

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5925

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## AN ACT

To codify provisions relating to the Office of National Drug Control, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Coordinated Response  
3 through Interagency Strategy and Information Sharing  
4 Act” or the “CRISIS Act”.

5 **SEC. 2. OFFICE OF NATIONAL DRUG CONTROL.**

6 (a) REDESIGNATION.—The Office of National Drug  
7 Control Policy shall be known as the “Office of National  
8 Drug Control”.

9 (b) REFERENCES.—Any reference in any other Fed-  
10 eral law, Executive order, rule, regulation, or delegation  
11 of authority, or any document of or relating to the Office  
12 of National Drug Control Policy is deemed to refer to the  
13 Office of National Drug Control.

14 (c) CODIFICATION.—Subtitle I of title 31, United  
15 States Code, is amended by adding at the end the fol-  
16 lowing new chapter:

17 **“CHAPTER 10—OFFICE OF NATIONAL**  
18 **DRUG CONTROL**

“SUBCHAPTER I—OFFICE

- “1001. Definitions.
- “1002. Office of National Drug Control.
- “1003. Administration of the Office.
- “1004. National drug control program budget.
- “1005. National drug control strategy.
- “1006. Development of an annual national drug control assessment.
- “1007. Monitoring and evaluation of national drug control program.
- “1008. Coordination and oversight of the national drug control program.
- “1009. Emerging threats task force, plan, campaign.
- “1010. National and international coordination.
- “1011. Interdiction.
- “1012. Treatment coordinator.
- “1013. Critical information coordination.
- “1014. Authorization of appropriations.

“SUBCHAPTER II—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

- “1021. Establishment of drug-free communities support program.  
 “1022. Program authorization.  
 “1023. Information collection and dissemination with respect to grant recipients.  
 “1024. Technical assistance and training.  
 “1025. Supplemental grants for coalition mentoring activities.  
 “1026. Authorization for National Community Antidrug Coalition Institute.  
 “1027. Definitions.  
 “1028. Drug-free communities reauthorization.

1 “SUBCHAPTER I—OFFICE

2 **“§ 1001. Definitions**

3 “In this chapter:

4 “(1) AGENCY.—The term ‘agency’ has the  
 5 meaning given the term ‘executive agency’ in section  
 6 102.

7 “(2) APPROPRIATE CONGRESSIONAL COMMIT-  
 8 TEES.—

9 “(A) IN GENERAL.—The term ‘appropriate  
 10 congressional committees’ means—

11 “(i) the Committee on the Judiciary,  
 12 the Committee on Appropriations, the  
 13 Committee on Health, Education, Labor,  
 14 and Pensions, and the Caucus on Inter-  
 15 national Narcotics Control of the Senate;  
 16 and

17 “(ii) the Committee on Oversight and  
 18 Government Reform, the Committee on the  
 19 Judiciary, the Committee on Energy and

1 Commerce, and the Committee on Appro-  
2 priations of the House of Representatives.

3 “(B) SUBMISSION TO CONGRESS.—Any  
4 submission to Congress shall mean submission  
5 to the appropriate congressional committees.

6 “(3) DEMAND REDUCTION.—The term ‘demand  
7 reduction’ means any activity conducted by a Na-  
8 tional Drug Control Program Agency, other than an  
9 enforcement activity, that is intended to reduce or  
10 prevent the use of drugs or support or provide treat-  
11 ment and recovery efforts, including—

12 “(A) education about the dangers of illicit  
13 drug use;

14 “(B) services, programs, or strategies to  
15 prevent substance use disorder, including evi-  
16 dence-based education campaigns, community-  
17 based prevention programs, collection and dis-  
18 posal of unused prescription drugs, and services  
19 to at-risk populations to prevent or delay initial  
20 use of an illicit drug;

21 “(C) substance use disorder treatment;

22 “(D) illicit drug use research;

23 “(E) drug-free workplace programs;

24 “(F) drug testing, including the testing of  
25 employees;

1           “(G) interventions for illicit drug use and  
2           dependence;

3           “(H) expanding availability of access to  
4           health care services for the treatment of sub-  
5           stance use disorders;

6           “(I) international drug control coordina-  
7           tion and cooperation with respect to activities  
8           described in this paragraph;

9           “(J) pre- and post-arrest criminal justice  
10          interventions such as diversion programs, drug  
11          courts, and the provision of evidence-based  
12          treatment to individuals with substance use dis-  
13          orders who are arrested or under some form of  
14          criminal justice supervision, including medica-  
15          tion assisted treatment;

16          “(K) other coordinated and joint initiatives  
17          among Federal, State, local, and Tribal agen-  
18          cies to promote comprehensive drug control  
19          strategies designed to reduce the demand for,  
20          and the availability of, illegal drugs;

21          “(L) international illicit drug use edu-  
22          cation, prevention, treatment, recovery, re-  
23          search, rehabilitation activities, and interven-  
24          tions for illicit drug use and dependence; and

1           “(M) research related to any of the activi-  
2           ties described in this paragraph.

3           “(4) DIRECTOR.—The term ‘Director’ means  
4           the Director of the Office of National Drug Control.

5           “(5) DRUG.—The term ‘drug’ has the meaning  
6           given the term ‘controlled substance’ in section  
7           102(6) of the Controlled Substances Act (21 U.S.C.  
8           802(6)).

9           “(6) DRUG CONTROL.—The term ‘drug control’  
10          means any activity conducted by a National Drug  
11          Control Program Agency involving supply reduction  
12          or demand reduction.

13          “(7) EMERGING DRUG THREAT.—The term  
14          ‘emerging drug threat’ means the occurrence of a  
15          new and growing trend in the use of an illicit drug  
16          or class of drugs, including rapid expansion in the  
17          supply of or demand for such drug.

