

HR 2086

Office of National Drug Control Policy Reauthorization Act of 2003

**Congress:** 108 (2003–2005, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** May 14, 2003

**Current Status:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Oct 1, 2003)

**Official Text:** <https://www.congress.gov/bill/108th-congress/house-bill/2086>

Sponsor

**Name:** Rep. Souder, Mark E. [R-IN-3]

**Party:** Republican • **State:** IN • **Chamber:** House

Cosponsors (1 total)

| Cosponsor                 | Party / State | Role | Date Joined  |
|---------------------------|---------------|------|--------------|
| Rep. Davis, Tom [R-VA-11] | R · VA        |      | May 14, 2003 |

Committee Activity

| Committee                                 | Chamber | Activity        | Date         |
|-------------------------------------------|---------|-----------------|--------------|
| Energy and Commerce Committee             | House   | Referred to     | May 20, 2003 |
| Intelligence (Permanent Select) Committee | House   | Discharged From | Jul 15, 2003 |
| Judiciary Committee                       | House   | Discharged from | Jul 3, 2003  |
| Judiciary Committee                       | Senate  | Referred To     | Oct 1, 2003  |
| Oversight and Government Reform Committee | House   | Reported by     | May 15, 2003 |

Subjects & Policy Tags

**Policy Area:**

Crime and Law Enforcement

Related Bills

No related bills are listed.

Office of National Drug Control Policy Reauthorization Act of 2003 - Amends the Office of National Drug Control Policy Reauthorization Act of 1998 to reauthorize the Office of National Drug Control Policy through FY 2008.

(Sec. 2) Modifies the definition of: (1) "demand reduction" to include interventions for drug abuse and dependence, and international drug control coordination and cooperation with respect to drug demand reduction activities; (2) "State and local affairs" to include, and "supply reduction" to exclude, domestic drug law enforcement; and (3) "international drug control" (under the definition of "supply reduction") to include source country programs and law enforcement outside the United States.

(Sec. 3) Requires the Office Director, in the absence of the Deputy Director or if that office is vacant, to designate such other officer or employee (currently, permanent employee) of the Office of National Drug Control Policy to serve as the acting Director if the Director is absent or unable to serve.

Prohibits the Director from confirming the adequacy of any budget request for funding for: (1) Federal law enforcement activities that do not adequately compensate for transfers of drug enforcement resources and personnel to law enforcement and investigation activities unrelated to drug enforcement; (2) law enforcement activities on the borders of the United States that do not adequately direct resources to drug interdiction and enforcement; (3) drug treatment activities that do not provide adequate result and accountability measures; (4) any activities of the Safe and Drug Free Schools Program that do not include a clear anti-drug message or purpose intended to reduce drug use; (5) enforcement of provisions of the Higher Education Act of 1965 with respect to convictions for drug-related offenses not occurring during a period of enrollment for which the student was receiving any Federal grant, loan, or work assistance; (6) drug treatment activities that do not adequately support and enhance Federal drug treatment programs and capacity; or (7) FY 2005 for activities of the Department of Education unless accompanied by a report setting forth a plan for providing expedited consideration of student loan applications for all individuals who submitted an application for any Federal grant, loan, or work assistance that was rejected or denied by reason of a conviction for a drug-related offense not occurring during a period of enrollment for which the individual was receiving any Federal grant, loan, or work assistance.

Provides that no National Drug Control Program agency shall submit to Congress a reprogramming or transfer request with respect to any amount of appropriated funds in an amount exceeding \$1 million (currently, \$5 million) that is included in the National Drug Control Program budget unless approved by the Director.

Requires the Director, by August 1 of each year, to submit to the President a report (with copies to the Secretary of State and the authorizing congressional committees for the Office) that provides the Director's assessment of: (1) which countries are major drug transit countries or major illicit drug producing countries; (2) whether each country so identified has cooperated fully with the United States or has taken adequate steps on its own to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and otherwise has assisted in reducing the supply of illicit drugs to the United States; and (3) whether application of specified procedures is warranted with respect to countries the Director assesses have not cooperated fully.

Establishes within the Office a U.S. Interdiction Coordinator.

