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107TH CONGRESS
1ST SESSION

S. 304

To reduce illegal drug use and trafficking and to help provide appropriate drug education, prevention, and treatment programs.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2001

Mr. HATCH (for himself, Mr. LEAHY, Mr. BIDEN, Mr. DEWINE, Mr. THURMOND, Mrs. FEINSTEIN, and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

NOVEMBER 29, 2001

Reported by Mr. LEAHY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To reduce illegal drug use and trafficking and to help provide appropriate drug education, prevention, and treatment programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

~~**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**~~

~~(a) SHORT TITLE.—This Act may be cited as the "Drug Abuse Education, Prevention, and Treatment Act of 2001".~~

1 ~~(b) TABLE OF CONTENTS.—The table of contents for~~

2 ~~this Act is as follows:~~

~~Sec. 1. Short title; table of contents.~~

~~TITLE I—DRUG OFFENSES INVOLVING JUVENILES~~

~~Sec. 101. Increased penalties for using minors to traffic drugs across the border.~~
~~Sec. 102. Drug offenses committed in the presence of children.~~
~~Sec. 103. Increased penalties for using minors to distribute drugs.~~
~~Sec. 104. Increased penalties for distributing drugs to minors.~~
~~Sec. 105. Increased penalty for drug trafficking in or near a school or other protected location.~~
~~Sec. 106. Increased penalties for using Federal property to grow or manufacture controlled substances.~~
~~Sec. 107. Consistency in application of increased penalties.~~
~~Sec. 108. Clarification of length of supervised release terms in controlled substance cases.~~
~~Sec. 109 Supervised release period after conviction for continuing criminal enterprise.~~

~~TITLE II—DRUG-FREE PRISONS AND JAILS~~

~~Sec. 201. Drug-free prisons and jails incentive grants.~~
~~Sec. 202. Jail-based substance abuse treatment programs.~~
~~Sec. 203. Mandatory revocation of probation and supervised release for failing a drug test.~~
~~Sec. 204. Increased penalties for providing an inmate with a controlled substance.~~

~~TITLE III—TREATMENT AND PREVENTION~~

~~Sec. 301. Drug treatment alternative to prison programs administered by State or local prosecutors.~~
~~Sec. 302. Juvenile substance abuse courts.~~
~~Sec. 303. Expansion of substance abuse education and prevention efforts.~~
~~Sec. 304. Funding for rural State and economically depressed communities.~~
~~Sec. 305. Funding for residential treatment centers for women and children.~~
~~Sec. 306. Drug treatment for juveniles.~~
~~Sec. 307. Coordinated juvenile services grants.~~
~~Sec. 308. Expansion of research.~~
~~Sec. 309. Comprehensive study by National Academy of Sciences.~~
~~Sec. 310. Report on drug-testing technologies.~~
~~Sec. 311. Use of National Institutes of Health substance abuse research.~~

~~TITLE IV—SCHOOL SAFETY AND CHARACTER EDUCATION~~

~~Subtitle A—School Safety~~

~~Sec. 401. Alternative education.~~
~~Sec. 402. Transfer of school disciplinary records.~~

~~Subtitle B—Character Education~~

~~CHAPTER 1—NATIONAL CHARACTER ACHIEVEMENT AWARD~~

~~Sec. 411. National Character Achievement Award.~~

~~CHAPTER 2—PREVENTING JUVENILE DELINQUENCY THROUGH CHARACTER EDUCATION~~

~~Sec. 421. Purpose.~~
~~Sec. 422. Authorization of appropriations.~~
~~Sec. 423. After school programs.~~
~~Sec. 424. General provisions.~~

~~CHAPTER 3—COUNSELING, TRAINING, AND MENTORING CHILDREN OF PRISONERS~~

~~Sec. 431. Purpose.~~
~~Sec. 432. Authorization of appropriations.~~
~~Sec. 433. Counseling, training, and mentoring programs.~~
~~Sec. 434. General provisions.~~

~~TITLE V—REESTABLISHMENT OF DRUG COURTS~~

~~Sec. 501. Reestablishment of drug courts.~~
~~Sec. 502. Authorization of appropriations.~~

~~TITLE VI—PROGRAM FOR SUCCESSFUL REENTRY OF CRIMINAL OFFENDERS INTO LOCAL COMMUNITIES~~

~~Sec. 601. Short title.~~
~~Sec. 602. Purposes.~~

~~Subtitle A—Federal Reentry Demonstration Projects~~

~~Sec. 611. Federal reentry center demonstration.~~
~~Sec. 612. Federal high-risk offender reentry demonstration.~~
~~Sec. 613. District of Columbia Intensive Supervision, Tracking, and Reentry Training (DC iSTART) Demonstration.~~
~~Sec. 614. Federal Intensive Supervision, Tracking, and Reentry Training (FED iSTART) Demonstration.~~
~~Sec. 615. Federal Enhanced In-Prison Vocational Assessment and Training and Demonstration.~~
~~Sec. 616. Research and reports to Congress.~~
~~Sec. 617. Definitions.~~
~~Sec. 618. Authorization of appropriations.~~

~~Subtitle B—State Reentry Grant Programs~~

~~Sec. 621. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.~~

~~TITLE VII—ASSISTANCE BY RELIGIOUS ORGANIZATIONS UNDER GOVERNMENT PROGRAMS FUNDED UNDER THIS ACT~~

~~Sec. 701. Assistance by religious organizations under government programs funded under this Act.~~

~~TITLE I—DRUG OFFENSES INVOLVING JUVENILES~~

~~SEC. 101. INCREASED PENALTIES FOR USING MINORS TO TRAFFIC DRUGS ACROSS THE BORDER.~~

~~(a) FEDERAL SENTENCING GUIDELINES.—~~

~~(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and amend, if appropriate, the Federal sentencing guidelines and its policy statements in accordance with paragraph (2) with respect to any offense relating to the use of a minor in the trafficking of a controlled substance into or outside of the United States in violation of—~~

~~(A) the Controlled Substances Act (21 U.S.C. 801 et seq.);~~

~~(B) the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.); or~~

~~(C) the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.).~~

~~(2) REQUIREMENTS.—In carrying out this paragraph, the United States Sentencing Commission shall consider whether the base offense level for any offense described in paragraph (1) should be increased to not less than level 20.~~

~~(3) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate amendments pursuant to this subsection as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.~~

~~(b) EFFECTIVE DATE.—The amendments made pursuant to this section shall apply with respect to any offense occurring on or after the date that is 60 days after the date of enactment of this Act.~~

~~SEC. 102. DRUG OFFENSES COMMITTED IN THE PRESENCE OF CHILDREN.~~

~~(a) IN GENERAL.—For the purposes of this section, an offense is committed in the presence of a child if—~~

~~(1) it takes place in the line of sight of an individual who has not attained the age of 16 years; or~~

~~(2) an individual who has not attained the age of 16 years habitually resides in the place where the violation occurs and is present at the place at the time the offense is committed.~~

~~(b) GUIDELINES.—Not later than 120 days after the date of enactment of this Act, the United States Sentencing Commission shall review and amend, if appro-~~

~~priate, the Federal sentencing guidelines and its policy statements to provide, with respect to an offense under part D of the Controlled Substances Act that is committed in the presence of a child—~~

~~(1) a sentencing enhancement of not less than 2 offense levels above the base offense level for the underlying offense or 1 additional year, whichever is greater; and~~

~~(2) in the case of a second or subsequent such offense, a sentencing enhancement of not less than 4 offense levels above the base offense level for the underlying offense, or 2 additional years, whichever is greater.~~

~~SEC. 103. INCREASED PENALTIES FOR USING MINORS TO DISTRIBUTE DRUGS.~~

~~Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and amend, if appropriate, the Federal sentencing guidelines and its policy statements to provide an appropriate sentencing enhancement for any offense under section 420(b) and (c) of the Controlled Substances Act (21 U.S.C. 861(b) and (c)).~~

~~SEC. 104. INCREASED PENALTIES FOR DISTRIBUTING DRUGS TO MINORS.~~

~~(a) SENTENCING ENHANCEMENT.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and amend, if appropriate, the Federal sentencing guidelines and its policy statements to provide an appropriate sentencing enhancement for any offense under section 418 (a) and (b) of the Controlled Substances Act (21 U.S.C. 859(a) and (b)).~~

~~(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission shall consider the relationship between the distribution of drugs to minors and the use of minors for other criminal activity, including but not limited to the movement of minors across State lines to engage in prostitution. In addition to its consideration of raising the base offense level for distributing drugs to minors, the Sentencing Commission shall also review and, if appropriate, amend its guidelines and policy statements with a specific sentencing enhancement for distributing drugs to minors in order to lure a minor into or keep a minor engaged in criminal activity, including but not limited to the movement of minors across State lines to engage in prostitution.~~

~~SEC. 105. INCREASED PENALTY FOR DRUG TRAFFICKING IN OR NEAR A SCHOOL OR OTHER PROTECTED LOCATION.~~

~~Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and amend, if appropriate, the Federal sentencing guidelines and its policy statements to provide an appropriate sentencing enhancement for any offense under section 419 (a) and (b) of the Controlled Substances Act (21 U.S.C. 860(a) and (b)).~~

~~SEC. 106. INCREASED PENALTIES FOR USING FEDERAL PROPERTY TO GROW OR MANUFACTURE CONTROLLED SUBSTANCES.~~

~~Section 401(b)(5) of the Controlled Substances Act (21 U.S.C. 841(b)(5)) is amended to read as follows:~~

~~"(5) Any person who violates subsection (a) of this section by cultivating or manufacturing a controlled substance on any property in whole or in part owned by or leased to the United States or any department or agency thereof shall be subject to twice the maximum punishment otherwise authorized for the offense."~~.

~~SEC. 107. CONSISTENCY IN APPLICATION OF INCREASED PENALTIES.~~

~~(a) IN GENERAL.—In carrying out sections 101 through 106, the United States Sentencing Commission shall—~~

~~(1) ensure that there is reasonable consistency with other relevant directives and Federal sentencing guidelines;~~

~~(2) avoid duplicative punishment for substantially the same offense;~~

~~(3) ensure that the sentencing guidelines and policy statements reflect the serious effects of illegal drug manufacturing, possession, and trafficking on minors and the need for aggressive and appropriate law enforcement action to prevent such illegal drug crimes;~~

~~(4) consult with law enforcement officials, including those specializing in illegal drug enforcement, and the Federal judiciary as part of the review, in paragraph (1);~~

~~(5) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(c)(2) of title 18, United States Code; and~~

~~(6) account for any aggravating or mitigating circumstances that might justify exceptions, includ-~~

~~ing circumstances for which the sentencing guidelines currently provide sentencing enhancements.~~

~~(b) REPORT.—Not later than June 1, 2001, the United States Sentencing Commission shall submit a report to Congress detailing the results of its review and explaining the changes to sentencing policy made in response to sections 101 through 106 and this section. The report shall also include any recommendations that the Commission may have for retention or modification of current penalty levels, including statutory penalty levels, and for otherwise combating controlled substances offenses.~~

~~SEC. 108. CLARIFICATION OF LENGTH OF SUPERVISED RELEASE TERMS IN CONTROLLED SUBSTANCE CASES.~~

~~Subparagraphs (A) through (D) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) are each amended by striking "Any sentence" and inserting "Notwithstanding section 3583 of title 18, any sentence".~~

~~SEC. 109. SUPERVISED RELEASE PERIOD AFTER CONVICTION FOR CONTINUING CRIMINAL ENTERPRISE.~~

~~Section 848(a) of title 21, United States Code, is amended by adding to the end of the following: "Any sentence under this paragraph shall, in the absence of such~~

a prior conviction, impose a term of supervised release of not less than 10 years in addition to such term of imprisonment and shall, if there was such a prior conviction, impose a term of supervised release of not less than 15 years in addition to such term of imprisonment.''.

TITLE II—DRUG-FREE PRISONS AND JAILS

SEC. 201. DRUG-FREE PRISONS AND JAILS INCENTIVE GRANTS.

(a) IN GENERAL.—Subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13701 et seq.), as amended by section 6101(e) of this title, is amended—

(1) by redesignating section 20110 as section 20111; and

(2) by inserting after section 20109 the following:

''SEC. 20110. DRUG-FREE PRISONS AND JAILS BONUS GRANTS.

''(a) IN GENERAL.—The Attorney General shall make incentive grants in accordance with this section to eligible States, units of local government, and Indian tribes, in order to encourage the establishment and maintenance of drug-free prisons and jails.

~~"(b) RESERVATION OF FUNDS.—Notwithstanding any other provision of this subtitle, in each fiscal year, before making the allocations under sections 20106 and 20108(a)(2) or the reservation under section 20109, the Attorney General shall reserve 10 percent of the amount made available to carry out this subtitle for grants under this section.~~

~~"(c) ELIGIBILITY.—~~

~~"(1) IN GENERAL.—To be eligible to receive a grant under this section, a State, unit of local government, or Indian tribe shall demonstrate to the Attorney General that the State, unit of local government, or Indian tribe—~~

~~"(A) meets the requirements of section 20103; and~~

~~"(B) has established, or, within 18 months after the initial submission of an application this section will implement, a program or policy of drug-free prisons and jails for correctional and detention facilities, including juvenile facilities, in its jurisdiction.~~

~~"(2) CONTENTS OF PROGRAM OR POLICY.—The drug-free prisons and jails program or policy under paragraph (1)(B)—~~

~~"(A) shall include—~~

~~"(i) a zero-tolerance policy for drug use or presence in State, unit of local government, or Indian tribe facilities, including random and routine sweeps and inspections for drugs, random and routine drug tests of all inmates, and improved screening for drugs and other contraband of prison visitors and prisoner mail;~~

~~"(ii) establishment and enforcement of penalties, including prison disciplinary actions and criminal prosecution for the introduction, possession, or use of drugs in any prison or jail;~~

~~"(iii) the implementation of residential drug treatment programs that are effective and science-based; and~~

~~"(iv) drug testing of all inmates upon intake and upon release from incarceration as appropriate; and~~

~~"(B) may include a system of incentives for prisoners to participate in counter-drug programs such as drug treatment and drug-free wings with greater privileges, except that incentives under this paragraph may not include the~~

early release of any prisoner convicted of a crime of violence.

"(d) APPLICATION.—In order to be eligible to receive a grant under this section, a State, unit of local government, or Indian tribe shall submit to the Attorney General an application, in such form and containing such information, including rates of positive drug tests among inmates upon intake and release from incarceration, as the Attorney General may reasonably require.

"(e) USE OF FUNDS.—Amounts received by a State, unit of local government, or Indian tribe from a grant under this section may be used—

"(1) to implement the program under subsection (c)(2); or

"(2) for any other purpose permitted by this subtitle.

"(f) ALLOCATION OF FUNDS.—Grants awarded under this section shall be in addition to any other grants a State, unit of local government, or Indian tribe may be eligible to receive under this subtitle or under part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.).

"(g) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have

been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

"(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts allocated under this section, there are authorized to be appropriated to carry out this section $50,000,000 for each of the fiscal years 2002, 2003, and 2004.".

SEC. 202. JAIL-BASED SUBSTANCE ABUSE TREATMENT PROGRAMS.

(a) USE OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANTS TO PROVIDE AFTERCARE SERVICES.—Section 1902 of part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff–1) is amended by adding at the end the following:

"(f) USE OF GRANT AMOUNTS FOR NONRESIDENTIAL AFTERCARE SERVICES.—A State may use amounts received under this part to provide nonresidential substance abuse treatment aftercare services for inmates or former inmates that meet the requirements of subsection (c), if the chief executive officer of the State certifies to the Attorney General that the State is providing, and will

~~continue to provide, an adequate level of residential treatment services.''.~~

~~(b) JAIL-BASED SUBSTANCE ABUSE TREATMENT.—Part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.) is amended by adding at the end the following:~~

~~''SEC. 1906. JAIL-BASED SUBSTANCE ABUSE TREATMENT.~~

~~''(a) DEFINITIONS.—In this section:~~

~~''(1) The term 'jail-based substance abuse treatment program' means a course of individual and group activities, lasting for a period of not less than 3 months, in an area of a correctional facility set apart from the general population of the correctional facility, if those activities are—~~

~~''(A) directed at the substance abuse problems of prisoners; and~~

~~''(B) intended to develop the cognitive, behavioral, and other skills of prisoners in order to address the substance abuse and related problems of prisoners.~~

~~''(2) The term 'local correctional facility' means any correctional facility operated by a State or unit of local government.~~

~~''(b) AUTHORIZATION.—~~

~~"(1) IN GENERAL.—At least 10 percent of the total amount made available to a State under section 1904(a) for any fiscal year shall be used by the State to make grants to local correctional facilities in the State, provided the State includes local correctional facilities, for the purpose of assisting jail-based substance abuse treatment programs that are effective and science-based established by those local correctional facilities.~~

~~"(2) FEDERAL SHARE.—The Federal share of a grant made by a State under this section to a local correctional facility may not exceed 75 percent of the total cost of the jail-based substance abuse treatment program described in the application submitted under subsection (c) for the fiscal year for which the program receives assistance under this section.~~

~~"(c) APPLICATIONS.—~~

~~"(1) IN GENERAL.—To be eligible to receive a grant from a State under this section for a jail-based substance abuse treatment program, the chief executive of a local correctional facility shall submit to the State, in such form and containing such information as the State may reasonably require, an application that meets the requirements of paragraph (2).~~

~~"(2) APPLICATION REQUIREMENTS.—Each application submitted under paragraph (1) shall include—~~

~~"(A) with respect to the jail-based substance abuse treatment program for which assistance is sought, a description of the program and a written certification that the local correctional facility will—~~

~~"(i) coordinate the design and implementation of the program between local correctional facility representatives and the appropriate State and local alcohol and substance abuse agencies;~~

~~"(ii) implement (or continue to require) urinalysis or other proven reliable forms of substance abuse testing of individuals participating in the program, including the testing of individuals released from the jail-based substance abuse treatment program who remain in the custody of the local correctional facility; and~~

~~"(iii) carry out the program in accordance with guidelines, which shall be established by the State, in order to guarantee each participant in the program access to~~

~~consistent, continual care if transferred to a different local correctional facility within the State;~~

~~"(B) written assurances that Federal funds received by the local correctional facility from the State under this section will be used to supplement, and not to supplant, non-Federal funds that would otherwise be available for jail-based substance abuse treatment programs assisted with amounts made available to the local correctional facility under this section; and~~

~~"(C) a description of the manner in which amounts received by the local correctional facility from the State under this section will be coordinated with Federal assistance for substance abuse treatment and aftercare services provided to the local correctional facility by the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services.~~

~~"(d) REVIEW OF APPLICATIONS.—~~

~~"(1) IN GENERAL.—Upon receipt of an application under subsection (c), the State shall—~~

~~"(A) review the application to ensure that the application, and the jail-based residential~~

~~substance abuse treatment program for which a grant under this section is sought, meet the requirements of this section; and~~

~~"(B) if so, make an affirmative finding in writing that the jail-based substance abuse treatment program for which assistance is sought meets the requirements of this section.~~

~~"(2) APPROVAL.—Based on the review conducted under paragraph (1), not later than 90 days after the date on which an application is submitted under subsection (c), the State shall—~~

~~"(A) approve the application, disapprove the application, or request a continued evaluation of the application for an additional period of 90 days; and~~

~~"(B) notify the applicant of the action taken under subparagraph (A) and, with respect to any denial of an application under subparagraph (A), afford the applicant an opportunity for reconsideration.~~

~~"(3) ELIGIBILITY FOR PREFERENCE WITH AFTERCARE COMPONENT.—~~

~~"(A) IN GENERAL.—In making grants under this section, a State shall give preference to applications from local correctional facilities~~

~~that ensure that each participant in the jail-based substance abuse treatment program for which a grant under this section is sought, is required to participate in an aftercare services program that meets the requirements of subparagraph (B), for a period of not less than 1 year following the earlier of—~~

~~"(i) the date on which the participant completes the jail-based substance abuse treatment program; or~~

~~"(ii) the date on which the participant is released from the correctional facility at the end of the participant's sentence or is released on parole.~~

~~"(B) AFTERCARE SERVICES PROGRAM REQUIREMENTS.—For purposes of subparagraph (A), an aftercare services program meets the requirements of this paragraph if the program—~~

~~"(i) in selecting individuals for participation in the program, gives priority to individuals who have completed a jail-based substance abuse treatment program;~~

~~"(ii) requires each participant in the program to submit to periodic substance abuse testing; and~~

~~"(iii) involves the coordination between the jail-based substance abuse treatment program and other human service and rehabilitation programs that may assist in the rehabilitation of program participants, such as—~~

~~"(I) educational and job training programs;~~

~~"(II) parole supervision programs;~~

~~"(III) half-way house programs; and~~

~~"(IV) participation in self-help and peer group programs; and~~

~~"(iv) assists in placing jail-based substance abuse treatment program participants with appropriate community substance abuse treatment facilities upon release from the correctional facility at the end of a sentence or on parole.~~

~~"(c) COORDINATION AND CONSULTATION.—~~

~~"(1) COORDINATION.—Each State that makes 1 or more grants under this section in any fiscal year shall, to the maximum extent practicable, implement a statewide communications network with~~

~~the capacity to track the participants in jail-based substance abuse treatment programs established by local correctional facilities in the State as those participants move between local correctional facilities within the State.~~

~~"(2) CONSULTATION.—Each State described in paragraph (1) shall consult with the Attorney General and the Secretary of Health and Human Services to ensure that each jail-based substance abuse treatment program assisted with a grant made by the State under this section incorporates applicable components of comprehensive approaches, including relapse prevention and aftercare services.~~

~~"(f) USE OF GRANT AMOUNTS.—~~

~~"(1) IN GENERAL.—Each local correctional facility that receives a grant under this section shall use the grant amount solely for the purpose of carrying out the jail-based substance abuse treatment program described in the application submitted under subsection (c).~~

~~"(2) ADMINISTRATION.—Each local correctional facility that receives a grant under this section shall carry out all activities relating to the administration of the grant amount, including reviewing the manner in which the amount is expended, processing, moni-~~

~~toring the progress of the program assisted, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.~~

~~"(3) RESTRICTION.—A local correctional facility may not use any amount of a grant under this section for land acquisition or a construction project.~~

~~"(g) REPORTING REQUIREMENT; PERFORMANCE REVIEW.—~~

~~"(1) REPORTING REQUIREMENT.—Not later than March 1 each year, each local correctional facility that receives a grant under this section shall submit to the Attorney General, through the State, a description and evaluation of the jail-based substance abuse treatment program carried out by the local correctional facility with the grant amount, in such form and containing such information as the Attorney General may reasonably require.~~

~~"(2) PERFORMANCE REVIEW.—The Attorney General shall conduct an annual review of each jail-based substance abuse treatment program assisted under this section, in order to verify the compliance of local correctional facilities with the requirements of this section.~~

~~"(h) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local govern-~~

~~ment within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.''.~~

~~(c) ELIGIBILITY FOR SUBSTANCE ABUSE TREATMENT.—Part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.), as amended by subsection (b), is further amended by adding at the end the following:~~

~~''SEC. 1907. DEFINITIONS.~~

~~''In this part:~~

~~''(1) The term 'inmate' means an adult or a juvenile who is incarcerated or detained in any State or local correctional facility.~~

~~''(2) The term 'correctional facility' includes a secure detention facility and a secure correctional facility (as those terms are defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603)).''.~~

~~(d) CLERICAL AMENDMENT.—The table of contents for title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended in the~~

~~matter relating to part S by adding at the end the following:~~

~~"1906. Jail-based substance abuse treatment.~~
~~"1907. Definitions.".~~

~~(e) SUBSTANCE ABUSE TREATMENT IN FEDERAL PRISONS REAUTHORIZATION.—Section 3621(e) of title 18, United States Code, is amended—~~

~~(1) in paragraph (4), by striking subparagraph (E) and inserting the following:~~

~~"(E) $38,000,000 for fiscal year 2002; and~~

~~"(F) $40,000,000 for fiscal year 2003."; and~~

~~(2) in paragraph (5)—~~

~~(A) in subparagraph (B), by striking "and" at the end;~~

~~(B) in subparagraph (C), by striking the period and inserting "; and"; and~~

~~(C) by adding at the end the following:~~

~~"(D) the term 'appropriate substance abuse treatment' means treatment in a program that has been shown to be efficacious and incorporates research-based principles of effective substance abuse treatment as determined by the Secretary of Health and Human Services.".~~

~~(f) REAUTHORIZATION.—Paragraph (17) of section 1001(a) of title I of the Omnibus Crime Control and Safe~~

~~Streets Act of 1968 (42 U.S.C. 3793(a)(17)) is amended to read as follows:~~

~~"(17) There are authorized to be appropriated to carry out part S $100,000,000 for fiscal year 2002 and such sums as may be necessary for fiscal years 2003 and 2004.".~~

~~(g) USE OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANTS TO PROVIDE FOR SERVICES DURING AND AFTER INCARCERATION.—Section 1901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff) is amended by adding at the end the following:~~

~~"(c) ADDITIONAL USE OF FUNDS.—States that demonstrate that they have existing in-prison drug treatment programs that are in compliance with Federal requirements may use funds awarded under this part for treatment and sanctions both during incarceration and after release.~~

~~"(d) CONSULTATION.—The Attorney General shall consult with the Secretary of Health and Human Services to ensure that programs of substance abuse treatment and related services for State prisoners carried out under this part incorporate applicable components of existing, comprehensive approaches including relapse prevention and aftercare services that have been shown to be efficacious~~

~~and incorporate research-based principles of effective substance abuse treatment as determined by the Secretary of Health and Human Services.''.~~

~~SEC. 203. MANDATORY REVOCATION OF PROBATION AND SUPERVISED RELEASE FOR FAILING A DRUG TEST.~~

~~(a) REVOCATION OF PROBATION.—Section 3565(b) of title 18, United States Code, is amended—~~

~~(1) in paragraph (2), by striking ''or'' after the semicolon;~~

~~(2) in paragraph (3), by striking ''(4),'' and inserting ''(4), or''; and~~

~~(3) by adding after paragraph (3) the following:~~

~~''(4) as a part of drug testing, tests positive for illegal controlled substances more than 3 times over the course of 1 year;''.~~

~~(b) REVOCATION OF SUPERVISED RELEASE.—Section 3583(g) of title 18, United States Code, is amended—~~

~~(1) in paragraph (2), by striking ''or'' after the semicolon;~~

~~(2) in paragraph (3), by inserting ''or'' after the semicolon; and~~

~~(3) by adding after paragraph (3) the following:~~

~~"(4) as a part of drug testing, tests positive for illegal controlled substances more than 3 times over the course of 1 year;".~~

~~SEC. 204. INCREASED PENALTIES FOR PROVIDING AN INMATE WITH A CONTROLLED SUBSTANCE.~~

~~(a) IN GENERAL.—~~

~~(1) AMENDMENT TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and amend, if appropriate, the Federal sentencing guidelines and its policy statements in accordance with this subsection with respect to any offense relating to providing a Federal prisoner a Schedule I or II controlled substance (including an attempt or conspiracy to do any of the foregoing) in violation of the Controlled Substances Act (21 U.S.C. 801 et seq.).~~

~~(2) REQUIREMENTS.—In carrying out this subsection, the United States Sentencing Commission shall consider increasing the base offense level for any offense described in paragraph (1) to a level not less than level 26.~~

~~(3) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Com-~~

~~mission shall promulgate amendments pursuant to this subsection as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.~~

~~(b) LAW ENFORCEMENT OR CORRECTIONS OFFICER.—~~

~~(1) AMENDMENT TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in accordance with this subsection with respect to any offense relating to a Federal law enforcement or corrections officer providing a Federal prisoner a Schedule I or II controlled substance (including an attempt or conspiracy to do any of the foregoing) in violation of the Controlled Substances Act (21 U.S.C. 801 et seq.).~~

~~(2) REQUIREMENTS.—In carrying out this subsection, the United States Sentencing Commission shall consider increasing the base offense level for any offense described in paragraph (1) by not less than 2 offense levels above the applicable level in effect on the date of enactment of this Act.~~

~~(3) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate amendments pursuant to this subsection as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.~~

~~(c) EFFECTIVE DATE.—The amendments made pursuant to this section shall apply with respect to any offense occurring on or after the date that is 60 days after the date of enactment of this Act.~~

~~TITLE III—TREATMENT AND PREVENTION~~

~~SEC. 301. DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS ADMINISTERED BY STATE OR LOCAL PROSECUTORS.~~

~~(a) PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following new part:~~

~~"PART CC—PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS~~

~~"SEC. 2901. PILOT PROGRAM AUTHORIZED.~~

~~"(a) IN GENERAL.—The Attorney General may make grants to State or local prosecutors for the purpose of developing, implementing, or expanding drug treatment alternative to prison programs that comply with the requirements of this part.~~

~~"(b) USE OF FUNDS.—A State or local prosecutor who receives a grant under this part shall use amounts provided under the grant to develop, implement, or expand the drug treatment alternative to prison program for which the grant was made, which may include payment of the following expenses:~~

~~"(1) Salaries, personnel costs, equipment costs, and other costs directly related to the operation of the program, including the enforcement unit.~~