18          “(8) ILLICIT DRUG USE; ILLICIT DRUGS; ILLE-  
19          GAL DRUGS.—The terms ‘illicit drug use’, ‘illicit  
20          drugs’, and ‘illegal drugs’ include the illegal or illicit  
21          use of prescription drugs.

22          “(9) LAW ENFORCEMENT.—The term ‘law en-  
23          forcement’ or ‘drug law enforcement’ means all ef-  
24          forts by a Federal, State, local, or Tribal govern-  
25          ment agency to enforce the drug laws of the United

1 States or any State, including investigation, arrest,  
2 prosecution, and incarceration or other punishments  
3 or penalties.

4 “(10) NATIONAL DRUG CONTROL PROGRAM.—  
5 The term ‘National Drug Control Program’ means  
6 programs, policies, and activities undertaken by Na-  
7 tional Drug Control Program Agencies pursuant to  
8 the responsibilities of such agencies under the Na-  
9 tional Drug Control Strategy, including any activi-  
10 ties involving supply reduction, demand reduction, or  
11 State, local, and Tribal affairs.

12 “(11) NATIONAL DRUG CONTROL PROGRAM  
13 AGENCY.—The term ‘National Drug Control Pro-  
14 gram Agency’ means any agency (or bureau, office,  
15 independent agency, board, division, commission,  
16 subdivision, unit, or other component thereof) that is  
17 responsible for implementing any aspect of the Na-  
18 tional Drug Control Strategy, including any agency  
19 that receives Federal funds to implement any aspect  
20 of the National Drug Control Strategy, but does not  
21 include any agency that receives funds for drug con-  
22 trol activity solely under the National Intelligence  
23 Program or the Military Intelligence Program.

24 “(12) NATIONAL DRUG CONTROL STRATEGY;  
25 STRATEGY.—The term ‘National Drug Control

1 Strategy’ or ‘Strategy’ means the strategy developed  
2 and submitted to Congress under section 1005.

3 “(13) NONPROFIT ORGANIZATION.—The term  
4 ‘nonprofit organization’ means an organization that  
5 is described in section 501(c)(3) of the Internal Rev-  
6 enue Code of 1986 and exempt from tax under sec-  
7 tion 501(a) of such Code.

8 “(14) OFFICE.—The term ‘Office’ means the  
9 Office of National Drug Control.

10 “(15) STATE, LOCAL, AND TRIBAL AFFAIRS.—  
11 The term ‘State, local, and Tribal affairs’ means do-  
12 mestic activities conducted by a National Drug Con-  
13 trol Program Agency that are intended to reduce the  
14 availability and use of illegal drugs, including—

15 “(A) coordination and enhancement of  
16 Federal, State, local, and Tribal law enforce-  
17 ment drug control efforts;

18 “(B) coordination and enhancement of ef-  
19 forts among National Drug Control Program  
20 Agencies and State, local, and Tribal demand  
21 reduction and supply reduction agencies;

22 “(C) coordination and enhancement of  
23 Federal, State, local, and Tribal law enforce-  
24 ment initiatives to gather, analyze, and dissemi-  
25 nate information and law enforcement intel-



1           ligence relating to drug control among domestic  
2           law enforcement agencies; and

3           “(D) other coordinated and joint initiatives  
4           among Federal, State, local, and Tribal agen-  
5           cies to promote comprehensive drug control  
6           strategies designed to reduce the demand for,  
7           and the availability of, illegal drugs.

8           “(16) SUBSTANCE USE DISORDER TREAT-  
9           MENT.—The term ‘substance use disorder treat-  
10          ment’ means an evidence-based, professionally di-  
11          rected, deliberate, and planned regimen including  
12          evaluation, observation, medical monitoring, and re-  
13          habilitative services and interventions such as  
14          pharmacotherapy, behavioral therapy, and individual  
15          and group counseling, on an inpatient or outpatient  
16          basis, to help patients with substance use disorder  
17          reach recovery.

18          “(17) SUPPLY REDUCTION.—The term ‘supply  
19          reduction’ means any activity or program conducted  
20          by a National Drug Control Program Agency that is  
21          intended to reduce the availability or use of illegal  
22          drugs in the United States or abroad, including—

23                 “(A) law enforcement outside the United  
24                 States;

25                 “(B) domestic law enforcement;

1           “(C) source country programs, including  
2 economic development programs primarily in-  
3 tended to reduce the production or trafficking  
4 of illicit drugs;

5           “(D) activities to control international traf-  
6 ficking in, and availability of, illegal drugs, in-  
7 cluding—

8                 “(i) accurate assessment and moni-  
9 toring of international drug production and  
10 interdiction programs and policies; and

11                 “(ii) coordination and promotion of  
12 compliance with international treaties re-  
13 lating to the production, transportation, or  
14 interdiction of illegal drugs;

15           “(E) activities to conduct and promote  
16 international law enforcement programs and  
17 policies to reduce the supply of drugs;

18           “(F) activities to facilitate and enhance the  
19 sharing of domestic and foreign intelligence in-  
20 formation among National Drug Control Pro-  
21 gram Agencies, relating to the production and  
22 trafficking of drugs in the United States and in  
23 foreign countries;

24           “(G) activities to prevent the diversion of  
25 drugs for their illicit use; and

1                   “(H) research related to any of the activi-  
2                   ties described in this paragraph.