Requires the Director to submit to Congress a comprehensive strategy that addresses the increased threat from South American, especially Colombian, heroin. Requires the strategy to include: (1) opium eradication efforts to eliminate the

problem at the source to prevent it from reoccurring before the heroin enters the stream of commerce; (2) interdiction and precursor chemical controls; (3) demand reduction and treatment; (4) provisions that ensure the maintenance at current levels of efforts to eradicate coca in Colombia; and (5) assessment of the level of additional funding and resources necessary to simultaneously address the threat from South American heroin and the threat from Colombian coca.

(Sec. 4) Directs the Secretaries of Agriculture, the Interior, Homeland Security, and Defense and the Attorney General to annually submit specified information regarding illegal drug cultivation and manufacturing on Federal lands, drug arrests and prosecutions, and drug seizures and patrol hours, respectively (current law directs the Secretary of Agriculture to annually assess the acreage of illegal drug cultivation).

(Sec. 5) Modifies provisions regarding the National Drug Control Strategy to require the President to submit the Strategy on an annual basis, including a comprehensive plan covering the conduct of law enforcement activities with respect to illegal drugs. Requires the Director to ensure the inclusion of data and information that will permit: (1) analysis of current trends against previously compiled data and information where the Director believes such analysis enhances long-term assessment of the Strategy; and (2) a standardized and uniform assessment of the effectiveness of drug treatment programs in the United States.

Authorizes the President to submit to Congress a revised Strategy at any time, upon determining that the Strategy in effect is not sufficiently effective, or if a new President or Director takes office. Requires the Director to annually submit to Congress a description of the national drug control performance measurement system that includes performance measures for the Strategy and related activities of Program agencies.

(Sec. 6) Sets forth as purposes of the High Intensity Drug Trafficking Areas (HIDTAs) Program: (1) to reduce drug availability and facilitate cooperative efforts between law enforcement agencies in areas with significant drug trafficking problems that harmfully impact other parts of the Nation; and (2) to provide assistance to agencies to come together to assess regional threats, design coordinated strategies, share intelligence, and develop and implement coordinated initiatives.

Requires the Director, in obligating sums appropriated for the Program, to expend no less than 30 percent of the amounts appropriated in the seven HIDTAs, and 25 percent of the amounts appropriated in nine other HIDTAs, (excluding the Southwest Border HIDTA) for which the Director determines that Program activities with respect to such areas will have the greatest impact on reducing overall drug traffic in the United States. Requires the Director to expend no less than 20 percent of amounts appropriated in the Southwest Border HIDTA. Authorizes the executive committee of the Southwest Border HIDTA to reallocate up to five percent of the total funds allocated to that area among its components, with the Director's approval. Directs the Director to expend no less than ten percent of amounts appropriated in the remaining HIDTAs.

Authorizes the Director to expend 15 percent of amounts appropriated on a discretionary basis, upon considering the impact of activities funded on reducing overall drug traffic in the United States, performance measures of effectiveness, and other appropriate criteria.

Authorizes the Director to use resources available for the Program to assist Federal, State, and local law enforcement agencies in investigations and activities related to terrorism, especially but not exclusively where such investigations are related to drug trafficking.

Requires the Director to review each of the currently designated HIDTAs to determine whether such designation is warranted and terminate such such designation where it is not.

(Sec. 7) Dawson Family Community Protection Act - Requires the Director to ensure that at least \$1 million of amounts appropriated for a fiscal year for the Program is used in high intensity drug trafficking areas with severe neighborhood safety and illegal drug distribution problems to: (1) ensure the safety of neighborhoods and the protection of communities, including the prevention of the intimidation of potential witnesses of illegal drug distribution and related activities; and (2) combat illegal drug trafficking through such methods as the Director deems appropriate, such as operating a toll-free telephone hotline for use by the public to provide information about illegal drug-related activities.

(Sec. 8) Requires the Counter-Drug Technology Assessment Center to be headed by the Chief Scientist (currently, by the Director of Technology). Requires the Director: (1) acting through the Chief Scientist, to identify and define the scientific and technological needs of law enforcement agencies relating to drug enforcement, including overseeing and coordinating a program for the transfer of technology to State and local law enforcement agencies; and (2) to give priority in transferring technologies most likely to assist in drug interdiction and border enforcement to State, local, and tribal law enforcement agencies in southwest border areas and northern border areas with significant traffic in illicit drugs. Requires the Secretary of Homeland Security (currently, the Secretary of Defense) and the Secretary of Health and Human Services to render assistance and support to the Office and to the Director in the conduct of counter-drug technology assessment.