~~"(2) Payments to licensed substance abuse treatment providers for providing treatment to offenders participating in the program for which the grant was made, including aftercare supervision, vocational training, education, and job placement.~~

~~"(3) Payments to public and nonprofit private entities for providing treatment to offenders participating in the program for which the grant was made.~~

1 ~~"(c) FEDERAL SHARE.—The Federal share of a~~
2 ~~grant under this part shall not exceed 75 percent of the~~
3 ~~cost of the program.~~
4 ~~"(d) SUPPLEMENT AND NOT SUPPLANT.—Grant~~
5 ~~amounts received under this part shall be used to supple-~~
6 ~~ment, and not supplant, non-Federal funds that would~~
7 ~~otherwise be available for activities funded under this part.~~
8 ~~**"SEC. 2902. PROGRAM REQUIREMENTS.**~~
9 ~~"A drug treatment alternative to prison program with~~
10 ~~respect to which a grant is made under this part shall~~
11 ~~comply with the following requirements:~~
12 ~~"(1) A State or local prosecutor shall admin-~~
13 ~~ister the program.~~
14 ~~"(2) An eligible offender may participate in the~~
15 ~~program only with the consent of the State or local~~
16 ~~prosecutor.~~
17 ~~"(3) Each eligible offender who participates in~~
18 ~~the program shall, as an alternative to incarceration,~~
19 ~~be sentenced to or placed with a long term, drug~~
20 ~~free residential substance abuse treatment provider~~
21 ~~that is licensed under State or local law.~~
22 ~~"(4) Each eligible offender who participates in~~
23 ~~the program shall serve a sentence of imprisonment~~
24 ~~with respect to the underlying crime if that offender~~

~~does not successfully complete treatment with the residential substance abuse provider.~~

~~"(5) Each residential substance abuse provider treating an offender under the program shall—~~

~~"(A) make periodic reports of the progress of treatment of that offender to the State or local prosecutor carrying out the program and to the appropriate court in which the defendant was convicted; and~~

~~"(B) notify that prosecutor and that court if that offender absconds from the facility of the treatment provider or otherwise violates the terms and conditions of the program.~~

~~"(6) The program shall have an enforcement unit comprised of law enforcement officers under the supervision of the State or local prosecutor carrying out the program, the duties of which shall include verifying an offender's addresses and other contacts, and, if necessary, locating, apprehending, and arresting an offender who has absconded from the facility of a residential substance abuse treatment provider or otherwise violated the terms and conditions of the program, and returning such offender to court for sentence on the underlying crime.~~

~~"SEC. 2903. APPLICATIONS.~~

~~"(a) IN GENERAL.—To request a grant under this part, a State or local prosecutor shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.~~

~~"(b) CERTIFICATIONS.—Each such application shall contain the certification of the State or local prosecutor that the program for which the grant is requested shall meet each of the requirements of this part.~~

~~"SEC. 2904. GEOGRAPHIC DISTRIBUTION.~~

~~"The Attorney General shall ensure that, to the extent practicable, the distribution of grant awards is equitable and includes State or local prosecutors—~~

~~"(1) in each State; and~~

~~"(2) in rural, suburban, and urban jurisdictions.~~

~~"SEC. 2905. REPORTS AND EVALUATIONS.~~

~~"For each fiscal year, each recipient of a grant under this part during that fiscal year shall submit to the Attorney General a report regarding the effectiveness of activities carried out using that grant. Each report shall include an evaluation in such form and containing such information as the Attorney General may reasonably require. The Attorney General shall specify the dates on which such reports shall be submitted.~~

~~"SEC. 2906. DEFINITIONS.~~

~~"In this part:~~

~~"(1) The term 'State or local prosecutor' means any district attorney, State attorney general, county attorney, or corporation counsel who has authority to prosecute criminal offenses under State or local law.~~

~~"(2) The term 'eligible offender' means an individual who—~~

~~"(A) has been convicted of, or pled guilty to, or admitted guilt with respect to a crime for which a sentence of imprisonment is required and has not completed such sentence;~~

~~"(B) has never been convicted of, or pled guilty to, or admitted guilt with respect to, and is not presently charged with, a felony crime of violence, a major drug offense, including drug trafficking, or a crime that is considered a violent felony under State or local law; and~~

~~"(C) has been found by a professional substance abuse screener to be in need of substance abuse treatment because that offender has a history of substance abuse that is a significant contributing factor to that offender's criminal conduct.~~

~~"(3) The term 'felony crime of violence' has the meaning given such term in section 924(c)(3) of title 18, United States Code.~~

~~"(4) The term 'major drug offense' has the meaning given such term in section 36(a) of title 18, United States Code.".~~

~~(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by adding at the end the following new paragraph:~~

~~"(24) There are authorized to be appropriated to carry out part CC $30,000,000 for each of fiscal years 2002 through 2004.".~~

~~(c) STUDY OF THE EFFECT OF MANDATORY MINIMUM SENTENCES FOR CONTROLLED SUBSTANCE OFFENSES.—Not later than 1 year after the date of enactment of this Act, the United States Sentencing Commission shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report regarding mandatory minimum sentences for controlled substance offenses, which shall include an analysis of—~~

~~(1) whether such sentences may have a disproportionate impact on ethnic or racial groups;~~

~~(2) the effectiveness of such sentences in reducing drug-related crime by violent offenders; and~~

(3) the frequency and appropriateness of the use of such sentences for nonviolent offenders in contrast with other approaches such as drug treatment programs.

SEC. 302. JUVENILE SUBSTANCE ABUSE COURTS.

(a) GRANT AUTHORITY.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following:

"PART DD—JUVENILE SUBSTANCE ABUSE COURTS

"SEC. 2926. DEFINITIONS.

''In this part:

''(1) The term 'violent juvenile offender' means a juvenile who has been convicted of a violent offense or adjudicated delinquent for an act that, if committed by an adult, would constitute a violent offense.

''(2) The term 'violent offense' means a criminal offense during the course of which—

''(A) the individual carried, possessed, or used a firearm or dangerous weapon;

''(B) the death of or serious bodily injury of another person occurred as a direct result of the commission of such offense; or

~~"(C) the individual used force against the person of another.~~

~~"SEC. 2927. GRANT AUTHORITY.~~

~~"(a) APPROPRIATE SUBSTANCE ABUSE COURT PROGRAMS.—The Attorney General may make grants to States, State courts, local courts, units of local government, and Indian tribes in accordance with this part to establish programs that—~~

~~"(1) involve continuous judicial supervision over juvenile offenders (other than violent juvenile offenders) with substance abuse problems;~~

~~"(2) integrate administration of other sanctions and services, which include—~~

~~"(A) mandatory periodic testing for the use of controlled substances or other addictive substances during any period of supervised release or probation for each participant;~~

~~"(B) substance abuse treatment for each participant;~~

~~"(C) probation, diversion, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements or failure to show satisfactory progress; and~~

~~"(D) programmatic offender management, and aftercare services such as relapse prevention; and~~

~~"(3) may include—~~

~~"(A) payment, in whole or in part, by the offender or his or her parent or guardian of treatment costs, to the extent practicable, such as costs for urinalysis or counseling;~~

~~"(B) payment, in whole or in part, by the offender or his or her parent or guardian of restitution, to the extent practicable, to either a victim of the offender's offense or to a restitution or similar victim support fund; and~~

~~"(C) economic sanctions shall not be at a level that would interfere with the juvenile offender's education or rehabilitation.~~

~~"(b) USE OF GRANTS FOR NECESSARY SUPPORT PROGRAMS.—A recipient of a grant under this part may use the grant to pay for treatment, counseling, and other related and necessary expenses not covered by other Federal, State, Indian tribal, and local sources of funding that would otherwise be available.~~

~~"(c) CONTINUED AVAILABILITY OF GRANT FUNDS.—Amounts made available under this part shall remain available until expended.~~

~~"SEC. 2928. APPLICATIONS.~~

~~"(a) IN GENERAL.—In order to receive a grant under this part, the chief executive or the chief justice of a State, or the chief executive or chief judge of a unit of local government or Indian tribe shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.~~

~~"(b) CONTENTS.—In addition to any other requirements that may be specified by the Attorney General, each application for a grant under this part shall—~~

~~"(1) include a long-term strategy and detailed implementation plan;~~

~~"(2) explain the applicant's need for Federal assistance;~~

~~"(3) certify that the Federal support provided will be used to supplement, and not supplant, State, Indian tribal, and local sources of funding that would otherwise be available;~~

~~"(4) identify related governmental or community initiatives that complement or will be coordinated with the proposal;~~

~~"(5) certify that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with all affected agencies in the implementation of the program;~~

"(6) certify that participating offenders will be supervised by one or more designated judges with responsibility for the substance abuse court program;

"(7) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support; and

"(8) describe the methodology that will be used in evaluating the program.

"SEC. 2929. FEDERAL SHARE.

"(a) IN GENERAL.—The Federal share of a grant made under this part may not exceed 75 percent of the total costs of the program described in the application submitted under section 2928 for the fiscal year for which the program receives assistance under this part.

"(b) WAIVER.—The Attorney General may waive, in whole or in part, the requirement of a matching contribution under subsection (a).

"(c) IN-KIND CONTRIBUTIONS.—In-kind contributions may constitute a portion of the non-Federal share of a grant under this part.

"SEC. 2930. DISTRIBUTION OF FUNDS.

"(a) GEOGRAPHICAL DISTRIBUTION.—The Attorney General shall ensure that, to the extent practicable, an equitable geographic distribution of grant awards is made.

~~"(b) INDIAN TRIBES.—The Attorney General shall allocate 0.75 percent of amounts made available under this part for grants to Indian tribes.~~

~~"(c) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this part have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this part not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this part.~~

~~"SEC. 2931. REPORT.~~

~~"Each recipient of a grant under this part during a fiscal year shall submit to the Attorney General a report regarding the effectiveness of programs established with the grant on the date specified by the Attorney General.~~

~~"SEC. 2932. TECHNICAL ASSISTANCE, TRAINING, AND EVALUATION.~~

~~"(a) TECHNICAL ASSISTANCE AND TRAINING.—The Attorney General may provide technical assistance and training in furtherance of the purposes of this part.~~

~~"(b) EVALUATIONS.—In addition to any evaluation requirement that may be prescribed for recipients of grants under this part, the Attorney General may carry~~

out or make arrangements for evaluations of programs that receive assistance under this part.

''(c) ADMINISTRATION.—The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, in collaboration with the Secretary of Health and Human Services, or through grants, contracts, or other cooperative arrangements with other entities.

''SEC. 2933. REGULATIONS.

''The Attorney General shall issue any regulations and guidelines necessary to carry out this part, which shall ensure that the programs funded with grants under this part do not permit participation by violent juvenile offenders.

''SEC. 2934. UNAWARDED FUNDS.

''The Attorney General may reallocate any grant funds that are not awarded for juvenile substance abuse courts under this part for use for other juvenile delinquency and crime prevention initiatives.

''SEC. 2935. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated for each of fiscal years 2002 through 2004, $50,000,000 to carry out this part.''.

(b) CLERICAL AMENDMENT.—The table of contents for title I of the Omnibus Crime Control and Safe Streets

~~Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following:~~

~~"PART DD—JUVENILE SUBSTANCE ABUSE COURTS~~

~~"Sec. 2926. Definitions.~~
~~"Sec. 2927. Grant authority.~~
~~"Sec. 2928. Applications.~~
~~"Sec. 2929. Federal share.~~
~~"Sec. 2930. Distribution of funds.~~
~~"Sec. 2931. Report.~~
~~"Sec. 2932. Technical assistance, training, and evaluation.~~
~~"Sec. 2933. Regulations.~~
~~"Sec. 2934. Unawarded funds.~~
~~"Sec. 2935. Authorization of appropriations.".~~

~~SEC. 303. EXPANSION OF SUBSTANCE ABUSE EDUCATION AND PREVENTION EFFORTS.~~

~~(a) EXPANSION OF EFFORTS.—Section 515 of the Public Health Service Act (42 U.S.C. 290bb–21) is amended by adding at the end the following:~~

~~"(e)(1) The Administrator may make grants to and enter into contracts and cooperative agreements with public and nonprofit private entities to enable such entities—~~

~~"(A) to carry out school-based programs concerning the dangers of abuse of and addiction to illicit drugs, using methods that are effective and research-based, including initiatives that give students the responsibility to create their own antidrug abuse education programs for their schools; and~~

~~"(B) to carry out community-based abuse and addiction prevention programs relating to illicit drugs that are effective and research-based.~~

~~"(2) Amounts made available under a grant, contract, or cooperative agreement under paragraph (1) shall be used for planning, establishing, or administering prevention programs relating to illicit drugs in accordance with paragraph (3).~~

~~"(3)(A) Amounts provided under this subsection may be used—~~

~~"(i) to carry out school-based programs that are focused on those districts with high or increasing rates of drug abuse and addiction and targeted at populations which are most at-risk to start abuse of illicit drugs;~~

~~"(ii) to carry out community-based prevention programs that are focused on those populations within the community that are most at-risk for abuse of and addiction to illicit drugs;~~

~~"(iii) to assist local government entities to conduct appropriate prevention activities relating to illicit drugs;~~

~~"(iv) to train and educate State and local law enforcement officials, prevention and education officials, members of community antidrug coalitions and parents on the signs of abuse of and addiction to illicit drugs, and the options for treatment and prevention;~~

~~"(v) for planning, administration, and educational activities related to the prevention of abuse of and addiction to illicit drugs;~~

~~"(vi) for the monitoring and evaluation of prevention activities relating to illicit drugs, 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) The Administrator shall give priority in making grants under this subsection to rural States, urban areas, and other areas that are experiencing a high rate or rapid increases in drug abuse and addiction.~~

~~"(4)(A) Not less than $500,000 of the amount available in each fiscal year to carry out this subsection shall be made available to the Administrator, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for abuse of and addiction to illicit drugs and the development of appropriate strategies for disseminating information about and implementing these programs.~~

~~"(B) The Administrator shall submit to the committees of Congress referred to in subparagraph (C) an an-~~

~~nual report with the results of the analyses and evaluation under subparagraph (A).~~

~~"(C) The committees of Congress referred to in this subparagraph are the following:~~

~~"(i) The Committees on Health, Education, Labor, and Pensions, the Judiciary, and Appropriations of the Senate.~~

~~"(ii) The Committees on Energy and Commerce, the Judiciary, and Appropriations of the House of Representatives.".~~

~~(b) AUTHORIZATION OF APPROPRIATIONS FOR EXPANSION OF ABUSE PREVENTION EFFORTS AND PRACTITIONER REGISTRATION REQUIREMENTS.—There is authorized to be appropriated to carry out section 515(c) of the Public Health Service Act (as added by subsection (a)) and section 303(g)(2) of the Controlled Substances Act (as added by section 18(a) of this Act), $100,000,000 for fiscal year 2002, and such sums as may be necessary for each succeeding fiscal year.~~

~~(c) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent~~

~~of the total amount appropriated in the fiscal year for grants pursuant to this section.~~

~~SEC. 304. FUNDING FOR RURAL STATES AND ECONOMICALLY DEPRESSED COMMUNITIES.~~

~~(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment shall provide awards of grants, cooperative agreement, or contracts to public and nonprofit private entities for the purpose of providing treatment facilities in rural States and economically depressed communities that have high rates of drug addiction but lack the resources to provide adequate treatment.~~

~~(b) MINIMUM QUALIFICATIONS FOR RECEIPT OF AWARD.—With respect to the principal agency of the State involved that administers programs relating to substance abuse, the Director may make an award under subsection (a) to an applicant only if the agency has certified to the Director that—~~

~~(1) the applicant has the capacity to carry out a program described in subsection (a);~~

~~(2) the plans of the applicant for such a program are consistent with the policies of such agency regarding the treatment of substance abuse; and~~

~~(3) the applicant, or any entity through which the applicant will provide authorized services, meets all applicable State licensure or certification require-~~

~~ments regarding the provision of the services involved.~~

~~(c) REQUIREMENT OF MATCHING FUNDS.—~~

~~(1) IN GENERAL.—With respect to the costs of the program to be carried out by an applicant pursuant to subsection (a), a funding agreement for an award under such subsection is that the applicant will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that—~~

~~(A) for the first fiscal year for which the applicant receives payments under an award under such subsection, is not less than $1 for each $9 of Federal funds provided in the award;~~

~~(B) for any second such fiscal year, is not less than $1 for each $9 of Federal funds provided in the award; and~~

~~(C) for any subsequent such fiscal year, is not less than $1 for each $3 of Federal funds provided in the award.~~

~~(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services.~~

~~Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.~~

~~(d) REPORTS TO DIRECTOR.—A funding agreement for an award under subsection (a) is that the applicant involved will submit to the Director a report—~~

~~(1) describing the utilization and costs of services provided under the award;~~

~~(2) specifying the number of individuals served and the type and costs of services provided; and~~

~~(3) providing such other information as the Director determines to be appropriate.~~

~~(e) REQUIREMENT OF APPLICATION.—The Director may make an award under subsection (a) only if an application for the award is submitted to the Director containing such agreements, and the application is in such form, is made in such manner, and contains such other agreements and such assurances and information as the Director determines to be necessary to carry out this section.~~

~~(f) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the prin-~~

~~cipal geographic regions of the United States, subject to the availability of qualified applicants for the awards.~~

~~(g) DURATION OF AWARD.—The period during which payments are made to an entity from an award under subsection (a) may not exceed 5 years. The provision of such payments shall be subject to annual approval by the Director of the payments and subject to the availability of appropriations for the fiscal year involved to make the payments. This subsection may not be construed to establish a limitation on the number of awards under such subsection that may be made to an entity.~~

~~(h) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.~~

~~(i) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.~~

~~(j) DEFINITION OF RURAL STATE.—In this section, the term "rural State" has the same meaning as in section 1501(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796bb(B)).~~

~~(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $50,000,000 for each of the fiscal years 2002, 2003, and 2004.~~

~~SEC. 305. FUNDING FOR RESIDENTIAL TREATMENT CENTERS FOR WOMEN AND CHILDREN.~~

~~(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment shall provide awards of grants, cooperative agreement, or contracts to public and nonprofit private entities for the purpose of providing treatment facilities that—~~

~~(1) provide residential treatment for methamphetamine, heroin, and other drug addicted women with minor children; and~~

~~(2) offer specialized treatment for methamphetamine-, heroin-, and other drug-addicted mothers and allow the minor children of those mothers to reside with them in the facility or nearby while treatment is ongoing.~~

~~(b) MINIMUM QUALIFICATIONS FOR RECEIPT OF AWARD.—With respect to the principal agency of the~~

~~State involved that administers programs relating to substance abuse, the Director may make an award under subsection (a) to an applicant only if the agency has certified to the Director that—~~

~~(1) the applicant has the capacity to carry out a program described in subsection (a);~~

~~(2) the plans of the applicant for such a program are consistent with the policies of such agency regarding the treatment of substance abuse; and~~

~~(3) the applicant, or any entity through which the applicant will provide authorized services, meets all applicable State licensure or certification requirements regarding the provision of the services involved.~~

~~(c) REQUIREMENT OF MATCHING FUNDS.—~~

~~(1) IN GENERAL.—With respect to the costs of the program to be carried out by an applicant pursuant to subsection (a), a funding agreement for an award under such subsection is that the applicant will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that—~~

~~(A) for the first fiscal year for which the applicant receives payments under an award under such subsection, is not less than $1 for~~

~~each $9 of Federal funds provided in the award;~~

~~(B) for any second such fiscal year, is not less than $1 for each $9 of Federal funds provided in the award; and~~

~~(C) for any subsequent such fiscal year, is not less than $1 for each $3 of Federal funds provided in the award.~~

~~(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.~~

~~(d) REPORTS TO DIRECTOR.—A funding agreement for an award under subsection (a) is that the applicant involved will submit to the Director a report—~~

~~(1) describing the utilization and costs of services provided under the award;~~

~~(2) specifying the number of individuals served and the type and costs of services provided; and~~

~~(3) providing such other information as the Director determines to be appropriate.~~

~~(e) REQUIREMENT OF APPLICATION.—The Director may make an award under subsection (a) only if an application for the award is submitted to the Director containing such agreements, and the application is in such form, is made in such manner, and contains such other agreements and such assurances and information as the Director determines to be necessary to carry out this section.~~

~~(f) PRIORITY.—In making grants under this subsection, the Director shall give priority to areas experiencing a high rate or rapid increase in drug abuse and addiction.~~

~~(g) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, subject to the availability of qualified applicants for the awards.~~

~~(h) DURATION OF AWARD.—The period during which payments are made to an entity from an award under subsection (a) may not exceed 5 years. The provision of such payments shall be subject to annual approval by the Director of the payments and subject to the availability of appropriations for the fiscal year involved to make the pay-~~

~~ments. This subsection may not be construed to establish a limitation on the number of awards under such subsection that may be made to an entity.~~

~~(i) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.~~

~~(j) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.~~

~~(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of the fiscal years 2002, 2003, and 2004.~~

~~SEC. 306. DRUG TREATMENT FOR JUVENILES.~~

~~Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:~~

~~"PART G—RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES~~

~~"SEC. 575. RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES.~~

~~"(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment shall award grants to, or enter into cooperative agreements or contracts, with public and nonprofit private entities for the purpose of providing treatment to juveniles for substance abuse through programs that are effective and science-based in which, during the course of receiving such treatment the juveniles reside in facilities made available by the programs.~~

~~"(b) AVAILABILITY OF SERVICES FOR EACH PARTICIPANT.—A funding agreement for an award under subsection (a) for an applicant is that, in the program operated pursuant to such subsection—~~

~~"(1) treatment services will be available through the applicant, either directly or through agreements with other public or nonprofit private entities; and~~

~~"(2) the services will be made available to each person admitted to the program.~~

~~"(c) INDIVIDUALIZED PLAN OF SERVICES.—A funding agreement for an award under subsection (a) for an applicant is that—~~

~~"(1) in providing authorized services for an eligible person pursuant to such subsection, the applicant will, in consultation with the juvenile and, if appropriate the parent or guardian of the juvenile, prepare an individualized plan for the provision to the juvenile or young adult of the services; and~~

~~"(2) treatment services under the plan will include—~~

~~"(A) individual, group, and family counseling, as appropriate, regarding substance abuse; and~~

~~"(B) followup services to assist the juvenile or young adult in preventing a relapse into such abuse.~~

~~"(d) ELIGIBLE SUPPLEMENTAL SERVICES.—Grants under subsection (a) may be used to provide an eligible juvenile, the following services:~~

~~"(1) HOSPITAL REFERRALS.—Referrals for necessary hospital services.~~

~~"(2) HIV AND AIDS COUNSELING.—Counseling on the human immunodeficiency virus and on acquired immune deficiency syndrome.~~

~~"(3) DOMESTIC VIOLENCE AND SEXUAL ABUSE COUNSELING.—Counseling on domestic violence and sexual abuse.~~

~~"(4) PREPARATION FOR REENTRY INTO SOCIETY.—Planning for and counseling to assist reentry into society, both before and after discharge, including referrals to any public or nonprofit private entities in the community involved that provide services appropriate for the juvenile.~~

~~"(e) MINIMUM QUALIFICATIONS FOR RECEIPT OF AWARD.—With respect to the principal agency of a State or Indian tribe that administers programs relating to substance abuse, the Director may award a grant to, or enter into a cooperative agreement or contract with, an applicant only if the agency or Indian tribe has certified to the Director that—~~

~~"(1) the applicant has the capacity to carry out a program described in subsection (a);~~

~~"(2) the plans of the applicant for such a program are consistent with the policies of such agency regarding the treatment of substance abuse; and~~

~~"(3) the applicant, or any entity through which the applicant will provide authorized services, meets all applicable State licensure or certification requirements regarding the provision of the services involved.~~

~~"(f) REQUIREMENTS FOR MATCHING FUNDS.—~~

"(1) IN GENERAL.—With respect to the costs of the program to be carried out by an applicant pursuant to subsection (a), a funding agreement for an award under such subsection is that the applicant will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that—

"(A) for the first fiscal year for which the applicant receives payments under an award under such subsection, is not less than $1 for each $9 of Federal funds provided in the award;

"(B) for any second such fiscal year, is not less than $1 for each $9 of Federal funds provided in the award; and

"(C) for any subsequent such fiscal year, is not less than $1 for each $3 of Federal funds provided in the award.

"(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be in-

~~cluded in determining the amount of such non-Federal contributions.~~

~~"(g) OUTREACH.—A funding agreement for an award under subsection (a) for an applicant is that the applicant will provide outreach services in the community involved to identify juveniles who are engaging in substance abuse and to encourage the juveniles to undergo treatment for such abuse.~~

~~"(h) ACCESSIBILITY OF PROGRAM.—A funding agreement for an award under subsection (a) for an applicant is that the program operated pursuant to such subsection will be operated at a location that is accessible to low income juveniles.~~

~~"(i) CONTINUING EDUCATION.—A funding agreement for an award under subsection (a) is that the applicant involved will provide for continuing education in treatment services for the individuals who will provide treatment in the program to be operated by the applicant pursuant to such subsection.~~

~~"(j) IMPOSITION OF CHARGES.—A funding agreement for an award under subsection (a) for an applicant is that, if a charge is imposed for the provision of authorized services to or on behalf of an eligible juvenile, such charge—~~

~~"(1) will be made according to a schedule of charges that is made available to the public;~~

~~"(2) will be adjusted to reflect the economic condition of the juvenile involved; and~~

~~"(3) will not be imposed on any such juvenile whose family has an income of less than 185 percent of the official poverty line, as established by the Director of the Office for Management and Budget and revised by the Secretary in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)).~~

~~"(k) REPORTS TO DIRECTOR.—A funding agreement for an award under subsection (a) is that the applicant involved will submit to the Director a report—~~

~~"(1) describing the utilization and costs of services provided under the award;~~

~~"(2) specifying the number of juveniles served, and the type and costs of services provided; and~~

~~"(3) providing such other information as the Director determines to be appropriate.~~

~~"(l) REQUIREMENT OF APPLICATION.—The Director may make an award under subsection (a) only if an application for the award is submitted to the Director containing such agreements, and the application is in such form, is made in such manner, and contains such other~~

~~agreements and such assurances and information as the Director determines to be necessary to carry out this section.~~

~~"(m) PRIORITY.—In making grants under this subsection, the Director shall give priority to areas experiencing a high rate or rapid increase in drug abuse and addiction.~~

~~"(n) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, as well as among Indian tribes, subject to the availability of qualified applicants for the awards.~~

~~"(o) DURATION OF AWARD.—~~

~~"(1) IN GENERAL.—The period during which payments are made to an entity from an award under this section may not exceed 5 years.~~

~~"(2) APPROVAL OF DIRECTOR.—The provision of payments described in paragraph (1) shall be subject to—~~

~~"(A) annual approval by the Director of the payments; and~~

~~"(B) the availability of appropriations for the fiscal year at issue to make the payments.~~

~~"(3) NO LIMITATION.—This subsection may not be construed to establish a limitation on the number of awards that may be made to an entity under this section.~~

~~"(p) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.~~

~~"(q) REPORTS TO CONGRESS.—~~

~~"(1) INITIAL REPORT.—Not later than October 1, 2001, the Director shall submit to the Committee on the Judiciary of the House of Representatives, and to the Committee on the Judiciary of the Senate, a report describing programs carried out pursuant to this section.~~

~~"(2) PERIODIC REPORTS.—~~

~~"(A) IN GENERAL.—Not less than biennially after the date described in paragraph (1), the Director shall prepare a report describing programs carried out pursuant to this section during the preceding 2-year period, and shall submit the report to the Administrator for in-~~

~~clusion in the biennial report under section 501(k).~~

~~"(B) SUMMARY.—Each report under this subsection shall include a summary of any evaluations conducted under subsection (m) during the period with respect to which the report is prepared.~~

~~"(r) DEFINITIONS.—In this section:~~

~~"(1) AUTHORIZED SERVICES.—The term 'authorized services' means treatment services and supplemental services.~~

~~"(2) JUVENILE.—The term 'juvenile' means anyone 18 years of age or younger at the time that of admission to a program operated pursuant to subsection (a).~~

~~"(3) ELIGIBLE JUVENILE.—The term 'eligible juvenile' means a juvenile who has been admitted to a program operated pursuant to subsection (a).~~

~~"(4) FUNDING AGREEMENT UNDER SUBSECTION (A).—The term 'funding agreement under subsection (a)', with respect to an award under subsection (a), means that the Director may make the award only if the applicant makes the agreement involved.~~

~~"(5) TREATMENT SERVICES.—The term 'treatment services' means treatment for substance abuse, including the counseling and services described in subsection (c)(2).~~

~~"(6) SUPPLEMENTAL SERVICES.—The term 'supplemental services' means the services described in subsection (d).~~

~~"(s) AUTHORIZATION OF APPROPRIATIONS.—~~

~~"(1) IN GENERAL.—For the purpose of carrying out this section and section 576 there is authorized to be appropriated such sums as may be necessary for fiscal years 2002 through 2004. There is authorized to be appropriated from the Violent Crime Reduction Trust Fund $100,000,000 in each of fiscal years 2002, 2003, and 2004.~~

