19 cate any amounts appropriated pursuant to the authoriza-
20 tion under subsection (c) for the hiring and training of
21 special assistant United States attorneys.

22 (b) USE OF FUNDS.—The funds allocated under sub-
23 section (a) shall be used to—

24 (1) train local prosecutors in techniques used to
25 prosecute methamphetamine cases, including the

1 presentation of evidence related to the manufacture
2 of methamphetamine;

3 (2) train local prosecutors in Federal and State
4 laws involving methamphetamine manufacture or
5 distribution;

6 (3) cross-designate local prosecutors as special
7 assistant United States attorneys; and

8 (4) hire additional local prosecutors who—

9 (A) with the approval of the United States
10 attorney, shall be cross-designated to prosecute
11 both Federal and State methamphetamine
12 cases; and

13 (B) shall be assigned a caseload, whether
14 in State court or Federal court, that gives the
15 highest priority to cases in which—

16 (i) charges related to methamphet-
17 amine manufacture or distribution are sub-
18 mitted by law enforcement for consider-
19 ation; and

20 (ii) the defendant has been previously
21 convicted of a crime related to meth-
22 amphetamine manufacture or distribution.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated \$5,000,000 for each of

1 the fiscal years 2006 and 2007 to carry out the provisions
2 of this section.

3 **TITLE III—GRANT PROGRAMS**
4 **Subtitle A—Public Health Service**
5 **Act**

6 **SEC. 301. GRANTS FOR SERVICES FOR CHILDREN OF SUB-**
7 **STANCE ABUSERS.**

8 Section 519 of the Public Health Service Act (42
9 U.S.C. 290bb–25) is amended—

10 (1) in subsection (b), by inserting after para-
11 graph (8) the following:

12 “(9) Development of drug endangered children
13 rapid response teams that will intervene on behalf of
14 children exposed to methamphetamine as a result of
15 residing or being present in a home-based clandes-
16 tine drug laboratory.”; and

17 (2) in subsection (o)—

18 (A) by striking “For the purpose” and in-
19 serting the following:

20 “(1) IN GENERAL.—For the purpose”; and

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

22 “(2) DRUG ENDANGERED CHILDREN RAPID RE-
23 SPONSE TEAMS.—There are authorized to be appro-
24 priated \$2,500,000 for each of the fiscal years 2006

1 and 2007 to carry out the provisions of subsection
2 (b)(9).”.

3 **SEC. 302. LOCAL GRANTS FOR TREATMENT OF METH-**
4 **AMPHETAMINE ABUSE AND RELATED CONDI-**
5 **TIONS.**

6 Subpart 1 of part B of title V of the Public Health
7 Service Act (42 U.S.C. 290bb et seq.) is amended—

8 (1) by redesignating the section 514 that re-
9 lates to methamphetamine and appears after section
10 514A as section 514B;

11 (2) in section 514B, as redesignated—

12 (A) by amending subsection (a)(1) to read
13 as follows:

14 “(1) GRANTS AUTHORIZED.—The Secretary
15 may award grants to States, political subdivisions of
16 States, American Indian Tribes, and private, non-
17 profit entities to provide treatment for methamphet-
18 amine abuse.”;

19 (B) by amending subsection (b) to read as
20 follows:

21 “(b) PRIORITY FOR RURAL AREAS.—In awarding
22 grants under subsection (a), the Secretary shall give pri-
23 ority to entities that will serve rural areas experiencing
24 an increase in methamphetamine abuse.”; and

1 (C) in subsection (d)(1), by striking
2 “2000” and all that follows and inserting
3 “2005 and such sums as may be necessary for
4 each of fiscal years 2006 through 2009”; and
5 (3) by inserting after section 514B, as redesign-
6 nated, the following:

7 **“SEC. 514C. METHAMPHETAMINE RESEARCH, TRAINING,**
8 **AND TECHNICAL ASSISTANCE CENTER.**

9 “(a) PROGRAM AUTHORIZED.—The Secretary, acting
10 through the Administrator, and in consultation with the
11 Director of the National Institutes of Health, shall award
12 grants to, or enter into contracts with, public or private,
13 nonprofit entities to establish a research, training, and
14 technical assistance center to carry out the activities de-
15 scribed in subsection (d).

