

109TH CONGRESS
2^D SESSION

H. R. 4763

To provide a comprehensive Federal response to problems relating to
methamphetamine abuse.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2006

Mr. OBERSTAR introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Science, Education and the Workforce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide a comprehensive Federal response to problems
relating to methamphetamine abuse.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Methamphetamine Eradication Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

- Sec. 101. Requirement that firefighters receive methamphetamine awareness training.
- Sec. 102. Use of funds under Department of Homeland Security's Assistance to Firefighters Grant Program for rural fire departments.
- Sec. 103. Requirement that law enforcement officers receive methamphetamine awareness training.
- Sec. 104. Reauthorization of COPS grant program.
- Sec. 105. Use of funds under Department of Justice's COPS program for rural police departments and drug task forces.
- Sec. 106. Reauthorization of Byrne Formula Grant Program.
- Sec. 107. Use of funds under Department of Justice's Byrne Formula Grant Program for rural police departments and drug task forces.
- Sec. 108. Requirement that Drug Enforcement Administration allocate, to rural areas, 50 percent of the funding for combating methamphetamine abuse.
- Sec. 109. Requirement that Drug Enforcement Administration allocate, to first responders from rural areas, 50 percent of the seats in each clan laboratory training session.
- Sec. 110. Reports by Director of Office of National Drug Control Policy on methamphetamine abuse.
- Sec. 111. Requirement that Attorney General provide training to local prosecutors and law enforcement agents from rural areas in how to investigate and prosecute methamphetamine offenses.
- Sec. 112. Department of Justice grants to rural areas for expenses incurred by courts and jails relating to methamphetamine offenses.
- Sec. 113. Use of funds under National Drug Court Training and Assistance Program to assist rural areas in prosecuting methamphetamine offenses.
- Sec. 114. Department of Justice program to assist rural areas in processing child protection cases for children of methamphetamine addicts.
- Sec. 115. Regulation of retail sales of pseudoephedrine.
- Sec. 116. Regulated transactions.
- Sec. 117. Minimum mandatory penalty for manufacture of methamphetamine on premises where children reside.

TITLE II—HEALTH

- Sec. 201. Local grants for treatment of methamphetamine abuse and related conditions.
- Sec. 202. Enhanced residential substance abuse treatment programs for State and Federal prisoners.
- Sec. 203. Study regarding health effects on children of exposure to process of unlawful manufacture of methamphetamine.
- Sec. 204. Grants for programs for drug-endangered children.

TITLE III—EDUCATION

- Sec. 301. Grants for educational programs on prevention and treatment of methamphetamine abuse.

TITLE IV—ENVIRONMENT

- Sec. 401. Environmental Protection Agency.
- Sec. 402. First responder grants for rural areas.

Sec. 403. Use of funds under Drug Enforcement Administration's Hazardous Waste Program to clean up methamphetamine laboratories.

1 **TITLE I—FIRE AND POLICE**

2 **SEC. 101. REQUIREMENT THAT FIREFIGHTERS RECEIVE**
3 **METHAMPHETAMINE AWARENESS TRAINING.**

4 Section 33(b) of the Federal Fire Prevention and
5 Control Act of 1974 (15 U.S.C. 2229(b)) is amended by
6 adding at the end the following new paragraph:

7 “(13) **ELIGIBILITY.**—The fire department shall
8 be eligible for a grant under this section only if it
9 demonstrates to the satisfaction of the Director
10 that—

11 “(A) a portion of the grant funding will be
12 used to provide methamphetamine awareness
13 training to firefighters; or

14 “(B) the fire department has previously
15 provided methamphetamine awareness training
16 to its firefighters.”.