~~"(2) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.~~

~~"(3) TRANSFER.—For the purpose described in paragraph (1), in addition to the amounts authorized in such paragraph to be appropriated for a fiscal year, there is authorized to be appropriated for the fiscal year from the special forfeiture fund of the Director of the Office of National Drug Control Policy such sums as may be necessary.~~

~~"(4) RULE OF CONSTRUCTION.—The amounts authorized in this subsection to be appropriated are in addition to any other amounts that are authorized to be appropriated and are available for the purpose described in paragraph (1).~~

~~"SEC. 576. OUTPATIENT TREATMENT PROGRAMS FOR JUVENILES.~~

~~"(a) GRANTS.—The Secretary of Health and Human Services, acting through the Director of the Center for Substance Abuse Treatment, shall make grants to establish projects for the outpatient treatment of substance abuse among juveniles.~~

~~"(b) PREVENTION.—Entities receiving grants under this section shall engage in activities to prevent substance abuse among juveniles.~~

~~"(c) EVALUATION.—The Secretary of Health and Human Services shall evaluate projects carried out under~~

~~subsection (a) and shall disseminate to appropriate public and private entities information on effective projects.''.~~

~~SEC. 307. COORDINATED JUVENILE SERVICES GRANTS.~~

~~Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after section 205 the following:~~

~~''SEC. 205A. COORDINATED JUVENILE SERVICES GRANTS.~~

~~''(a) IN GENERAL.—The Attorney General and the Secretary of Health and Human Services shall make grants to a consortium within a State consisting of State or local juvenile justice agencies, State or local substance abuse and mental health agencies, and child service agencies to coordinate the delivery of services to children among these agencies.~~

~~''(b) USE OF FUNDS.—A consortium described in subsection (a) that receives a grant under this section shall use the grant for the establishment and implementation of programs that address the service needs of juveniles with substance abuse and treatment problems who come into contact with the justice system by requiring the following:~~

~~''(1) Collaboration across child serving systems, including juvenile justice agencies, relevant substance abuse and mental health treatment providers,~~

~~and State or local educational entities and welfare agencies.~~

~~"(2) Appropriate screening and assessment of juveniles.~~

~~"(3) Individual treatment plans.~~

~~"(4) Significant involvement of juvenile judges where possible.~~

~~"(c) APPLICATION FOR COORDINATED JUVENILE SERVICES GRANT.—~~

~~"(1) IN GENERAL.—A consortium described in subsection (a) desiring to receive a grant under this section shall submit an application containing such information as the Administrator may prescribe.~~

~~"(2) CONTENTS.—In addition to guidelines established by the Administrator, each application submitted under paragraph (1) shall provide—~~

~~"(A) certification that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with all affected agencies in the implementation of the program;~~

~~"(B) for the regular evaluation of the program funded by the grant and describe the methodology that will be used in evaluating the program;~~

~~"(C) assurances that the proposed program or activity will not supplant similar programs and activities currently available in the community; and~~

~~"(D) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support.~~

~~"(3) FEDERAL SHARE.—The Federal share of a grant under this section shall not exceed 75 percent of the cost of the program.~~

~~"(d) REPORT.—Each recipient of a grant under this section during a fiscal year shall submit to the Attorney General a report regarding the effectiveness of programs established with the grant on the date specified by the Attorney General.~~

~~"(e) AUTHORIZATION OF APPROPRIATIONS.—There shall be made available from the Violent Crime Reduction Trust Fund for each of fiscal years 2002 through 2004, $50,000,000 to carry out this section.".~~

~~SEC. 308. EXPANSION OF RESEARCH.~~

~~Section 464L of the Public Health Service Act (42 U.S.C. 285o) is amended by adding at the end the following:~~

~~"(e) DRUG ABUSE RESEARCH.—~~

~~"(1) GRANTS OR COOPERATIVE AGREEMENTS.—The Director of the Institute shall make grants or enter into cooperative agreements to conduct research on drug abuse treatment and prevention, and as is necessary to establish up to 12 new National Drug Abuse Treatment Clinical Trials Network (CTN) Centers to develop and test an array of behavioral and pharmacological treatments and to determine the conditions under which novel treatments are successfully adopted by local treatment clinics.~~

~~"(2) USE OF FUNDS.—Amounts made available under a grant or cooperative agreement under paragraph (1) for drug abuse and addiction may be used for research and clinical trials relating to—~~

~~"(A) the effects of drug abuse on the human body, including the brain;~~

~~"(B) the addictive nature of various drugs and how such effects differ with respect to different individuals;~~

~~"(C) the connection between drug abuse, mental health, and teenage suicide;~~

~~"(D) the identification and evaluation of the most effective methods of prevention of~~

~~drug abuse and addiction among juveniles and adults;~~

~~"(E) the identification and development of the most effective methods of treatment of drug addiction, including pharmacological treatments;~~

~~"(F) risk factors for drug abuse;~~

~~"(G) effects of drug abuse and addiction on pregnant women and their fetuses; and~~

~~"(H) cultural, social, behavioral, neurological and psychological reasons that individuals, including juveniles, abuse drugs or refrain from abusing drugs.~~

~~"(3) RESEARCH RESULTS.—The Director shall promptly disseminate research results under this subsection to Federal, State and local entities involved in combating drug abuse and addiction.~~

~~"(4) AUTHORIZATION OF APPROPRIATIONS.—~~

~~"(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out paragraphs (1), (2), and (3) there is authorized to be appropriated $76,400,000 for fiscal year 2002, and such sums as may be necessary for fiscal years 2003 and 2004, for establishment of up to 12 new CTN Centers and for the iden-~~

~~tification and development of the most effective methods of treatment and prevention of drug addiction, including pharmacological treatments among juveniles and adults.~~

~~"(B) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated pursuant to the authorization of appropriations in subparagraph (A) for a fiscal year shall supplement and not supplant any other amounts appropriated in such fiscal year for research on drug abuse and addiction.".~~

~~SEC. 309. COMPREHENSIVE STUDY BY NATIONAL ACADEMY OF SCIENCES.~~

~~(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall enter into a contract with a public or nonprofit private entity, subject to subsection (b), for the purpose of conducting a study or studies—~~

~~(1) to evaluate the effectiveness of federally funded programs for preventing youth violence and youth substance abuse;~~

~~(2) to evaluate the effectiveness of federally funded grant programs for preventing criminal victimization of juveniles;~~

~~(3) to identify specific Federal programs and programs that receive Federal funds that contribute to reductions in youth violence, youth substance abuse, and risk factors among youth that lead to violent behavior and substance abuse;~~

~~(4) to identify specific programs that have not achieved their intended results; and~~

~~(5) to make specific recommendations on programs that—~~

~~(A) should receive continued or increased funding because of their proven success; or~~

~~(B) should have their funding terminated or reduced because of their lack of effectiveness.~~

~~(b) NATIONAL ACADEMY OF SCIENCES.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall request the National Academy of Sciences to enter into the contract under subsection (a) to conduct the study or studies described in subsection (a). If the Academy declines to conduct the study, the Attorney General shall carry out such subsection through other public or nonprofit private entities.~~

~~(c) ASSISTANCE.—In conducting the study under subsection (a) the contracting party may obtain analytic assistance, data, and other relevant materials from the~~

~~Department of Justice and any other appropriate Federal agency.~~

~~(d) REPORTING REQUIREMENTS.—~~

~~(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit a report describing the findings made as a result of the study required by subsection (a) to the Committee on the Judiciary, the Committee on Economic and Educational Opportunity, and the Committee on Energy and Commerce of the House of Representatives and the Committee on the Judiciary and the Committee on Labor and Human Resources of the Senate.~~

~~(2) CONTENTS.—The report required by this subsection shall contain specific recommendations concerning funding levels for the programs evaluated. Reports on the effectiveness of such programs and recommendations on funding shall be provided to the appropriate subcommittees of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.~~

~~(e) EVALUATION AND RESEARCH CRITERIA.—~~

~~(1) INDEPENDENT EVALUATIONS AND RESEARCH.—Evaluations and research studies conducted pursuant to this section shall be independent~~

~~in nature, and shall employ rigorous and scientifically recognized standards and methodologies.~~

~~(2) CONTENT OF EVALUATIONS.—Evaluations conducted pursuant to this section may include comparison between youth participating in the programs and the community at large of rates of—~~

~~(A) delinquency, youth crime, youth gang activity, youth substance abuse, and other high risk factors;~~

~~(B) risk factors in young people that contribute to juvenile violence, including academic failure, excessive school absenteeism, and dropping out of school;~~

~~(C) risk factors in the community, schools, and family environments that contribute to youth violence; and~~

~~(D) criminal victimizations of youth.~~

~~(f) SENSE OF THE SENATE REGARDING FUNDING FOR PROGRAMS DETERMINED TO BE INEFFECTIVE.—It is the sense of the Senate that programs identified in the study performed pursuant to this section as being ineffective in addressing juvenile crime and substance abuse should not receive Federal funding in any fiscal year following the issuance of such study.~~

~~(g) FUNDING.—There are authorized to be appropriated to carry out the study under subsection (a) $1,000,000.~~

~~SEC. 310. REPORT ON DRUG-TESTING TECHNOLOGIES.~~

~~(a) REQUIREMENT.—The National Institute on Standards and Technology shall conduct a study of drug-testing technologies in order to identify and assess the efficacy, accuracy, and usefulness for purposes of the National effort to detect the use of illicit drugs of any drug-testing technologies (including the testing of hair) that may be used as alternatives or complements to urinalysis as a means of detecting the use of such drugs.~~

~~(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Institute shall submit to Congress a report on the results of the study conducted under subsection (a).~~

~~SEC. 311. USE OF NATIONAL INSTITUTES OF HEALTH SUBSTANCE ABUSE RESEARCH.~~

~~(a) NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM.—Section 464H of the Public Health Service Act (42 U.S.C. 285n) is amended—~~

~~(1) by redesignating subsection (d) as subsection (e); and~~

~~(2) by inserting after subsection (c) the following:~~

~~"(d) REQUIREMENT TO ENSURE THAT RESEARCH AIDS PRACTITIONERS.—The Director, in conjunction with the Director of the National Institute on Drug Abuse and the Director of the Center for Substance Abuse Treatment, shall—~~

~~"(1) ensure that the results of all current alcohol research that is set aside for services (and other appropriate research with practical consequences) is widely disseminated to treatment practitioners in an easily understandable format;~~

~~"(2) ensure that such research results are disseminated in a manner that provides easily understandable steps for the implementation of best practices based on the research; and~~

~~"(3) make technical assistance available to the Center for Substance Abuse Treatment to assist alcohol and drug treatment practitioners to make permanent changes in treatment activities through the use of successful treatment models.".~~

~~(b) NATIONAL INSTITUTE ON DRUG ABUSE.—Section 464L of the Public Health Service Act (42 U.S.C. 285o) is amended—~~

~~(1) by redesignating subsection (d) as subsection (e); and~~

~~(2) by inserting after subsection (c) the following:~~

~~"(d) REQUIREMENT TO ENSURE THAT RESEARCH AIDS PRACTITIONERS.—The Director, in conjunction with the Director of the National Institute on Alcohol Abuse and Alcoholism and the Director of the Center for Substance Abuse Treatment, shall—~~

~~"(1) ensure that the results of all current drug abuse research that is set aside for services (and other appropriate research with practical consequences) is widely disseminated to treatment practitioners in an easily understandable format;~~

~~"(2) ensure that such research results are disseminated in a manner that provides easily understandable steps for the implementation of best practices based on the research; and~~

~~"(3) make technical assistance available to the Center for Substance Abuse Treatment to assist alcohol and drug treatment practitioners to make permanent changes in treatment activities through the use of successful treatment models.".~~

TITLE IV—SCHOOL SAFETY AND CHARACTER EDUCATION

Subtitle A—School Safety

SEC. 401. ALTERNATIVE EDUCATION.

Part D of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6421 et seq.) is amended by adding at the end the following:

"Subpart 4—Alternative Education Demonstration Project Grants

"SEC. 1441. PROGRAM AUTHORITY.

"(a) GRANTS.—

"(1) IN GENERAL.—From amounts appropriated under section 1443, the Secretary, in consultation with the Administrator, shall make grants to State educational agencies or local educational agencies for not less than 10 demonstration projects that enable the agencies to develop models for and carry out alternative education for at-risk youth.

"(2) CONSTRUCTION.—Nothing in this subpart shall be construed to affect the requirements of the Individuals with Disabilities Education Act.

"(b) DEMONSTRATION PROJECTS.—

"(1) PARTNERSHIPS.—Each agency receiving a grant under this subpart may enter into a partner-

~~ship with a private sector entity to provide alternative educational services to at-risk youth.~~

~~"(2) REQUIREMENTS.—Each demonstration project assisted under this subpart shall—~~

~~"(A) accept for alternative education at-risk or delinquent youth who are referred by a local school or by a court with a juvenile delinquency docket and who—~~

~~"(i) have demonstrated a pattern of serious and persistent behavior problems in regular schools;~~

~~"(ii) are at risk of dropping out of school;~~

~~"(iii) have been convicted of a criminal offense or adjudicated delinquent for an act of juvenile delinquency, and are under a court's supervision; or~~

~~"(iv) have demonstrated that continued enrollment in a regular classroom—~~

~~"(I) poses a physical threat to other students; or~~

~~"(II) inhibits an atmosphere conducive to learning; and~~

~~"(B) provide for accelerated learning, in a safe, secure, and disciplined environment, including—~~

~~"(i) basic curriculum focused on mastery of essential skills, including targeted instruction in basic skills required for secondary school graduation; and~~

~~"(ii) emphasis on—~~

~~"(I) personal, academic, social, and workplace skills; and~~

~~"(II) behavior modification.~~

~~"(c) APPLICABILITY.—Except as provided in subsections (c) and (e) of section 1442, the provisions of section 1401(c), 1402, and 1431, and subparts 1 and 2, shall not apply to this subpart.~~

~~"(d) DEFINITION OF ADMINISTRATOR.—In this subpart, the term 'Administrator' means the Administrator of the Office of Juvenile Crime Control and Prevention of the Department of Justice.~~

~~"SEC. 1442. APPLICATIONS; GRANTEE SELECTION.~~

~~"(a) APPLICATIONS.—Each State educational agency and local educational agency seeking a grant under this subpart shall submit an application in such form, and containing such information, as the Secretary, in consultation with the Administrator, may reasonably require.~~

~~"(b) SELECTION OF GRANTEES.—~~

~~"(1) IN GENERAL.—The Secretary shall select State educational agencies and local educational agencies to receive grants under this subpart on an equitable geographic basis, including selecting agencies that serve urban, suburban, and rural populations.~~

~~"(2) MINIMUM.—The Secretary shall award a grant under this subpart to not less than 1 agency serving a population with a significant percentage of Native Americans.~~

~~"(3) PRIORITY.—In awarding grants under this subpart, the Secretary may give priority to State educational agencies and local educational agencies that demonstrate in the application submitted under subsection (a) that the State has a policy of equitably distributing resources among school districts in the State.~~

~~"(c) QUALIFICATIONS.—To qualify for a grant under this subpart, a State educational agency or local educational agency shall—~~

~~"(1) in the case of a State educational agency, have submitted a State plan under section 1414(a) that is approved by the Secretary;~~

~~"(2) in the case of a local educational agency, have submitted an application under section 1423 that is approved by the State educational agency;~~

~~"(3) certify that the agency will comply with the restrictions of section 292 of the Juvenile Justice and Delinquency Prevention Act of 1974;~~

~~"(4) explain the educational and juvenile justice needs of the community to be addressed by the demonstration project;~~

~~"(5) provide a detailed plan to implement the demonstration project; and~~

~~"(6) provide assurances and an explanation of the agency's ability to continue the program funded by the demonstration project after the termination of Federal funding under this subpart.~~

~~"(d) MATCHING REQUIREMENT.—~~

~~"(1) IN GENERAL.—Grant funds provided under this subpart shall not constitute more than 35 percent of the cost of the demonstration project funded.~~

~~"(2) SOURCE OF FUNDS.—Matching funds for grants under this subpart may be derived from amounts available under section 205, or part B of title II, of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) to the~~

~~State in which the demonstration project will be carried out, except that the total share of funds derived from Federal sources shall not exceed 50 percent of the cost of the demonstration project.~~

~~"(e) PROGRAM EVALUATION.—~~

~~"(1) IN GENERAL.—Each State educational agency or local educational agency that receives a grant under this subpart shall evaluate the demonstration project assisted under this subpart in the same manner as programs are evaluated under section 1431. In addition, the evaluation shall include—~~

~~"(A) an evaluation of the effect of the alternative education project on order, discipline, and an effective learning environment in regular classrooms;~~

~~"(B) an evaluation of the project's effectiveness in improving the skills and abilities of at-risk students assigned to alternative education, including an analysis of the academic and social progress of such students; and~~

~~"(C) an evaluation of the project's effectiveness in reducing juvenile crime and delinquency, including—~~

~~"(i) reductions in incidents of campus crime in relevant school districts, compared~~

with school districts not included in the project; and

"(ii) reductions in recidivism by at-risk students who have juvenile justice system involvement and are assigned to alternative education.

"(2) EVALUATION BY THE SECRETARY.—The Secretary, in cooperation with the Administrator, shall comparatively evaluate each of the demonstration projects funded under this subpart, including an evaluation of the effectiveness of private sector educational services, and shall report the findings of the evaluation to the Committee on Education and the Workforce of the House of Representatives and the Committees on the Judiciary and Health, Education, Labor and Pensions of the Senate not later than June 30, 2007.

"SEC. 1443. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this subpart $15,000,000 for each of fiscal years 2002, 2003, and 2004.".

SEC. 402. TRANSFER OF SCHOOL DISCIPLINARY RECORDS.

Part F of title XIV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8921 et seq.) is amended by adding at the end the following:

~~"SEC. 14604. TRANSFER OF SCHOOL DISCIPLINARY RECORDS.~~

~~"(a) NONAPPLICATION OF PROVISIONS.—The provisions of this section shall not apply to any disciplinary records transferred from a private, parochial, or other nonpublic school, person, institution, or other entity, that provides education below the college level.~~

~~"(b) DISCIPLINARY RECORDS.—Not later than 2 years after the date of enactment of the Drug Abuse Education, Prevention, and Treatment Act of 2001, each State receiving Federal funds under this Act shall provide an assurance to the Secretary that the State has a procedure in place to facilitate the transfer of disciplinary records by local educational agencies to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, full-time or part-time, in the school.".~~

~~Subtitle B—Character Education~~

~~CHAPTER 1—NATIONAL CHARACTER ACHIEVEMENT AWARD~~

~~SEC. 411. NATIONAL CHARACTER ACHIEVEMENT AWARD.~~

~~(a) PRESENTATION AUTHORIZED.—The President is authorized to award to individuals under the age of 18, on behalf of the Congress, a National Character Achievement Award, consisting of a medal of appropriate design, with ribbons and appurtenances, honoring those individ-~~

~~uals for distinguishing themselves as a model of good character.~~

~~(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury shall design and strike a medal with suitable emblems, devices, and inscriptions, to be determined by such Secretary.~~

~~(c) ELIGIBILITY.—~~

~~(1) IN GENERAL.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall establish procedures for the processing of recommendations to be forwarded to the President for awarding National Character Achievement Awards under subsection (a).~~

~~(2) RECOMMENDATIONS BY SCHOOL PRINCIPALS.—At a minimum, the recommendations referred to in paragraph (1) shall contain the endorsement of the principal (or equivalent official) of the school in which the individual under the age of 18 is enrolled.~~

~~CHAPTER 2—PREVENTING JUVENILE DELINQUENCY THROUGH CHARACTER EDUCATION~~

~~SEC. 421. PURPOSE.~~

~~The purpose of this chapter is to support the work of community-based organizations, local educational agen-~~

~~cies, and schools in providing children and youth with alternatives to delinquency through strong after school programs that—~~

~~(1) are organized around character education;~~

~~(2) reduce delinquency, school discipline problems, and truancy; and~~

~~(3) improve student achievement, overall school performance, and youths' positive involvement in their community.~~

~~SEC. 422. AUTHORIZATION OF APPROPRIATIONS.~~

~~(a) IN GENERAL.—There are authorized to be appropriated to carry out the after school programs under this chapter, $100,000,000 for fiscal year 2002, and such sums as may be necessary for each of the 2 succeeding fiscal years.~~

~~(b) SOURCE OF FUNDING.—Amounts authorized to be appropriated pursuant to this section may be derived from the Violent Crime Reduction Trust Fund.~~

~~SEC. 423. AFTER SCHOOL PROGRAMS.~~

~~(a) IN GENERAL.—The Secretary, in consultation with the Attorney General, is authorized to award grants to community-based organizations to enable the organizations to provide youth with alternative activities, in the after school or out of school hours, that include a strong character education component.~~

~~(b) ELIGIBLE COMMUNITY-BASED ORGANIZATIONS.—The Secretary shall only award a grant under this section to a community-based organization that has a demonstrated capacity to provide after school or out of school programs to youth, including youth serving organizations, businesses, and other community groups.~~

~~(c) APPLICATIONS.—Each community-based organization desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Each application shall include—~~

~~(1) a description of the community to be served and the needs that will be met through the program in that community;~~

~~(2) a description of how the program will identify and recruit at-risk youth for participation in the program, and how the program will provide continuing support for the participation of such youth;~~

~~(3) a description of the activities to be assisted under the grant, including—~~

~~(A) how parents, students, and other members of the community will be involved in the design and implementation of the program;~~

~~(B) how character education will be incorporated into the program; and~~

~~(C) how the program will coordinate activities assisted under this section with activities of schools and other community-based organizations;~~

~~(4) a description of the goals of the program;~~

~~(5) a description of how progress toward achieving such goals, and toward meeting the purposes of this chapter, will be measured; and~~

~~(6) an assurance that the community-based organization will provide the Secretary with information regarding the program and the effectiveness of the program.~~

~~SEC. 424. GENERAL PROVISIONS.~~

~~(a) DURATION.—Each grant under this chapter shall be awarded for a period of not to exceed 5 years.~~

~~(b) PLANNING.—A community-based organization may use grant funds provided under this chapter for not more than 1 year for the planning and design of the program to be assisted.~~

~~(c) SELECTION OF GRANTEES.—~~

~~(1) CRITERIA.—The Secretary, in consultation with the Attorney General, shall select, through a peer review process, community-based organizations to receive grants under this chapter on the basis of~~

~~the quality of the applications submitted and taking into consideration such factors as—~~

~~(A) the quality of the activities to be assisted;~~

~~(B) the extent to which the program fosters in youth the elements of character and reaches youth at-risk of delinquency;~~

~~(C) the quality of the plan for measuring and assessing the success of the program;~~

~~(D) the likelihood the goals of the program will be realistically achieved;~~

~~(E) the experience of the applicant in providing similar services; and~~

~~(F) the coordination of the program with larger community efforts in character education.~~

~~(2) DIVERSITY OF PROJECTS.—The Secretary shall approve applications under this chapter in a manner that ensures, to the extent practicable, that programs assisted under this chapter serve different areas of the United States, including urban, suburban and rural areas, and serve at-risk populations.~~

~~(d) USE OF FUNDS.—Grant funds under this chapter shall be used to support the work of community-based organizations, schools, or local educational agencies in pro-~~

~~viding children and youth with alternatives to delinquency through strong after school, or out of school programs that—~~

~~(1) are organized around character education;~~

~~(2) reduce delinquency, school discipline problems, and truancy; and~~

~~(3) improve student achievement, overall school performance, and youths' positive involvement in their community.~~

~~(d) DEFINITIONS.—In this chapter:~~

~~(1) IN GENERAL.—The terms used shall have the meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).~~

~~(2) CHARACTER EDUCATION.—The term "character education" means an organized educational program that works to reinforce core elements of character, including caring, civic virtue and citizenship, justice and fairness, respect, responsibility, and trustworthiness.~~

~~(3) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.~~

~~CHAPTER 3—COUNSELING, TRAINING, AND MENTORING CHILDREN OF PRISONERS~~

~~SEC. 431. PURPOSE.~~

~~The purpose of this chapter is to support the work of community-based organizations in providing counseling, training, and mentoring services to America's most at-risk children and youth in low-income and high-crime communities who have a parent or legal guardian that is incarcerated in a Federal, State, or local correctional facility.~~

~~SEC. 432. AUTHORIZATION OF APPROPRIATIONS.~~

~~(a) IN GENERAL.—There are authorized to be appropriated to carry out programs under this chapter, $25,000,000 for fiscal year 2002, and such sums as may be necessary for each of the 2 succeeding fiscal years.~~

~~(b) SOURCE OF FUNDING.—Amounts authorized to be appropriated pursuant to this section may be derived from the Violent Crime Reduction Trust Fund.~~

~~SEC. 433. COUNSELING, TRAINING, AND MENTORING PROGRAMS.~~

~~(a) IN GENERAL.—The Attorney General shall award grants to community-based organizations to enable the organizations to provide youth who have a parent or legal guardian incarcerated in a Federal, State, or local correctional facility with counseling, training, and mentoring services in low-income and high-crime communities that include—~~

~~(1) counseling, including drug prevention counseling;~~

~~(2) academic tutoring, including online computer academic programs that focus on the development and reinforcement of basic skills;~~

~~(3) technology training, including computer skills;~~

~~(4) job skills and vocational training; and~~

~~(5) confidence building mentoring services.~~

~~(b) ELIGIBLE COMMUNITY-BASED ORGANIZATIONS.—The Attorney General shall only award a grant under this section to a community-based organization that has a demonstrated capacity to provide after school or out of school programs to youth, including youth serving organizations, businesses, and other community groups.~~

~~(c) APPLICATIONS.—Each community-based organization desiring a grant under this section shall submit an application to the Attorney General at such time and in such manner as the Attorney General may require. Each application shall include—~~

~~(1) a description of the community to be served and the needs that will be met through the program in that community;~~

~~(2) a description of how the program will identify and recruit youth who have a parent or legal~~

~~guardian that is incarcerated in a Federal, State, or local correctional facility for participation in the program, and how the program will provide continuing support for the participation of such youth;~~

~~(3) a description of the activities to be assisted under the grant, including—~~

~~(A) how parents, residents, and other members of the community will be involved in the design and implementation of the program; and~~

~~(B) how counseling, training, and mentoring services will be incorporated into the program;~~

~~(4) a description of the goals of the program;~~

~~(5) a description of how progress toward achieving such goals, and toward meeting the purposes of this chapter, will be measured; and~~

~~(6) an assurance that the community-based organization will provide the Attorney General with information regarding the program and the effectiveness of the program.~~

~~SEC. 434. GENERAL PROVISIONS.~~

~~(a) DURATION.—Each grant under this chapter shall be awarded for a period of not to exceed 5 years.~~

~~(b) PLANNING.—A community-based organization may use grant funds provided under this chapter for not more than 1 year for the planning and design of the program to be assisted.~~

~~(c) SELECTION OF GRANTEES.—~~

~~(1) CRITERIA.—The Attorney General shall select, through a peer review process, community-based organizations to receive grants under this chapter on the basis of the quality of the applications submitted and taking into consideration such factors as—~~

~~(A) the quality of the activities to be assisted;~~

~~(B) the extent to which the program fosters positive youth development and encourages meaningful and rewarding lifestyles;~~

~~(C) the likelihood the goals of the program will be realistically achieved;~~

~~(D) the experience of the applicant in providing similar services; and~~

~~(E) the coordination of the program with larger community efforts.~~

~~(2) DIVERSITY OF PROJECTS.—The Secretary shall approve applications under this chapter in a manner that ensures, to the extent practicable, that~~

~~programs assisted under this chapter serve different low-income and high-crime communities of the United States.~~

~~(d) USE OF FUNDS.—Grant funds under this chapter shall be used to support the work of community-based organizations in providing children of incarcerated parents or legal guardians with alternatives to delinquency through strong after school, or out of school programs that—~~

~~(1) are organized around counseling, training, and mentoring;~~

~~(2) reduce delinquency, school discipline problems, and truancy; and~~

~~(3) improve student achievement, overall school performance, and youths' positive involvement in their community.~~

~~TITLE V—REESTABLISHMENT OF DRUG COURTS~~

~~SEC. 501. REESTABLISHMENT OF DRUG COURTS.~~

~~(a) DRUG COURTS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by inserting after part DD the following new part:~~

~~"PART EE—DRUG COURTS~~

~~"SEC. 2951. GRANT AUTHORITY.~~

~~"(a) IN GENERAL.—The Attorney General may make grants to States, State courts, local courts, units of local government, and Indian tribal governments, acting directly or through agreements with other public or private entities, for programs that involve—~~

~~"(1) continuing judicial supervision over offenders with substance abuse problems who are not violent offenders; and~~

~~"(2) the integrated administration of other sanctions and services, which shall include—~~

~~"(A) mandatory periodic testing for the use of controlled substances or other addictive substances during any period of supervised release or probation for each participant;~~

~~"(B) substance abuse treatment for each participant;~~

~~"(C) diversion, probation, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements or failure to show satisfactory progress;~~

~~"(D) offender management, and aftercare services such as relapse prevention, health care, education, vocational training, job placement,~~

~~housing placement, and child care or other family support services for each participant who requires such services;~~

~~"(E) payment, in whole or part, by the offender of treatment costs, to the extent practicable, such as costs for urinalysis or counseling; and~~