3 **“§ 1002. Office of National Drug Control**

4                   “(a) ESTABLISHMENT OF OFFICE.—There is estab-  
5                   lished in the Executive Office of the President an Office  
6                   of National Drug Control, which shall—

7                   “(1) lead the national drug control effort, in-  
8                   cluding coordinating with Nation Drug Control Pro-  
9                   gram Agencies;

10                  “(2) coordinate and oversee the implementation  
11                  of the national drug control policy, including the Na-  
12                  tional Drug Control Strategy;

13                  “(3) assess and certify the adequacy of Na-  
14                  tional Drug Control Programs and the budget for  
15                  those programs;

16                  “(4) monitor and evaluate the effectiveness of  
17                  national drug control policy efforts, including the  
18                  National Drug Control Program Agencies’ pro-  
19                  grams, by developing and applying specific goals and  
20                  performance measurements and tracking program-  
21                  level spending;

22                  “(5) identify and respond to emerging drug  
23                  threats related to illicit drug use;

1           “(6) administer and evaluate grant programs in  
2 furtherance of the National Drug Control Strategy;  
3 and

4           “(7) facilitate broad-scale information sharing  
5 and data standardization among Federal, State, and  
6 local entities to support the national drug control ef-  
7 forts.

8           “(b) DIRECTOR OF NATIONAL DRUG CONTROL AND  
9 DEPUTY DIRECTOR.—

10           “(1) DIRECTOR.—

11           “(A) IN GENERAL.—There shall be at the  
12 head of the Office a Director who shall hold the  
13 same rank and status as the head of an execu-  
14 tive department listed in section 101 of title 5.

15           “(B) APPOINTMENT.—The Director shall  
16 be appointed by the President, by and with the  
17 advice and consent of the Senate, and shall  
18 serve at the pleasure of the President.

19           “(2) DEPUTY DIRECTOR.—

20           “(A) IN GENERAL.—There shall be a Dep-  
21 uty Director who shall report directly to the Di-  
22 rector, be appointed by the President, and serve  
23 at the pleasure of the President.

24           “(B) RESPONSIBILITIES.—The Deputy Di-  
25 rector shall—

1                   “(i) carry out the responsibilities dele-  
2                   gated by the Director; and

3                   “(ii) be responsible for effectively co-  
4                   ordinating with the each Coordinator es-  
5                   tablished under this chapter.

6                   “(c) RESPONSIBILITIES.—

7                   “(1) POLICIES, GOALS, OBJECTIVES, AND PRI-  
8                   ORITIES.—The Director shall assist the President in  
9                   directing national drug control efforts, including es-  
10                  tablishing policies, goals, objectives, and priorities  
11                  for the National Drug Control Program that are  
12                  based on evidence-based research.

13                  “(2) CONSULTATION.—To formulate the Na-  
14                  tional Drug Control policies, goals, objectives, and  
15                  priorities, the Director—

16                         “(A) shall consult with—

17                                 “(i) State and local governments;

18                                 “(ii) National Drug Control Program  
19                                 Agencies;

20                                 “(iii) each committee, working group,  
21                                 council, or other entity established under  
22                                 this chapter, as appropriate;

23                                 “(iv) the public;

24                                 “(v) appropriate congressional com-  
25                                 mittees; and

1                   “(vi) any other person in the discre-  
2                   tion of the Director; and

3                   “(B) may—

4                   “(i) establish advisory councils;

5                   “(ii) acquire data from agencies; and

6                   “(iii) request data from any other en-  
7                   tity.

8   **“§ 1003. Administration of the Office**

9                   “(a) EMPLOYMENT.—

10                   “(1) AUTHORITY OF THE DIRECTOR.—The Di-  
11                   rector may select, appoint, employ, and fix com-  
12                   pensation of such officers and employees of the Of-  
13                   fice as may be necessary to carry out the functions  
14                   of the Office under this chapter.

15                   “(2) PROHIBITIONS.—

16                   “(A) GENERALLY.—No person shall serve  
17                   as Director or Deputy Director while serving in  
18                   any other position in the Federal Government.

19                   “(B) PROHIBITION ON POLITICAL CAM-  
20                   PAIGNING.—Any officer or employee of the Of-  
21                   fice who is appointed to that position by the  
22                   President, by and with the advice and consent  
23                   of the Senate, may not participate in Federal  
24                   election campaign activities, except that such  
25                   officer or employee is not prohibited by this

1           subparagraph from making contributions to in-  
2           dividual candidates.

3           “(b) PROHIBITION ON THE USE OF FUNDS FOR PO-  
4           LITICAL CAMPAIGNS OR BALLOT INITIATIVES.—No funds  
5           authorized under this chapter may be obligated for the  
6           purpose of influencing any Federal, State, or local election  
7           or ballot initiative.

8           “(c) PERSONNEL DETAILED TO OFFICE.—

9           “(1) EVALUATIONS.—Notwithstanding any pro-  
10          vision of chapter 43 of title 5, the Director shall per-  
11          form the evaluation of the performance of any em-  
12          ployee detailed to the Office for purposes of the ap-  
13          plicable performance appraisal system established  
14          under such chapter for any rating period, or part  
15          thereof, that such employee is detailed to the Office.

16          “(2) COMPENSATION.—

17          “(A) BONUS PAYMENTS.—Subject to the  
18          availability of appropriations, the Director may  
19          provide periodic bonus payments to any em-  
20          ployee detailed to the Office.

21          “(B) RESTRICTIONS.—An amount paid  
22          under this paragraph to an employee for any  
23          period—

1           “(i) shall not be greater than 20 per-  
2           cent of the basic pay paid or payable to  
3           such employee for such period; and

4           “(ii) shall be in addition to the basic  
5           pay of such employee.

