

## APPENDIX A – APPLICABLE LEGISLATION

The following highlights from applicable legislation summarize Counterdrug Technology Assessment Center appropriations, functions, staff levels and roles.

### **P.L. 105-277 of October 21, 1998 [H.R. 4328] (title VII of Division C) Office of National Drug Control Policy Reauthorization Act of 1998**

#### **SEC. 708. COUNTER-DRUG TECHNOLOGY ASSESSMENT CENTER.**

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

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

(c) ADDITIONAL RESPONSIBILITIES OF THE DIRECTOR OF NATIONAL DRUG CONTROL POLICY.—

- (1) IN GENERAL.—The Director, acting through the Director of Technology shall—
- (A) identify and define the short-, medium-, and long-term scientific and technological needs of Federal, state, and local drug supply reduction agencies, including—
    - (i) advanced surveillance, tracking, and radar imaging;
    - (ii) electronic support measures;
    - (iii) communications;
    - (iv) data fusion, advanced computer systems, and artificial intelligence; and
    - (v) chemical, biological, radiological (including neutron, electron, and graviton), and other means of detection;
  - (B) identify demand reduction basic and applied research needs and initiatives, in consultation with affected National Drug Control Program agencies, including—
    - (i) improving treatment through neuroscientific advances;
    - (ii) improving the transfer of biomedical research to the clinical setting; and
    - (iii) in consultation with the National Institute on Drug Abuse, and through interagency agreements or grants, examining addiction and rehabilitation research and the application of technology to expanding the effectiveness or availability of drug treatment;
  - (C) make a priority ranking of such needs identified in subparagraphs (A) and (B) according to fiscal and technological feasibility, as part of a National Counter-Drug Enforcement Research and Development Program;
  - (D) oversee and coordinate counter-drug technology initiatives with related activities of other Federal civilian and military departments;

- (E) provide support to the development and implementation of the national drug control performance measurement system; and
  - (F) pursuant to the authority of the Director of National Drug Control Policy under section 704, submit requests to Congress for the reprogramming or transfer of funds appropriated for counter-drug technology research and development.
- (2) LIMITATION ON AUTHORITY.—The authority granted to the Director under this subsection shall not extend to the award of contracts, management of individual projects, or other operational activities.

(d) ASSISTANCE AND SUPPORT TO OFFICE OF NATIONAL DRUG CONTROL POLICY.—The Secretary of Defense and the Secretary of Health and Human Services shall, to the maximum extent practicable, render assistance and support to the Office and to the Director in the conduct of counter-drug technology assessment.

**Conference Report 106-319 of September 14, 1999 [To accompany H.R. 2490] Making Appropriations for The Treasury Department, The United States Postal Service, The Executive Office Of The President, And Certain Independent Agencies, For The Fiscal Year Ending September 30, 2000, And For Other Purposes**

"For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of Division C of Public Law 105–277), \$29,250,000, which shall remain available until expended, consisting of \$16,000,000 for counternarcotics research and development projects, and \$13,250,000 for the continued operation of the technology transfer program: Provided, That the \$16,000,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies."

"The conferees agree to provide \$29,250,000 instead of \$31,100,000 as proposed by the Senate. The House had proposed \$29,250,000 in ONDCP's Salaries and Expenses Appropriation. The conferees agree to establish this new, separate appropriation account for the Counterdrug Technology Assessment Center (CTAC) as authorized in Public Law 105–277 and proposed by the Senate. It consists of \$16,000,000 for the core research and assessment activities of CTAC, as well as \$13,250,000 for the counterdrug technology transfer program."

**P.L. 106-58 of September 29, 1999 [H.R. 2490] Treasury And General Government Appropriations Act, 2000**

"For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of Division C of Public Law 105–277), \$29,250,000, which shall remain available until expended, consisting of \$16,000,000 for counternarcotics research and development projects, and \$13,250,000 for the continued operation of the technology transfer program: *Provided*, That the \$16,000,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies."

**Conference Report (H. Rept. 106-479) on H.R. 3194, Consolidated Appropriations Act, 2000 (House of Representatives - November 17, 1999)**

**Division B, Title II -- Other Appropriations Matters**

"Sec. 237. In addition to amounts appropriated to the Office of National Drug Control Policy, \$3,000,000 is appropriated: Provided, That this amount shall be made available by grant to the United States Olympic Committee for its anti-doping program within 30 days of the enactment of this Act."

**P.L. 106-113 of November 29, 1999: An act making consolidated appropriations for the fiscal year ending September 30, 2000, and for other purposes.**

**Division B, Appendix E, Title II -- Other Appropriations Matters**

"Sec. 237. In addition to amounts appropriated to the Office of National Drug Control Policy, \$3,000,000 is appropriated: Provided, That this amount shall be made available by grant to the United States Olympic Committee for its anti-doping program within 30 days of the enactment of this Act."