~~"(F) payment, in whole or part, by the offender of restitution, to the extent practicable, to either a victim of the offender's offense or to a restitution or similar victim support fund.~~

~~"(b) LIMITATION.—Economic sanctions imposed on an offender pursuant to this section shall not be at a level that would interfere with the offender's rehabilitation.~~

~~"SEC. 2952. PROHIBITION OF PARTICIPATION BY VIOLENT OFFENDERS.~~

~~"The Attorney General shall—~~

~~"(1) issue regulations or guidelines to ensure that the programs authorized in this part do not permit participation by violent offenders; and~~

~~"(2) immediately suspend funding for any grant under this part, pending compliance, if the Attorney General finds that violent offenders are participating in any program funded under this part.~~

~~"SEC. 2953. DEFINITION.~~

~~"In this part, the term 'violent offender' means a person who—~~

~~"(1) is charged with or convicted of an offense, during the course of which offense or conduct—~~

~~"(A) the person carried, possessed, or used a firearm or dangerous weapon;~~

~~"(B) there occurred the death of or serious bodily injury to any person; or~~

~~"(C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or~~

~~"(2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.~~

~~"SEC. 2954. ADMINISTRATION.~~

~~"(a) CONSULTATION.—The Attorney General shall consult with the Secretary of Health and Human Services and any other appropriate officials in carrying out this part.~~

~~"(b) USE OF COMPONENTS.—The Attorney General may utilize any component or components of the Department of Justice in carrying out this part.~~

~~"(c) REGULATORY AUTHORITY.—The Attorney General may issue regulations and guidelines necessary to carry out this part.~~

~~"(d) APPLICATIONS.—In addition to any other requirements that may be specified by the Attorney General, an application for a grant under this part shall—~~

~~"(1) include a long-term strategy and detailed implementation plan;~~

~~"(2) explain the applicant's inability to fund the program adequately without Federal assistance;~~

~~"(3) certify that the Federal support provided will be used to supplement, and not supplant, State, Indian tribal, and local sources of funding that would otherwise be available;~~

~~"(4) identify related governmental or community initiatives which complement or will be coordinated with the proposal;~~

~~"(5) certify that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with all affected agencies in the implementation of the program;~~

~~"(6) certify that participating offenders will be supervised by 1 or more designated judges with responsibility for the drug court program;~~

~~"(7) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support; and~~

~~"(8) describe the methodology that will be used in evaluating the program.~~

~~"SEC. 2955. APPLICATIONS.~~

~~"To request funds under this part, the chief executive or the chief justice of a State or the chief executive or chief judge of a unit of local government or Indian tribal government, or the chief judge of a State or local court or Indian tribal court shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.~~

~~"SEC. 2956. FEDERAL SHARE.~~

~~"(a) IN GENERAL.—The Federal share of a grant made under this part may not exceed 75 percent of the total costs of the program described in the application submitted under section 2955 for the fiscal year for which the program receives assistance under this part, unless the Attorney General waives, wholly or in part, the requirement of a matching contribution under this section.~~

~~"(b) IN-KIND CONTRIBUTIONS.—In-kind contributions may constitute a portion of the non-Federal share of a grant.~~

~~"SEC. 2957. DISTRIBUTION AND ALLOCATION.~~

~~"(a) GEOGRAPHIC DISTRIBUTION.—The Attorney General shall ensure that, to the extent practicable, an equitable geographic distribution of grant awards is made.~~

~~"(b) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this part have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this part not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this part.~~

~~"SEC. 2958. REPORT.~~

~~"A State, Indian tribal government, or unit of local government that receives funds under this part during a fiscal year shall submit to the Attorney General a report in March of the following year regarding the effectiveness of this part.~~

~~"SEC. 2959. TECHNICAL ASSISTANCE, TRAINING, AND EVALUATION.~~

~~"(a) TECHNICAL ASSISTANCE AND TRAINING.—The Attorney General may provide technical assistance and training in furtherance of the purposes of this part.~~

~~"(b) EVALUATIONS.—In addition to any evaluation requirements that may be prescribed for grantees, the Attorney General may carry out or make arrangements for evaluations of programs that receive support under this part.~~

~~"(c) ADMINISTRATION.—The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, in collaboration with the Secretary of Health and Human Services, or through grants, contracts, or other cooperative arrangements with other entities.".~~

~~(b) TECHNICAL AMENDMENT.—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by inserting after the matter relating to part DD the following:~~

~~"PART EE—DRUG COURTS~~

~~"Sec. 2951. Grant authority.~~
~~"Sec. 2952. Prohibition of participation by violent offenders.~~
~~"Sec. 2953. Definition.~~
~~"Sec. 2954. Administration.~~
~~"Sec. 2955. Applications.~~
~~"Sec. 2956. Federal share.~~
~~"Sec. 2957. Distribution and allocation.~~
~~"Sec. 2958. Report.~~
~~"Sec. 2959. Technical assistance, training, and evaluation.".~~

SEC. 502. AUTHORIZATION OF APPROPRIATIONS.

Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended—

(1) in paragraph (3), by inserting before the period at the end the following: "or EE"; and

(2) by adding at the end the following new paragraph:

"(20)(A) There are authorized to be appropriated for fiscal year 2002 the sum of $50,000,000 and for fiscal years 2003 and 2004 such sums as may be necessary to carry out part EE.

"(B) The Attorney General shall reserve not less than 1 percent and not more than 3 percent of the sums appropriated for this program in each fiscal year for research and evaluation of this program.".

TITLE VI—PROGRAM FOR SUCCESSFUL REENTRY OF CRIMINAL OFFENDERS INTO LOCAL COMMUNITIES

SEC. 601. SHORT TITLE.

This title may be cited as the "Offender Reentry and Community Safety Act of 2001".

SEC. 602. PURPOSES.

The purposes of this title are to—

~~(1) establish demonstration projects in several Federal judicial districts, the District of Columbia, and in the Federal Bureau of Prisons, using new strategies and emerging technologies that alleviate the public safety risk posed by released prisoners by promoting their successful reintegration into the community;~~

~~(2) establish court-based programs to monitor the return of offenders into communities, using court sanctions to promote positive behavior;~~

~~(3) establish offender reentry demonstration projects in the states using government and community partnerships to coordinate cost efficient strategies that ensure public safety and enhance the successful reentry into communities of offenders who have completed their prison sentences;~~

~~(4) establish intensive aftercare demonstration projects that address public safety and ensure the special reentry needs of juvenile offenders by coordinating the resources of juvenile correctional agencies, juvenile courts, juvenile parole agencies, law enforcement agencies, social service providers, and local Workforce Investment Boards; and~~

~~(5) rigorously evaluate these reentry programs to determine their effectiveness in reducing recidi-~~

~~vism and promoting successful offender reintegration.~~

~~Subtitle A—Federal Reentry Demonstration Projects~~

~~SEC. 611. FEDERAL REENTRY CENTER DEMONSTRATION.~~

~~(a) AUTHORITY AND ESTABLISHMENT OF DEMONSTRATION PROJECT.—From funds made available to carry out this subtitle, the Attorney General, in consultation with the Director of the Administrative Office of the United States Courts, shall establish the Federal Reentry Center Demonstration project. The project shall involve appropriate prisoners from the Federal prison population and shall utilize community corrections facilities, home confinement, and a coordinated response by Federal agencies to assist participating prisoners, under close monitoring and more seamless supervision, in preparing for and adjusting to reentry into the community.~~

~~(b) PROJECT ELEMENTS.—The project authorized by subsection (a) shall include—~~

~~(1) a Reentry Review Team for each prisoner, consisting of representatives from the Bureau of Prisons, the United States Probation System, and the relevant community corrections facility, who shall initially meet with the prisoner to develop a reentry plan tailored to the needs of the prisoner and~~

~~incorporating victim impact information, and will thereafter meet regularly to monitor the prisoner's progress toward reentry and coordinate access to appropriate reentry measures and resources;~~

~~(2) regular drug testing, as appropriate;~~

~~(3) a system of graduated levels of supervision within the community corrections facility to promote community safety, provide incentives for prisoners to complete the reentry plan, including victim restitution, and provide a reasonable method for imposing immediate sanctions for a prisoner's minor or technical violation of the conditions of participation in the project;~~

~~(4) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed;~~

~~(5) to the extent practicable, the recruitment and utilization of local citizen volunteers, including volunteers from the faith-based and business communities, to serve as advisers and mentors to prisoners being released into the community;~~

~~(6) a description of the methodology and outcome measures that will be used to evaluate the program; and~~

~~(7) notification to victims on the status and nature of offenders' reentry plan.~~

~~(c) PROBATION OFFICERS.—From funds made available to carry out this Act, the Director of the Administrative Office of the United States Courts shall assign one or more probation officers from each participating judicial district to the Reentry Demonstration project. Such officers shall be assigned to and stationed at the community corrections facility and shall serve on the Reentry Review Teams.~~

~~(d) PROJECT DURATION.—The Reentry Center Demonstration project shall begin not later than 6 months following the availability of funds to carry out this section, and shall last 3 years. The Attorney General may extend the project for a period of up to 6 months to enable participant prisoners to complete their involvement in the project.~~

~~(e) SELECTION OF DISTRICTS.—The Attorney General, in consultation with the Judicial Conference of the United States, shall select an appropriate number of Federal judicial districts in which to carry out the Reentry Center Demonstration project.~~

~~(f) COORDINATION OF PROJECTS.—The Attorney General, may, if appropriate, include in the Reentry Center Demonstration project offenders who participated in the Enhanced In-Prison Vocational Assessment and Training Demonstration project established by section 615 of this Act.~~

~~SEC. 612. FEDERAL HIGH-RISK OFFENDER REENTRY DEMONSTRATION.~~

~~(a) AUTHORITY AND ESTABLISHMENT OF DEMONSTRATION PROJECT.—From funds made available to carry out this Act, the Director of the Administrative Office of the United States Courts, in consultation with the Attorney General, shall establish the Federal High-Risk Offender Reentry Demonstration project. The project shall involve Federal offenders under supervised release who have previously violated the terms of their release following a term of imprisonment and shall utilize, as appropriate and indicated, community corrections facilities, home confinement, appropriate monitoring technologies, and treatment and programming to promote more effective reentry into the community.~~

~~(b) PROJECT ELEMENTS.—The project authorized by subsection (a) shall include—~~

~~(1) participation by Federal prisoners who have previously violated the terms of their release following a term of imprisonment;~~

~~(2) use of community corrections facilities and home confinement that, together with the technology referenced in paragraph (5), will be part of a system of graduated levels of supervision;~~

~~(3) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed;~~

~~(4) involvement of a victim advocate and the family of the prisoner, if it is safe for the victim(s), especially in domestic violence cases, to be involved;~~

~~(5) the use of monitoring technologies, as appropriate and indicated, to monitor and supervise participating offenders in the community;~~

~~(6) a description of the methodology and outcome measures that will be used to evaluate the program; and~~

~~(7) notification to victims on the status and nature of a prisoner's reentry plan.~~

~~(c) MANDATORY CONDITION OF SUPERVISED RELEASE.—In each of the judicial districts in which the dem-~~

~~onstration project is in effect, appropriate offenders who are found to have violated a previously imposed term of supervised release and who will be subject to some additional term of supervised release, shall be designated to participate in the demonstration project. With respect to these offenders, the court shall impose additional mandatory conditions of supervised release that each offender shall, as directed by the probation officer, reside at a community corrections facility or participate in a program of home confinement, or both, and submit to appropriate monitoring, and otherwise participate in the project.~~

~~(d) PROJECT DURATION.—The Federal High-Risk Offender Reentry Demonstration shall begin not later than six months following the availability of funds to carry out this section, and shall last 3 years. The Director of the Administrative Office of the United States Courts may extend the project for a period of up to six months to enable participating prisoners to complete their involvement in the project.~~

~~(e) SELECTION OF DISTRICTS.—The Judicial Conference of the United States, in consultation with the Attorney General, shall select an appropriate number of Federal judicial districts in which to carry out the Federal High-Risk Offender Reentry Demonstration project.~~

~~SEC. 613. DISTRICT OF COLUMBIA INTENSIVE SUPERVISION, TRACKING, AND REENTRY TRAINING (DC ISTART) DEMONSTRATION.~~

~~(a) AUTHORITY AND ESTABLISHMENT OF DEMONSTRATION PROJECT.—From funds made available to carry out this Act, the Trustee of the Court Services and Offender Supervision Agency of the District of Columbia, as authorized by the National Capital Revitalization and Self Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) shall establish the District of Columbia Intensive Supervision, Tracking and Reentry Training Demonstration (DC iSTART) project. The project shall involve high risk District of Columbia parolees who would otherwise be released into the community without a period of confinement in a community corrections facility and shall utilize intensive supervision, monitoring, and programming to promote such parolees' successful reentry into the community.~~

~~(b) PROJECT ELEMENTS.—The project authorized by subsection (a) shall include—~~

~~(1) participation by appropriate high risk parolees;~~

~~(2) use of community corrections facilities and home confinement;~~

~~(3) a Reentry Review Team that includes a victim witness professional for each parolee which shall~~

~~meet with the parolee—by video conference or other means as appropriate—before the parolee's release from the custody of the Federal Bureau of Prisons to develop a reentry plan that incorporates victim impact information and is tailored to the needs of the parolee and which will thereafter meet regularly to monitor the parolee's progress toward reentry and coordinate access to appropriate reentry measures and resources;~~

~~(4) regular drug testing, as appropriate;~~

~~(5) a system of graduated levels of supervision within the community corrections facility to promote community safety, victim restitution, to the extent practicable, provide incentives for prisoners to complete the reentry plan, and provide a reasonable method for immediately sanctioning a prisoner's minor or technical violation of the conditions of participation in the project;~~

~~(6) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed;~~

~~(7) the use of monitoring technologies, as appropriate;~~

~~(8) to the extent practicable, the recruitment and utilization of local citizen volunteers, including volunteers from the faith-based communities, to serve as advisers and mentors to prisoners being released into the community; and~~

~~(9) notification to victims on the status and nature of a prisoner's reentry plan.~~

~~(c) MANDATORY CONDITION OF PAROLE.—For those offenders eligible to participate in the demonstration project, the United States Parole Commission shall impose additional mandatory conditions of parole such that the offender when on parole shall, as directed by the community supervision officer, reside at a community corrections facility or participate in a program of home confinement, or both, submit to electronic and other remote monitoring, and otherwise participate in the project.~~

~~(d) PROGRAM DURATION.—The District of Columbia Intensive Supervision, Tracking and Reentry Training Demonstration shall begin not later than 6 months following the availability of funds to carry out this section, and shall last 3 years. The Trustee of the Court Services and Offender Supervision Agency of the District of Columbia may extend the project for a period of up to 6 months to enable participating prisoners to complete their involvement in the project.~~

~~SEC. 614. FEDERAL INTENSIVE SUPERVISION, TRACKING, AND REENTRY TRAINING (FED ISTART) DEMONSTRATION.~~

~~(a) AUTHORITY AND ESTABLISHMENT OF DEMONSTRATION PROJECT.—From funds made available to carry out this section, the Director of the Administrative Office of the United States Courts shall establish the Federal Intensive Supervision, Tracking and Reentry Training Demonstration (FED iSTART) project. The project shall involve appropriate high risk Federal offenders who are being released into the community without a period of confinement in a community corrections facility.~~

~~(b) PROJECT ELEMENTS.—The project authorized by subsection (a) shall include—~~

~~(1) participation by appropriate high risk Federal offenders;~~

~~(2) significantly smaller caseloads for probation officers participating in the demonstration project;~~

~~(3) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed; and~~

~~(4) notification to victims on the status and nature of a prisoner's reentry plan.~~

~~(c) PROGRAM DURATION.—The Federal Intensive Supervision, Tracking and Reentry Training Demonstration shall begin not later than 6 months following the availability of funds to carry out this section, and shall last 3 years. The Director of the Administrative Office of the United States Courts may extend the project for a period of up to six months to enable participating prisoners to complete their involvement in the project.~~

~~(d) SELECTION OF DISTRICTS.—The Judicial Conference of the United States, in consultation with the Attorney General, shall select an appropriate number of Federal judicial districts in which to carry out the Federal Intensive Supervision, Tracking and Reentry Training Demonstration project.~~

~~SEC. 615. FEDERAL ENHANCED IN-PRISON VOCATIONAL ASSESSMENT AND TRAINING AND DEMONSTRATION.~~

~~(a) AUTHORITY AND ESTABLISHMENT OF DEMONSTRATION PROJECT.—From funds made available to carry out this section, the Attorney General shall establish the Federal Enhanced In-Prison Vocational Assessment and Training Demonstration project in selected institutions. The project shall provide in-prison assessments of prisoners' vocational needs and aptitudes, enhanced work skills development, enhanced release readiness program-~~

~~ming, and other components as appropriate to prepare Federal prisoners for release and reentry into the community.~~

~~(b) PROGRAM DURATION.—The Enhanced In-Prison Vocational Assessment and Training Demonstration shall begin not later than six months following the availability of funds to carry out this section, and shall last 3 years. The Attorney General may extend the project for a period of up to 6 months to enable participating prisoners to complete their involvement in the project.~~

~~SEC. 616. RESEARCH AND REPORTS TO CONGRESS.~~

~~(a) ATTORNEY GENERAL.—Not later than 2 years after the enactment of this Act, the Attorney General shall report to Congress on the progress of the demonstration projects authorized by sections 611 and 615 of this Act. Not later than 1 year after the end of the demonstration projects authorized by sections 611 and 615 of this Act, the Director of the Federal Bureau of Prisons shall report to Congress on the effectiveness of the reentry projects authorized by sections 611 and 615 on post-release outcomes and recidivism. The report shall address post-release outcomes and recidivism for a period of 3 years following release from custody. The reports submitted pursuant to this section shall be submitted to the Committees~~

~~on the Judiciary in the House of Representatives and the Senate.~~

~~(b) ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—Not later than 2 years after the enactment of this Act, Director of the Administrative Office of the United States Courts shall report to Congress on the progress of the demonstration projects authorized by sections 612 and 614 of this Act. Not later than 180 days after the end of the demonstration projects authorized by sections 612 and 614 of this Act, the Director of the Administrative Office of the United States Courts shall report to Congress on the effectiveness of the reentry projects authorized by sections 612 and 614 on post-release outcomes and recidivism. The report should address post-release outcomes and recidivism for a period of 3 years following release from custody. The reports submitted pursuant to this section shall be submitted to the Committees on the Judiciary in the House of Representatives and the Senate.~~

~~(c) DC ISTART.—Not later than 2 years after the enactment of this Act, the Executive Director of the corporation or institute authorized by section 11281(2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) shall report to Congress on the progress of the dem-~~

~~onstration project authorized by section 6 of this Act. Not later than 1 year after the end of the demonstration project authorized by section 613 of this Act, the Executive Director of the corporation or institute authorized by section 11281(2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) shall report to Congress on the effectiveness of the reentry project authorized by section 613 on post-release outcomes and recidivism. The report shall address post-release outcomes and recidivism for a period of three years following release from custody. The reports submitted pursuant to this section shall be submitted to the Committees on the Judiciary in the House of Representatives and the Senate. In the event that the corporation or institute authorized by section 11281(2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) is not in operation 1 year after the enactment of this Act, the Director of National Institute of Justice shall prepare and submit the reports required by this section and may do so from funds made available to the Court Services and Offender Supervision Agency of the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) to carry out this Act.~~

~~SEC. 617. DEFINITIONS.~~

~~In this subtitle:~~

~~(1) the term "appropriate prisoner" means a person who is considered by prison authorities—~~

~~(A) to pose a medium to high risk of committing a criminal act upon reentering the community, and~~

~~(B) to lack the skills and family support network that facilitate successful reintegration into the community; and~~

~~(2) the term "appropriate high risk parolees" means parolees considered by prison authorities—~~

~~(A) to pose a medium to high risk of committing a criminal act upon reentering the community; and~~

~~(B) to lack the skills and family support network that facilitate successful reintegration into the community.~~

~~SEC. 618. AUTHORIZATION OF APPROPRIATIONS.~~

~~To carry out this subtitle, there are authorized to be appropriated, to remain available until expended, the following amounts:~~

~~(1) To the Federal Bureau of Prisons—~~

~~(A) $1,110,000 for fiscal year 2002;~~

~~(B) $1,130,000 for fiscal year 2003; and~~

~~(C) $1,155,000 for fiscal year 2004.~~

~~(2) To the Federal Judiciary—~~

~~(A) $3,540,000 for fiscal year 2002;~~

~~(B) $3,720,000 for fiscal year 2003; and~~

~~(C) $3,910,000 for fiscal year 2004.~~

~~(3) To the Court Services and Offender Supervision Agency of the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712)—~~

~~(A) $4,510,000 for fiscal year 2002;~~

~~(B) $4,620,000 for fiscal year 2003; and~~

~~(C) $4,740,000 for fiscal year 2004.~~

~~Subtitle B—State Reentry Grant Programs~~

~~SEC. 621. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.~~

~~(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended, is amended by inserting after part EE the following new part:~~

~~"PART FF—OFFENDER REENTRY AND COMMUNITY SAFETY~~

~~"SEC. 2976. ADULT OFFENDER STATE AND LOCAL REENTRY PARTNERSHIPS.~~

~~"(a) GRANT AUTHORIZATION.—The Attorney General shall make grants of up to $1,000,000 to States, Territories, and Indian tribes, in partnership with units of local government and nonprofit organizations, for the purpose of establishing adult offender reentry demonstration projects. Funds may be expended by the projects for the following purposes:~~

~~"(1) oversight/monitoring of released offenders;~~

~~"(2) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed;~~

~~"(3) convening community impact panels, victim impact panels or victim impact educational classes; and~~

~~"(4) establishing and implementing graduated sanctions and incentives.~~

~~"(b) SUBMISSION OF APPLICATION.—In addition to any other requirements that may be specified by the Attorney General, an application for a grant under this subpart shall—~~

~~"(1) describe a long-term strategy and detailed implementation plan, including how the jurisdiction~~

~~plans to pay for the program after the Federal funding ends;~~

~~"(2) identify the governmental and community agencies that will be coordinated by this project;~~

~~"(3) certify that there has been appropriate consultation with all affected agencies and there will be appropriate coordination with all affected agencies in the implementation of the program, including existing community corrections and parole; and~~

~~"(4) describe the methodology and outcome measures that will be used in evaluating the program.~~

~~"(c) APPLICANTS.—The applicants as designated under 2601(a)—~~

~~"(1) shall prepare the application as required under subsection 2601(b); and~~

~~"(2) shall administer grant funds in accordance with the guidelines, regulations, and procedures promulgated by the Attorney General, as necessary to carry out the purposes of this part.~~

~~"(d) MATCHING FUNDS.—The Federal share of a grant received under this title may not exceed 75 percent of the costs of the project funded under this title unless the Attorney General waives, wholly or in part, the requirements of this section.~~

~~"(e) REPORTS.—Each entity that receives a grant under this part shall submit to the Attorney General, for each year in which funds from a grant received under this part is expended, a report at such time and in such manner as the Attorney General may reasonably require that contains:~~

~~"(1) a summary of the activities carried out under the grant and an assessment of whether such activities are meeting the needs identified in the application funded under this part; and~~

~~"(2) such other information as the Attorney General may require.~~

~~"(f) AUTHORIZATION OF APPROPRIATIONS.—~~

~~"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $40,000,000 in fiscal year 2002; and such sums as may be necessary for each of the fiscal years 2003 and 2004.~~

~~"(2) LIMITATIONS.—Of the amount made available to carry out this section in any fiscal year—~~

~~"(A) not more than 2 percent or less than 1 percent may be used by the Attorney General for salaries and administrative expenses; and~~

~~"(B) not more than 3 percent or less than 2 percent may be used for technical assistance and training.~~

~~"SEC. 2977. JUVENILE OFFENDER STATE AND LOCAL RE-ENTRY PROGRAMS.~~

~~"(a) GRANT AUTHORIZATION.—The Attorney General shall make grants of up to $250,000 to States, in partnership with local units of governments or nonprofit organizations, for the purpose of establishing juvenile offender reentry programs. Funds may be expended by the projects for the following purposes:~~

~~"(1) providing returning juvenile offenders with drug and alcohol testing and treatment and mental and medical health assessment and services;~~

~~"(2) convening victim impact panels, restorative justice panels, or victim impact educational classes for juvenile offenders;~~

~~"(3) oversight/monitoring of released juvenile offenders; and~~

~~"(4) providing for the planning of reentry services when the youth is initially incarcerated and coordinating the delivery of community-based services, such as education, family involvement and support, and other services as needed.~~

~~"(b) SUBMISSION OF APPLICATION.—In addition to any other requirements that may be specified by the Attorney General, an application for a grant under this subpart shall—~~

~~"(1) describe a long-term strategy and detailed implementation plan, including how the jurisdiction plans to pay for the program after the Federal funding ends;~~

~~"(2) identify the governmental and community agencies that will be coordinated by this project;~~

~~"(3) certify that there has been appropriate consultation with all affected agencies and there will be appropriate coordination with all affected agencies, including existing community corrections and parole, in the implementation of the program;~~

~~"(4) describe the methodology and outcome measures that will be used in evaluating the program.~~

~~"(c) APPLICANTS.—The applicants as designated under 2603(a)—~~

~~"(1) shall prepare the application as required under subsection 2603(b); and~~

~~"(2) shall administer grant funds in accordance with the guidelines, regulations, and procedures promulgated by the Attorney General, as necessary to carry out the purposes of this part.~~

~~"(d) MATCHING FUNDS.—The Federal share of a grant received under this title may not exceed 75 percent of the costs of the project funded under this title unless~~

~~the Attorney General waives, wholly or in part, the requirements of this section.~~

~~"(e) REPORTS.—Each entity that receives a grant under this part shall submit to the Attorney General, for each year in which funds from a grant received under this part is expended, a report at such time and in such manner as the Attorney General may reasonably require that contains:~~

~~"(1) a summary of the activities carried out under the grant and an assessment of whether such activities are meeting the needs identified in the application funded under this part; and~~

~~"(2) such other information as the Attorney General may require.~~

~~"(f) AUTHORIZATION OF APPROPRIATIONS.—~~

~~"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $5,000,000 in fiscal year 2002, and such sums as are necessary for each of the fiscal years 2003 and 2004.~~

~~"(2) LIMITATIONS.—Of the amount made available to carry out this section in any fiscal year—~~

~~"(A) not more than 2 percent or less than 1 percent may be used by the Attorney General for salaries and administrative expenses; and~~

1 ~~"(B) not more than 3 percent or less than~~
2 ~~2 percent may be used for technical assistance~~
3 ~~and training.~~

4 **~~"SEC. 2978. STATE REENTRY PROGRAM RESEARCH, DEVEL-~~**
5 **~~OPMENT, AND EVALUATION.~~**

6 ~~"(a) GRANT AUTHORIZATION.—The Attorney Gen-~~
7 ~~eral shall make grants to conduct research on a range of~~
8 ~~issues pertinent to reentry programs, the development and~~
9 ~~testing of new reentry components and approaches, se-~~
10 ~~lected evaluation of projects authorized in the preceding~~
11 ~~sections, and dissemination of information to the field.~~

12 ~~"(b) AUTHORIZATION OF APPROPRIATIONS.—There~~
13 ~~are authorized to be appropriated to carry out this section~~
14 ~~$2,000,000 in fiscal year 2002, and such sums as are nec-~~
15 ~~essary to carry out this section in fiscal years 2003 and~~
16 ~~2004.".~~

17 ~~(b) TECHNICAL AMENDMENT.—The table of contents~~
18 ~~of title I of the Omnibus Crime Control and Safe Streets~~
19 ~~Act of 1968 (42 U.S.C. 3711 et seq.), as amended, is~~
20 ~~amended by inserting at the end the following:~~

~~"PART FF—OFFENDER REENTRY AND COMMUNITY SAFETY ACT~~

~~"Sec. 2976. Adult Offender State and Local Reentry Partnerships.~~
~~"Sec. 2977. Juvenile Offender State and Local Reentry Programs.~~
~~"Sec. 2978. State Reentry Program Research, Development, and Evaluation.".~~

~~TITLE VII—ASSISTANCE BY RELIGIOUS ORGANIZATIONS UNDER GOVERNMENT PROGRAMS FUNDED UNDER THIS ACT~~

~~SEC. 701. ASSISTANCE BY RELIGIOUS ORGANIZATIONS UNDER GOVERNMENT PROGRAMS FUNDED UNDER THIS ACT.~~

~~(a) RELIGIOUS ORGANIZATIONS INCLUDED AS NON-GOVERNMENTAL PROVIDERS.—For any program carried out by the Federal Government, or by a State or local government with Federal funds under this Act, in which the Federal, State, or local government is authorized to use nongovernmental organizations, through contracts, grants, or other forms of disbursement, to provide assistance to beneficiaries under the program, the government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. Neither the Federal Government nor a State or local government receiving funds under such program shall discriminate against an organization that provides assistance under, or applies to provide assistance under, such pro-~~

~~gram, on the basis that the organization has a religious character.~~

~~(b) RELIGIOUS CHARACTER AND INDEPENDENCE.—~~

~~(1) IN GENERAL.—A religious organization that provides assistance under a program described in subsection (a) shall retain its independence from Federal, State, and local governments, including such organization's control over the definition, development, practice, and expression of its religious beliefs.~~

~~(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government nor a State or local government shall require a religious organization—~~

~~(A) to alter its form of internal governance; or~~

~~(B) to remove religious art, icons, scripture, or other symbols;~~

~~in order to be eligible to provide assistance under a program described in subsection (a).~~

~~(c) EMPLOYMENT PRACTICES.—The exemption of a religious organization provided under section 702 or 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1, 2000e–2(e)(2)) regarding employment practices shall not be affected by the religious organization's provi-~~

~~sion of assistance under, or receipt of funds from, a program described in subsection (a).~~

~~(d) RIGHTS OF BENEFICIARIES OF ASSISTANCE.—~~

~~(1) IN GENERAL.—If an individual described in paragraph (3) has an objection to the religious character of the organization from which the individual receives, or would receive, assistance funded under any program described in subsection (a), the appropriate Federal, State, or local governmental entity shall provide to such individual (if otherwise eligible for such assistance) within a reasonable period of time after the date of such objection, assistance that—~~

~~(A) is from an alternative organization that is accessible to the individual; and~~

~~(B) has a value that is not less than the value of the assistance that the individual would have received from such organization.~~

~~(2) NOTICE.—The appropriate Federal, State, or local governmental entity shall ensure that notice is provided to individuals described in paragraph (3) of the rights of such individuals under this section.~~

~~(3) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who re-~~

~~ceives or applies for assistance under a program described in subsection (a).~~

~~(c) NONDISCRIMINATION AGAINST BENEFICIARIES.—~~

~~(1) GRANTS AND CONTRACTS.—A religious organization providing assistance through a grant or contract under a program described in subsection (a) shall not discriminate, in carrying out the program, against an individual described in subsection (d)(3) on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice.~~

~~(2) INDIRECT FORMS OF DISBURSEMENT.—A religious organization providing assistance through a form of indirect disbursement under a program described in subsection (a) shall not deny an individual described in subsection (d)(3) admission into such program on the basis of religion, a religious belief, or a refusal to hold a religious belief.~~

~~(f) FISCAL ACCOUNTABILITY.—~~

~~(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing assistance under any program described in subsection (a) shall be subject to the same regulations as other nongovernmental organizations to account in accord~~

with generally accepted accounting principles for the use of such funds provided under such program.

