

S 103

Combat Meth Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jan 24, 2005

Current Status: Sponsor introductory remarks on measure. (CR S9972)

Latest Action: Sponsor introductory remarks on measure. (CR S9972) (Sep 13, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/103>

Sponsor

Name: Sen. Talent, Jim [R-MO]

Party: Republican • **State:** MO • **Chamber:** Senate

Cosponsors (49 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bayh, Evan [D-IN]	D · IN		Jan 24, 2005
Sen. Coleman, Norm [R-MN]	R · MN		Jan 24, 2005
Sen. Dayton, Mark [D-MN]	D · MN		Jan 24, 2005
Sen. Feinstein, Dianne [D-CA]	D · CA		Jan 24, 2005
Sen. Grassley, Chuck [R-IA]	R · IA		Jan 24, 2005
Sen. Hagel, Chuck [R-NE]	R · NE		Jan 24, 2005
Sen. Harkin, Tom [D-IA]	D · IA		Jan 24, 2005
Sen. Nelson, Ben [D-NE]	D · NE		Jan 24, 2005
Sen. Salazar, Ken [D-CO]	D · CO		Jan 24, 2005
Sen. Smith, Gordon H. [R-OR]	R · OR		Jan 24, 2005
Sen. Wyden, Ron [D-OR]	D · OR		Jan 24, 2005
Sen. Cantwell, Maria [D-WA]	D · WA		Jan 25, 2005
Sen. Pryor, Mark L. [D-AR]	D · AR		Jan 25, 2005
Sen. Chambliss, Saxby [R-GA]	R · GA		Jan 26, 2005
Sen. Dole, Elizabeth [R-NC]	R · NC		Jan 26, 2005
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Jan 26, 2005
Sen. Lott, Trent [R-MS]	R · MS		Jan 26, 2005
Sen. Bingaman, Jeff [D-NM]	D · NM		Jan 31, 2005
Sen. Domenici, Pete V. [R-NM]	R · NM		Feb 1, 2005
Sen. Nelson, Bill [D-FL]	D · FL		Feb 7, 2005
Sen. Kohl, Herb [D-WI]	D · WI		Feb 9, 2005
Sen. Murkowski, Lisa [R-AK]	R · AK		Feb 28, 2005
Sen. Baucus, Max [D-MT]	D · MT		Apr 11, 2005
Sen. Byrd, Robert C. [D-WV]	D · WV		Apr 12, 2005
Sen. Johnson, Tim [D-SD]	D · SD		May 9, 2005
Sen. Rockefeller, John D., IV [D-WV]	D · WV		May 9, 2005
Sen. Boxer, Barbara [D-CA]	D · CA		May 11, 2005
Sen. Conrad, Kent [D-ND]	D · ND		May 12, 2005
Sen. Thune, John [R-SD]	R · SD		May 25, 2005
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		May 26, 2005
Sen. Schumer, Charles E. [D-NY]	D · NY		Jun 30, 2005
Sen. Stevens, Ted [R-AK]	R · AK		Jun 30, 2005
Sen. Inouye, Daniel K. [D-HI]	D · HI		Jul 11, 2005
Sen. Obama, Barack [D-IL]	D · IL		Jul 19, 2005
Sen. Coburn, Tom [R-OK]	R · OK		Jul 28, 2005
Sen. Durbin, Richard J. [D-IL]	D · IL		Jul 28, 2005
Sen. Inhofe, James M. [R-OK]	R · OK		Jul 29, 2005
Sen. Bond, Christopher S. [R-MO]	R · MO		Sep 6, 2005
Sen. Landrieu, Mary L. [D-LA]	D · LA		Sep 6, 2005
Sen. Dodd, Christopher J. [D-CT]	D · CT		Sep 7, 2005
Sen. Feingold, Russell D. [D-WI]	D · WI		Sep 7, 2005

Cosponsor	Party / State	Role	Date Joined
Sen. Kennedy, Edward M. [D-MA]	D · MA		Sep 7, 2005
Sen. Alexander, Lamar [R-TN]	R · TN		Nov 7, 2005
Sen. Frist, William H. [R-TN]	R · TN		Nov 7, 2005
Sen. Vitter, David [R-LA]	R · LA		Nov 7, 2005
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Nov 8, 2005
Sen. DeWine, Mike [R-OH]	R · OH		Nov 18, 2005
Sen. Ensign, John [R-NV]	R · NV		Dec 15, 2005
Sen. Burns, Conrad R. [R-MT]	R · MT		Mar 1, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Jul 28, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 HR 3199	Related bill	Mar 9, 2006: Became Public Law No: 109-177.
109 HR 314	Identical bill	Mar 2, 2005: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Combat Meth Act of 2005 - **Title I: Enforcement - Subtitle A: Amendments to Controlled Substances Act** - (Sec. 101) Amends the Controlled Substances Act (CSA) to add pseudoephedrine and ephedrine as schedule V substances.