17 **SEC. 102. USE OF FUNDS UNDER DEPARTMENT OF HOME-**
18 **LAND SECURITY'S ASSISTANCE TO FIRE-**
19 **FIGHTERS GRANT PROGRAM FOR RURAL**
20 **FIRE DEPARTMENTS.**

21 Section 33(e) of the Federal Fire Prevention and
22 Control Act of 1974 (15 U.S.C. 2229(e)) is amended by
23 adding at the end the following new paragraph:

1 “(3) METHAMPHETAMINE-RELATED EQUIP-
2 MENT.—At least \$25,000,000 of the amounts appro-
3 priated for carrying out this section for each of fis-
4 cal years 2007 through 2009 shall be made available
5 to rural fire departments for the acquisition of
6 equipment appropriate to support a response action
7 at a location where methamphetamine is present or
8 is suspected to be present.”.

9 **SEC. 103. REQUIREMENT THAT LAW ENFORCEMENT OFFI-**
10 **CERS RECEIVE METHAMPHETAMINE AWARE-**
11 **NESS TRAINING.**

12 As a condition of receiving grant amounts under any
13 grant program of the Department of Justice, a public enti-
14 ty must ensure, throughout the jurisdiction of the entity,
15 that each law enforcement officer receives, as part of the
16 basic or periodic training provided to that officer, meth-
17 amphetamine awareness training.

18 **SEC. 104. REAUTHORIZATION OF COPS GRANT PROGRAM.**

19 Section 1001 of the Omnibus Crime Control and Safe
20 Streets Act of 1968 (42 U.S.C. 3793) is amended in sub-
21 section (a)(11)(A) by striking “expended” and all that fol-
22 lows through the period at the end and inserting “ex-
23 pended, \$748,000,000 for each of fiscal years 2007, 2008,
24 and 2009.”.

1 **SEC. 105. USE OF FUNDS UNDER DEPARTMENT OF JUS-**
2 **TICE'S COPS PROGRAM FOR RURAL POLICE**
3 **DEPARTMENTS AND DRUG TASK FORCES.**

4 Section 1701 of the Omnibus Crime Control and Safe
5 Streets Act of 1968 (42 U.S.C. 3796dd) is amended by
6 adding at the end the following new subsection:

7 “(1) ALLOCATIONS FOR METHAMPHETAMINE SITUA-
8 TIONS.—Of the amounts available to carry out this chap-
9 ter, not less than \$25,000,000 shall be available only for
10 grants by the Attorney General to police departments and
11 drug task forces in rural areas, for use by the recipients
12 to purchase basic equipment to address situations involv-
13 ing methamphetamines.”.

14 **SEC. 106. REAUTHORIZATION OF BYRNE FORMULA GRANT**
15 **PROGRAM.**

16 There are authorized to be appropriated to carry out
17 part E of the Omnibus Crime Control and Safe Streets
18 Act of 1968 (42 U.S.C. 500 et seq.) \$170,000,000 for
19 each of fiscal years 2007 through 2009.

20 **SEC. 107. USE OF FUNDS UNDER DEPARTMENT OF JUS-**
21 **TICE'S BYRNE FORMULA GRANT PROGRAM**
22 **FOR RURAL POLICE DEPARTMENTS AND**
23 **DRUG TASK FORCES.**

24 Of the amounts available in a fiscal year to carry out
25 part E of the Omnibus Crime Control and Safe Streets
26 Act of 1968 (42 U.S.C. 500 et seq.), not less than 50

1 percent of those amounts shall be available only for grants
2 by the Attorney General to police departments and drug
3 task forces in rural areas, for use by the recipients to pur-
4 chase basic equipment to address situations involving
5 methamphetamines.

6 **SEC. 108. REQUIREMENT THAT DRUG ENFORCEMENT AD-**
7 **MINISTRATION ALLOCATE, TO RURAL AREAS,**
8 **50 PERCENT OF THE FUNDING FOR COM-**
9 **BATING METHAMPHETAMINE ABUSE.**

10 Of the amounts available in a fiscal year to the Drug
11 Enforcement Administration to combat
12 methamphetamines, not less than 50 percent of those
13 amounts shall be available only for rural areas.