6           “(C) AGGREGATE AMOUNT.—The aggre-  
7           gate amount paid during any fiscal year to an  
8           employee detailed to the Office as basic pay,  
9           awards, bonuses, and other compensation shall  
10          not exceed the annual rate payable at the end  
11          of such fiscal year for positions at level III of  
12          the Executive Schedule.

13          “(d) CONGRESSIONAL ACCESS TO INFORMATION.—  
14          The location of the Office in the Executive Office of the  
15          President shall not be construed as affecting access by  
16          Congress, or any committee of the House of Representa-  
17          tives or the Senate, to any—

18                 “(1) information, document, or study in the  
19                 possession of, or conducted by or at the direction of  
20                 the Director; or

21                 “(2) personnel of the Office.

22          “(e) OTHER AUTHORITIES OF THE DIRECTOR.—In  
23          carrying out this chapter, the Director may—

24                 “(1) use for administrative purposes, on a reim-  
25                 bursable basis, the available services, equipment,



1 personnel, and facilities of Federal, State, and local  
2 agencies;

3 “(2) procure the services of experts and con-  
4 sultants in accordance with section 3109 of title 5  
5 relating to appointments in the Federal Service, at  
6 rates of compensation for individuals not to exceed  
7 the daily equivalent of the rate of pay payable under  
8 level IV of the Executive Schedule under section  
9 5311 of such title; and

10 “(3) use the mails in the same manner as any  
11 other agency.

12 “(f) GENERAL SERVICES ADMINISTRATION.—The  
13 Administrator of General Services shall provide to the Di-  
14 rector, on a reimbursable basis, such administrative sup-  
15 port services as the Director may request.

16 **“§ 1004. National drug control program budget**

17 “(a) BUDGET RECOMMENDATIONS.—Not later than  
18 July 1 of each year, the Director shall provide to the head  
19 of each National Drug Control Program Agency budget  
20 recommendations, including requests for specific initia-  
21 tives that are consistent with the priorities of the Presi-  
22 dent under the National Drug Control Strategy, which  
23 shall—

1           “(1) apply to the budget for the next fiscal year  
2           scheduled for formulation under chapter 11, and  
3           each of the 4 subsequent fiscal years; and

4           “(2) address funding priorities developed in the  
5           National Drug Control Strategy.

6           “(b) RESPONSIBILITIES OF NATIONAL DRUG CON-  
7           TROL PROGRAM AGENCIES.—

8           “(1) IN GENERAL.—For each fiscal year, the  
9           head of each National Drug Control Program Agen-  
10          cy shall transmit to the Director a copy of the pro-  
11          posed drug control budget request of such agency at  
12          the same time as that budget request is submitted  
13          to their superiors (and before submission to the Of-  
14          fice of Management and Budget) in the preparation  
15          of the budget of the President submitted to Con-  
16          gress under section 1105(a).

17          “(2) SUBMISSION OF DRUG CONTROL BUDGET  
18          REQUESTS.—The head of each National Drug Con-  
19          trol Program Agency shall ensure timely develop-  
20          ment and submission to the Director of each pro-  
21          posed drug control budget request transmitted pur-  
22          suant to this subsection, in such format as may be  
23          designated by the Director with the concurrence of  
24          the Director of the Office of Management and Budg-  
25          et.

1           “(3) CONTENT OF DRUG CONTROL BUDGET RE-  
2           QUESTS.—A drug control budget request submitted  
3           by the head of a National Drug Control Program  
4           Agency under this subsection shall include all re-  
5           quests for funds for any drug control activity under-  
6           taken by such agency, including demand reduction,  
7           supply reduction, and State, local, and Tribal af-  
8           fairs, including any drug law enforcement activities.  
9           If an activity has both drug control and nondrug  
10          control purposes or applications, such agency shall  
11          estimate by a documented calculation the total funds  
12          requested for that activity that would be used for  
13          drug control, and shall set forth in its request the  
14          basis and method for making the estimate.

15          “(c) REVIEW AND CERTIFICATION OF BUDGET RE-  
16          QUESTS AND BUDGET SUBMISSIONS OF NATIONAL DRUG  
17          CONTROL PROGRAM AGENCIES.—

18                 “(1) IN GENERAL.—The Director shall review  
19                 each drug control budget request submitted to the  
20                 Director under subsection (b).

21                 “(2) REVIEW OF BUDGET REQUESTS.—

22                         “(A) INADEQUATE REQUESTS.—If the Di-  
23                         rector concludes that a budget request sub-  
24                         mitted under subsection (b) is inadequate, in  
25                         whole or in part, to implement the objectives of

1 the National Drug Control Strategy with re-  
2 spect to the agency or program at issue for the  
3 year for which the request is submitted, the Di-  
4 rector shall submit to the head of the applicable  
5 National Drug Control Program Agency a writ-  
6 ten description identifying the funding levels  
7 and specific initiatives that would, in the deter-  
8 mination of the Director, make the request ade-  
9 quate to implement those objectives.

10 “(B) ADEQUATE REQUESTS.—If the Direc-  
11 tor concludes that a budget request submitted  
12 under subsection (b) is adequate to implement  
13 the objectives of the National Drug Control  
14 Strategy with respect to the agency or program  
15 at issue for the year for which the request is  
16 submitted, the Director shall submit to the  
17 head of the applicable National Drug Control  
18 Program Agency a written statement con-  
19 firming the adequacy of the request.

20 “(C) RECORD.—The Director shall main-  
21 tain a record of each description submitted  
22 under subparagraph (A) and each statement  
23 submitted under subparagraph (B).