(2) LIMITED AUDIT.—Such organization shall segregate government funds provided under such program into a separate account. Only the government funds shall be subject to audit by the government.

(g) COMPLIANCE.—A party alleging that the rights of the party under this section have been violated by a State or local government may bring a civil action pursuant to section 1979 against the official or government agency that has allegedly committed such violation. A party alleging that the rights of the party under this section have been violated by the Federal Government may bring a civil action for appropriate relief in an appropriate Federal district court against the official or government agency that has allegedly committed such violation.

(h) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided through a grant or contract to a religious organization to provide assistance under any program described in subsection (a) shall be expended for sectarian worship, instruction, or proselytization.

(i) EFFECT ON STATE AND LOCAL FUNDS.—If a State or local government contributes State or local funds

~~to carry out a program described in subsection (a), the State or local government may segregate the State or local funds from the Federal funds provided to carry out the program or may commingle the State or local funds with the Federal funds. If the State or local government commingles the State or local funds, the provisions of this section shall apply to the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.~~

~~(j) TREATMENT OF INTERMEDIATE CONTRACTORS.—If a nongovernmental organization (referred to in this subsection as an "intermediate organization"), acting under a contract or other agreement with the Federal Government or a State or local government, is given the authority under the contract or agreement to select nongovernmental organizations to provide assistance under the programs described in subsection (a), the intermediate organization shall have the same duties under this section as the government but shall retain all other rights of a nongovernmental organization under this section.~~

~~(k) APPROPRIATE SUBSTANCE ABUSE TREATMENT AND PREVENTION.—Any program carried out by the Federal government, or by a State or local government with Federal funds authorized under this Act, in which the Federal, State, or local government is authorized to use~~

~~nongovernmental organizations, through contracts, grants, or other forms of disbursement, to provide assistance to beneficiaries, shall be based on a program shown to be efficacious and shall incorporate research-based principles of effective substance abuse treatment.~~

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Drug Abuse Education, Prevention, and Treatment Act of 2001".

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

Sec. 1. Short title; table of contents.

TITLE I—DRUG-FREE PRISONS AND JAILS

Sec. 101. Drug-free prisons and jails incentive grants.
Sec. 102. Jail-based substance abuse treatment programs.
Sec. 103. Mandatory revocation of probation and supervised release for failing a drug test.

TITLE II—TREATMENT AND PREVENTION

Sec. 201. Drug treatment alternative to prison programs administered by State or local prosecutors.
Sec. 202. Juvenile substance abuse courts.
Sec. 203. Expansion of substance abuse education and prevention efforts.
Sec. 204. Funding for rural States and economically depressed communities.
Sec. 205. Funding for residential treatment centers for women and children.
Sec. 206. Drug treatment for juveniles.
Sec. 207. Coordinated juvenile services grants.
Sec. 208. Expansion of research.
Sec. 209. Report on drug-testing technologies.
Sec. 210. Use of National Institutes of Health substance abuse research.
Sec. 211. Study on strengthening efforts on substance abuse research at the National Institutes of Health.

TITLE III—SCHOOL SAFETY AND CHARACTER EDUCATION

Subtitle A—School Safety

Sec. 301. Alternative education.
Sec. 302. Transfer of school disciplinary records.

Subtitle B—Character Education

Chapter 1—National Character Achievement Award

Sec. 311. National Character Achievement Award.

Chapter 2—Preventing Juvenile Delinquency Through Character Education

Sec. 321. Purpose.
Sec. 322. Authorization of appropriations.
Sec. 323. After school programs.
Sec. 324. General provisions.

Chapter 3—Counseling, Training, and Mentoring Children of Prisoners

Sec. 331. Purpose.
Sec. 332. Authorization of appropriations.
Sec. 333. Counseling, training, and mentoring programs.
Sec. 334. General provisions.

TITLE IV—REESTABLISHMENT OF DRUG COURTS

Sec. 401. Reestablishment of drug courts.
Sec. 402. Authorization of appropriations.

TITLE V—PROGRAM FOR SUCCESSFUL REENTRY OF CRIMINAL OFFENDERS INTO LOCAL COMMUNITIES

Sec. 501. Short title.
Sec. 502. Purposes.

Subtitle A—Federal Reentry Demonstration Projects

Sec. 511. Federal community corrections centers reentry project.
Sec. 512. Federal High-Risk Offender Reentry project.
Sec. 513. District of Columbia Intensive Supervision, Tracking, and Reentry Training (DC iSTART) Demonstration.
Sec. 514. Federal Intensive Supervision, Tracking, and Reentry Training (FED iSTART) project.
Sec. 515. Federal Enhanced In-Prison Vocational Assessment and Training and Demonstration.
Sec. 516. Research and reports to Congress.
Sec. 517. Definitions.
Sec. 518. Authorization of appropriations.

Subtitle B—State Reentry Grant Programs

Sec. 521. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.

Subtitle C—Continuation of Assistance and Benefits

Sec. 531. Amendments to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

TITLE VI—AMENDMENT TO FOREIGN NARCOTICS KINGPIN DESIGNATION ACT

Sec. 601. Amendment to Foreign Narcotics Kingpin Designation Act.

TITLE VII—CORE COMPETENCIES IN DRUG ABUSE DETECTION AND TREATMENT

Sec. 701. Amendment to the Public Health Service Act.

TITLE VIII—ADOLESCENT THERAPEUTIC COMMUNITY TREATMENT PROGRAMS

Sec. 801. Program authorized.
Sec. 802. Preference.
Sec. 803. Duration of grants.
Sec. 804. Restrictions.
Sec. 805. Application.
Sec. 806. Use of funds.
Sec. 807. Treatment type.
Sec. 808. Report by provider.
Sec. 809. Report by Secretary.
Sec. 810. Definitions.
Sec. 811. Authorization of appropriations.

TITLE IX—OTHER MATTERS

Sec. 901. Amendment to Controlled Substances Act.
Sec. 902. Study of methamphetamine treatment.

TITLE X—NATIONAL COMPREHENSIVE CRIME-FREE COMMUNITIES ACT

Sec. 1001. Program administration.
Sec. 1002. Focus.
Sec. 1003. Definitions.
Sec. 1004. Community grants.
Sec. 1005. State capacity building grants.

TITLE I—DRUG-FREE PRISONS AND JAILS

SEC. 101. DRUG-FREE PRISONS AND JAILS INCENTIVE GRANTS.

(a) IN GENERAL.—Subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13701 et seq.) is amended—

(1) by redesignating section 20110 as section 20111; and

(2) by inserting after section 20109 the following:

"SEC. 20110. DRUG-FREE PRISONS AND JAILS BONUS GRANTS.

"(a) IN GENERAL.—The Attorney General shall make incentive grants in accordance with this section to eligible States, units of local government, and Indian tribes, in order to encourage the establishment and maintenance of drug-free prisons and jails.

"(b) RESERVATION OF FUNDS.—Notwithstanding any other provision of this subtitle, in each fiscal year, before making the allocations under sections 20106 and 20108(a)(2) or the reservation under section 20109, the Attorney General shall reserve 10 percent of the amount made available to carry out this subtitle for grants under this section.

"(c) ELIGIBILITY.—

"(1) IN GENERAL.—To be eligible to receive a grant under this section, a State, unit of local government, or Indian tribe shall demonstrate to the Attorney General that the State, unit of local government, or Indian tribe—

"(A) meets the requirements of section 20103(a); and

"(B) has established, or, within 18 months after the initial submission of an application this section will implement, a program or policy of drug-free prisons and jails for correctional and detention facilities, including juvenile facilities, in its jurisdiction.

"(2) CONTENTS OF PROGRAM OR POLICY.—The drug-free prisons and jails program or policy under paragraph (1)(B)—

"(A) shall include—

"(i) a zero-tolerance policy for drug use or presence in State, unit of local government, or Indian tribe facilities, including random and routine sweeps and inspections for drugs, random and routine drug tests of inmates, and improved screening for drugs and other contraband of prison visitors and prisoner mail;

"(ii) establishment and enforcement of penalties, including prison disciplinary actions and criminal prosecution for the introduction, possession, or use of drugs in any prison or jail;

"(iii) the implementation of residential drug treatment programs that are effective and science-based; and

"(iv) drug testing of inmates upon intake and upon release from incarceration as appropriate; and

"(B) may include a system of incentives for prisoners to participate in counter-drug programs such as drug treatment and drug-free wings with greater privileges, except that incentives under this paragraph may not include the early release of any prisoner convicted of a crime of violence that is not part of a policy of a State concerning good-time credits or criteria for the granting of supervised release.

"(d) APPLICATION.—In order to be eligible to receive a grant under this section, a State, unit of local government, or Indian tribe shall submit to the Attorney General an application, in such form and containing such information, including rates of positive drug tests among inmates upon intake and release from incarceration, as the Attorney General may reasonably require.

"(e) USE OF FUNDS.—Amounts received by a State, unit of local government, or Indian tribe from a grant under this section may be used—

"(1) to implement the program under subsection (c)(2); or

"(2) for any other purpose permitted by this subtitle.

"(f) ALLOCATION OF FUNDS.—Grants awarded under this section shall be in addition to any other grants a State, unit of local government, or Indian tribe may be eligible to receive under this subtitle or under part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.).

"(g) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

"(h) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts allocated under this section, there are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2002, 2003, and 2004.".

SEC. 102. JAIL-BASED SUBSTANCE ABUSE TREATMENT PROGRAMS.

(a) USE OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANTS TO PROVIDE AFTERCARE SERVICES.—Section 1902 of part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff–1) is amended by adding at the end the following:

"(f) USE OF GRANT AMOUNTS FOR NONRESIDENTIAL AFTERCARE SERVICES.—A State may use amounts received under this part to provide nonresidential substance abuse treatment aftercare services for inmates or former inmates that meet the requirements of subsection (c), if the chief executive officer of the State certifies to the Attorney General that the State is providing, and will continue to provide, an adequate level of residential treatment services.".

(b) JAIL-BASED SUBSTANCE ABUSE TREATMENT.—Part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.) is amended by adding at the end the following:

"SEC. 1906. JAIL-BASED SUBSTANCE ABUSE TREATMENT.

"(a) DEFINITIONS.—In this section:

"(1) The term 'jail-based substance abuse treatment program' means a course of individual and group activities, lasting for a period of not less than 3 months, in an area of a correctional facility set

apart from the general population of the correctional facility, if those activities are—

"(A) directed at the substance abuse problems of prisoners; and

"(B) intended to develop the cognitive, behavioral, and other skills of prisoners in order to address the substance abuse and related problems of prisoners.

"(2) The term 'local correctional facility' means any correctional facility operated by a State or unit of local government.

"(b) AUTHORIZATION.—

"(1) IN GENERAL.—At least 10 percent of the total amount made available to a State under section 1904(a) for any fiscal year shall be used by the State to make grants to local correctional facilities in the State, provided the State includes local correctional facilities, for the purpose of assisting jail-based substance abuse treatment programs that are effective and science-based established by those local correctional facilities.

"(2) FEDERAL SHARE.—The Federal share of a grant made by a State under this section to a local correctional facility may not exceed 75 percent of the total cost of the jail-based substance abuse treatment

program described in the application submitted under subsection (c) for the fiscal year for which the program receives assistance under this section.

"(c) APPLICATIONS.—

"(1) IN GENERAL.—To be eligible to receive a grant from a State under this section for a jail-based substance abuse treatment program, the chief executive of a local correctional facility shall submit to the State, in such form and containing such information as the State may reasonably require, an application that meets the requirements of paragraph (2).

"(2) APPLICATION REQUIREMENTS.—Each application submitted under paragraph (1) shall include—

"(A) with respect to the jail-based substance abuse treatment program for which assistance is sought, a description of the program and a written certification that the local correctional facility will—

"(i) coordinate the design and implementation of the program between local correctional facility representatives and the appropriate State and local alcohol and substance abuse agencies;

"(ii) implement (or continue to require) urinalysis or other proven reliable

forms of substance abuse testing of individuals participating in the program, including the testing of individuals released from the jail-based substance abuse treatment program who remain in the custody of the local correctional facility; and

"(iii) carry out the program in accordance with guidelines, which shall be established by the State, in order to guarantee each participant in the program access to consistent, continual care if transferred to a different local correctional facility within the State;

"(B) written assurances that Federal funds received by the local correctional facility from the State under this section will be used to supplement, and not to supplant, non-Federal funds that would otherwise be available for jail-based substance abuse treatment programs assisted with amounts made available to the local correctional facility under this section; and

"(C) a description of the manner in which amounts received by the local correctional facility from the State under this section will be coordinated with Federal assistance for substance

abuse treatment and aftercare services provided to the local correctional facility by the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services.

"(d) REVIEW OF APPLICATIONS.—

"(1) IN GENERAL.—Upon receipt of an application under subsection (c), the State shall—

"(A) review the application to ensure that the application, and the jail-based residential substance abuse treatment program for which a grant under this section is sought, meet the requirements of this section; and

"(B) if so, make an affirmative finding in writing that the jail-based substance abuse treatment program for which assistance is sought meets the requirements of this section.

"(2) APPROVAL.—Based on the review conducted under paragraph (1), not later than 90 days after the date on which an application is submitted under subsection (c), the State shall—

"(A) approve the application, disapprove the application, or request a continued evaluation of the application for an additional period of 90 days; and

"(B) notify the applicant of the action taken under subparagraph (A) and, with respect to any denial of an application under subparagraph (A), afford the applicant an opportunity for reconsideration.

"(3) ELIGIBILITY FOR PREFERENCE WITH AFTERCARE COMPONENT.—

"(A) IN GENERAL.—In making grants under this section, a State shall give preference to applications from local correctional facilities that ensure that each participant in the jail-based substance abuse treatment program for which a grant under this section is sought, is required to participate in an aftercare services program that meets the requirements of subparagraph (B), for a period of not less than 1 year following the earlier of—

"(i) the date on which the participant completes the jail-based substance abuse treatment program; or

"(ii) the date on which the participant is released from the correctional facility at the end of the participant's sentence or is released on parole.

"(B) AFTERCARE SERVICES PROGRAM REQUIREMENTS.—For purposes of subparagraph (A), an aftercare services program meets the requirements of this paragraph if the program—

"(i) in selecting individuals for participation in the program, gives priority to individuals who have completed a jail-based substance abuse treatment program;

"(ii) requires each participant in the program to submit to periodic substance abuse testing; and

"(iii) involves the coordination between the jail-based substance abuse treatment program and other human service and rehabilitation programs that may assist in the rehabilitation of program participants, such as—

"(I) educational and job training programs;

"(II) parole supervision programs;

"(III) half-way house programs; and

"(IV) participation in self-help and peer group programs; and

"(iv) assists in placing jail-based substance abuse treatment program participants with appropriate community substance abuse treatment facilities upon release from the correctional facility at the end of a sentence or on parole.

"(e) COORDINATION AND CONSULTATION.—

"(1) COORDINATION.—Each State that makes 1 or more grants under this section in any fiscal year shall, to the maximum extent practicable, implement a statewide communications network with the capacity to track the participants in jail-based substance abuse treatment programs established by local correctional facilities in the State as those participants move between local correctional facilities within the State.

"(2) CONSULTATION.—Each State described in paragraph (1) shall consult with the Attorney General and the Secretary of Health and Human Services to ensure that each jail-based substance abuse treatment program assisted with a grant made by the State under this section incorporates applicable components of comprehensive approaches, including relapse prevention and aftercare services.

"(f) USE OF GRANT AMOUNTS.—

"(1) IN GENERAL.—Each local correctional facility that receives a grant under this section shall use the grant amount solely for the purpose of carrying out the jail-based substance abuse treatment program described in the application submitted under subsection (c).

"(2) ADMINISTRATION.—Each local correctional facility that receives a grant under this section shall carry out all activities relating to the administration of the grant amount, including reviewing the manner in which the amount is expended, processing, monitoring the progress of the program assisted, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.

"(3) RESTRICTION.—A local correctional facility may not use any amount of a grant under this section for land acquisition, a construction project, or facility renovations.

"(g) REPORTING REQUIREMENT; PERFORMANCE REVIEW.—

"(1) REPORTING REQUIREMENT.—Not later than March 1 each year, each local correctional facility that receives a grant under this section shall submit to the Attorney General, through the State, a description and an evaluation report of the jail-based sub-

stance abuse treatment program carried out by the local correctional facility with the grant amount, in such form and containing such information as the Attorney General may reasonably require.

"(2) PERFORMANCE REVIEW.—The Attorney General shall conduct an annual review of each jail-based substance abuse treatment program assisted under this section, in order to verify the compliance of local correctional facilities with the requirements of this section.

"(h) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.".

(c) ELIGIBILITY FOR SUBSTANCE ABUSE TREATMENT.—Part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.), as amended by subsection (b), is further amended by adding at the end the following:

"SEC. 1907. DEFINITIONS.

"In this part:

"(1) The term 'inmate' means an adult or a juvenile who is incarcerated or detained in any State or local correctional facility.

"(2) The term 'correctional facility' includes a secure detention facility and a secure correctional facility (as those terms are defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603)).".

(d) CLERICAL AMENDMENT.—The table of contents for title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended in the matter relating to part S by adding at the end the following:

"1906. Jail-based substance abuse treatment.
"1907. Definitions.".

(e) USE OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANTS TO PROVIDE FOR SERVICES DURING AND AFTER INCARCERATION.—Section 1901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff) is amended by adding at the end the following:

"(c) ADDITIONAL USE OF FUNDS.—States that demonstrate that they have existing in-prison drug treatment programs that are in compliance with Federal requirements may use funds awarded under this part for treatment and sanctions both during incarceration and after release, pro-

vided that no more than 25 percent of funds be spent on aftercare services.

"(d) CONSULTATION.—The Attorney General shall consult with the Secretary of Health and Human Services to ensure that programs of substance abuse treatment and related services for State prisoners carried out under this part incorporate applicable components of existing, comprehensive approaches including relapse prevention and aftercare services that have been shown to be efficacious and incorporate evidence-based principles of effective substance abuse treatment as determined by the Secretary of Health and Human Services.".

(f) REAUTHORIZATION.—Paragraph (17) of section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(17)) is amended to read as follows:

"(17) There are authorized to be appropriated to carry out part S such sums as may be necessary for fiscal years 2002, 2003, and 2004.".

(g) SUBSTANCE ABUSE TREATMENT IN FEDERAL PRISONS REAUTHORIZATION.—Section 3621(e) of title 18, United States Code, is amended—

(1) in paragraph (4), by striking subparagraph (E) and inserting the following:

"(E) such sums as may be necessary for fiscal year 2002; and

"(F) such sums as may be necessary for fiscal year 2003."; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(D) the term 'appropriate substance abuse treatment' means treatment in a program that has been shown to be efficacious and incorporates evidence-based principles of effective substance abuse treatment as determined by the Secretary of Health and Human Services.".

SEC. 103. MANDATORY REVOCATION OF PROBATION AND SUPERVISED RELEASE FOR FAILING A DRUG TEST.

(a) REVOCATION OF PROBATION.—Section 3565(b) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking "or" after the semicolon;

(2) in paragraph (3), by striking "(4)," and inserting "(4); or"; and

(3) by adding after paragraph (3) the following:

"(4) as a part of drug testing, tests positive for illegal controlled substances more than 3 times over the course of 1 year;".

(b) REVOCATION OF SUPERVISED RELEASE.—Section 3583(g) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking "or" after the semicolon;

(2) in paragraph (3), by inserting "or" after the semicolon; and

(3) by adding after paragraph (3) the following:

"(4) as a part of drug testing, tests positive for illegal controlled substances more than 3 times over the course of 1 year;".

TITLE II—TREATMENT AND PREVENTION

SEC. 201. DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS ADMINISTERED BY STATE OR LOCAL PROSECUTORS.

(a) PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following new part:

"PART CC—PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAMS

"SEC. 2901. PILOT PROGRAM AUTHORIZED.

"(a) IN GENERAL.—The Attorney General may make grants to State or local prosecutors for the purpose of developing, implementing, or expanding drug treatment alternative to prison programs that comply with the requirements of this part.

"(b) USE OF FUNDS.—A State or local prosecutor who receives a grant under this part shall use amounts provided under the grant to develop, implement, or expand the drug treatment alternative to prison program for which the grant was made, which may include payment of the following expenses:

"(1) Salaries, personnel costs, equipment costs, and other costs directly related to the operation of the program, including the enforcement unit.

"(2) Payments to licensed substance abuse treatment providers for providing treatment to offenders participating in the program for which the grant was made, including aftercare supervision, vocational training, education, and job placement.

"(3) Payments to public and nonprofit private entities for providing treatment to offenders participating in the program for which the grant was made.

"(c) FEDERAL SHARE.—The Federal share of a grant under this part shall not exceed 75 percent of the cost of the program.

"(d) SUPPLEMENT AND NOT SUPPLANT.—Grant amounts received under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be available for activities funded under this part.

"SEC. 2902. PROGRAM REQUIREMENTS.

"A drug treatment alternative to prison program with respect to which a grant is made under this part shall comply with the following requirements:

"(1) A State or local prosecutor shall administer the program.

"(2) An eligible offender may participate in the program only with the consent of the State or local prosecutor.

"(3) Each eligible offender who participates in the program shall, as an alternative to incarceration, be sentenced to or placed with a long-term substance abuse treatment provider that is licensed or certified under State or local law.

"(4) Each eligible offender who participates in the program shall serve a sentence of imprisonment with respect to the underlying crime if that offender

does not successfully complete treatment with the residential substance abuse provider.

"(5) Each substance abuse provider treating an offender under the program shall—

"(A) make periodic reports of the progress of treatment of that offender to the State or local prosecutor carrying out the program and to the appropriate court in which the defendant was convicted; and

"(B) notify that prosecutor and that court if that offender absconds from the facility of the treatment provider or otherwise violates the terms and conditions of the program.

"(6) The program shall have an enforcement unit comprised of law enforcement officers under the supervision of the State or local prosecutor carrying out the program, the duties of which shall include verifying an offender's addresses and other contacts, and, if necessary, locating, apprehending, and arresting an offender who has absconded from the facility of a substance abuse treatment provider or otherwise violated the terms and conditions of the program, and returning such offender to court for sentence on the underlying crime.

"SEC. 2903. APPLICATIONS.

"(a) IN GENERAL.—To request a grant under this part, a State or local prosecutor shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

"(b) CERTIFICATIONS.—Each such application shall contain the certification of the State or local prosecutor that the program for which the grant is requested shall meet each of the requirements of this part.

"SEC. 2904. GEOGRAPHIC DISTRIBUTION.

"The Attorney General shall ensure that, to the extent practicable, the distribution of grant awards is equitable and includes State or local prosecutors—

"(1) in each State; and

"(2) in rural, suburban, and urban jurisdictions.

"SEC. 2905. REPORTS AND EVALUATIONS.

"For each fiscal year, each recipient of a grant under this part during that fiscal year shall submit to the Attorney General a description and an evaluation report regarding the effectiveness of activities carried out using that grant. Each report shall include an evaluation in such form and containing such information as the Attorney General may reasonably require. The Attorney General shall specify the dates on which such reports shall be submitted.

"SEC. 2906. DEFINITIONS.

"In this part:

"(1) The term 'State or local prosecutor' means any district attorney, State attorney general, county attorney, or corporation counsel who has authority to prosecute criminal offenses under State or local law.

"(2) The term 'eligible offender' means an individual who—

"(A) has been convicted of, or pled guilty to, or admitted guilt with respect to a crime for which a sentence of imprisonment is required and has not completed such sentence;

"(B) has never been convicted of, or pled guilty to, or admitted guilt with respect to, and is not presently charged with, a felony crime of violence, a drug trafficking crime (as defined in section 924(c)(2) of title 18, United States Code), or a crime that is considered a violent felony under State or local law; and

"(C) has been found by a professional substance abuse screener to be in need of substance abuse treatment because that offender has a history of substance abuse that is a significant contributing factor to that offender's criminal conduct.

"(3) The term 'felony crime of violence' has the meaning given such term in section 924(c)(3) of title 18, United States Code.

"(4) The term 'major drug offense' has the meaning given such term in section 36(a) of title 18, United States Code.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by adding at the end the following new paragraph:

"(24) There are authorized to be appropriated to carry out part CC such sums as may be necessary for each of fiscal years 2002, 2003, and 2004.".

(c) STUDY OF THE EFFECT OF MANDATORY MINIMUM SENTENCES FOR CONTROLLED SUBSTANCE OFFENSES.—Not later than 1 year after the date of enactment of this Act, the United States Sentencing Commission shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report regarding mandatory minimum sentences for controlled substance offenses, which shall include an analysis of—

(1) whether such sentences may have a disproportionate impact on ethnic or racial groups;

(2) the effectiveness of such sentences in reducing drug-related crime by violent offenders;

(3) the effectiveness of basing sentences on drug quantities and the feasibility of potential alternatives; and

(4) the frequency and appropriateness of the use of such sentences for nonviolent offenders in contrast with other approaches such as drug treatment programs.

SEC. 202. JUVENILE SUBSTANCE ABUSE COURTS.

(a) GRANT AUTHORITY.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following:

"PART DD—JUVENILE SUBSTANCE ABUSE COURTS

"SEC. 2926. DEFINITIONS.

"In this part:

"(1) CRIME OF VIOLENCE.—The term 'crime of violence' means a criminal offense that—

"(A) has as an element, the use, attempted use, or threatened use of physical force against the person or property of another; or

"(B) by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

"(2) VIOLENT JUVENILE OFFENDER.—The term 'violent juvenile offender' means a juvenile who has been convicted of a violent offense or adjudicated delinquent for an act that, if committed by an adult, would constitute a crime of violence.

"SEC. 2927. GRANT AUTHORITY.

"(a) APPROPRIATE SUBSTANCE ABUSE COURT PROGRAMS.—The Attorney General may make grants to States, State courts, local courts, units of local government, and Indian tribes in accordance with this part to establish programs that—

"(1) involve continuous judicial supervision over juvenile offenders (other than violent juvenile offenders) with substance abuse problems;

"(2) integrate administration of other sanctions and services, which include—

"(A) mandatory random testing for the use of controlled substances or other addictive substances during any period of supervised release or probation for each participant;

"(B) substance abuse treatment for each participant;

"(C) probation, diversion, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on

noncompliance with program requirements or failure to show satisfactory progress; and

"(D) programmatic offender management, and aftercare services such as relapse prevention; and

"(3) may include—

"(A) payment, in whole or in part, by the offender or his or her parent or guardian of treatment costs, to the extent practicable, such as costs for urinalysis or counseling;

"(B) payment, in whole or in part, by the offender or his or her parent or guardian of restitution, to the extent practicable, to either a victim of the offender's offense or to a restitution or similar victim support fund; and

"(C) economic sanctions shall not be at a level that would interfere with the juvenile offender's education or rehabilitation.