14 **SEC. 109. REQUIREMENT THAT DRUG ENFORCEMENT AD-**
15 **MINISTRATION ALLOCATE, TO FIRST RE-**
16 **SPONDERS FROM RURAL AREAS, 50 PERCENT**
17 **OF THE SEATS IN EACH CLAN LABORATORY**
18 **TRAINING SESSION.**

19 Of the seats available in a clan laboratory training
20 session of the Drug Enforcement Administration, not less
21 than 50 percent of those seats shall be available only to
22 first responders from rural areas.

1 **SEC. 110. REPORTS BY DIRECTOR OF OFFICE OF NATIONAL**
2 **DRUG CONTROL POLICY ON METHAMPHET-**
3 **AMINE ABUSE.**

4 (a) **REPORT ON METHAMPHETAMINE PROBLEMS.—**
5 Not later than September 30, 2007, the Director of Na-
6 tional Drug Control Policy shall submit to Congress a re-
7 port on methamphetamine abuse. The report shall con-
8 tain—

9 (1) a discussion of the areas in the United
10 States where the methamphetamine problem is the
11 greatest (per capita);

12 (2) recommendations on the best methods for
13 addressing the methamphetamine epidemic in rural
14 areas;

15 (3) a list of the amounts requested for each
16 high intensity drug trafficking area for the next fis-
17 cal year and a detailed rationale for each such
18 amount, including the manner in which such funding
19 is expected to ensure the achievement of each area's
20 goals and objectives; and

21 (4) such other findings and recommendations
22 as the Director considers appropriate.

23 (b) **REPORT ON TASK FORCES.—**Not later than 180
24 days after the date of the enactment of this Act, the Direc-
25 tor of National Drug Control Policy shall submit to Con-
26 gress a report containing an assessment of the number

1 and operation of all Federal, State, and local task forces
2 within each high intensity drug trafficking area, including
3 information on intelligence sharing and coordination
4 among the task forces.

5 **SEC. 111. REQUIREMENT THAT ATTORNEY GENERAL PRO-**
6 **VIDE TRAINING TO LOCAL PROSECUTORS**
7 **AND LAW ENFORCEMENT AGENTS FROM**
8 **RURAL AREAS IN HOW TO INVESTIGATE AND**
9 **PROSECUTE METHAMPHETAMINE OFFENSES.**

10 There are authorized to be appropriated \$15,000,000
11 for each of fiscal years 2007 through 2009 to provide
12 training to State and local prosecutors and law enforce-
13 ment agents in rural areas for the investigation and pros-
14 ecution of methamphetamine offenses.

15 **SEC. 112. DEPARTMENT OF JUSTICE GRANTS TO RURAL**
16 **AREAS FOR EXPENSES INCURRED BY COURTS**
17 **AND JAILS RELATING TO METHAMPHET-**
18 **AMINE OFFENSES.**

19 There are authorized to be appropriated \$15,000,000
20 for each of fiscal years 2007 through 2009 to provide
21 grants to rural areas for court costs (including additional
22 staff and security costs) and county jail costs (including
23 jail days, drug testing, and health and treatment costs)
24 for expenses related to methamphetamine offenses.

1 **SEC. 113. USE OF FUNDS UNDER NATIONAL DRUG COURT**
2 **TRAINING AND ASSISTANCE PROGRAM TO AS-**
3 **SIST RURAL AREAS IN PROSECUTING METH-**
4 **AMPHETAMINE OFFENSES.**

5 Of the amounts available in a fiscal year to carry out
6 part EE of the Omnibus Crime Control and Safe Streets
7 Act of 1968 (42 U.S.C. 3796u et seq.), not less than 25
8 percent of those amounts shall be available only for grants
9 by the Attorney General to entities in rural areas, for use
10 by the recipients for the costs of prosecuting (including
11 costs of investigation, costs of using crime laboratories,
12 and costs of booking suspects) cases involving meth-
13 amphetamine offenses, cases involving methamphetamine-
14 related child protection, and cases involving methamphet-
15 amine-related forfeitures.

