

approval of the head of the department or agency that employs such personnel;

(3) take any other action authorized under section 1703 of this title to provide increased Federal assistance to those areas;

(4) coordinate activities under this subsection (specifically administrative, record-keeping, and funds management activities) with State and local officials.

(c) Factors for consideration

In considering whether to designate an area under this section as a high intensity drug trafficking area, the Director shall consider, in addition to such other criteria as the Director considers to be appropriate, the extent to which—

(1) the area is a center of illegal drug production, manufacturing, importation, or distribution;

(2) State and local law enforcement agencies have committed resources to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem;

(3) drug-related activities in the area are having a harmful impact in other areas of the country; and

(4) a significant increase in allocation of Federal resources is necessary to respond adequately to drug-related activities in the area.

(d) Use of funds

The Director shall ensure that no Federal funds appropriated for the High Intensity Drug Trafficking Program are expended for the establishment or expansion of drug treatment programs.

(Pub. L. 105-277, div. C, title VII, §707, Oct. 21, 1998, 112 Stat. 2681-686.)

REPEAL OF SECTION

For repeal of section on Sept. 30, 2003, see section 1712 of this title.

COMBATING METHAMPHETAMINE AND AMPHETAMINE IN HIGH INTENSITY DRUG TRAFFICKING AREAS

Pub. L. 106-310, div. B, title XXXVI, §3624, Oct. 17, 2000, 114 Stat. 1232, provided that:

“(a) IN GENERAL.—

“(1) IN GENERAL.—The Director of National Drug Control Policy shall use amounts available under this section to combat the trafficking of methamphetamine and amphetamine in areas designated by the Director as high intensity drug trafficking areas.

“(2) ACTIVITIES.—In meeting the requirement in paragraph (1), the Director shall transfer funds to appropriate Federal, State, and local governmental agencies for employing additional Federal law enforcement personnel, or facilitating the employment of additional State and local law enforcement personnel, including agents, investigators, prosecutors, laboratory technicians, chemists, investigative assistants, and drug-prevention specialists.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

“(1) \$15,000,000 for fiscal year 2000; and

“(2) such sums as may be necessary for each of fiscal years 2001 through 2004.

“(c) APPORTIONMENT OF FUNDS.—

“(1) FACTORS IN APPORTIONMENT.—The Director shall apportion amounts appropriated for a fiscal year pursuant to the authorization of appropriations in subsection (b) for activities under subsection (a) among and within areas designated by the Director as high intensity drug trafficking areas based on the following factors:

“(A) The number of methamphetamine manufacturing facilities and amphetamine manufacturing facilities discovered by Federal, State, or local law enforcement officials in the previous fiscal year.

“(B) The number of methamphetamine prosecutions and amphetamine prosecutions in Federal, State, or local courts in the previous fiscal year.

“(C) The number of methamphetamine arrests and amphetamine arrests by Federal, State, or local law enforcement officials in the previous fiscal year.

“(D) The amounts of methamphetamine, amphetamine, or listed chemicals (as that term is defined in section 102(33) of the Controlled Substances Act (21 U.S.C. 802(33)) seized by Federal, State, or local law enforcement officials in the previous fiscal year.

“(E) Intelligence and predictive data from the Drug Enforcement Administration and the Department of Health and Human Services showing patterns and trends in abuse, trafficking, and transportation in methamphetamine, amphetamine, and listed chemicals (as that term is so defined).

“(2) CERTIFICATION.—Before the Director apportions any funds under this subsection to a high intensity drug trafficking area, the Director shall certify that the law enforcement entities responsible for clandestine methamphetamine and amphetamine laboratory seizures in that area are providing laboratory seizure data to the national clandestine laboratory database at the El Paso Intelligence Center.

“(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount appropriated in a fiscal year pursuant to the authorization of appropriations for that fiscal year in subsection (b) may be available in that fiscal year for administrative costs associated with activities under subsection (a).”

FUNDING FOR HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

Pub. L. 106-58, title III, Sept. 29, 1999, 113 Stat. 448, provided in part: “That, hereafter, of the amount appropriated for fiscal year 2000 or any succeeding fiscal year for the High Intensity Drug Trafficking Areas Program, the funds to be obligated or expended during such fiscal year for programs addressing the treatment or prevention of drug use as part of the approved strategy for a designated High Intensity Drug Trafficking Area (HIDTA) shall not be less than the funds obligated or expended for such programs during fiscal year 1999 for each designated HIDTA without the prior approval of the Committees on Appropriations”.