"(b) USE OF GRANTS FOR NECESSARY SUPPORT PROGRAMS.—A recipient of a grant under this part may use the grant to pay for treatment, counseling, and other related and necessary expenses not covered by other Federal, State, Indian tribal, and local sources of funding that would otherwise be available.

"(c) CONTINUED AVAILABILITY OF GRANT FUNDS.—Amounts made available under this part shall remain available until expended.

"SEC. 2928. APPLICATIONS.

"(a) IN GENERAL.—In order to receive a grant under this part, the chief executive or the chief justice of a State, or the chief executive or judge of a unit of local government or Indian tribe shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

"(b) CONTENTS.—In addition to any other requirements that may be specified by the Attorney General, each application for a grant under this part shall—

"(1) include a long-term strategy and detailed implementation plan;

"(2) explain the applicant's need for Federal assistance;

"(3) certify that the Federal support provided will be used to supplement, and not supplant, State, Indian tribal, and local sources of funding that would otherwise be available;

"(4) identify related governmental or community initiatives that complement or will be coordinated with the proposal;

"(5) certify that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with all affected agencies in the implementation of the program;

"(6) certify that participating offenders will be supervised by one or more designated judges with responsibility for the substance abuse court program;

"(7) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support; and

"(8) describe the methodology that will be used in evaluating the program.

"SEC. 2929. FEDERAL SHARE.

"(a) IN GENERAL.—The Federal share of a grant made under this part may not exceed 75 percent of the total costs of the program described in the application submitted under section 2928 for the fiscal year for which the program receives assistance under this part.

"(b) WAIVER.—The Attorney General may waive, in whole or in part, the requirement of a matching contribution under subsection (a).

"(c) IN-KIND CONTRIBUTIONS.—In-kind contributions may constitute a portion of the non-Federal share of a grant under this part.

"SEC. 2930. DISTRIBUTION OF FUNDS.

"(a) GEOGRAPHICAL DISTRIBUTION.—The Attorney General shall ensure that, to the extent practicable, an equitable geographic distribution of grant awards is made.

"(b) INDIAN TRIBES.—The Attorney General shall allocate 0.75 percent of amounts made available under this part for grants to Indian tribes.

"(c) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this part have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this part not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this part.

"SEC. 2931. REPORT.

"Each recipient of a grant under this part during a fiscal year shall submit to the Attorney General a description and an evaluation report regarding the effectiveness of programs established with the grant on the date specified by the Attorney General.

"SEC. 2932. TECHNICAL ASSISTANCE, TRAINING, AND EVALUATION.

"(a) TECHNICAL ASSISTANCE AND TRAINING.—The Attorney General may provide technical assistance and training in furtherance of the purposes of this part.

"(b) EVALUATIONS.—In addition to any evaluation requirement that may be prescribed for recipients of grants under this part, the Attorney General may carry out or make arrangements for evaluations of programs that receive assistance under this part.

"(c) ADMINISTRATION.—The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, in collaboration with the Secretary of Health and Human Services, or through grants, contracts, or other cooperative arrangements with other entities.

"SEC. 2933. REGULATIONS.

"The Attorney General shall issue any regulations and guidelines necessary to carry out this part, which shall ensure that the programs funded with grants under this part do not permit participation by violent juvenile offenders.

"SEC. 2934. UNAWARDED FUNDS.

"The Attorney General may reallocate any grant funds that are not awarded for juvenile substance abuse courts under this part for use for other juvenile delinquency and crime prevention initiatives.

"SEC. 2935. AUTHORIZATION OF APPROPRIATIONS.

"There is authorized to be appropriated for each of fiscal years 2002 through 2004, such sums as may be necessary to carry out this part.".

(b) CLERICAL AMENDMENT.—The table of contents for title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following:

"PART DD—JUVENILE SUBSTANCE ABUSE COURTS

"Sec. 2926. Definitions.
"Sec. 2927. Grant authority.
"Sec. 2928. Applications.
"Sec. 2929. Federal share.
"Sec. 2930. Distribution of funds.
"Sec. 2931. Report.
"Sec. 2932. Technical assistance, training, and evaluation.
"Sec. 2933. Regulations.
"Sec. 2934. Unawarded funds.
"Sec. 2935. Authorization of appropriations.".

SEC. 203. EXPANSION OF SUBSTANCE ABUSE EDUCATION AND PREVENTION EFFORTS.

(a) EXPANSION OF EFFORTS.—Section 515 of the Public Health Service Act (42 U.S.C. 290bb–21) is amended by adding at the end the following:

"(e) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—

"(1) IN GENERAL.—The Administrator may make grants to and enter into contracts and cooperative agreements with public and nonprofit private entities to enable such entities—

"(A) to carry out school-based programs concerning the dangers of abuse of and addiction to illicit drugs, using methods that are effective and evidence-based, including initiatives that give students the responsibility to create their

own antidrug abuse education programs for their schools; and

"(B) to carry out community-based abuse and addiction education and prevention programs relating to illicit drugs that are effective and evidence-based.

"(2) USE OF GRANT, CONTRACT, OR COOPERATIVE AGREEMENT FUNDS.—Amounts made available under a grant, contract, or cooperative agreement under paragraph (1) shall be used for planning, establishing, or administering education and prevention programs relating to illicit drugs in accordance with paragraph (3).

"(3) USES OF AMOUNTS.—

"(A) IN GENERAL.—Amounts provided under this subsection may be used—

"(i) to carry out school-based programs that are focused on those districts with high or increasing rates of drug abuse and addiction and targeted at populations which are most at-risk to start abuse of illicit drugs;

"(ii) to carry out community-based education and prevention programs and environmental change strategies that are focused on those populations within the com-

munity that are most at-risk for abuse of and addiction to illicit drugs;

"(iii) to assist local government entities and community antidrug coalitions to plan, conduct, and evaluate appropriate prevention activities and strategies relating to illegal drugs;

"(iv) to train and educate State and local law enforcement officials, prevention and education officials, members of community antidrug coalitions and parents on the signs of abuse of and addiction to illicit drugs, and the options for treatment and prevention;

"(v) for planning, administration, and educational activities related to the prevention of abuse of and addiction to illicit drugs;

"(vi) for the monitoring and evaluation of prevention activities relating to illicit drugs, and reporting and disseminating resulting information to the public; and

"(vii) for targeted pilot programs with evaluation components to encourage innova-

tion and experimentation with new methodologies.

"(B) PRIORITY IN MAKING GRANTS.—The Administrator shall give priority in making grants under this subsection to rural States, urban areas, and other areas that are experiencing a high rate or rapid increases in drug abuse and addiction.

"(4) ANALYSES, EVALUATIONS, AND REPORTS.—

"(A) ANALYSES AND EVALUATIONS.—Not less than $500,000 of the amount available in each fiscal year to carry out this subsection shall be made available to the Administrator, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective education and prevention programs for abuse of and addiction to illicit drugs and the development of appropriate strategies for disseminating information about and implementing these programs.

"(B) ANNUAL REPORT.—The Administrator shall submit to the committees of Congress referred to in subparagraph (C) an annual report with the results of the analyses and evaluation under subparagraph (A).

"(C) COMMITTEES.—The committees of Congress referred to in this subparagraph are the following:

"(i) SENATE.—The Committees on Health, Education, Labor, and Pensions, the Judiciary, and Appropriations of the Senate.

"(ii) HOUSE OF REPRESENTATIVES.—The Committees on Energy and Commerce, the Judiciary, and Appropriations of the House of Representatives.".

(b) AUTHORIZATION OF APPROPRIATIONS FOR EXPANSION OF ABUSE PREVENTION EFFORTS AND PRACTITIONER REGISTRATION REQUIREMENTS.—There is authorized to be appropriated to carry out section 515(e) of the Public Health Service Act (as added by subsection (a)) and section 303(g)(2) of the Controlled Substances Act, such sums as may be necessary for fiscal year 2002 and for each succeeding fiscal year.

(c) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the

total amount appropriated in the fiscal year for grants pursuant to this section.

SEC. 204. FUNDING FOR RURAL STATES AND ECONOMICALLY DEPRESSED COMMUNITIES.

(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment shall provide awards of grants, cooperative agreement, or contracts to public and nonprofit private entities for the purpose of providing treatment facilities in rural States and economically depressed communities that have high rates of drug addiction but lack the resources to provide adequate treatment.

(b) MINIMUM QUALIFICATIONS FOR RECEIPT OF AWARD.—With respect to the principal agency of the State involved that administers programs relating to substance abuse, the Director may make an award under subsection (a) to an applicant only if the agency has certified to the Director that—

(1) the applicant has the capacity to carry out a program described in subsection (a);

(2) the plans of the applicant for such a program are consistent with the policies of such agency regarding the treatment of substance abuse; and

(3) the applicant, or any entity through which the applicant will provide authorized services, meets

all applicable State licensure or certification requirements regarding the provision of the services involved.

(c) REQUIREMENT OF MATCHING FUNDS.—

(1) IN GENERAL.—With respect to the costs of the program to be carried out by an applicant pursuant to subsection (a), a funding agreement for an award under such subsection is that the applicant will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that—

(A) for the first fiscal year for which the applicant receives payments under an award under such subsection, is not less than $1 for each $9 of Federal funds provided in the award;

(B) for any second such fiscal year, is not less than $1 for each $9 of Federal funds provided in the award; and

(C) for any subsequent such fiscal year, is not less than $1 for each $3 of Federal funds provided in the award.

(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted

or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

(d) REPORTS TO DIRECTOR.—A funding agreement for an award under subsection (a) is that the applicant involved will submit to the Director a report—

(1) describing the utilization and costs of services provided under the award;

(2) specifying the number of individuals served and the type and costs of services provided; and

(3) providing such other information as the Director determines to be appropriate.

(e) REQUIREMENT OF APPLICATION.—The Director may make an award under subsection (a) only if an application for the award is submitted to the Director containing such agreements, and the application is in such form, is made in such manner, and contains such other agreements and such assurances and information as the Director determines to be necessary to carry out this section.

(f) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, subject to the availability of qualified applicants for the awards.

(g) DURATION OF AWARD.—The period during which payments are made to an entity from an award under subsection (a) may not exceed 5 years. The provision of such payments shall be subject to annual approval by the Director of the payments and subject to the availability of appropriations for the fiscal year involved to make the payments. This subsection may not be construed to establish a limitation on the number of awards under such subsection that may be made to an entity.

(h) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.

(i) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

(j) DEFINITION OF RURAL STATE.—In this section, the term "rural State" has the same meaning as in section

1501(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796bb(B)).

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2002, 2003, and 2004.

SEC. 205. FUNDING FOR RESIDENTIAL TREATMENT CENTERS FOR WOMEN AND CHILDREN.

(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment shall provide awards of grants, cooperative agreement, or contracts to public and nonprofit private entities for the purpose of providing treatment facilities that—

(1) provide residential treatment for methamphetamine, heroin, and other drug addicted women with minor children; and

(2) offer specialized treatment for methamphetamine-, heroin-, and other drug-addicted mothers and allow the minor children of those mothers to reside with them in the facility or nearby while treatment is ongoing.

(b) MINIMUM QUALIFICATIONS FOR RECEIPT OF AWARD.—With respect to the principal agency of the State involved that administers programs relating to substance abuse, the Director may make an award under subsection

(a) to an applicant only if the agency has certified to the Director that—

(1) the applicant has the capacity to carry out a program described in subsection (a);

(2) the plans of the applicant for such a program are consistent with the policies of such agency regarding the treatment of substance abuse; and

(3) the applicant, or any entity through which the applicant will provide authorized services, meets all applicable State licensure or certification requirements regarding the provision of the services involved.

(c) REQUIREMENT OF MATCHING FUNDS.—

(1) IN GENERAL.—With respect to the costs of the program to be carried out by an applicant pursuant to subsection (a), a funding agreement for an award under such subsection is that the applicant will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that—

(A) for the first fiscal year for which the applicant receives payments under an award under such subsection, is not less than $1 for each $9 of Federal funds provided in the award;

(B) for any second such fiscal year, is not less than $1 for each $9 of Federal funds provided in the award; and

(C) for any subsequent such fiscal year, is not less than $1 for each $3 of Federal funds provided in the award.

(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

(d) REPORTS TO DIRECTOR.—A funding agreement for an award under subsection (a) is that the applicant involved will submit to the Director a report—

(1) describing the utilization and costs of services provided under the award;

(2) specifying the number of individuals served and the type and costs of services provided; and

(3) providing such other information as the Director determines to be appropriate.

(e) REQUIREMENT OF APPLICATION.—The Director may make an award under subsection (a) only if an appli-

cation for the award is submitted to the Director containing such agreements, and the application is in such form, is made in such manner, and contains such other agreements and such assurances and information as the Director determines to be necessary to carry out this section.

(f) PRIORITY.—In making grants under this section, the Director shall give priority to areas experiencing a high rate or rapid increase in drug abuse and addiction.

(g) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, subject to the availability of qualified applicants for the awards.

(h) DURATION OF AWARD.—The period during which payments are made to an entity from an award under subsection (a) may not exceed 5 years. The provision of such payments shall be subject to annual approval by the Director of the payments and subject to the availability of appropriations for the fiscal year involved to make the payments. This subsection may not be construed to establish a limitation on the number of awards under such subsection that may be made to an entity.

(i) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant

to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.

(j) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2002, 2003, and 2004.

SEC. 206. DRUG TREATMENT FOR JUVENILES.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

"PART G—RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES

"SEC. 575. RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES.

"(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment shall award grants to, or enter into cooperative agreements or contracts, with public and

nonprofit private entities for the purpose of providing treatment to juveniles for substance abuse through programs that are effective and science-based in which, during the course of receiving such treatment the juveniles reside in facilities made available by the programs.

"(b) AVAILABILITY OF SERVICES FOR EACH PARTICIPANT.—A funding agreement for an award under subsection (a) for an applicant is that, in the program operated pursuant to such subsection—

"(1) treatment services will be available through the applicant, either directly or through agreements with other public or nonprofit private entities; and

"(2) the services will be made available to each person admitted to the program.

"(c) INDIVIDUALIZED PLAN OF SERVICES.—A funding agreement for an award under subsection (a) for an applicant is that—

"(1) in providing authorized services for an eligible person pursuant to such subsection, the applicant will, in consultation with the juvenile and, if appropriate the parent or guardian of the juvenile, prepare an individualized plan for the provision to the juvenile or young adult of the services; and

"(2) treatment services under the plan will include—

"(A) individual, group, and family counseling, as appropriate, regarding substance abuse; and

"(B) followup services to assist the juvenile or young adult in preventing a relapse into such abuse.

"(d) ELIGIBLE SUPPLEMENTAL SERVICES.—Grants under subsection (a) may be used to provide an eligible juvenile, the following services:

"(1) HOSPITAL REFERRALS.—Referrals for necessary hospital services.

"(2) HIV AND AIDS COUNSELING.—Counseling on the human immunodeficiency virus and on acquired immune deficiency syndrome.

"(3) DOMESTIC VIOLENCE AND SEXUAL ABUSE COUNSELING.—Counseling on domestic violence and sexual abuse.

"(4) PREPARATION FOR REENTRY INTO SOCIETY.—Planning for and counseling to assist reentry into society, both before and after discharge, including referrals to any public or nonprofit private entities in the community involved that provide services appropriate for the juvenile.

"(e) MINIMUM QUALIFICATIONS FOR RECEIPT OF AWARD.—With respect to the principal agency of a State

or Indian tribe that administers programs relating to substance abuse, the Director may award a grant to, or enter into a cooperative agreement or contract with, an applicant only if the agency or Indian tribe has certified to the Director that—

"(1) the applicant has the capacity to carry out a program described in subsection (a);

"(2) the plans of the applicant for such a program are consistent with the policies of such agency regarding the treatment of substance abuse; and

"(3) the applicant, or any entity through which the applicant will provide authorized services, meets all applicable State licensure or certification requirements regarding the provision of the services involved.

"(f) REQUIREMENTS FOR MATCHING FUNDS.—

"(1) IN GENERAL.—With respect to the costs of the program to be carried out by an applicant pursuant to subsection (a), a funding agreement for an award under such subsection is that the applicant will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that—

"(A) for the first fiscal year for which the applicant receives payments under an award

under such subsection, is not less than $1 for each $9 of Federal funds provided in the award;

"(B) for any second such fiscal year, is not less than $1 for each $9 of Federal funds provided in the award; and

"(C) for any subsequent such fiscal year, is not less than $1 for each $3 of Federal funds provided in the award.

"(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

"(g) OUTREACH.—A funding agreement for an award under subsection (a) for an applicant is that the applicant will provide outreach services in the community involved to identify juveniles who are engaging in substance abuse and to encourage the juveniles to undergo treatment for such abuse.

"(h) ACCESSIBILITY OF PROGRAM.—A funding agreement for an award under subsection (a) for an applicant is that the program operated pursuant to such subsection

will be operated at a location that is accessible to low income juveniles.

"(i) CONTINUING EDUCATION.—A funding agreement for an award under subsection (a) is that the applicant involved will provide for continuing education in treatment services for the individuals who will provide treatment in the program to be operated by the applicant pursuant to such subsection.

"(j) IMPOSITION OF CHARGES.—A funding agreement for an award under subsection (a) for an applicant is that, if a charge is imposed for the provision of authorized services to or on behalf of an eligible juvenile, such charge—

"(1) will be made according to a schedule of charges that is made available to the public;

"(2) will be adjusted to reflect the economic condition of the juvenile involved; and

"(3) will not be imposed on any such juvenile whose family has an income of less than 185 percent of the official poverty line, as established by the Director of the Office for Management and Budget and revised by the Secretary in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)).

"(k) REPORTS TO DIRECTOR.—A funding agreement for an award under subsection (a) is that the applicant involved will submit to the Director a report—

"(1) describing the utilization and costs of services provided under the award;

"(2) specifying the number of juveniles served, and the type and costs of services provided; and

"(3) providing such other information as the Director determines to be appropriate.

"(l) REQUIREMENT OF APPLICATION.—The Director may make an award under subsection (a) only if an application for the award is submitted to the Director containing such agreements, and the application is in such form, is made in such manner, and contains such other agreements and such assurances and information as the Director determines to be necessary to carry out this section.

"(m) PRIORITY.—In making grants under this section, the Director shall give priority to areas experiencing a high rate or rapid increase in drug abuse and addiction.

"(n) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, as well as among Indian tribes, subject to the availability of qualified applicants for the awards.

"(o) DURATION OF AWARD.—

"(1) IN GENERAL.—The period during which payments are made to an entity from an award under this section may not exceed 5 years.

"(2) APPROVAL OF DIRECTOR.—The provision of payments described in paragraph (1) shall be subject to—

"(A) annual approval by the Director of the payments; and

"(B) the availability of appropriations for the fiscal year at issue to make the payments.

"(3) NO LIMITATION.—This subsection may not be construed to establish a limitation on the number of awards that may be made to an entity under this section.

"(p) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.

"(q) REPORTS TO CONGRESS.—

"(1) INITIAL REPORT.—Not later than June 30, 2002, the Director shall submit to the Committee on the Judiciary of the House of Representatives, and to the Committee on the Judiciary of the Senate, a re-

port describing programs carried out pursuant to this section.

"(2) PERIODIC REPORTS.—

"(A) IN GENERAL.—Not less than biennially after the date described in paragraph (1), the Director shall prepare a report describing programs carried out pursuant to this section during the preceding 2-year period, and shall submit the report to the Administrator for inclusion in the biennial report under section 501(k).

"(B) SUMMARY.—Each report under this subsection shall include a summary of any evaluations conducted under subsection (m) during the period with respect to which the report is prepared.

"(r) DEFINITIONS.—In this section:

"(1) AUTHORIZED SERVICES.—The term 'authorized services' means treatment services and supplemental services.

"(2) JUVENILE.—The term 'juvenile' means anyone 18 years of age or younger at the time that of admission to a program operated pursuant to subsection (a).

"(3) ELIGIBLE JUVENILE.—The term 'eligible juvenile' means a juvenile who has been admitted to a program operated pursuant to subsection (a).

"(4) FUNDING AGREEMENT UNDER SUBSECTION (a).—The term 'funding agreement under subsection (a)', with respect to an award under subsection (a), means that the Director may make the award only if the applicant makes the agreement involved.

"(5) TREATMENT SERVICES.—The term 'treatment services' means treatment for substance abuse, including the counseling and services described in subsection (c)(2).

"(6) SUPPLEMENTAL SERVICES.—The term 'supplemental services' means the services described in subsection (d).

"(s) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—For the purpose of carrying out this section and section 576 there is authorized to be appropriated such sums as may be necessary for fiscal years 2002 through 2004. There is authorized to be appropriated from the Violent Crime Reduction Trust Fund such sums as may be necessary in each of fiscal years 2002, 2003, and 2004.

"(2) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local

government within such State for a grant under this section have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

"(3) TRANSFER.—For the purpose described in paragraph (1), in addition to the amounts authorized in such paragraph to be appropriated for a fiscal year, there is authorized to be appropriated for the fiscal year from the special forfeiture fund of the Director of the Office of National Drug Control Policy such sums as may be necessary.

"(4) RULE OF CONSTRUCTION.—The amounts authorized in this subsection to be appropriated are in addition to any other amounts that are authorized to be appropriated and are available for the purpose described in paragraph (1).

"SEC. 576. OUTPATIENT TREATMENT PROGRAMS FOR JUVENILES.

"(a) GRANTS.—The Secretary of Health and Human Services, acting through the Director of the Center for Substance Abuse Treatment, shall make grants to establish

projects for the outpatient treatment of substance abuse among juveniles.

"(b) PREVENTION.—Entities receiving grants under this section shall engage in activities to prevent substance abuse among juveniles.

"(c) EVALUATION.—The Secretary of Health and Human Services shall evaluate projects carried out under subsection (a) and shall disseminate to appropriate public and private entities information on effective projects.".

SEC. 207. COORDINATED JUVENILE SERVICES GRANTS.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after section 205 the following:

"SEC. 205A. COORDINATED JUVENILE SERVICES GRANTS.

"(a) IN GENERAL.—The Attorney General and the Secretary of Health and Human Services shall make grants to a consortium within a State consisting of State or local juvenile justice agencies, State or local substance abuse and mental health agencies, and child service agencies to coordinate the delivery of services to children among these agencies.

"(b) USE OF FUNDS.—A consortium described in subsection (a) that receives a grant under this section shall use the grant for the establishment and implementation of programs that address the service needs of juveniles with sub-

stance abuse and treatment problems who come into contact with the justice system by requiring the following:

"(1) Collaboration across child serving systems, including juvenile justice agencies, relevant substance abuse and mental health treatment providers, and State or local educational entities and welfare agencies.

"(2) Appropriate screening and assessment of juveniles.

"(3) Individual treatment plans.

"(4) Significant involvement of juvenile judges where possible.

"(c) APPLICATION FOR COORDINATED JUVENILE SERVICES GRANT.—

"(1) IN GENERAL.—A consortium described in subsection (a) desiring to receive a grant under this section shall submit an application containing such information as the Administrator may prescribe.

"(2) CONTENTS.—In addition to guidelines established by the Administrator, each application submitted under paragraph (1) shall provide—

"(A) certification that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with

all affected agencies in the implementation of the program;

"(B) for the regular evaluation of the program funded by the grant and describe the methodology that will be used in evaluating the program;

"(C) assurances that the proposed program or activity will not supplant similar programs and activities currently available in the community; and

"(D) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support.

"(3) FEDERAL SHARE.—The Federal share of a grant under this section shall not exceed 75 percent of the cost of the program.

"(d) REPORT.—Each recipient of a grant under this section during a fiscal year shall submit to the Attorney General a description and an evaluation report regarding the effectiveness of programs established with the grant on the date specified by the Attorney General.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There shall be made available from the Violent Crime Reduction Trust Fund such sums as may be necessary to carry out

this section for each of the fiscal years 2002, 2003, and 2004.".

SEC. 208. EXPANSION OF RESEARCH.

Section 464L of the Public Health Service Act (42 U.S.C. 285o) is amended by adding at the end the following:

"(f) DRUG ABUSE RESEARCH.—

"(1) GRANTS OR COOPERATIVE AGREEMENTS.—The Director of the Institute shall make grants or enter into cooperative agreements to conduct research on drug abuse treatment and prevention, and as is necessary to establish up to 12 new National Drug Abuse Treatment Clinical Trials Network (CTN) Centers to develop and test an array of behavioral and pharmacological treatments and to determine the conditions under which novel treatments are successfully adopted by local treatment clinics.

"(2) USE OF FUNDS.—Amounts made available under a grant or cooperative agreement under paragraph (1) for drug abuse and addiction may be used for research and clinical trials relating to—

"(A) the effects of drug abuse on the human body, including the brain;

"(B) the addictive nature of various drugs and how such effects differ with respect to different individuals;

"(C) the connection between drug abuse, mental health, and teenage suicide;

"(D) the identification and evaluation of the most effective methods of prevention of drug abuse and addiction among juveniles and adults;

"(E) the identification and development of the most effective methods of treatment of drug addiction, including pharmacological treatments;

"(F) risk factors for drug abuse;

"(G) effects of drug abuse and addiction on pregnant women and their fetuses; and

"(H) cultural, social, behavioral, neurological and psychological reasons that individuals, including juveniles, abuse drugs or refrain from abusing drugs.

"(3) RESEARCH RESULTS.—The Director shall promptly disseminate research results under this subsection to Federal, State and local entities involved in combating drug abuse and addiction.

"(4) AUTHORIZATION OF APPROPRIATIONS.—

"(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out paragraphs (1), (2), and (3) there is authorized to be appropriated such sums as may be necessary for fiscal years 2002, 2003, and 2004, for establish-

ment of up to 12 new CTN Centers and for the identification and development of the most effective methods of treatment and prevention of drug addiction, including behavioral, cognitive, and pharmacological treatments among juveniles and adults.

"(B) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated pursuant to the authorization of appropriations in subparagraph (A) for a fiscal year shall supplement and not supplant any other amounts appropriated in such fiscal year for research on drug abuse and addiction.".

SEC. 209. REPORT ON DRUG-TESTING TECHNOLOGIES.

(a) REQUIREMENT.—The National Institute on Standards and Technology shall conduct a study of drug-testing technologies in order to identify and assess the efficacy, accuracy, and usefulness for purposes of the National effort to detect the use of illicit drugs of any drug-testing technologies (including the testing of hair) that may be used as alternatives or complements to urinalysis as a means of detecting the use of such drugs.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Institute shall submit to

Congress a report on the results of the study conducted under subsection (a).

SEC. 210. USE OF NATIONAL INSTITUTES OF HEALTH SUBSTANCE ABUSE RESEARCH.

(a) NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM.—Section 464H of the Public Health Service Act (42 U.S.C. 285n) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

"(d) REQUIREMENT TO ENSURE THAT RESEARCH AIDS PRACTITIONERS.—The Director, in conjunction with the Director of the National Institute on Drug Abuse and the Administrator of the Substance Abuse and Mental Health Services Administration, shall—

"(1) ensure that the results of all current substance abuse research that is set aside for services (and other appropriate research with practical consequences) is widely disseminated to treatment, prevention, and general practitioners in an easily understandable format;

"(2) ensure that such research results are disseminated in a manner that provides easily under-

standable steps for the implementation of best practices based on the research; and

"(3) make technical assistance available to the Center for Substance Abuse Treatment and the Center for Substance Abuse Prevention to assist alcohol and drug treatment and prevention practitioners, including general practitioners, to make permanent changes in treatment and prevention activities through the use of successful models.".

(b) NATIONAL INSTITUTE ON DRUG ABUSE.—Section 464L of the Public Health Service Act (42 U.S.C. 285o) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

"(d) REQUIREMENT TO ENSURE THAT RESEARCH AIDS PRACTITIONERS.—The Director, in conjunction with the Director of the National Institute on Alcohol Abuse and Alcoholism and the Administrator of the Substance Abuse and Mental Health Services Administration, shall—

"(1) ensure that the results of all current substance abuse research that is set aside for services (and other appropriate research with practical consequences) is widely disseminated to treatment and

prevention practitioners, including general practitioners, in an easily understandable format;

"(2) ensure that such research results are disseminated in a manner that provides easily understandable steps for the implementation of best practices based on the research; and

"(3) make technical assistance available to the Center for Substance Abuse Treatment and the Center for Substance Abuse Prevention to assist alcohol and drug treatment practitioners to make permanent changes in treatment and prevention activities through the use of successful models.".

SEC. 211. STUDY ON STRENGTHENING EFFORTS ON SUBSTANCE ABUSE RESEARCH AT THE NATIONAL INSTITUTES OF HEALTH.

(a) STUDY.—The Secretary of Health and Human Services (in this section referred to as the "Secretary"), shall enter into a contract, under subsection (b), to conduct a study to determine if combining the National Institute on Drug Abuse and the National Institute on Alcohol Abuse and Alcoholism of the National Institutes of Health to form 1 National Institute on Addiction would—

(1) strengthen the scientific research efforts on substance abuse at the National Institutes of Health; and

(2) be more economically efficient.

(b) INSTITUTE OF MEDICINE OF THE NATIONAL ACADEMY OF SCIENCES.—The Secretary shall request the Institute of Medicine of the National Academy of Sciences to enter into a contract under subsection (a) to conduct the study described in subsection (a).