16 **SEC. 114. DEPARTMENT OF JUSTICE PROGRAM TO ASSIST**
17 **RURAL AREAS IN PROCESSING CHILD PRO-**
18 **TECTION CASES FOR CHILDREN OF METH-**
19 **AMPHETAMINE ADDICTS.**

20 From amounts made available to the Attorney Gen-
21 eral for such purpose, the Attorney General shall carry
22 out a program under which the Attorney General assists
23 rural areas in processing child protection cases for chil-
24 dren of individuals addicted to methamphetamine.

1 **SEC. 115. REGULATION OF RETAIL SALES OF**
2 **PSEUDOEPHEDRINE.**

3 (a) REQUIREMENTS.—Section 310 of the Controlled
4 Substances Act (21 U.S.C. 830) is amended by adding at
5 the end the following subsection:

6 “(d)(1) Subject to paragraph (2), each regulated per-
7 son who sells at retail a list I pseudoephedrine product
8 shall ensure that sales of the product are made in accord-
9 ance with the following requirements:

10 “(A) In offering the product for sale, the per-
11 son places the product such that customers do not
12 have direct access to the product before the sale is
13 made (commonly referred to as behind-the-counter
14 placement).

15 “(B) The person delivers the product directly to
16 the purchaser.

17 “(C) The person maintains a written list of
18 sales of such products that identifies the products,
19 the purchasers, and the dates and times of the sales
20 (which list is referred to in this subsection as the
21 ‘logbook’).

22 “(D) The person does not sell such a product
23 unless—

24 “(i) the prospective purchaser—

1 “(I) presents an identification card
2 that provides a photograph and is issued
3 by a State or the Federal Government; and

4 “(II) signs the logbook and legibly
5 prints in the logbook his or her name, ad-
6 dress, and the date and time of the sale;
7 and

8 “(ii) the person determines that the name
9 signed and printed in the logbook corresponds
10 to the name provided on such identification and
11 that the date and time entered are correct.

12 “(2) Paragraph (1) does not apply to a sale of a list
13 I pseudoephedrine product at retail if a report on the sale
14 is required to be submitted under subsection (b)(3)(B).”.

15 (b) DEFINITION OF LIST I PSEUDOEPHEDRINE
16 PRODUCT.—Section 102 of the Controlled Substances Act
17 (21 U.S.C. 802) is amended by inserting after paragraph
18 (44) the following paragraph:

19 “(45)(A) The term ‘list I pseudoephedrine product’
20 means, subject to subparagraph (B), a product that—

21 “(i) contains pseudoephedrine or any its salts,
22 optical isomers, or salts of optical isomers; and

23 “(ii) may be marketed or distributed lawfully in
24 the United States under the Federal, Food, Drug,
25 and Cosmetic Act as a nonprescription drug.

1 “(B) Such term does not include a product described
2 in subparagraph (A) if the product contains a chemical
3 specified in clause (i) of such subparagraph that the Attor-
4 ney General has under section 201(a) added to any of the
5 schedules under section 202(c).”.

6 (c) ENFORCEMENT.—Section 402(a) of the Con-
7 trolled Substances Act (21 U.S.C. 842(a)) is amended—

8 (1) in paragraph (10), by striking “or” after
9 the semicolon;

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

12 (3) by inserting after paragraph (11) the fol-
13 lowing paragraph:

14 “(12) who is a regulated person to knowingly or
15 negligently sell at retail a list I pseudoephedrine
16 product in violation of a requirement under section
17 310(d).”.

18 (d) STUDY REGARDING ELECTRONIC DATA BASE OF
19 INFORMATION ON PURCHASES.—The Attorney General
20 shall conduct a study for the purpose of determining the
21 costs and feasibility of—

22 (1) monitoring the quantities of
23 pseudoephedrine purchased at retail, which moni-
24 toring is accomplished by—

1 (A) requiring persons who sell
2 pseudoephedrine at retail to submit to the At-
3 torney General the information contained in
4 logbooks maintained under section 310(d) of
5 the Controlled Substances Act (as added by
6 subsection (a) of this section); and

7 (B) establishing an electronic database
8 that contains all such information; and

9 (2) restricting the amount of pseudoephedrine
10 that consumers may purchase at retail during a
11 specified period of time and using such database in
12 the enforcement of such restrictions.