(Sec. 9) Repeals provisions of the Act establishing the President's Council on Counter-Narcotics and requiring certain drug interdiction reports and provisions under the Asset Forfeiture Amendments Act of 1988 regarding the establishment of the Special Forfeiture Fund.

(Sec. 10) Requires the Director to conduct a national media campaign for the purpose of reducing and preventing illicit drug use among young people in the United States, through mass media advertising. Requires the Director to: (1) test all advertisements prior to use in the campaign to ensure that the advertisements are effective and meet industry-accepted standards; (2) designate an independent entity to evaluate annually the effectiveness of the campaign; (3) devote sufficient funds to the advertising portion of the campaign to meet its goals; and (4) ensure that at least 70 percent of no-cost match advertising provided directly relates to substance abuse prevention consistent with the specific purposes of the media campaign, with an exception, and that no-cost match advertising, that does not directly relate to substance abuse prevention, includes a clear anti-drug message.

Designates The Partnership for a Drug Free America as the primary outside strategic advisor to the media campaign and the entity responsible for coordinating donations of creative and other services to the campaign, with an exception. Requires the Director to submit an annual report to Congress that describes: (1) the strategy of the campaign and whether specific campaign objectives were accomplished; (2) steps taken to ensure that the campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the campaign; (3) plans to purchase advertising time and space; (4) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse; and (5) all contracts entered into with a corporation, partnership, or individual working on behalf of the campaign.

Requires the Director to use amounts available under this Act for media that focuses, or includes specific information, on prevention or treatment resources for consumers within specific local areas.

Authorizes the Director, in conducting advertising and other authorized activities, to emphasize prevention of youth marijuana use. Repeals the Drug-Free Media Campaign Act of 1998.

## Actions Timeline

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- **Oct 1, 2003:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Sep 30, 2003:** Mr. Souder moved to suspend the rules and pass the bill, as amended.
- **Sep 30, 2003:** Considered under suspension of the rules. (consideration: CR H8962-8972)
- **Sep 30, 2003:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2086.
- **Sep 30, 2003:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H8962-8966)
- **Sep 30, 2003:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H8962-8966)
- **Sep 30, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 14, 2003:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-167, Part II.
- **Jul 14, 2003:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-167, Part II.
- **Jul 14, 2003:** Committee on Energy and Commerce discharged.
- **Jul 14, 2003:** Committee on Energy and Commerce discharged.
- **Jul 14, 2003:** Committee on Intelligence (Permanent) discharged.
- **Jul 14, 2003:** Committee on Intelligence (Permanent) discharged.
- **Jul 14, 2003:** Placed on the Union Calendar, Calendar No. 114.
- **Jul 9, 2003:** Committee Consideration and Mark-up Session Held.
- **Jul 9, 2003:** Ordered to be Reported (Amended) by Voice Vote.
- **Jul 3, 2003:** Subcommittee on Crime, Terrorism, and Homeland Security Discharged.
- **Jun 19, 2003:** Reported (Amended) by the Committee on Government Reform. H. Rept. 108-167, Part I.
- **Jun 19, 2003:** Reported (Amended) by the Committee on Government Reform. H. Rept. 108-167, Part I.
- **Jun 19, 2003:** House Committee on Judiciary Granted an extension for further consideration ending not later than July 14, 2003.
- **Jun 19, 2003:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than July 14, 2003.
- **Jun 19, 2003:** House Committee on Intelligence (Permanent) Granted an extension for further consideration ending not later than July 14, 2003.
- **Jun 9, 2003:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Jun 5, 2003:** Committee Consideration and Mark-up Session Held.
- **Jun 5, 2003:** Ordered to be Reported (Amended) by Voice Vote.
- **May 20, 2003:** Referred to the Subcommittee on Health.
- **May 15, 2003:** Referred to the Subcommittee on Criminal Justice, Drug Policy and Human Resources.
- **May 15, 2003:** Subcommittee Consideration and Mark-up Session Held.
- **May 15, 2003:** Forwarded by Subcommittee to Full Committee by Voice Vote.
- **May 14, 2003:** Introduced in House
- **May 14, 2003:** Introduced in House
- **May 14, 2003:** Referred to the Committee on Government Reform, and in addition to the Committees on the Judiciary, Energy and Commerce, and Intelligence (Permanent Select), 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.
- **May 14, 2003:** Referred to the Committee on Government Reform, and in addition to the Committees on the Judiciary, Energy and Commerce, and Intelligence (Permanent Select), 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.
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