Requires a distributor or pharmacy that sells such a pseudoephedrine substance to ensure that: (1) it is dispensed or sold at retail only by a practitioner, pharmacist, or individual under the pharmacist's supervision as permitted by the state; (2) any person purchasing, receiving, or otherwise acquiring it, prior to taking possession, provides an approved federal or state-issued photo identification (or alternative form of identification authorized by the Attorney General) and signs or makes an entry in a written or electronic log documenting the transaction date, the name of the person, and the name and amount of the substance acquired; and (3) no person acquires more than 7.5 grams of such substance within any 30-day period.

Authorizes the Attorney General to exempt a product: (1) upon determining that it cannot be used in the illegal manufacture of methamphetamine or any other controlled dangerous substance; or (2) upon the manufacturer's application if the Attorney General determines that it has been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine.

Allows the Attorney General to authorize the sale of such substance by persons other than a practitioner at a location other than a pharmacy if: (1) the Attorney General determines that the retail facility is located within a commercial service airport and sells the substance packaged in liquid and liquid filled gelcaps only, with each single sales package containing not more than 360 mg. per person in a 24-hour period; (2) the Attorney General has issued an alternate place of sale license to the retail location and has issued an alternate dispenser license to the person authorized to make the sale; (3) the person dispensing the substance follows procedures set forth in this Act; and (4) the authorized person dispensing the substance provides notification of the intention to dispense such substance pursuant to a special exception to each state and local law enforcement authority with jurisdiction to investigate crimes involving controlled substances at such location. Makes the limit inapplicable to any such substance dispensed under a valid prescription.

Sets forth requirements regarding rules for the logs, warnings of the potential consequences of false statements or misrepresentations, and alternate forms of identification to be used electronically. Provides immunity from liability for a retailer who in good faith releases information maintained for purposes of compliance with this Act to a law enforcement or regulatory authority, unless the release constitutes gross negligence or intentional, wanton, or willful misconduct.

Permits the Attorney General to register an applicant to dispense such a substance at a location other than a pharmacy, and to register an applicant other than a practitioner to dispense such a substance at such a location, upon determining it would be consistent with the public interest. Prohibits the Attorney General from registering an applicant who does not have a valid state license.

Requires persons registered with the Drug Enforcement Administration (DEA) to manufacture or distribute controlled substances to maintain adequate security and provide effective controls and procedures to guard against theft and diversion, but provides that such persons shall not otherwise be required to meet the storage, reporting, recordkeeping, or physical security control requirements for pseudoephedrine substances.

Provides that this Act shall not be construed to prohibit states and their political subdivisions from: (1) adopting and enforcing penalties that are different from those applicable under CSA; and (2) permitting the sale of specified pediatric pseudoephedrine products.

(Sec. 102) Requires persons registered with the DEA to manufacture, deliver, distribute, or dispense controlled substances to take reasonable steps to guard against hiring persons who may, as a result of their employment, have access to and become involved in the theft and diversion of controlled substances, including (notwithstanding state law) by asking applicants whether they have been convicted of any controlled substances crime.

Title II: Education, Prevention, and Treatment - (Sec. 201) Amends the Public Health Service Act to authorize: (1) grants for the development of drug endangered children rapid response teams that will intervene on behalf of children exposed to methamphetamine as a result of residing or being present in a home-based clandestine drug laboratory; (2) grants to states, political subdivisions, American Indian tribes, and private, nonprofit entities to provide treatment for methamphetamine abuse (with priority to entities that will serve rural or urban areas experiencing an increase in methamphetamine abuse in states with addiction rates in excess of the national rate); and (3) grants to, or contracts with, public or private nonprofit entities to establish a methamphetamine research, training, and technical assistance center (requires at least one center to focus on abuse in rural areas). Authorizes appropriations.

(Sec. 203) Authorizes the Attorney General, acting through the Bureau of Justice Assistance, to award grants to states to establish methamphetamine precursor monitoring programs. Authorizes appropriations.

(Sec. 204) Authorizes funds to provide training to state and local prosecutors and law enforcement agents for the investigation and prosecution of methamphetamine offenses, including a set-aside for prosecutors and agents for rural communities.

(Sec. 205) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to expand the public safety and community policing grant program to authorize the use of grant funds to hire personnel and equipment to assist in the enforcement and prosecution of methamphetamine offenses and in the cleanup of methamphetamine-affected areas.

(Sec. 206) Directs the Attorney General to allocate funds for hiring and training special assistant U.S. attorneys.

Actions Timeline

- **Sep 13, 2005:** Sponsor introductory remarks on measure. (CR S9972)
- **Jul 28, 2005:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 28, 2005:** Committee on the Judiciary. Reported by Senator Specter with an amendment in the nature of a substitute. Without written report.
- **Jul 28, 2005:** Committee on the Judiciary. Reported by Senator Specter with an amendment in the nature of a substitute. Without written report.
- **Jul 28, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 184.
- **Jan 24, 2005:** Introduced in Senate
- **Jan 24, 2005:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S262-263)