13 **SEC. 116. REGULATED TRANSACTIONS.**

14 (a) REMOVAL OF BLISTER PACK EXEMPTION.—Sec-
15 tion 102 of the Controlled Substances Act (21 U.S.C.
16 802), as amended by section 115(b) of this Act, is amend-
17 ed—

18 (1) in paragraph (39)(A)(iv)(I)(aa), by striking
19 “, except that” and all that follows through
20 “1996”;

21 (2) by striking the paragraph (45) that relates
22 to the term “ordinary over-the-counter
23 pseudoephedrine or phenylpropanolamine product”.

24 (b) SINGLE-TRANSACTION LIMITS.—Section
25 102(39)(A)(iv)(II) of the Controlled Substances Act (21

1 grams of phenylpropanolamine
2 base, respectively; or”.

3 **SEC. 117. MINIMUM MANDATORY PENALTY FOR MANUFAC-**
4 **TURE OF METHAMPHETAMINE ON PREMISES**
5 **WHERE CHILDREN RESIDE.**

6 Whoever violates section 401(a)(1) by manufacturing
7 methamphetamine or its salts, isomers or salts of isomers
8 on premises in which an individual who is under the age
9 of 18 years resides, shall, unless a higher minimum man-
10 datory imprisonment applies, be imprisoned for not less
11 than 20 years.

12 **TITLE II—HEALTH**

13 **SEC. 201. LOCAL GRANTS FOR TREATMENT OF METH-**
14 **AMPHETAMINE ABUSE AND RELATED CONDI-**
15 **TIONS.**

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

18 (1) by redesignating the section 514 that re-
19 lates to methamphetamine and appears after section
20 514A as section 514B;

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

22 (A) by amending subsection (a)(1) to read
23 as follows:

24 “(1) GRANTS AUTHORIZED.—The Secretary
25 may award grants to States, political subdivisions of

1 States, American Indian Tribes, and private, non-
2 profit entities to provide treatment for methamphet-
3 amine abuse.”;

4 (B) by amending subsection (b) to read as
5 follows:

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

10 (C) in subsection (d)(1), by striking
11 “2000” and all that follows and inserting
12 “2007 and such sums as may be necessary for
13 each of fiscal years 2008 through 2009”; and
14 (3) by inserting after section 514B, as redesign-
15 nated, the following:

16 **“SEC. 514C. METHAMPHETAMINE RESEARCH, TRAINING,
17 AND TECHNICAL ASSISTANCE CENTER.**

18 “(a) PROGRAM AUTHORIZED.—The Secretary, acting
19 through the Administrator, and in consultation with the
20 Director of the National Institutes of Health, shall award
21 grants to, or enter into contracts with, public or private,
22 nonprofit entities to establish a research, training, and
23 technical assistance center to carry out the activities de-
24 scribed in subsection (d).

1 “(b) APPLICATION.—A public or private, nonprofit
2 entity seeking a grant or contract under subsection (a)
3 shall submit an application to the Secretary at such time,
4 in such manner, and containing such information as the
5 Secretary may require.

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

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

12 “(1) engage in research and evaluation of the
13 effectiveness of treatment modalities for the treat-
14 ment of methamphetamine abuse;

15 “(2) disseminate information to public and pri-
16 vate entities on effective treatments for methamphet-
17 amine abuse;

18 “(3) provide direct technical assistance to
19 States, political subdivisions of States, and private
20 entities on how to improve the treatment of meth-
21 amphetamine abuse; and

22 “(4) provide training on the effects of meth-
23 amphetamine use and on effective ways of treating
24 methamphetamine abuse to substance abuse treat-
25 ment professionals and community leaders.