24 “(3) SPECIFIC REQUESTS.—The Director shall  
25 not confirm the adequacy of any budget request that

1 requests a level of funding that will not enable  
2 achievement of the goals of the National Drug Con-  
3 trol Strategy, including—

4 “(A) requests funding for Federal law en-  
5 forcement activities that do not adequately com-  
6 pensate for transfers of drug enforcement re-  
7 sources and personnel to law enforcement and  
8 investigation activities;

9 “(B) requests funding for law enforcement  
10 activities on the borders of the United States  
11 that do not adequately direct resources to drug  
12 interdiction and enforcement;

13 “(C) requests funding for substance use  
14 disorder treatment activities that do not provide  
15 adequate results and accountability measures;

16 “(D) requests funding for substance use  
17 disorder treatment activities that do not ade-  
18 quately support and enhance Federal substance  
19 use disorder programs and capacity; and

20 “(E) requests funding for the operations  
21 and management of the Department of Home-  
22 land Security that does not include a specific  
23 request for funds for the Office of Counter-  
24 narcotics Enforcement to carry out its respon-

1           sibilities under section 878 of the Homeland Se-  
2           curity Act of 2002 (6 U.S.C. 458).

3           “(4) AGENCY RESPONSE.—

4                   “(A) IN GENERAL.—The head of a Na-  
5           tional Drug Control Program Agency that re-  
6           ceives a description under paragraph (2)(A)  
7           shall include the funding levels and initiatives  
8           described by the Director in the budget submis-  
9           sion for that agency to the Office of Manage-  
10          ment and Budget.

11                   “(B) IMPACT STATEMENT.—The head of a  
12          National Drug Control Program Agency that  
13          has altered its budget submission under this  
14          paragraph shall include as an appendix to the  
15          budget submission for that agency to the Office  
16          of Management and Budget an impact state-  
17          ment that summarizes—

18                           “(i) the changes made to the budget  
19                           under this paragraph; and

20                           “(ii) the impact of those changes on  
21                           the ability of that agency to perform its  
22                           other responsibilities, including any impact  
23                           on specific missions or programs of the  
24                           agency.

1           “(C) CONGRESSIONAL NOTIFICATION.—  
2           The head of a National Drug Control Program  
3           Agency shall submit a copy of any impact state-  
4           ment under subparagraph (B) to the Senate,  
5           the House of Representatives, and the appro-  
6           priate congressional committees, at the time the  
7           budget for that agency is submitted to Congress  
8           under section 1105(a).

9           “(5) CERTIFICATION OF BUDGET SUBMIS-  
10          SIONS.—

11           “(A) IN GENERAL.—At the time the head  
12           of a National Drug Control Program Agency  
13           submits its budget request to the Office of  
14           Management and Budget, the head of the Na-  
15           tional Drug Control Program Agency shall sub-  
16           mit a copy of the budget request to the Direc-  
17           tor.

18           “(B) REVIEW AND CERTIFICATION OF  
19           SUBMISSIONS.—The Director shall review each  
20           budget submission submitted under subpara-  
21           graph (A) and submit to the appropriate con-  
22           gressional committees one of the following:

23           “(i) A written certification of the  
24           budget submission for the agency indi-  
25           cating such request fully funds the Na-

1 tional Drug Control Programs as necessary  
2 to achieve the goals of the National Drug  
3 Control Strategy, including a written state-  
4 ment explaining the basis for the deter-  
5 mination that the budget submission pro-  
6 vides sufficient resources for the agency to  
7 achieve the goals of the Strategy.

8 “(ii) A written certification of the  
9 budget submission for the agency indi-  
10 cating such request partially funds the Na-  
11 tional Drug Control Programs as necessary  
12 to achieve the goals of the Strategy, in-  
13 cluding a written statement explaining the  
14 basis for the determination to certify the  
15 budget submission and identifying the level  
16 of funding sufficient to achieve the goals of  
17 the Strategy.

18 “(iii) A written decertification of the  
19 budget submission for the agency indi-  
20 cating the Director is unable to determine  
21 whether such budget submission for the  
22 agency fully funds or partially funds the  
23 National Drug Control Programs as nec-  
24 essary to achieve the goals of the National  
25 Drug Control Strategy, including a written



1 statement identifying the additional infor-  
2 mation necessary for the Director to make  
3 a determination on such budget submission  
4 and the level of funding sufficient to  
5 achieve the goals of the Strategy.

6 “(iv) A written decertification of the  
7 budget submission for the agency indi-  
8 cating that such budget is insufficient to  
9 fund the National Drug Control Programs  
10 as necessary to achieve the goals of the  
11 Strategy, including a written statement ex-  
12 plaining the basis for the determination  
13 that the budget is insufficient and identi-  
14 fying the level of funding sufficient to  
15 achieve the goals of the Strategy.

16 “(d) NATIONAL DRUG CONTROL PROGRAM BUDGET  
17 PROPOSAL.—For each fiscal year, following the trans-  
18 mission of proposed drug control budget requests to the  
19 Director under subsection (b), the Director shall, in con-  
20 sultation with the head of each National Drug Control  
21 Program Agency and the head of each major national or-  
22 ganization that represents law enforcement officers, agen-  
23 cies, or associations—

24 “(1) develop a consolidated National Drug Con-  
25 trol Program budget proposal designed to implement

1 the National Drug Control Strategy and to inform  
2 Congress and the public about the total amount pro-  
3 posed to be spent on all supply reduction, demand  
4 reduction, State, local, and Tribal affairs, including  
5 any drug law enforcement, and other drug control  
6 activities by the Federal Government, which shall  
7 conform to the content requirements set forth in  
8 subsection (b)(3) and include—

9 “(A) for each National Drug Control Pro-  
10 gram Agency, a list of whether the funding level  
11 is full, partial, or insufficient to achieve the  
12 goals of the National Drug Control Strategy or  
13 whether the Director is unable to make such  
14 determination;

15 “(B) a statement describing the extent to  
16 which any budget of a National Drug Control  
17 Program Agency with less than full funding  
18 hinders progress on achieving the goals of the  
19 National Drug Control Strategy; and

20 “(C) alternative funding structures that  
21 could improve progress on achieving the goals  
22 of the National Drug Control Strategy; and

23 “(2) submit the consolidated budget proposal to  
24 the President and Congress.