(c) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary shall submit to the Committee on the Judiciary of the Senate—

(1) a report detailing the results of the study conducted under subsection (a); and

(2) any recommendations.

TITLE III—SCHOOL SAFETY AND CHARACTER EDUCATION

Subtitle A—School Safety

SEC. 301. ALTERNATIVE EDUCATION.

Part D of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6421 et seq.) is amended by adding at the end the following:

"Subpart 4—Alternative Education Demonstration Project Grants

"SEC. 1441. PROGRAM AUTHORITY.

"(a) GRANTS.—

"(1) IN GENERAL.—From amounts appropriated under section 1443, the Secretary, in consultation

with the Administrator, shall make grants to State educational agencies or local educational agencies for not less than 10 demonstration projects that enable the agencies to develop models for and carry out alternative education for at-risk youth.

"(2) CONSTRUCTION.—Nothing in this subpart shall be construed to affect the requirements of the Individuals with Disabilities Education Act.

"(b) DEMONSTRATION PROJECTS.—

"(1) PARTNERSHIPS.—Each agency receiving a grant under this subpart may enter into a partnership with a private sector entity to provide alternative educational services to at-risk youth.

"(2) REQUIREMENTS.—Each demonstration project assisted under this subpart shall—

"(A) accept for alternative education at-risk or delinquent youth who are referred by a local school or by a court with a juvenile delinquency docket and who—

"(i) have demonstrated a pattern of serious and persistent behavior problems in regular schools;

"(ii) are at risk of dropping out of school;

"(iii) have been convicted of a criminal offense or adjudicated delinquent for an act of juvenile delinquency, and are under a court's supervision; or

"(iv) have demonstrated that continued enrollment in a regular classroom—

"(I) poses a physical threat to other students; or

"(II) inhibits an atmosphere conducive to learning; and

"(B) provide for accelerated learning, in a safe, secure, and disciplined environment, including—

"(i) basic curriculum focused on mastery of essential skills, including targeted instruction in basic skills required for secondary school graduation and employment; and

"(ii) emphasis on—

"(I) personal, academic, social, and workplace skills; and

"(II) behavior modification.

"(c) APPLICABILITY.—Except as provided in subsections (c) and (e) of section 1442, the provisions of section

1401(c), 1402, and 1431, and subparts 1 and 2, shall not apply to this subpart.

"(d) DEFINITION OF ADMINISTRATOR.—In this subpart, the term 'Administrator' means the Administrator of the Office of Juvenile Crime Control and Prevention of the Department of Justice.

"SEC. 1442. APPLICATIONS; GRANTEE SELECTION.

"(a) APPLICATIONS.—Each State educational agency and local educational agency seeking a grant under this subpart shall submit an application in such form, and containing such information, as the Secretary, in consultation with the Administrator, may reasonably require.

"(b) SELECTION OF GRANTEES.—

"(1) IN GENERAL.—The Secretary shall select State educational agencies and local educational agencies to receive grants under this subpart on an equitable geographic basis, including selecting agencies that serve urban, suburban, and rural populations.

"(2) MINIMUM.—The Secretary shall award a grant under this subpart to not less than 1 agency serving a population with a significant percentage of Native Americans.

"(3) PRIORITY.—In awarding grants under this subpart, the Secretary may give priority to State edu-

cational agencies and local educational agencies that demonstrate in the application submitted under subsection (a) that the State has a policy of equitably distributing resources among school districts in the State.

"(c) QUALIFICATIONS.—To qualify for a grant under this subpart, a State educational agency or local educational agency shall—

"(1) in the case of a State educational agency, have submitted a State plan under section 1414(a) that is approved by the Secretary;

"(2) in the case of a local educational agency, have submitted an application under section 1423 that is approved by the State educational agency;

"(3) explain the educational and juvenile justice needs of the community to be addressed by the demonstration project;

"(4) provide a detailed plan to implement the demonstration project; and

"(5) provide assurances and an explanation of the agency's ability to continue the program funded by the demonstration project after the termination of Federal funding under this subpart.

"(d) MATCHING REQUIREMENT.—

"(1) IN GENERAL.—Grant funds provided under this subpart shall not constitute more than 35 percent of the cost of the demonstration project funded.

"(2) SOURCE OF FUNDS.—Matching funds for grants under this subpart may be derived from amounts available under part B of title II, of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) to the State in which the demonstration project will be carried out, except that the total share of funds derived from Federal sources shall not exceed 50 percent of the cost of the demonstration project.

"(e) PROGRAM EVALUATION.—

"(1) IN GENERAL.—Each State educational agency or local educational agency that receives a grant under this subpart shall evaluate the demonstration project assisted under this subpart in the same manner as programs are evaluated under section 1431. In addition, the evaluation shall include—

"(A) an evaluation of the effect of the alternative education project on order, discipline, and an effective learning environment in regular classrooms;

"(B) an evaluation of the project's effectiveness in improving the skills and abilities of at-

risk students assigned to alternative education, including an analysis of the academic and social progress of such students; and

"(C) an evaluation of the project's effectiveness in reducing juvenile crime and delinquency, including—

"(i) reductions in incidents of campus crime in relevant school districts, compared with school districts not included in the project; and

"(ii) reductions in recidivism by at-risk students who have juvenile justice system involvement and are assigned to alternative education.

"(2) EVALUATION BY THE SECRETARY.—The Secretary, in cooperation with the Administrator, shall comparatively evaluate each of the demonstration projects funded under this subpart, including an evaluation of the effectiveness of private sector educational services, and shall report the findings of the evaluation to the Committee on Education and the Workforce of the House of Representatives and the Committees on the Judiciary and Health, Education, Labor and Pensions of the Senate not later than June 30, 2007.

"SEC. 1443. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this subpart such sums as may be necessary for each of fiscal years 2002, 2003, and 2004.".

SEC. 302. TRANSFER OF SCHOOL DISCIPLINARY RECORDS.

Part F of title XIV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8921 et seq.) is amended by adding at the end the following:

"SEC. 14604. TRANSFER OF SCHOOL DISCIPLINARY RECORDS.

"(a) NONAPPLICATION OF PROVISIONS.—The provisions of this section shall not apply to any disciplinary records transferred from a private, parochial, or other nonpublic school, person, institution, or other entity, that provides education below the college level.

"(b) DISCIPLINARY RECORDS.—Not later than 2 years after the date of enactment of the Drug Abuse Education, Prevention, and Treatment Act of 2001, each State receiving Federal funds under this Act shall provide an assurance to the Secretary that the State has a procedure in place to facilitate the transfer of disciplinary records by local educational agencies to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, full-time or part-time, in the school.".

Subtitle B—Character Education

Chapter 1—National Character Achievement Award

SEC. 311. NATIONAL CHARACTER ACHIEVEMENT AWARD.

(a) PRESENTATION AUTHORIZED.—The President is authorized to award to individuals under the age of 18, on behalf of the Congress, a National Character Achievement Award, consisting of a medal of appropriate design, with ribbons and appurtenances, honoring those individuals for distinguishing themselves as a model of good character.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury shall design and strike a medal with suitable emblems, devices, and inscriptions, to be determined by such Secretary.

(c) ELIGIBILITY.—

(1) IN GENERAL.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall establish procedures for the processing of recommendations to be forwarded to the President for awarding National Character Achievement Awards under subsection (a).

(2) RECOMMENDATIONS BY SCHOOL PRINCIPALS.—At a minimum, the recommendations referred to in paragraph (1) shall contain the endorse-

ment of the principal (or equivalent official) of the school in which the individual under the age of 18 is enrolled.

Chapter 2—Preventing Juvenile Delinquency Through Character Education

SEC. 321. PURPOSE.

The purpose of this chapter is to support the work of community-based organizations, local educational agencies, and schools in providing children and youth with alternatives to delinquency through strong after school programs that—

(1) are organized around character education;

(2) reduce delinquency, school discipline problems, and truancy; and

(3) improve student achievement, overall school performance, and youths' positive involvement in their community.

SEC. 322. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out the after school programs under this chapter, such sums as may be necessary for fiscal years 2002, 2003, and 2004.

(b) SOURCE OF FUNDING.—Amounts authorized to be appropriated pursuant to this section may be derived from the Violent Crime Reduction Trust Fund.

SEC. 323. AFTER SCHOOL PROGRAMS.

(a) IN GENERAL.—The Secretary, in consultation with the Attorney General, is authorized to award grants to community-based organizations to enable the organizations to provide youth with alternative activities, in the after school or out of school hours, that include a strong character education component.

(b) ELIGIBLE COMMUNITY-BASED ORGANIZATIONS.—The Secretary shall only award a grant under this section to a community-based organization that has a demonstrated capacity to provide after school or out of school programs to youth, including youth serving organizations, businesses, and other community groups.

(c) APPLICATIONS.—Each community-based organization desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Each application shall include—

(1) a description of the community to be served and the needs that will be met through the program in that community;

(2) a description of how the program will identify and recruit at-risk youth for participation in the program, and how the program will provide continuing support for the participation of such youth;

(3) a description of the activities to be assisted under the grant, including—

(A) how parents, students, and other members of the community will be involved in the design and implementation of the program;

(B) how character education will be incorporated into the program; and

(C) how the program will coordinate activities assisted under this section with activities of schools and other community-based organizations;

(4) a description of the goals of the program;

(5) a description of how progress toward achieving such goals, and toward meeting the purposes of this chapter, will be measured; and

(6) an assurance that the community-based organization will provide the Secretary with information regarding the program and the effectiveness of the program.

SEC. 324. GENERAL PROVISIONS.

(a) DURATION.—Each grant under this chapter shall be awarded for a period of not to exceed 5 years.

(b) PLANNING.—A community-based organization may use grant funds provided under this chapter for not

more than 1 year for the planning and design of the program to be assisted.

(c) SELECTION OF GRANTEES.—

(1) CRITERIA.—The Secretary, in consultation with the Attorney General, shall select, through a peer review process, community-based organizations to receive grants under this chapter on the basis of the quality of the applications submitted and taking into consideration such factors as—

(A) the quality of the activities to be assisted;

(B) the extent to which the program fosters in youth the elements of character and reaches youth at-risk of delinquency;

(C) the quality of the plan for measuring and assessing the success of the program;

(D) the likelihood the goals of the program will be realistically achieved;

(E) the experience of the applicant in providing similar services; and

(F) the coordination of the program with larger community efforts in character education.

(2) DIVERSITY OF PROJECTS.—The Secretary shall approve applications under this chapter in a manner that ensures, to the extent practicable, that

programs assisted under this chapter serve different areas of the United States, including urban, suburban and rural areas, and serve at-risk populations.

(d) USE OF FUNDS.—Grant funds under this chapter shall be used to support the work of community-based organizations, schools, or local educational agencies in providing children and youth with alternatives to delinquency through strong after school, or out of school programs that—

(1) are organized around character education;

(2) reduce delinquency, school discipline problems, and truancy; and

(3) improve student achievement, overall school performance, and youths' positive involvement in their community.

(e) DEFINITIONS.—In this chapter:

(1) IN GENERAL.—The terms used shall have the meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(2) CHARACTER EDUCATION.—The term "character education" means an organized educational program that works to reinforce core elements of character, including caring, civic virtue and citizenship, justice and fairness, respect, responsibility, and trustworthiness.

(3) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

Chapter 3—Counseling, Training, and Mentoring Children of Prisoners

SEC. 331. PURPOSE.

The purpose of this chapter is to support the work of community-based organizations in providing counseling, training, and mentoring services to America's most at-risk children and youth in low-income and high-crime communities who have a parent or legal guardian that is incarcerated in a Federal, State, or local correctional facility.

SEC. 332. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out programs under this chapter, such sums as may be necessary for fiscal years 2002, 2003, and 2004.

(b) SOURCE OF FUNDING.—Amounts authorized to be appropriated pursuant to this section may be derived from the Violent Crime Reduction Trust Fund.

SEC. 333. COUNSELING, TRAINING, AND MENTORING PROGRAMS.

(a) IN GENERAL.—The Attorney General shall award grants to community-based organizations to enable the organizations to provide youth who have a parent or legal guardian incarcerated in a Federal, State, or local correc-

tional facility with counseling, training, and mentoring services in low-income and high-crime communities that include—

(1) counseling, including drug prevention counseling;

(2) academic tutoring, including online computer academic programs that focus on the development and reinforcement of basic skills;

(3) technology training, including computer skills;

(4) job skills and vocational training; and

(5) confidence building mentoring services.

(b) ELIGIBLE COMMUNITY-BASED ORGANIZATIONS.—The Attorney General shall only award a grant under this section to a community-based organization that has a demonstrated capacity to provide after school or out of school programs to youth, including youth serving organizations, businesses, and other community groups.

(c) APPLICATIONS.—Each community-based organization desiring a grant under this section shall submit an application to the Attorney General at such time and in such manner as the Attorney General may require. Each application shall include—

(1) a description of the community to be served and the needs that will be met through the program in that community;

(2) a description of how the program will identify and recruit youth who have a parent or legal guardian that is incarcerated in a Federal, State, or local correctional facility for participation in the program, and how the program will provide continuing support for the participation of such youth;

(3) a description of the activities to be assisted under the grant, including—

(A) how parents, residents, and other members of the community will be involved in the design and implementation of the program; and

(B) how counseling, training, and mentoring services will be incorporated into the program;

(4) a description of the goals of the program;

(5) a description of how progress toward achieving such goals, and toward meeting the purposes of this chapter, will be measured; and

(6) an assurance that the community-based organization will provide the Attorney General with information regarding the program and the effectiveness of the program.

SEC. 334. GENERAL PROVISIONS.

(a) DURATION.—Each grant under this chapter shall be awarded for a period of not to exceed 5 years.

(b) PLANNING.—A community-based organization may use grant funds provided under this chapter for not more than 1 year for the planning and design of the program to be assisted.

(c) SELECTION OF GRANTEES.—

(1) CRITERIA.—The Attorney General shall select, through a peer review process, community-based organizations to receive grants under this chapter on the basis of the quality of the applications submitted and taking into consideration such factors as—

(A) the quality of the activities to be assisted;

(B) the extent to which the program fosters positive youth development and encourages meaningful and rewarding lifestyles;

(C) the likelihood the goals of the program will be realistically achieved;

(D) the experience of the applicant in providing similar services; and

(E) the coordination of the program with larger community efforts.

(2) DIVERSITY OF PROJECTS.—The Attorney General shall approve applications under this chapter

in a manner that ensures, to the extent practicable, that programs assisted under this chapter serve different low-income and high-crime communities of the United States.

(d) USE OF FUNDS.—Grant funds under this chapter shall be used to support the work of community-based organizations in providing children of incarcerated parents or legal guardians with alternatives to delinquency through strong after school, or out of school programs that—

(1) are organized around counseling, training, and mentoring;

(2) reduce delinquency, school discipline problems, and truancy; and

(3) improve student achievement, overall school performance, and youths' positive involvement in their community.

TITLE IV—REESTABLISHMENT OF DRUG COURTS

SEC. 401. REESTABLISHMENT OF DRUG COURTS.

(a) DRUG COURTS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by inserting after part DD the following new part:

"PART EE—DRUG COURTS

"SEC. 2951. GRANT AUTHORITY.

"(a) IN GENERAL.—The Attorney General may make grants to States, State courts, local courts, units of local government, and Indian tribal governments, acting directly or through agreements with other public or private entities, for programs that involve—

"(1) continuing judicial supervision over offenders with substance abuse problems who are not violent offenders; and

"(2) the integrated administration of other sanctions and services, which shall include—

"(A) mandatory periodic testing for the use of controlled substances or other addictive substances during any period of supervised release or probation for each participant;

"(B) substance abuse treatment for each participant;

"(C) diversion, probation, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements or failure to show satisfactory progress;

"(D) offender management, and aftercare services such as relapse prevention, health care, education, vocational training, job placement,

housing placement, and child care or other family support services for each participant who requires such services;

"(E) payment, in whole or part, by the offender of treatment costs, to the extent practicable, such as costs for urinalysis or counseling; and

"(F) payment, in whole or part, by the offender of restitution, to the extent practicable, to either a victim of the offender's offense or to a restitution or similar victim support fund.

"(b) LIMITATION.—Economic sanctions imposed on an offender pursuant to this section shall not be at a level that would interfere with the offender's rehabilitation.

"SEC. 2952. PROHIBITION OF PARTICIPATION BY VIOLENT OFFENDERS.

"The Attorney General shall—

"(1) issue regulations or guidelines to ensure that the programs authorized in this part do not permit participation by violent offenders; and

"(2) immediately suspend funding for any grant under this part, pending compliance, if the Attorney General finds that violent offenders are participating in any program funded under this part.

"SEC. 2953. DEFINITION.

"In this part, the term 'violent offender' means a person who—

"(1) is charged with or convicted of an offense, during the course of which offense or conduct—

"(A) the person carried, possessed, or used a firearm or dangerous weapon;

"(B) there occurred the death of or serious bodily injury to any person; or

"(C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or

"(2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

"SEC. 2954. ADMINISTRATION.

"(a) CONSULTATION.—The Attorney General shall consult with the Secretary of Health and Human Services and any other appropriate officials in carrying out this part.

"(b) USE OF COMPONENTS.—The Attorney General may utilize any component or components of the Department of Justice in carrying out this part.

"(c) REGULATORY AUTHORITY.—The Attorney General may issue regulations and guidelines necessary to carry out this part.

"(d) APPLICATIONS.—In addition to any other requirements that may be specified by the Attorney General, an application for a grant under this part shall—

"(1) include a long-term strategy and detailed implementation plan;

"(2) explain the applicant's inability to fund the program adequately without Federal assistance;

"(3) certify that the Federal support provided will be used to supplement, and not supplant, State, Indian tribal, and local sources of funding that would otherwise be available;

"(4) identify related governmental or community initiatives which complement or will be coordinated with the proposal;

"(5) certify that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with all affected agencies in the implementation of the program;

"(6) certify that participating offenders will be supervised by 1 or more designated judges with responsibility for the drug court program;

"(7) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support; and

"(8) describe the methodology that will be used in evaluating the program.

"SEC. 2955. APPLICATIONS.

"To request funds under this part, the chief executive or the chief justice of a State or the chief executive or judge of a unit of local government or Indian tribal government, or the chief judge of a State court or the judge of a local court or Indian tribal court shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

"SEC. 2956. FEDERAL SHARE.

"(a) IN GENERAL.—The Federal share of a grant made under this part may not exceed 75 percent of the total costs of the program described in the application submitted under section 2955 for the fiscal year for which the program receives assistance under this part, unless the Attorney General waives, wholly or in part, the requirement of a matching contribution under this section.

"(b) IN-KIND CONTRIBUTIONS.—In-kind contributions may constitute a portion of the non-Federal share of a grant.

"SEC. 2957. DISTRIBUTION AND ALLOCATION.

"(a) GEOGRAPHIC DISTRIBUTION.—The Attorney General shall ensure that, to the extent practicable, an equitable geographic distribution of grant awards is made.

"(b) MINIMUM ALLOCATION.—Unless all eligible applications submitted by any State or unit of local government within such State for a grant under this part have been funded, such State, together with grantees within the State (other than Indian tribes), shall be allocated in each fiscal year under this part not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this part.

"SEC. 2958. REPORT.

"A State, Indian tribal government, or unit of local government that receives funds under this part during a fiscal year shall submit to the Attorney General a description and an evaluation report on a date specified by the Attorney General regarding the effectiveness of this part.

"SEC. 2959. TECHNICAL ASSISTANCE, TRAINING, AND EVALUATION.

"(a) TECHNICAL ASSISTANCE AND TRAINING.—The Attorney General may provide technical assistance and training in furtherance of the purposes of this part.

"(b) EVALUATIONS.—In addition to any evaluation requirements that may be prescribed for grantees, the Attor-

ney General may carry out or make arrangements for evaluations of programs that receive support under this part.

"(c) ADMINISTRATION.—The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, in collaboration with the Secretary of Health and Human Services, or through grants, contracts, or other cooperative arrangements with other entities.".

(b) TECHNICAL AMENDMENT.—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by inserting after the matter relating to part DD the following:

"PART EE—DRUG COURTS

"Sec. 2951. Grant authority.
"Sec. 2952. Prohibition of participation by violent offenders.
"Sec. 2953. Definition.
"Sec. 2954. Administration.
"Sec. 2955. Applications.
"Sec. 2956. Federal share.
"Sec. 2957. Distribution and allocation.
"Sec. 2958. Report.
"Sec. 2959. Technical assistance, training, and evaluation.".

SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended—

(1) in paragraph (3), by inserting before the period at the end the following: "or EE"; and

(2) by adding at the end the following new paragraph:

"(20)(A) There are authorized to be appropriated for fiscal years 2002, 2003, and 2004 such sums as may be necessary to carry out part EE.

"(B) The Attorney General shall reserve not less than 1 percent and not more than 4.5 percent of the sums appropriated for this program in each fiscal year for research and evaluation of this program.".

TITLE V—PROGRAM FOR SUCCESSFUL REENTRY OF CRIMINAL OFFENDERS INTO LOCAL COMMUNITIES

SEC. 501. SHORT TITLE.

This title may be cited as the "Offender Reentry and Community Safety Act of 2001".

SEC. 502. PURPOSES.

The purposes of this title are to—

(1) establish demonstration projects in several Federal judicial districts, the District of Columbia, and in the Federal Bureau of Prisons, using new strategies and emerging technologies that alleviate the public safety risk posed by released prisoners by promoting their successful reintegration into the community;

(2) establish court-based programs to monitor the return of offenders into communities, using court sanctions to promote positive behavior;

(3) establish offender reentry demonstration projects in the states using government and community partnerships to coordinate cost efficient strategies that ensure public safety and enhance the successful reentry into communities of offenders who have completed their prison sentences;

(4) establish intensive aftercare demonstration projects that address public safety and ensure the special reentry needs of juvenile offenders by coordinating the resources of juvenile correctional agencies, juvenile courts, juvenile parole agencies, law enforcement agencies, social service providers, and local Workforce Investment Boards; and

(5) rigorously evaluate these reentry programs to determine their effectiveness in reducing recidivism and promoting successful offender reintegration.

Subtitle A—Federal Reentry Demonstration Projects

SEC. 511. FEDERAL COMMUNITY CORRECTIONS CENTERS REENTRY PROJECT.

(a) AUTHORITY AND ESTABLISHMENT OF FEDERAL COMMUNITY CORRECTIONS CENTERS REENTRY PROJECT.—

Subject to the availability of appropriations to carry out this subtitle, the Attorney General and the Director of the Administrative Office of the United States Courts, shall establish the Federal Reentry project. The project shall involve appropriate prisoners released from the Federal prison population to a community corrections center during fiscal years 2003 and 2004, and a coordinated response by Federal agencies to assist participating prisoners, under close monitoring and more seamless supervision, in preparing for and adjusting to reentry into the community.

(b) PROJECT ELEMENTS.—The project authorized by subsection (a) shall include—

(1) a Reentry Review Team for each prisoner, consisting of representatives from the Bureau of Prisons, the United States Probation System, and the relevant community corrections center, who shall initially meet with the prisoner to develop a reentry plan tailored to the needs of the prisoner and taking into account the views of the victim advocate and the family of the prisoner, if it is safe for the victim, and will thereafter meet regularly to monitor the prisoner's progress toward reentry and coordinate access to appropriate reentry measures and resources;

(2) drug testing, as appropriate;

(3) a system of graduated levels of supervision within the community corrections centers to promote community safety, provide incentives for prisoners to complete the reentry plan, including victim restitution, and provide a reasonable method for imposing immediate sanctions for a prisoner's minor or technical violation of the conditions of participation in the project;

(4) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed;

(5) to the extent practicable, the recruitment and utilization of local citizen volunteers, including volunteers from the faith-based and business communities, to serve as advisers and mentors to prisoners being released into the community;

(6) a description of the methodology and outcome measures that will be used to evaluate the program; and

(7) notification to victims on the status and nature of offenders' release, as appropriate.

(c) PROBATION OFFICERS.—From funds made available to carry out this subtitle, the Director of the Adminis-

trative Office of the United States Courts shall appoint 1 or more probation officers from each judicial district to the Reentry Demonstration project. Such officers shall serve as reentry officers and shall serve on the Reentry Review Teams.

(d) PROJECT DURATION.—The Community Corrections Center Reentry project shall begin not later than 9 months following the availability of funds to carry out this section, and shall last 5 years. The Attorney General and the Director of the Administrative Office of the United States Courts may extend the project for a period of up to 6 months to enable participant prisoners to complete their involvement in the project.

(e) SELECTION OF PRISONERS.—The Director of the Administrative Office of the United States Courts in consultation with the Attorney General shall select an appropriate pool of prisoners from the Federal prison population scheduled to be released to community correction centers in fiscal years 2003 and 2004 to participate in the Reentry project.

(f) COORDINATION OF PROJECTS.—If appropriate, Community Corrections Center Reentry project offenders who participated in the Enhanced In-Prison Vocational Assessment and Training Demonstration project established by section 615 may be included.

SEC. 512. FEDERAL HIGH-RISK OFFENDER REENTRY PROJECT.

(a) AUTHORITY AND ESTABLISHMENT OF FEDERAL HIGH-RISK OFFENDER PROJECT.—Subject to the availability of appropriations to carry out this subtitle, the Director of the Administrative Office of the United States Courts shall establish the Federal High-Risk Offender Reentry project. The project shall involve Federal offenders under supervised release who have violated the terms of their release following a term of imprisonment and shall utilize, as appropriate and indicated, community corrections centers, home confinement, appropriate monitoring technologies, and treatment and programming to promote more effective reentry into the community.

(b) PROJECT ELEMENTS.—The project authorized by subsection (a) shall include—

(1) participation by Federal prisoners who have violated the terms of their release following a term of imprisonment;

(2) use of community corrections centers and home confinement that, together with the technology referenced in paragraph (5), will be part of a system of graduated levels of supervision;

(3) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other

programming to promote effective reintegration into the community as needed;

(4) involvement of a victim advocate and the family of the prisoner, if it is safe for the victim(s), especially in domestic violence cases, to be involved;

(5) the use of monitoring technologies, as appropriate and indicated, to monitor and supervise participating offenders in the community;

(6) a description of the methodology and outcome measures that will be used to evaluate the program; and

(7) notification to victims on the status and nature of a prisoner's release, as appropriate.

(c) CONDITION OF SUPERVISED RELEASE.—During the demonstration project, appropriate offenders who are found to have violated a term of supervised release and who will be subject to some additional term of supervised release, may be designated to participate in the demonstration project. With respect to these offenders, the court may impose additional conditions of supervised release that each offender shall, as directed by the probation officer, reside at a community corrections center or participate in a program of home confinement, or both, and submit to appropriate location verification monitoring. The court may also

impose additional correctional intervention conditions as appropriate.

(d) PROJECT DURATION.—The Federal High-Risk Offender Reentry Project shall begin not later than 9 months following the availability of funds to carry out this section, and shall last 5 years. The Director of the Administrative Office of the United States Courts may extend the project for a period of up to 6 months to enable participating prisoners to complete their involvement in the project.

(e) SELECTION OF OFFENDERS.—The Director of the Administrative Office of the United States Courts shall select an appropriate pool of offenders who are found by the court to have violated a term of supervised release during fiscal year 2003 and 2004 to participate in the Federal High-Risk Offender Reentry project.

SEC. 513. DISTRICT OF COLUMBIA INTENSIVE SUPERVISION, TRACKING, AND REENTRY TRAINING (DC iSTART) DEMONSTRATION.

(a) AUTHORITY AND ESTABLISHMENT OF DEMONSTRATION PROJECT.—From funds made available to carry out this subtitle, the Trustee of the Court Services and Offender Supervision Agency of the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) shall establish the District of Columbia In-

tensive Supervision, Tracking and Reentry Training Demonstration (DC iSTART) project. The project shall involve high risk District of Columbia parolees who would otherwise be released into the community without a period of confinement in a community corrections facility and shall utilize intensive supervision, monitoring, and programming to promote such parolees' successful reentry into the community.

(b) PROJECT ELEMENTS.—The project authorized by subsection (a) shall include—

(1) participation by appropriate high risk parolees;

(2) use of community corrections facilities and home confinement;

(3) a Reentry Review Team that includes a victim witness professional for each parolee which shall meet with the parolee, by video conference or other means as appropriate, before the release of the parolee from the custody of the Federal Bureau of Prisons to develop a reentry plan that incorporates victim impact information and is tailored to the needs of the parolee and which will thereafter meet regularly to monitor the parolee's progress toward reentry and coordinate access to appropriate reentry measures and resources;

(4) regular drug testing, as appropriate;

(5) a system of graduated levels of supervision within the community corrections facility to promote community safety, victim restitution, to the extent practicable, provide incentives for prisoners to complete the reentry plan, and provide a reasonable method for immediately sanctioning a prisoner's minor or technical violation of the conditions of participation in the project;

(6) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed;

(7) the use of monitoring technologies, as appropriate;

(8) to the extent practicable, the recruitment and utilization of local citizen volunteers, including volunteers from the faith-based communities, to serve as advisers and mentors to prisoners being released into the community; and

(9) notification to victims on the status and nature of a prisoner's reentry plan.