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

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

6 “(2) effective treatment modalities undertaken
7 by the center; and

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

10 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to carry out this section
12 \$3,000,000 for fiscal year 2007 and such sums as may
13 be necessary for each of fiscal years 2008 and 2009.”.

14 **SEC. 202. ENHANCED RESIDENTIAL SUBSTANCE ABUSE**
15 **TREATMENT PROGRAMS FOR STATE AND**
16 **FEDERAL PRISONERS.**

17 (a) ENHANCED RESIDENTIAL SUBSTANCE ABUSE
18 TREATMENT PROGRAM FOR STATE PRISONERS.—

19 (1) ENHANCED DRUG SCREENINGS REQUIRE-
20 MENT.—Subsection (b) of section 1902 of the Omni-
21 bus Crime Control and Safe Streets Act of 1968 (42
22 U.S.C. 3796ff–1(b)) is amended to read as follows:

23 “(b) SUBSTANCE ABUSE TESTING REQUIREMENT.—
24 To be eligible to receive funds under this part, a State
25 must agree—

1 “(1) to implement or continue to require urinal-
2 ysis or other proven reliable forms of testing, includ-
3 ing both periodic and random testing—

4 “(A) of an individual before the individual
5 enters a residential substance abuse treatment
6 program and during the period in which the in-
7 dividual participates in the treatment program;
8 and

9 “(B) of an individual released from a resi-
10 dential substance abuse treatment program if
11 the individual remains in the custody of the
12 State; and

13 “(2) to require, as a condition of participation
14 in the treatment program, that such testing indicate
15 that the individual has not used a controlled sub-
16 stance for at least the three-month period prior to
17 the date the individual receives such testing to enter
18 the treatment program.”.

19 (2) AFTERCARE SERVICES REQUIREMENT.—
20 Subsection (c) of such section is amended—

21 (A) in paragraph (1), by striking “To be
22 eligible for a preference under this part” and
23 inserting “To be eligible to receive funds under
24 this part”; and

1 (B) by amending the heading to read as
2 follows:

3 “(c) AFTERCARE SERVICES REQUIREMENT.—”.

4 (3) PRIORITY FOR PARTNERSHIPS WITH COM-
5 MUNITY-BASED DRUG TREATMENT PROGRAMS.—Sec-
6 tion 1903 of such Act (42 U.S.C. 3796ff-2) is
7 amended by adding at the end the following new
8 subsection:

9 “(e) PRIORITY FOR PARTNERSHIPS WITH COMMU-
10 NITY-BASED DRUG TREATMENT PROGRAMS.—In consid-
11 ering an application submitted by a State under section
12 1902, the Attorney General shall give priority to an appli-
13 cation that involves a partnership between the State and
14 a community-based drug treatment program within the
15 State.”.

16 (4) RESIDENTIAL SUBSTANCE ABUSE TREAT-
17 MENT PROGRAM REDEFINED.—Section 901(a)(25)
18 of such Act (42 U.S.C. 3791(a)(25)) is amended by
19 striking “means a course of” and all that follows
20 and inserting “means a course of individual and
21 group activities and treatment, lasting at least six
22 months, in residential treatment facilities set apart
23 from the general prison population.”.

24 (b) ENHANCED RESIDENTIAL SUBSTANCE ABUSE
25 TREATMENT PROGRAM FOR FEDERAL PRISONERS.—

1 (1) SUBSTANCE ABUSE TESTING REQUIRE-
2 MENT.—

3 (A) TESTING REQUIRED AS COMPONENT
4 OF PROGRAM.—Subsection (b) of section 3621
5 of title 18, United States Code, is amended by
6 adding at the end the following new sentence:
7 “Such treatment shall include urinalysis or
8 other proven reliable forms of testing, including
9 both periodic and random testing, of such a
10 prisoner before the prisoner enters the treat-
11 ment program and during the period in which
12 the prisoner participates in the treatment pro-
13 gram.”.