1       “(e) BUDGET ESTIMATE OR REQUEST SUBMISSION  
2 TO CONGRESS.—Whenever the Director submits any  
3 budget estimate or request to the President or the Office  
4 of Management and Budget, the Director shall concur-  
5 rently transmit to the appropriate congressional commit-  
6 tees a detailed statement of the budgetary needs of the  
7 Office to execute its mission based on the good-faith as-  
8 sessment of the Director.

9       “(f) REPROGRAMMING AND TRANSFER REQUESTS.—

10           “(1) IN GENERAL.—No National Drug Control  
11 Program Agency shall submit to Congress a re-  
12 programming or transfer request with respect to any  
13 amount of appropriated funds in an amount exceed-  
14 ing \$1 million that is included in the National Drug  
15 Control Program budget unless the request has been  
16 approved by the Director. If the Director has not re-  
17 sponded to a request for reprogramming subject to  
18 this paragraph within 30 days after receiving notice  
19 of the request having been made, the request shall  
20 be deemed approved by the Director under this para-  
21 graph and forwarded to Congress.

22           “(2) APPEAL.—The head of any National Drug  
23 Control Program Agency may appeal to the Presi-  
24 dent any disapproval by the Director of a re-

1 programming or transfer request under this sub-  
2 section.

3 **“§ 1005. National drug control strategy**

4 “(a) IN GENERAL.—

5 “(1) STATEMENT OF DRUG POLICY PRIOR-  
6 ITIES.—The Director shall release a statement of  
7 drug control policy priorities in the calendar year of  
8 a Presidential inauguration following the inaugura-  
9 tion but not later than April 1.

10 “(2) NATIONAL DRUG CONTROL STRATEGY  
11 SUBMITTED BY THE PRESIDENT.—Not later than  
12 the first Monday in February following the year in  
13 which the term of the President commences, the  
14 President shall submit to Congress a National Drug  
15 Control Strategy.

16 “(b) DEVELOPMENT OF THE NATIONAL DRUG CON-  
17 TROL STRATEGY.—

18 “(1) PROMULGATION.—The Director shall pro-  
19 mulgate the National Drug Control Strategy, which  
20 shall set forth a comprehensive plan to reduce illicit  
21 drug use and the consequences of such illicit drug  
22 use in the United States by limiting the availability  
23 of and reducing the demand for illegal drugs and  
24 promoting prevention, early intervention, treatment,

1 and recovery support for individuals with substance  
2 use disorders.

3 “(2) STATE AND LOCAL COMMITMENT.—The  
4 Director shall seek the support and commitment of  
5 State, local, and Tribal officials in the formulation  
6 and implementation of the National Drug Control  
7 Strategy.

8 “(3) STRATEGY BASED ON EVIDENCE.—The Di-  
9 rector shall ensure the National Drug Control Strat-  
10 egy is based on the best available medical and sci-  
11 entific evidence regarding the policies that are most  
12 effective in reducing the demand for and supply of  
13 illegal drugs.

14 “(4) PROCESS FOR DEVELOPMENT AND SUB-  
15 MISSION OF NATIONAL DRUG CONTROL STRATEGY.—  
16 In developing and effectively implementing the Na-  
17 tional Drug Control Strategy, the Director—

18 “(A) shall consult with—

19 “(i) the heads of the National Drug  
20 Control Program Agencies;

21 “(ii) each Coordinator established  
22 under this chapter;

23 “(iii) the Interdiction Committee, the  
24 Treatment Committee, and the Emerging  
25 Threats Task Force;

1           “(iv) the appropriate congressional  
2           committees and any other committee of ju-  
3           risdiction;

4           “(v) State, local, and Tribal officials;

5           “(vi) private citizens and organiza-  
6           tions, including community and faith-based  
7           organizations, with experience and exper-  
8           tise in demand reduction;

9           “(vii) private citizens and organiza-  
10          tions with experience and expertise in sup-  
11          ply reduction; and

12          “(viii) appropriate representatives of  
13          foreign governments; and

14          “(B) in satisfying the requirements of sub-  
15          paragraph (A), shall ensure, to the maximum  
16          extent possible, that State, local, and Tribal of-  
17          ficials and relevant private organizations com-  
18          mit to support and take steps to achieve the  
19          goals and objectives of the National Drug Con-  
20          trol Strategy.

21          “(c) CONTENTS OF THE NATIONAL DRUG CONTROL  
22          STRATEGY.—

23                 “(1) IN GENERAL.—The National Drug Control  
24          Strategy submitted under subsection (a)(2) shall in-  
25          clude the following:

1           “(A) A description of the current preva-  
2           lence of illicit drug use in the United States, in-  
3           cluding both the availability of illicit drugs and  
4           the prevalence of substance use disorders, which  
5           shall include the following:

6                   “(i) Such description for the previous  
7                   3 years for any drug identified as an  
8                   emerging threat under section 1009 and  
9                   any other illicit drug identified by the Di-  
10                  rector as having a significant impact on  
11                  the prevalence of illicit drug use.

12                   “(ii) A summary of the data and  
13                   trends presented in the Drug Control Data  
14                   Dashboard required under section 1013.

15           “(B) A mission statement detailing the  
16           major functions of the National Drug Control  
17           Program.