**Conference Report (H. Rept. 106-796) to Accompany H.R. 4516 Making Appropriations for the Legislative Branch for the Fiscal Year Ending September 30, 2001, and for Other Purposes. - July 27, 2000**

**Division B; Incorporation of H.R. 4985**

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of Division C of Public Law 105-277), \$29,053,000, which shall remain available until expended, consisting of \$15,803,000 for counternarcotics research and development projects, and \$13,250,000 for the continued operation of the technology transfer program: Provided, That the \$15,803,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

**Conference Report (H. Rept. 106-940) to Accompany H.R. 4475 Making Appropriations for the Department of Transportation and Related Agencies for the Fiscal Year Ending September 30, 2001, and for Other Purposes. - October 5, 2000**

Title V - Executive Office of The President and Funds Appropriated to the President, Office of National Drug Control Policy, Counterdrug Technology Assessment Center

The conferees agree to provide an additional \$7,000,000 for the Counterdrug Technology Assessment Center, including \$5,000,000 for the continued operation of the technology transfer program and \$2,000,000 for the continued development of the wireless interoperability communication project currently underway in Colorado. This much-needed project is in direct response to the wireless communication difficulties experienced by state and local law enforcement during the Columbine High School tragedy.

**P.L. 106-346 October 23, 2000 An Act Making Appropriations for the Department of Transportation and Related Agencies for the Fiscal Year Ending September 30, 2001, and for Other Purposes**

For an additional amount, \$7,000,000: Provided, That \$5,000,000 shall be available for continued operation of the technology transfer program: Provided further, That \$2,000,000, to remain available until expended, shall be available for counter-narcotics research and development projects, to be used for the continued development of a wireless interoperability communication project in Colorado.

**House Report 106-756 to Accompany H.R. 4871 making appropriations for the Treasury Department, United States Postal Service, the Executive Office of the President, and Certain Independent Agencies for the Fiscal Year ending September 30, 2001 and for Other Purposes.**

The Committee remains strongly supportive of the technology transfer program, which allows CTAC to provide technologies developed with Federal funding directly to state and local law enforcement agencies that might otherwise be unable to benefit from the developments due to limited budgets or technological expertise. Priority is given to candidates in High Intensity Drug Trafficking Areas, and on the ability and willingness of candidates to share in costs, either through in-kind or direct contributions. The basic technology for transfer includes information technology, analytical tools, communications, tracking and surveillance, and drug detection devices. The program has gained significant support from state and local law enforcement agencies, and the Committee understands that the funding provided in the this bill addresses less than a quarter of the unmet demand. As of March 2000, the program has delivered over 1,570 pieces of equipment to 1,159 state and local law enforcement agencies. The program has demonstrated a very low administrative cost, with equipment purchases making up 84 percent of costs. The program, which has received very high evaluation ratings from its users, is also heavily represented in local police and sheriff's organizations and in communities with populations under 500,000 (80 percent). Given the substantial unmet need for this relatively low-cost and high-payoff program, the Committee strongly encourages ONDCP and the Administration to increase the funding level for this program as it develops its fiscal year 2002 budget.

**Conference Report (H. Rept. 106-1033) to Accompany H.R. 4577 Making Omnibus Consolidated and Emergency Supplemental Appropriations for the Fiscal Year, December 15, 2000**

**Enactment of Provisions of H.R. 5658 as introduced on December 14, 2000, A bill making appropriations for the Treasury Department, United States Postal Service, the Executive Office of the President and Certain Independent Agencies for the fiscal year ending September 30, 2001 and for other purposes.**

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of Division C of Public Law 105-277), \$29,053,000, which shall remain available until expended, consisting of \$15,803,000 for counternarcotics research and development projects, and \$13,250,000 for the continued operation of the technology transfer program: Provided, That the \$15,803,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

**P.L. 106–554, December 21, 2000, Making consolidated appropriations for the fiscal year ending September 30, 2001, and for other purposes.**

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of division C of Public Law 105–277), \$29,053,000, which shall remain available until expended, consisting of \$15,803,000 for counternarcotics research and development projects, and \$13,250,000 for the continued operation of the technology transfer program: *Provided*, That the \$15,803,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

**House Report 107-52 to Accompany H.R. 2590 Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of The President, and certain independent agencies for the fiscal year ending September 30, 2002, and for other purposes. - July 23, 2001.**

The CTAC technology transfer program has been enormously successful, demonstrating the impact that can be achieved with a relatively small level of funding by transferring mature, tested technology that has practical and immediate usefulness to local and state law enforcement agencies that would otherwise not have access to such tools. The Committee therefore includes \$22,236,000, a \$4,026,150 increase over the level funded in fiscal year 2001. As of the end of fiscal year 2000, there has been 1,909 deliveries of targeted, relatively low-cost technology to 1,325 state and local law enforcement agencies nationwide. In fiscal year 2001, there are 1,234 outstanding requests for law enforcement technology transfer to date, and the expectation that over 800 of these can be met this year. The Committee believes that this additional funding will help increase the capability of CTAC to meet this need for technology to help leverage the ability of chronically short-staffed law enforcement agencies to take on major drug crime at the local level.