14 (B) PASSAGE OF TEST AS CONDITION OF
15 PARTICIPATION.—Subsection (e)(5)(B) of such
16 section is amended—

17 (i) in clause (i), by striking “and” at
18 the end; and

19 (ii) by inserting at the end the fol-
20 lowing new clause:

21 “(iii) determined by the Director of
22 the Bureau of Prisons, through use of uri-
23 nalysis or other proven reliable forms of
24 testing, to have not used a controlled sub-
25 stance for at least the three-month period

1 prior to the date the prisoner enters resi-
2 dential substance abuse treatment; and”.

3 (2) RESIDENTIAL SUBSTANCE ABUSE TREAT-
4 MENT REDEFINED.—Paragraph (5)(A) of such sec-
5 tion is amended by striking “means a course of” and
6 all that follows through the semicolon at the end of
7 clause (ii) and inserting “means a course of indi-
8 vidual and group activities and treatment, lasting at
9 least six months, in residential treatment facilities
10 set apart from the general prison population;”.

11 (3) AUTHORIZATION OF APPROPRIATIONS.—
12 Paragraph (4) of such section is amended—

13 (A) in subparagraph (D), by striking
14 “and” at the end;

15 (B) in subparagraph (E), by striking the
16 period at the end and inserting “; and”; and

17 (C) by adding at the end the following new
18 subparagraph:

19 “(F) and such sums as may be necessary
20 in subsequent fiscal years.”.

21 **SEC. 203. STUDY REGARDING HEALTH EFFECTS ON CHIL-**
22 **DREN OF EXPOSURE TO PROCESS OF UNLAW-**
23 **FUL MANUFACTURE OF METHAMPHETAMINE.**

24 (a) IN GENERAL.—With respect to the unlawful man-
25 ufacturing of methamphetamine, the Secretary of Health

1 and Human Services shall conduct a study for the purpose
2 of determining—

3 (1) to what extent food, water, air, soil, equip-
4 ment, or other matter becomes contaminated with
5 methamphetamine or other harmful substances as a
6 result of the proximity of the matter to the process
7 of such manufacturing; and

8 (2) whether any adverse health conditions result
9 from the exposure of children to such process or to
10 contaminated matter within the meaning of para-
11 graph (1).

12 (b) REPORT TO CONGRESS.—Not later than one year
13 after the date of the enactment of this Act, the Secretary
14 of Health and Human Services shall complete the study
15 under subsection (a) and submit to the Congress a report
16 describing the findings of the study.

17 **SEC. 204. GRANTS FOR PROGRAMS FOR DRUG-ENDAN-**
18 **GERED CHILDREN.**

19 (a) IN GENERAL.—The Secretary of Health and
20 Human Services, in collaboration with the Attorney Gen-
21 eral of the United States, shall make grants to eligible
22 States for the purpose of carrying out programs to provide
23 a comprehensive response to the health and mental health
24 problems of children that are associated with living in a
25 home in which methamphetamine is unlawfully manufac-

1 tured, administered, or distributed. Such health problems
2 include exposure to food, water, air, soil, equipment, or
3 other matter that has become contaminated with meth-
4 amphetamine or other harmful substances as a result of
5 the proximity of the matter to such unlawful manufac-
6 turing.

7 (b) ELIGIBLE STATE.—A State is an eligible State
8 for purposes of subsection (a) if the State had more than
9 200 methamphetamine laboratory seizures in 2004, as re-
10 ported by the National Clandestine Laboratory Database.

11 (c) CERTAIN REQUIREMENTS.—The Secretary of
12 Health and Human Services shall ensure that the proce-
13 dures and services of programs carried out with grants
14 under subsection (a) include the following:

15 (1) Coordination among law enforcement agen-
16 cies, prosecutors, child protective services, and
17 health professionals.

18 (2) Removal of children from toxic or drug-en-
19 dangering environments.