18           “(C) A list of comprehensive, research-  
19           based, long-range, quantifiable goals for reduc-  
20           ing illicit drug use, including—

21                   “(i) the percentage of the total flow of  
22                   illicit drugs to be interdicted during the  
23                   time period covered by the Strategy; and

24                   “(ii) the number of individuals to re-  
25                   ceive substance use disorder treatment.

1           “(D) A description of how each goal estab-  
2           lished under subparagraph (C) will be achieved,  
3           including for each goal—

4                   “(i) a list of each relevant National  
5                   Drug Control Program Agency and each  
6                   such agency’s related programs, activities,  
7                   and available assets and the role of each  
8                   such program, activity, and asset in achiev-  
9                   ing such goal;

10                   “(ii) a list of relevant stakeholders  
11                   and each such stakeholder’s role in achiev-  
12                   ing such goal;

13                   “(iii) an estimate of Federal funding  
14                   and other resources needed to achieve such  
15                   goal;

16                   “(iv) a list of each existing or new co-  
17                   ordinating mechanism needed to achieve  
18                   such goal; and

19                   “(v) a description of the Office’s role  
20                   in facilitating the achievement of such  
21                   goal.

22           “(E) For each year covered by the Strat-  
23           egy, a performance evaluation plan for each  
24           goal established under subparagraph (C) for



1 each National Drug Control Program Agency,  
2 including—

3 “(i) specific performance measures for  
4 each National Drug Control Program  
5 Agency and each such agency’s related  
6 programs and activities;

7 “(ii) annual and, to the extent prac-  
8 ticable, quarterly objectives and targets for  
9 each performance measure; and

10 “(iii) an estimate of Federal funding  
11 and other resources needed to achieve each  
12 performance objective and target.

13 “(F) A list identifying existing data  
14 sources or a description of data collection need-  
15 ed to evaluate performance, including a descrip-  
16 tion of how the Director will obtain such data.

17 “(G) A list of any anticipated challenges to  
18 achieving the National Drug Control Strategy  
19 goals and planned actions to address such chal-  
20 lenges.

21 “(H) A description of how each goal estab-  
22 lished under subparagraph (C) was determined,  
23 including—

1           “(i) a description of each required  
2           consultation and a description of how such  
3           consultation was incorporated;

4           “(ii) data, research, or other informa-  
5           tion used to inform the determination to  
6           establish the goal; and

7           “(iii) for any goal established under  
8           subparagraph (C)(i), a statement of wheth-  
9           er the goal will be adequate to disrupt  
10          drug trafficking organizations that supply  
11          the majority of foreign-sourced illicit drugs  
12          trafficked into the United States.

13          “(I) A 5-year projection for program and  
14          budget priorities.

15          “(J) A review of international, State, local,  
16          and private sector drug control activities to en-  
17          sure that the United States pursues coordinated  
18          and effective drug control at all levels of gov-  
19          ernment.

20          “(K) Such statistical data and information  
21          as the Director considers appropriate to dem-  
22          onstrate and assess trends relating to illicit  
23          drug use, the effects and consequences of illicit  
24          drug use (including the effects on children),  
25          supply reduction, demand reduction, drug-re-

1           lated law enforcement, and the implementation  
2           of the National Drug Control Strategy.

3           “(2) ADDITIONAL STRATEGIES.—

4                   “(A) IN GENERAL.—The Director shall in-  
5           clude in the National Drug Control Strategy  
6           the additional strategies described under this  
7           paragraph and shall comply with the following:

8                           “(i) Provide a copy of the additional  
9                           strategies to the appropriate congressional  
10                          committees and to the Committee on  
11                          Armed Services and the Committee on  
12                          Homeland Security of the House of Rep-  
13                          resentatives, and the Committee on Home-  
14                          land Security and Governmental Affairs  
15                          and the Committee on Armed Services of  
16                          the Senate.

17                           “(ii) Issue the additional strategies in  
18                           consultation with the head of each relevant  
19                          National Drug Control Program Agency,  
20                          any relevant official of a State, local, or  
21                          Tribal government, and the government of  
22                          other relevant countries.

23                           “(iii) Not change any existing agency  
24                          authority or construe any strategy de-  
25                          scribed under this paragraph to amend or

1 modify any law governing interagency rela-  
2 tionship but may include recommendations  
3 about changes to such authority or law.

4 “(iv) Present separately from the rest  
5 of any strategy described under this para-  
6 graph any information classified under cri-  
7 teria established by an Executive order, or  
8 whose public disclosure, as determined by  
9 the Director or the head of any relevant  
10 National Drug Control Program Agency,  
11 would be detrimental to the law enforce-  
12 ment or national security activities of any  
13 Federal, State, local, or Tribal agency.

14 “(B) REQUIREMENT FOR SOUTHWEST  
15 BORDER COUNTERNARCOTICS.—

16 “(i) PURPOSES.—The Southwest Bor-  
17 der Counternarcotics Strategy shall—

18 “(I) set forth the Government’s  
19 strategy for preventing the illegal traf-  
20 ficking of drugs across the inter-  
21 national border between the United  
22 States and Mexico, including through  
23 ports of entry and between ports of  
24 entry on that border;

1           “(II) state the specific roles and  
2           responsibilities of the relevant Na-  
3           tional Drug Control Program Agen-  
4           cies for implementing that strategy;  
5           and

6           “(III) identify the specific re-  
7           sources required to enable the relevant  
8           National Drug Control Program  
9           Agencies to implement that strategy.