§ 1707. Counter-Drug Technology Assessment Center

(a) Establishment

There is established within the Office the Counter-Drug Technology Assessment Center (referred to in this section as the “Center”). The Center shall operate under the authority of the Director of National Drug Control Policy and shall serve as the central counter-drug technology research and development organization of the United States Government.

(b) Director of Technology

There shall be at the head of the Center the Director of Technology, who shall be appointed by the Director of National Drug Control Policy from among individuals qualified and distinguished in the area of science, medicine, engineering, or technology.

(c) Additional responsibilities of the Director of National Drug Control Policy

(1) In general

The Director, acting through the Director of Technology shall—

(A) identify and define the short-, medium-, and long-term scientific and technological needs of Federal, State, and local drug supply reduction agencies, including—

- (i) advanced surveillance, tracking, and radar imaging;
- (ii) electronic support measures;
- (iii) communications;
- (iv) data fusion, advanced computer systems, and artificial intelligence; and
- (v) chemical, biological, radiological (including neutron, electron, and graviton), and other means of detection;

(B) identify demand reduction basic and applied research needs and initiatives, in consultation with affected National Drug Control Program agencies, including—

- (i) improving treatment through neuroscientific advances;
- (ii) improving the transfer of biomedical research to the clinical setting; and
- (iii) in consultation with the National Institute on Drug Abuse, and through interagency agreements or grants, examining addiction and rehabilitation research and the application of technology to expanding the effectiveness or availability of drug treatment;

(C) make a priority ranking of such needs identified in subparagraphs (A) and (B) according to fiscal and technological feasibility, as part of a National Counter-Drug Enforcement Research and Development Program;

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

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

(F) pursuant to the authority of the Director of National Drug Control Policy under section 1703 of this title, submit requests to Congress for the reprogramming or transfer of funds appropriated for counter-drug technology research and development.

(2) Limitation on authority

The authority granted to the Director under this subsection shall not extend to the award of contracts, management of individual projects, or other operational activities.

(d) Assistance and support to Office of National Drug Control Policy

The Secretary of Defense and the Secretary of Health and Human Services shall, to the maximum extent practicable, render assistance and support to the Office and to the Director in the conduct of counter-drug technology assessment.

(Pub. L. 105-277, div. C, title VII, § 708, Oct. 21, 1998, 112 Stat. 2681-687.)

REPEAL OF SECTION

For repeal of section on Sept. 30, 2003, see section 1712 of this title.

§ 1708. President's Council on Counter-Narcotics

(a) Establishment

There is established a council to be known as the President's Council on Counter-Narcotics (referred to in this section as the "Council").

(b) Membership

(1) In general

Subject to paragraph (2), the Council shall be composed of 18 members, of whom—

- (A) 1 shall be the President, who shall serve as Chairman of the Council;
- (B) 1 shall be the Vice President;
- (C) 1 shall be the Secretary of State;
- (D) 1 shall be the Secretary of the Treasury;
- (E) 1 shall be the Secretary of Defense;
- (F) 1 shall be the Attorney General;
- (G) 1 shall be the Secretary of Transportation;
- (H) 1 shall be the Secretary of Health and Human Services;
- (I) 1 shall be the Secretary of Education;
- (J) 1 shall be the Representative of the United States of America to the United Nations;
- (K) 1 shall be the Director of the Office of Management and Budget;
- (L) 1 shall be the Chief of Staff to the President;
- (M) 1 shall be the Director of the Office, who shall serve as the Executive Director of the Council;
- (N) 1 shall be the Director of Central Intelligence;
- (O) 1 shall be the Assistant to the President for National Security Affairs;
- (P) 1 shall be the Counsel to the President;
- (Q) 1 shall be the Chairman of the Joint Chiefs of Staff; and
- (R) 1 shall be the National Security Adviser to the Vice President.

(2) Additional members

The President may, in the discretion of the President, appoint additional members to the Council.

(c) Functions

The Council shall advise and assist the President in—

- (1) providing direction and oversight for the national drug control strategy, including relating drug control policy to other national security interests and establishing priorities; and
- (2) ensuring coordination among departments and agencies of the Federal Government concerning implementation of the National Drug Control Strategy.

(d) Administration

(1) In general

The Council may utilize established or ad hoc committees, task forces, or interagency groups chaired by the Director (or a representative of the Director) in carrying out the functions of the Council under this section.

(2) Staff

The staff of the Office, in coordination with the staffs of the Vice President and the Assist-