20 (3) Medical and dental health evaluation and
21 services, drug and toxic chemical exposure screening,
22 and mental health evaluation and services.

23 (d) AUTHORIZATION OF APPROPRIATIONS.—For the
24 purpose of carrying out this section, there are authorized
25 to be appropriated \$20,000,000 for each of the fiscal years

1 2007 and 2008. Amounts appropriated under the pre-
2 ceding sentence shall remain available until expended.

3 **TITLE III—EDUCATION**

4 **SEC. 301. GRANTS FOR EDUCATIONAL PROGRAMS ON PRE-** 5 **VENTION AND TREATMENT OF METH-** 6 **AMPHETAMINE ABUSE.**

7 Part A of title IV of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 7101 et seq.) is amend-
9 ed—

10 (1) in section 4003—

11 (A) in paragraph (1), by striking “and” at
12 the end;

13 (B) in paragraph (2), by striking the pe-
14 riod at the end and inserting “; and”; and

15 (C) by adding at the end the following new
16 paragraph:

17 “(3) \$40,000,000 for fiscal year 2007, for
18 grants under subpart 4.”;

19 (2) by redesignating subpart 4 as subpart 5;
20 and

21 (3) by inserting after subpart 3 the following
22 new subpart:

1 **“Subpart 4—Education on Prevention and Treatment**
2 **of Methamphetamine Abuse**

3 **“SEC. 4146. GRANT PROGRAM.**

4 “(a) GRANTS.—From funds made available to carry
5 out this subpart under section 4003(3), the Secretary may
6 make grants on a competitive basis to State agencies, local
7 educational agencies, and nonprofit organizations to carry
8 out programs to educate students on the mental, physical,
9 and behavioral effects of methamphetamine and on the
10 prevention and treatment of methamphetamine abuse.

11 “(b) PRIORITY.—In making grants under subsection
12 (a), the Secretary shall ensure that not less than 50 per-
13 cent of funds made available to carry out this subpart
14 under section 4003(3) for a fiscal year are made available
15 for programs in schools located in rural areas.

16 “(c) APPLICATIONS.—To receive a grant under this
17 section, an applicant shall submit an application to the
18 Secretary at such time, in such manner, and containing
19 such information as the Secretary may require.”.

20 **TITLE IV—ENVIRONMENT**

21 **SEC. 401. ENVIRONMENTAL PROTECTION AGENCY.**

22 There are authorized to be appropriated to the Ad-
23 ministrator of the Environmental Protection Agency
24 \$90,000,000 for each of the fiscal years 2007 through
25 2009 for the Local Governments Reimbursement Program

1 for methamphetamine laboratory cleanup reimbursement
2 in rural areas.

3 **SEC. 402. FIRST RESPONDER GRANTS FOR RURAL AREAS.**

4 (a) GRANT AUTHORIZATION.—The Secretary of
5 Transportation may provide additional hazardous mate-
6 rials emergency preparedness grants to local governments
7 in rural areas to assist first responders in their efforts
8 to clean up clandestine methamphetamine laboratories.

9 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to carry out this section
11 \$70,000,000 for each of fiscal years 2008 through 2009.

12 **SEC. 403. USE OF FUNDS UNDER DRUG ENFORCEMENT AD-**
13 **MINISTRATION'S HAZARDOUS WASTE PRO-**
14 **GRAM TO CLEAN UP METHAMPHETAMINE**
15 **LABORATORIES.**

16 (a) PROGRAM REQUIRED.—Subject to the availability
17 of appropriations, the Attorney General shall carry out a
18 program under which the Hazardous Waste Disposal Pro-
19 gram of the Drug Enforcement Administration provides,
20 to each eligible State, not less than \$1,400,000 for each
21 of the fiscal years 2007 through 2009, to be used by the
22 State for using private contractors to clean up clandestine
23 methamphetamine laboratories.

1 (b) DEFINITION.—In this section, the term “eligible
2 State” means a State in which 50 or more clandestine
3 methamphetamine laboratories are known to exist.

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