(c) MANDATORY CONDITION OF PAROLE.—For those offenders eligible to participate in the demonstration

project, the United States Parole Commission shall impose additional mandatory conditions of parole such that the offender when on parole shall, as directed by the community supervision officer, reside at a community corrections facility or participate in a program of home confinement, or both, submit to electronic and other remote monitoring, and otherwise participate in the project.

(d) PROGRAM DURATION.—The District of Columbia Intensive Supervision, Tracking and Reentry Training Demonstration shall begin not later than 6 months following the availability of funds to carry out this section, and shall last 3 years. The Trustee of the Court Services and Offender Supervision Agency of the District of Columbia may extend the project for a period of up to 6 months to enable participating prisoners to complete their involvement in the project.

SEC. 514. FEDERAL INTENSIVE SUPERVISION, TRACKING, AND REENTRY TRAINING (FED iSTART) PROJECT.

(a) AUTHORITY AND ESTABLISHMENT OF PROJECT.—Subject to the availability of appropriations to carry out this section, the Director of the Administrative Office of the United States Courts, in consultation with the Attorney General, shall establish the Federal Intensive Supervision, Tracking and Reentry Training (FED iSTART) project.

The project shall involve appropriate high risk Federal offenders who are being released into the community without a period of confinement in a community corrections center.

(b) PROJECT ELEMENTS.—The project authorized by subsection (a) shall include—

(1) participation by appropriate high risk Federal offenders;

(2) significantly smaller caseloads for probation officers participating in the demonstration project;

(3) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed; and

(4) notification to victims on the status and nature of a prisoner's reentry plan.

(c) PROGRAM DURATION.—The Federal Intensive Supervision, Tracking and Reentry Training Project shall begin not later than 9 months following the availability of funds to carry out this section, and shall last 3 years. The Director of the Administrative Office of the United States Courts may extend the project for a period of up to 6 months to enable participating prisoners to complete their involvement in the project.

(d) SELECTION OF PRISONERS.—The Director of the Administrative Office of the United States Courts, in consultation with the Attorney General, shall select an appropriate pool of Federal prisoners who are scheduled to be released into the community without a period of confinement in a community corrections center in fiscal years 2003 and 2004 to participate in the Federal Intensive Supervision, Tracking and Reentry Training project.

SEC. 515. FEDERAL ENHANCED IN-PRISON VOCATIONAL ASSESSMENT AND TRAINING AND DEMONSTRATION.

(a) AUTHORITY AND ESTABLISHMENT OF DEMONSTRATION PROJECT.—From funds made available to carry out this section, the Attorney General shall establish the Federal Enhanced In-Prison Vocational Assessment and Training Demonstration project in selected institutions. The project shall provide in-prison assessments of prisoners' vocational needs and aptitudes, enhanced work skills development, enhanced release readiness programming, and other components as appropriate to prepare Federal prisoners for release and reentry into the community.

(b) PROGRAM DURATION.—The Enhanced In-Prison Vocational Assessment and Training Demonstration shall begin not later than 6 months following the availability of funds to carry out this section, and shall last 3 years. The

Attorney General may extend the project for a period of up to 6 months to enable participating prisoners to complete their involvement in the project.

SEC. 516. RESEARCH AND REPORTS TO CONGRESS.

(a) DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—Not later than 2 years after enactment of this Act, the Director of the Administrative Office of the United States Courts shall report to Congress on the progress of the reentry projects authorized by sections 2511, 2512, and 2514. Not later than 2 years after the end of the reentry projects authorized by sections 2511, 2512, and 2514, the Director of the Administrative Office of the United States Courts shall report to Congress on the effectiveness of the reentry projects authorized by sections 2511, 2512, and 2514 on post-release outcomes and recidivism. The report shall address post-release outcomes and recidivism for a period of 3 years following release from custody. The reports submitted pursuant to this section shall be submitted to the Committees on the Judiciary of the House of Representatives and the Senate.

(b) ATTORNEY GENERAL.—Not later than 2 years after enactment of this Act, the Attorney General shall report to Congress on the progress of the projects authorized by section 2515. Not later than 180 days after the end of the projects authorized by section 2515, the Attorney General

shall report to Congress on the effectiveness of the reentry projects authorized by section 2515 on post-release outcomes and recidivism. The report should address post-release outcomes and recidivism for a period of 3 years following release from custody. The reports submitted pursuant to this section shall be submitted to the Committees on the Judiciary of the House of Representatives and the Senate.

(c) DC iSTART.—Not later than 2 years after enactment of this Act, the Executive Director of the corporation or institute authorized by section 11281(2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) shall report to Congress on the progress of the demonstration project authorized by section 2515. Not later than 1 year after the end of the demonstration project authorized by section 2513, the Executive Director of the corporation or institute authorized by section 11281(2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) shall report to Congress on the effectiveness of the reentry project authorized by section 2513 on post-release outcomes and recidivism. The report shall address post-release outcomes and recidivism for a period of 3 years following release from custody. The reports submitted pursuant to this section shall be submitted to the Committees on the Judiciary of the

House of Representatives and the Senate. In the event that the corporation or institute authorized by section 11281(2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) is not in operation 1 year after enactment of this Act, the Director of the National Institute of Justice shall prepare and submit the reports required by this section and may do so from funds made available to the Court Services and Offender Supervision Agency of the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) to carry out this subtitle.

SEC. 517. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE HIGH RISK PAROLEES.—The term "appropriate high risk parolees" means parolees considered by prison authorities—

(A) to pose a medium to high risk of committing a criminal act upon reentering the community; and

(B) to lack the skills and family support network that facilitate successful reintegration into the community.

(2) APPROPRIATE PRISONER.—The term "appropriate prisoner" means a person who is considered by prison authorities—

(A) to pose a medium to high risk of committing a criminal act upon reentering the community; and

(B) to lack the skills and family support network that facilitate successful reintegration into the community.

SEC. 518. AUTHORIZATION OF APPROPRIATIONS.

To carry out this subtitle, there are authorized to be appropriated, to remain available until expended, the following amounts:

(1) Such sums as may be necessary to the Federal Bureau of Prisons.

(2) Such sums as may be necessary to the Federal Judiciary.

(3) Such sums as may be necessary to the Court Services and Offender Supervision Agency of the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712).

Subtitle B—State Reentry Grant Programs

SEC. 521. AMENDMENTS TO THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended, is amended by inserting after part EE the following new part:

"PART FF—OFFENDER REENTRY AND COMMUNITY SAFETY

"SEC. 2976. ADULT OFFENDER STATE AND LOCAL REENTRY PARTNERSHIPS.

"(a) GRANT AUTHORIZATION.—The Attorney General shall make grants of up to $1,000,000 to States, Territories, and Indian tribes, in partnership with units of local government and nonprofit organizations, for the purpose of establishing adult offender reentry demonstration projects. Funds may be expended by the projects for the following purposes:

"(1) oversight/monitoring of released offenders;

"(2) substance abuse treatment and aftercare, mental and medical health treatment and aftercare, vocational and basic educational training, and other programming to promote effective reintegration into the community as needed;

"(3) convening community impact panels, victim impact panels or victim impact educational classes; and

"(4) establishing and implementing graduated sanctions and incentives.

"(b) SUBMISSION OF APPLICATION.—In addition to any other requirements that may be specified by the Attorney General, an application for a grant under this subpart shall—

"(1) describe a long-term strategy and detailed implementation plan, including how the jurisdiction plans to pay for the program after the Federal funding ends;

"(2) identify the governmental and community agencies that will be coordinated by this project;

"(3) certify that there has been appropriate consultation with all affected agencies and there will be appropriate coordination with all affected agencies in the implementation of the program, including existing community corrections and parole; and

"(4) describe the methodology and outcome measures that will be used in evaluating the program.

"(c) APPLICANTS.—The applicants as designated under 2601(a)—

"(1) shall prepare the application as required under subsection 2601(b); and

"(2) shall administer grant funds in accordance with the guidelines, regulations, and procedures promulgated by the Attorney General, as necessary to carry out the purposes of this part.

"(d) MATCHING FUNDS.—The Federal share of a grant received under this title may not exceed 75 percent of the costs of the project funded under this title unless the Attorney General waives, wholly or in part, the requirements of this section.

"(e) REPORTS.—Each entity that receives a grant under this part shall submit to the Attorney General, for each year in which funds from a grant received under this part is expended, a description and an evaluation report at such time and in such manner as the Attorney General may reasonably require that contains—

"(1) a summary of the activities carried out under the grant and an assessment of whether such activities are meeting the needs identified in the application funded under this part; and

"(2) such other information as the Attorney General may require.

"(f) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2002, 2003, and 2004.

"(2) LIMITATIONS.—Of the amount made available to carry out this section in any fiscal year—

"(A) not more than 2 percent or less than 1 percent may be used by the Attorney General for salaries and administrative expenses; and

"(B) not more than 3 percent or less than 2 percent may be used for technical assistance and training.

"SEC. 2977. JUVENILE OFFENDER STATE AND LOCAL REENTRY PROGRAMS.

"(a) GRANT AUTHORIZATION.—The Attorney General shall make grants of up to $250,000 to States, in partnership with local units of governments or nonprofit organizations, for the purpose of establishing juvenile offender reentry programs. Funds may be expended by the projects for the following purposes:

"(1) providing returning juvenile offenders with drug and alcohol testing and treatment and mental and medical health assessment and services;

"(2) convening victim impact panels, restorative justice panels, or victim impact educational classes for juvenile offenders;

"(3) oversight/monitoring of released juvenile offenders; and

"(4) providing for the planning of reentry services when the youth is initially incarcerated and coordinating the delivery of community-based services, such as education, family involvement and support, and other services as needed.

"(b) SUBMISSION OF APPLICATION.—In addition to any other requirements that may be specified by the Attorney General, an application for a grant under this subpart shall—

"(1) describe a long-term strategy and detailed implementation plan, including how the jurisdiction plans to pay for the program after the Federal funding ends;

"(2) identify the governmental and community agencies that will be coordinated by this project;

"(3) certify that there has been appropriate consultation with all affected agencies and there will be appropriate coordination with all affected agencies, including existing community corrections and parole, in the implementation of the program;

"(4) describe the methodology and outcome measures that will be used in evaluating the program.

"(c) APPLICANTS.—The applicants as designated under 2603(a)—

"(1) shall prepare the application as required under subsection 2603(b); and

"(2) shall administer grant funds in accordance with the guidelines, regulations, and procedures promulgated by the Attorney General, as necessary to carry out the purposes of this part.

"(d) MATCHING FUNDS.—The Federal share of a grant received under this title may not exceed 75 percent of the costs of the project funded under this title unless the Attorney General waives, wholly or in part, the requirements of this section.

"(e) REPORTS.—Each entity that receives a grant under this part shall submit to the Attorney General, for each year in which funds from a grant received under this part is expended, a description and an evaluation report at such time and in such manner as the Attorney General may reasonably require that contains:

"(1) a summary of the activities carried out under the grant and an assessment of whether such activities are meeting the needs identified in the application funded under this part; and

"(2) such other information as the Attorney General may require.

"(f) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section such sums as are necessary for each of the fiscal years 2002, 2003, and 2004.

"(2) LIMITATIONS.—Of the amount made available to carry out this section in any fiscal year—

"(A) not more than 2 percent or less than 1 percent may be used by the Attorney General for salaries and administrative expenses; and

"(B) not more than 3 percent or less than 2 percent may be used for technical assistance and training.

"SEC. 2978. STATE REENTRY PROGRAM RESEARCH, DEVELOPMENT, AND EVALUATION.

"(a) GRANT AUTHORIZATION.—The Attorney General shall make grants to conduct research on a range of issues pertinent to reentry programs, the development and testing of new reentry components and approaches, selected evaluation of projects authorized in the preceding sections, and dissemination of information to the field.

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

such sums as are necessary to carry out this section in fiscal years 2002, 2003, and 2004.".

(b) TECHNICAL AMENDMENT.—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), as amended, is amended by inserting at the end the following:

"PART FF—OFFENDER REENTRY AND COMMUNITY SAFETY ACT

"Sec. 2976. Adult Offender State and Local Reentry Partnerships.
"Sec. 2977. Juvenile Offender State and Local Reentry Programs.
"Sec. 2978. State Reentry Program Research, Development, and Evaluation.".

Subtitle C—Continuation of Assistance and Benefits

SEC. 531. AMENDMENTS TO THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (21 U.S.C. 862a) is amended—

(1) in subsection (d), by adding at the end the following:

"(3) INAPPLICABILITY TO CERTAIN INDIVIDUALS.—Subsection (a) shall not apply to an individual who—

"(A) has successfully completed a controlled substance abuse treatment program and has not committed a subsequent offense described in subsection (a);

"(B) is participating in a controlled substance abuse treatment program;

"(C) is eligible for and has sought to participate in a controlled substance abuse treatment program, and immediately participates in a controlled substance abuse treatment program once a slot for the individual becomes available;

"(D) is a custodial parent;

"(E) is suffering from a serious illness, other than drug addiction, as determined by the Secretary of Health and Human Services, and the individual provides verification of such illness; or

"(F) is pregnant."; and

(2) by striking subsection (e) and inserting—

"(e) DEFINITIONS.—In this section:

"(1) CONTROLLED SUBSTANCE ABUSE TREATMENT PROGRAM.—The term 'controlled substance abuse treatment program' means a course of individual or group activities or both, lasting for a period of not less than 28 days—

"(A) directed at substance abuse problems; and

"(B) intended to develop cognitive, behavioral, and other skills to address substance abuse and related problems.

"(2) CUSTODIAL PARENT.—The term 'custodial parent' means an individual with custody of and in the same household as—

"(A) 1 or more dependent children who have not attained 18 years of age; or

"(B) a disabled child of the individual who is 18 years of age or older.

"(3) STATE.—The term 'State' has the meaning given it—

"(A) in section 419(5) of the Social Security Act, when referring to assistance provided under a State program funded under part A of title IV of the Social Security Act; and

"(B) in section 3(m) of the Food Stamp Act of 1977, when referring to the food stamp program (as defined in section 3(h) of the Food Stamp Act of 1977) or any State program carried out under the Food Stamp Act of 1977.

"(4) SUCCESSFULLY COMPLETED.—The term 'successfully completed' means has completed the prescribed course of drug treatment.".

TITLE VI—AMENDMENT TO FOREIGN NARCOTICS KINGPIN DESIGNATION ACT

SEC. 601. AMENDMENT TO FOREIGN NARCOTICS KINGPIN DESIGNATION ACT.

Section 805 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1904) is amended by striking subsection (f).

TITLE VII—CORE COMPETENCIES IN DRUG ABUSE DETECTION AND TREATMENT

SEC. 701. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq.), as amended by the Youth Drug and Mental Health Services Act (Public Law 106–310), is further amended by adding at the end the following:

"SEC. 519F. CORE COMPETENCIES.

"(a) PURPOSE.—The purpose of this section is—

"(1) to educate, train, motivate, and engage key professionals to identify and intervene with children in families affected by substance abuse and to refer members of such families to appropriate programs and services in the communities of such families;

"(2) to encourage professionals to collaborate with key professional organizations representing the targeted professional groups, such as groups of educators, social workers, faith community members, and probation officers, for the purposes of developing and implementing relevant core competencies; and

"(3) to encourage professionals to develop networks to coordinate local substance abuse prevention coalitions.

"(b) PROGRAM AUTHORIZED.—The Secretary shall award grants to leading nongovernmental organizations with an expertise in aiding children of substance abusing parents or experience with community antidrug coalitions to help professionals participate in such coalitions and identify and help youth affected by familial substance abuse.

"(c) DURATION OF GRANTS.—No organization shall receive a grant under subsection (c) for more than 5 consecutive years.

"(d) APPLICATION.—Any organization desiring a grant under subsection (c) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the evaluation of the project involved, including both process and outcome evaluation, and

the submission of the evaluation at the end of the project period.

"(e) USE OF FUNDS.—Grants awarded under subsection (c) shall be used to—

"(1) develop core competencies with various professional groups that the professionals can use in identifying and referring children affected by substance abuse;

"(2) widely disseminate the competencies to professionals and professional organizations through publications and journals that are widely read and respected;

"(3) develop training modules around the competencies; and

"(4) develop training modules for community coalition leaders to enable such leaders to engage professionals from identified groups at the local level in community-wide prevention and intervention efforts.

"(f) DEFINITION.—In this section, the term 'professional' includes a physician, student assistance professional, social worker, youth and family social service agency counselor, Head Start teacher, clergy, elementary and secondary school teacher, school counselor, juvenile justice worker, child care provider, or a member of any other pro-

fessional group in which the members provide services to or interact with children, youth, or families.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2002, 2003, and 2004.".

TITLE VIII—ADOLESCENT THERAPEUTIC COMMUNITY TREATMENT PROGRAMS

SEC. 801. PROGRAM AUTHORIZED.

The Secretary shall award competitive grants to treatment providers who administer treatment programs to enable such providers to establish adolescent residential substance abuse treatment programs that provide services for individuals who are between the ages of 14 and 21.

SEC. 802. PREFERENCE.

In awarding grants under this title, the Secretary shall consider the geographic location of each treatment provider and give preference to such treatment providers that are geographically located in such a manner as to provide services to addicts from non-metropolitan areas.

SEC. 803. DURATION OF GRANTS.

For awards made under this title, the period during which payments are made may not exceed 5 years.

SEC. 804. RESTRICTIONS.

A treatment provider receiving a grant under this title shall not use any amount of the grant for land acquisition or a construction project.

SEC. 805. APPLICATION.

A treatment provider that desires a grant under this title shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

SEC. 806. USE OF FUNDS.

A treatment provider that receives a grant under this title shall use those funds to provide substance abuse services for adolescents, including—

(1) a thorough psychosocial assessment;

(2) individual treatment planning;

(3) a strong education component integral to the treatment regimen;

(4) life skills training;

(5) individual and group counseling;

(6) family services;

(7) daily work responsibilities; and

(8) community-based aftercare, providing 6 months of treatment following discharge from a residential facility.

SEC. 807. TREATMENT TYPE.

The Therapeutic Community model shall be used as a basis for all adolescent residential substance abuse treatment programs established under this title, which shall be characterized by—

(1) the self-help dynamic, requiring youth to participate actively in their own treatment;

(2) the role of mutual support and the therapeutic importance of the peer therapy group;

(3) a strong focus on family involvement and family strengthening;

(4) a clearly articulated value system emphasizing both individual responsibility and responsibility for the community; and

(5) an emphasis on development of positive social skills.

SEC. 808. REPORT BY PROVIDER.

Not later than 1 year after receiving a grant under this title, and annually thereafter, a treatment provider shall prepare and submit to the Secretary a report describing the services provided pursuant to this title.

SEC. 809. REPORT BY SECRETARY.

(a) IN GENERAL.—Not later than 3 months after receiving all reports by providers under section 2908, and annually thereafter, the Secretary shall prepare and submit

a report containing information described in subsection (b) to—

(1) the Committee on Health, Education, Labor, and Pensions of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the United States Senate Caucus on International Narcotics Control;

(4) the Committee on Commerce of the House of Representatives;

(5) the Committee on Appropriations of the House of Representatives; and

(6) the Committee on Government Reform of the House of Representatives.

(b) CONTENT.—The report described in subsection (a) shall—

(1) outline the services provided by providers pursuant to this section;

(2) evaluate the effectiveness of such services;

(3) identify the geographic distribution of all treatment centers provided pursuant to this section, and evaluate the accessibility of such centers for addicts from rural areas and small towns; and

(4) make recommendations to improve the programs carried out pursuant to this section.

SEC. 810. DEFINITIONS.

In this title:

(1) ADOLESCENT RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM.—The term "adolescent residential substance abuse treatment program" means a program that provides a regimen of individual and group activities, lasting ideally not less than 12 months, in a community-based residential facility that provides comprehensive services tailored to meet the needs of adolescents and designed to return youth to their families in order that such youth may become capable of enjoying and supporting positive, productive, drug-free lives.

(2) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(3) THERAPEUTIC COMMUNITY.—The term "Therapeutic Community" means a highly structured residential treatment facility that—

(A) employs a treatment methodology;

(B) relies on self-help methods and group process, a view of drug abuse as a disorder affecting the whole person, and a comprehensive approach to recovery;

(C) maintains a strong educational component; and

(D) carries out activities that are designed to help youths address alcohol or other drug abuse issues and learn to act in their own best interests, as well as in the best interests of their peers and families.

SEC. 811. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to appropriations, there are authorized be appropriated to carry out this title such sums as may be necessary for fiscal years 2002, 2003, and 2004.

(b) SUPPLEMENT AND NOT SUPPLANT.—Grant amounts received under this title shall be used to supplement, and not supplant, non-Federal funds that would otherwise be available for activities funded under this title.

TITLE IX—OTHER MATTERS

SEC. 901. AMENDMENT TO CONTROLLED SUBSTANCES ACT.

Section 303(g)(2)(I) of the Controlled Substances Act is amended by striking "on the date of enactment" and all that follows through "such drugs," and inserting "on the date of approval by the Food and Drug Administration of a drug in schedule III, IV, or V, a State may not preclude a practitioner from dispensing or prescribed such drug, or combination of such drugs".

SEC. 902. STUDY OF METHAMPHETAMINE TREATMENT.

Section 3633 of the Methamphetamine Anti-Proliferation Act of 2000 (114 Stat. 1236) is amended by striking

"the Institute of Medicine of the National Academy of Sciences" and inserting "the National Institute on Drug Abuse".

TITLE X—NATIONAL COMPREHENSIVE CRIME-FREE COMMUNITIES ACT

SEC. 1001. PROGRAM ADMINISTRATION.

(a) ATTORNEY GENERAL RESPONSIBILITIES.—In carrying out this title, the Attorney General shall—

(1) make and monitor grants to grant recipients;

(2) provide, including through organizations such as the National Crime Prevention Council, technical assistance and training, data collection, and dissemination of information on state-of-the-art research-grounded practices that the Attorney General determines to be effective in preventing and reducing crime, violence, and drug abuse;

(3) provide for the evaluation of this title and assess the effectiveness of comprehensive planning in the prevention of crime, violence, and drug abuse;

(4) provide for a comprehensive communications strategy to inform the public and State and local governments of programs authorized by this title and their purpose and intent;

(5) establish a National Crime-Free Communities Commission to advise, consult with, and make recommendations to the Attorney General concerning activities carried out under this title;

(6) establish the National Center for Justice Planning in a national organization representing State criminal justice executives that will—

(A) provide technical assistance and training to State criminal justice agencies in implementing policies and programs to facilitate community-based strategic planning processes;

(B) establish a collection of best practices for statewide community-based criminal justice planning; and

(C) consult with appropriate organizations, including the National Crime Prevention Council, in providing necessary training to States.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the fiscal years 2002 through 2006, including such sums as may be necessary to assist States and communities in providing training, technical assistance, and setting benchmarks, and such sums as may be necessary to establish and operate the National Center for Justice Planning.

(c) PROGRAM ADMINISTRATION.—Up to 3 percent of program funds appropriated for Community Grants and State Capacity Building grants may be used by the Attorney General to administer this program.

SEC. 1002. FOCUS.

Programs carried out by States and local communities under this title shall include a specialized focus on neighborhoods and schools disproportionately affected by crime, violence, and drug abuse.

SEC. 1003. DEFINITIONS.

In this title, the term "crime prevention plan" means a strategy that has measurable long-term goals and short-term objectives that—

(1) address the problems of crime, including terrorism, violence, and substance abuse for a jurisdiction, developed through an interactive and collaborative process that includes senior representatives of law enforcement and the local chief executive's office as well as representatives of such groups as other agencies of local government (including physical and social service providers), nonprofit organizations, business leaders, religious leaders, and representatives of community and neighborhood groups;

(2) establishes interim and final benchmark measures for each prevention objective and strategy; and

(3) includes a monitoring and assessment mechanism for implementation of the plan.

SEC. 1004. COMMUNITY GRANTS.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Attorney General shall award grants to at least 100 communities or an organization organized under section 501(c)(3) of the Internal Revenue Code of 1986 that is the designee of a community, including 1 in each State, in an amount not to exceed $250,000 per year for the planning, evaluation, and implementation of a program designed to prevent and reduce crime, violence, and substance abuse.

(2) LIMITATION.—Of the amount of a grant awarded under this section in any given year, not more than $125,000 may be used for the planning or evaluation component of the program.

(b) PROGRAM IMPLEMENTATION COMPONENT.—

(1) IN GENERAL.—A community grant under this section may be used by a community to support specific programs or projects that are consistent with the local Crime Prevention Plan.

(2) AVAILABILITY.—A grant shall be awarded under this paragraph to a community that has developed a specific Crime Prevention Plan and program outline.

(3) MATCHING REQUIREMENT.—The Federal share of a grant under this paragraph shall not exceed—

(A) 80 percent in the first year;

(B) 60 percent in the second year;

(C) 40 percent in the third year;

(D) 20 percent in the fourth year; and

(E) 20 percent in the fifth year.

(4) DATA SET ASIDE.—A community may use up to 5 percent of the grant to assist it in collecting local data related to the costs of crime, violence, and substance abuse for purposes of supporting its Crime Prevention Plan.

(c) APPLICATION.—

(1) IN GENERAL.—An applicant for a community grant under this section shall—

(A) demonstrate how the proposed program will prevent crime, violence, and substance abuse;

(B) certify that the program is based on nationally recognized research standards that have been tested in local communities;

(C) collaborate and obtain the approval and support of the State agency designated by the Governor of that State in the development of the comprehensive prevention plan of the applicant;

(D) demonstrate the ability to develop a local Crime-Free Communities Commission, including such groups as Federal, State, and local criminal justice personnel, law enforcement, schools, youth organizations, religious and other community organizations, business and health care professionals, parents, State, local, or tribal governmental agencies, and other organizations; and

(E) submit a plan describing how the applicant will maintain the program without Federal funds following the fifth year of the program.

(2) CONSIDERATION.—The Attorney General may give additional consideration in the grant review process to an applicant with an officially designated Weed and Seed site seeking to expand from a neighborhood to community-wide strategy.

(3) RURAL COMMUNITIES.—The Attorney General shall give additional consideration in the grant review process to an applicant from a rural area.

(d) WAIVERS FOR MATCHING REQUIREMENT.—A community with an officially designated Weed and Seed site may be provided a waiver by the Attorney General for all matching requirements under this section based on demonstrated financial hardship.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for the fiscal years 2002 through 2006.

SEC. 1005. STATE CAPACITY BUILDING GRANTS.

(a) GRANTS AUTHORIZED.—The Attorney General shall award grants to each State criminal justice agency, Byrne agency, or other agency as designated by the Governor of that State and approved by the Attorney General, in an amount not to exceed $400,000 per year to develop State capacity to assist local communities in the prevention and reduction of crime, violence, and substance abuse.

(b) USE OF FUNDS.—

(1) IN GENERAL.—A State capacity building grant shall be used to develop a statewide strategic plan as defined in subsection (c) to prevent and reduce crime, violence, and substance abuse.

(2) PERMISSIVE USE.—A State may also use its grant to provide training and technical assistance to communities and promote innovation in the development of policies, technologies, and programs to prevent and reduce crime.

(3) DATA COLLECTION.—A State may use up to 5 percent of the grant to assist grant recipients in collecting statewide data related to the costs of crime, violence, and substance abuse for purposes of supporting the statewide strategic plan.

(c) STATEWIDE STRATEGIC PREVENTION PLAN.—

(1) IN GENERAL.—A statewide strategic prevention plan shall be used by the State to assist local communities, both directly and through existing State programs and services, in building comprehensive, strategic, and innovative approaches to reducing crime, violence, and substance abuse based on local conditions and needs.

(2) GOALS.—The plan must contain statewide long-term goals and measurable annual objectives for reducing crime, violence, and substance abuse.

(3) ACCOUNTABILITY.—The State shall be required to develop and report in its plan relevant performance targets and measures for the goals and ob-

jectives to track changes in crime, violence, and substance abuse.

(4) CONSULTATION.—The State shall form a State crime free communities commission that includes representatives of State and local government, and community leaders who will provide advice and recommendations on relevant community goals and objectives, and performance targets and measures.

(d) REQUIREMENTS.—

(1) TRAINING AND TECHNICAL ASSISTANCE.—The State shall provide training and technical assistance, including through such groups as the National Crime Prevention Council, to assist local communities in developing Crime Prevention Plans that reflect statewide strategic goals and objectives, and performance targets and measures.

(2) REPORTS.—The State shall provide a report on its statewide strategic plan to the Attorney General, including information about—

(A) involvement of relevant State-level agencies to assist communities in the development and implementation of their Crime Prevention Plans;

(B) support for local applications for Community Grants; and

(C) community progress toward reducing crime, violence, and substance abuse.

(3) CERTIFICATION.—Beginning in the third year of the program, States must certify that the local grantee's project funded under the community grant is generally consistent with statewide strategic goals and objectives, and performance targets and measures.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for the fiscal years 2002 through 2006.

Calendar No. 247

107TH CONGRESS
1ST SESSION

S. 304

A BILL

To reduce illegal drug use and trafficking and to help provide appropriate drug education, prevention, and treatment programs.

NOVEMBER 29, 2001

Reported with an amendment