**Senate Report 107-57 to Accompany S. 1398 Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of The President, and certain independent agencies for the fiscal year ending September 30, 2002, and for other purposes. - September 4, 2001.**

The Committee fully supports the continuation of this program and, therefore, has provided \$22,000,000 for its operation in fiscal year 2002. The Committee believes that this program demonstrates the best that the Federal Government has to offer to state and local law enforcement in their efforts to combat drug related crimes. The Committee is encouraged by the positive reception this program has received by state and local law enforcement agencies as current requests for technology continue to outpace resources by over four to one. The Committee expects CTAC will conduct further outreach to state and local agencies to educate them about the program. Finally, the Committee would encourage CTAC to work with private industry to make their developed technology available to state and local law enforcement through this program. The Committee requests that ONDCP report within 60 days after the date of this enactment of the fiscal year 2002 appropriations bill on the number of requests received, promotion efforts to state and local law enforcement, and the effectiveness and interest in this program by these law enforcement communities.

**Conference Report (H. Rept 107-253) to Accompany H.R. 2590 Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of The President, and certain independent agencies for the fiscal year ending September 30, 2002, and for other purposes. - October 26, 2001**

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$42,300,000, which shall remain available until expended, consisting of \$20,064,000 for counternarcotics research and development projects, and \$22,236,000 for the continued operation of the technology transfer program: Provided, That the \$20,064,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

The conferees agree to provide \$42,300,000 instead of \$42,000,000 as proposed by the Senate and \$40,000,000 as proposed by the House. Of this funding, \$20,064,000 is for the basic research and development program and \$22,236,000 is for continuation of the technology transfer program. The conferees include \$2,000,000 to provide neuroimaging technology to an institution that can conduct substance abuse research and train Native American physicians in substance abuse research as described in the Senate report, and \$300,000 to support research into the relationship between genetic factors leading to conditions such as Alzheimer's Disease and environmental factors, particularly substance abuse.

**P.L. 107-67 November 12, 2001 An Act Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.**

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$42,300,000, which shall remain available until expended, consisting of \$20,064,000 for counternarcotics research and development projects, and \$22,236,000 for the continued operation of the technology transfer program: Provided, That the \$20,064,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

**House Report 107-575 to accompany H.R. 5120 Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 2003, and for other purposes, - July 15, 2002.**

Pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (title VII of Division C of Public Law 105-277), the Counterdrug Technology Assessment Center serves as the central counterdrug research and development organization for the United States Government.

The Committee recommends an appropriation of \$55,800,000 for the Counterdrug Technology Assessment Center, \$13,500,000 above the fiscal year 2002 enacted level and \$15,800,000 above

the President's request. Included in the appropriation are \$26,064,000 for counternarcotics Technology Research and Development, and \$29,736,000 for the Technology Transfer Program. The Committee has included continued funding for neuroimaging studies and genomic research into the relationship between genetic predisposition and environmental factors bearing upon drug addiction in the amount for counternarcotics Technology Research and Development.

**Senate Report 107-212 to accompany S. 2740 making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 2003, and for other purposes – July 17, 2002.**

The Committee recommends an appropriation of \$40,000,000 for the Counterdrug Technology Assessment Center (CTAC). This funding includes \$22,000,000 for the continuation of the technology transfer program by CTAC to State and local law enforcement in their efforts to combat drugs. Pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (Title VII of Division C of Public Law 105–277), CTAC serves as the central counterdrug research and development organization for the U.S. Government.

The Committee expects multiagency research and development programs to be coordinated by CTAC in order to prevent duplication of effort and to assure that whenever possible, those efforts provide capabilities that transcend the need of any single Federal agency. Prior to the obligation of these funds, the Committee expects to be notified by the chief scientist on how these funds will be spent; it also expects to receive periodic reports from the chief scientist on the priority counterdrug enforcement research and development requirements identified by the Center and on the status of projects funded by CTAC.

The Committee continues to believe CTAC should work closely and cooperatively with the individual law enforcement agencies in the definition of a national research and development program which addresses agency requirements with respect to timeliness, operational utility, and consistency with agency budget plans.

Last year the Committee provided additional funds for CTAC to focus on conducting substance abuse research and training Native American physicians in the field of substance abuse research. The Committee requests that the chief scientist provide periodic updates on this process.

#### COUNTERDRUG TECHNOLOGY TRANSFER PROGRAM

The Committee fully supports the continuation of this program and, therefore, has provided \$22,000,000 for its operation in fiscal year 2003. The Committee believes that this program demonstrates the best that the Federal Government has to offer to State and local law enforcement in their efforts to combat drug related crimes. The Committee is encouraged by the positive reception this program has received by State and local law enforcement agencies as current requests for technology continue to outpace resources by over four to one. The Committee expects that CTAC will conduct further outreach to State and local agencies to educate them about the program. Finally, the Committee would encourage CTAC to work with private industry to make their developed technology available to State and local law enforcement through this program. The Committee requests that ONDCP report within 60 days after the date

of enactment of the fiscal year 2003 appropriations bill on the number of requests received, promotion efforts to State and local law enforcement, and the effectiveness and interest in this program by these law enforcement communities.