16 “(b) APPLICATION.—A public or private, nonprofit
17 entity seeking a grant or contract under subsection (a)
18 shall submit an application to the Secretary at such time,
19 in such manner, and containing such information as the
20 Secretary may require.

21 “(c) CONDITION.—In awarding grants or entering
22 into contracts under subsection (a), the Secretary shall en-
23 sure that not less than 1 of the centers will focus on meth-
24 amphetamine abuse in rural areas.

1 “(d) AUTHORIZED ACTIVITIES.—Each center estab-
2 lished under this section shall—

3 “(1) engage in research and evaluation of the
4 effectiveness of treatment modalities for the treat-
5 ment of methamphetamine abuse;

6 “(2) disseminate information to public and pri-
7 vate entities on effective treatments for methamphet-
8 amine abuse;

9 “(3) provide direct technical assistance to
10 States, political subdivisions of States, and private
11 entities on how to improve the treatment of meth-
12 amphetamine abuse; and

13 “(4) provide training on the effects of meth-
14 amphetamine use and on effective ways of treating
15 methamphetamine abuse to substance abuse treat-
16 ment professionals and community leaders.

17 “(e) REPORTS.—Each grantee or contractor under
18 this section shall annually submit a report to the Adminis-
19 trator that contains—

20 “(1) a description of the previous year’s activi-
21 ties of the center established under this section;

22 “(2) effective treatment modalities undertaken
23 by the center; and

24 “(3) evidence to demonstrate that such treat-
25 ment modalities were successful.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$3,000,000 for fiscal year 2006 and such sums as may
4 be necessary for each of fiscal years 2007 and 2008.”.

5 **Subtitle B—Bureau of Justice**

6 **SEC. 303. METHAMPHETAMINE PRECURSOR MONITORING** 7 **GRANTS.**

8 (a) GRANTS AUTHORIZED.—The Attorney General,
9 acting through the Bureau of Justice Assistance, may
10 award grants to States to establish methamphetamine pre-
11 cursor monitoring programs.

12 (b) PURPOSE.—The purpose of the grant program es-
13 tablished under this section is to—

14 (1) prevent the sale of methamphetamine pre-
15 cursors, such as pseudoephedrine, to individuals in
16 quantities so large that the only reasonable purpose
17 of the purchase would be to manufacture meth-
18 amphetamine;

19 (2) educate businesses that legally sell meth-
20 amphetamine precursors of the need to balance the
21 legitimate need for lawful access to medication with
22 the risk that those substances may be used to manu-
23 facture methamphetamine; and

24 (3) recalibrate existing prescription drug moni-
25 toring programs designed to track the sale of con-

1 trolled substances to also track the sale of
2 pseudoephedrine in any amount greater than 6
3 grams.

4 (c) USE OF GRANT FUNDS.—Grant funds awarded
5 to States under this section may be used to—

6 (1) implement a methamphetamine precursor
7 monitoring program, including hiring personnel and
8 purchasing computer hardware and software de-
9 signed to monitor methamphetamine precursor pur-
10 chases;

11 (2) expand existing methamphetamine pre-
12 cursor or prescription drug monitoring programs to
13 accomplish the purposes described in subsection (b);

14 (3) pay for training and technical assistance for
15 law enforcement personnel and employees of busi-
16 nesses that lawfully sell substances, which may be
17 used as methamphetamine precursors;

18 (4) improve information sharing between adja-
19 cent States through enhanced connectivity; or

20 (5) make grants to subdivisions of the State to
21 implement methamphetamine precursor monitoring
22 programs.

23 (d) APPLICATION.—Any State seeking a grant under
24 this section shall submit an application to the Attorney

1 General at such time, in such manner, and containing
2 such information as the Attorney General may require.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated \$5,000,000 for each of
5 the fiscal years 2006 and 2007 to carry out the provisions
6 of this section.