10          “(ii) SPECIFIC CONTENT RELATED TO  
11          DRUG TUNNELS BETWEEN THE UNITED  
12          STATES AND MEXICO.—The Southwest  
13          Border Counternarcotics Strategy shall in-  
14          clude—

15                 “(I) a strategy to end the con-  
16                 struction and use of tunnels and sub-  
17                 terranean passages that cross the  
18                 international border between the  
19                 United States and Mexico for the pur-  
20                 pose of illegal trafficking of drugs  
21                 across such border; and

22                 “(II) recommendations for crimi-  
23                 nal penalties for persons who con-  
24                 struct or use such a tunnel or sub-  
25                 terranean passage for such a purpose.

1                   “(C) REQUIREMENT FOR NORTHERN BOR-  
2                   DER COUNTERNARCOTICS STRATEGY.—

3                   “(i) PURPOSES.—The Northern Bor-  
4                   der Counternarcotics Strategy shall—

5                   “(I) set forth the strategy of the  
6                   Federal Government for preventing  
7                   the illegal trafficking of drugs across  
8                   the international border between the  
9                   United States and Canada, including  
10                  through ports of entry and between  
11                  ports of entry on the border;

12                  “(II) state the specific roles and  
13                  responsibilities of each relevant Na-  
14                  tional Drug Control Program Agency  
15                  for implementing the strategy;

16                  “(III) identify the specific re-  
17                  sources required to enable the relevant  
18                  National Drug Control Program  
19                  Agencies to implement the strategy;

20                  “(IV) be designed to promote,  
21                  and not hinder, legitimate trade and  
22                  travel; and

23                  “(V) reflect the unique nature of  
24                  small communities along the inter-  
25                  national border between the United

1 States and Canada, ongoing coopera-  
2 tion and coordination with Canadian  
3 law, enforcement authorities, and  
4 variations in the volumes of vehicles  
5 and pedestrians crossing through  
6 ports of entry along the international  
7 border between the United States and  
8 Canada.

9 “(ii) SPECIFIC CONTENT RELATED TO  
10 CROSS-BORDER INDIAN RESERVATIONS.—  
11 The Northern Border Counternarcotics  
12 Strategy shall include—

13 “(I) a strategy to end the illegal  
14 trafficking of drugs to or through In-  
15 dian reservations on or near the inter-  
16 national border between the United  
17 States and Canada; and

18 “(II) recommendations for addi-  
19 tional assistance, if any, needed by  
20 Tribal law enforcement agencies relat-  
21 ing to the strategy, including an eval-  
22 uation of Federal technical and finan-  
23 cial assistance, infrastructure capacity  
24 building, and interoperability defi-  
25 ciencies.

1           “(3) CLASSIFIED INFORMATION.—Any contents  
2 of the National Drug Control Strategy that involve  
3 information properly classified under criteria estab-  
4 lished by an Executive order shall be presented to  
5 Congress separately from the rest of the National  
6 Drug Control Strategy.

7           “(4) SELECTION OF DATA AND INFORMA-  
8 TION.—In selecting data and information for inclu-  
9 sion in the Strategy, the Director shall ensure—

10           “(A) the inclusion of data and information  
11 that will permit analysis of current trends  
12 against previously compiled data and informa-  
13 tion where the Director believes such analysis  
14 enhances long-term assessment of the National  
15 Drug Control Strategy; and

16           “(B) the inclusion of data and information  
17 to permit a standardized and uniform assess-  
18 ment of the effectiveness of drug treatment pro-  
19 grams in the United States.

20           “(d) ANNUAL PERFORMANCE SUPPLEMENT.—Not  
21 later than the first Monday in February of each year fol-  
22 lowing the year in which the National Drug Control Strat-  
23 egy is submitted pursuant to subsection (a)(2), the Direc-  
24 tor shall submit to the appropriate congressional commit-  
25 tees a supplement to the Strategy that shall include—



1           “(1) annual and, to the extent practicable,  
2           quarterly quantifiable and measurable objectives and  
3           specific targets to accomplish long-term quantifiable  
4           goals specified in the Strategy; and

5           “(2) for each year covered by the Strategy, a  
6           performance evaluation plan for each goal listed in  
7           the Strategy for each National Drug Control Pro-  
8           gram Agency, including—

9                   “(A) specific performance measures for  
10                   each National Drug Control Program Agency  
11                   and each such agency’s related programs and  
12                   activities;

13                   “(B) annual and, to the extent practicable,  
14                   quarterly objectives and targets for each per-  
15                   formance measure; and

16                   “(C) an estimate of Federal funding and  
17                   other resources needed to achieve each perform-  
18                   ance objective and target.

19           “(e) SUBMISSION OF REVISED STRATEGY.—

20                   “(1) IN GENERAL.—The President may submit  
21                   to Congress a revised National Drug Control Strat-  
22                   egy that meets the requirements of this section—

23                           “(A) at any time, upon a determination of  
24                           the President, in consultation with the Director,

1           that the National Drug Control Strategy in ef-  
2           fect is not sufficiently effective; or

3           “(B) if a new President or Director takes  
4           office.

5           “(2) NO SUBMISSION.—In each year the Presi-  
6           dent does not submit a National Drug Control  
7           Strategy or a revised National Drug Control Strat-  
8           egy, the Director shall evaluate the efficacy and ap-  
9           propriateness of the goals of the National Drug Con-  
10          trol Strategy and include a statement affirming the  
11          adequacy of the goals in the performance supple-  
12          ment under subsection (d).

13          “(f) FAILURE OF PRESIDENT TO SUBMIT NATIONAL  
14          DRUG CONTROL STRATEGY.—If the President does not  
15          submit a National Drug Control Strategy to Congress in  
16          accordance with subsection (a)(2), not later than 5 days  
17          after the first Monday in February following the year in  
18          which the term of the President commences, the President  
19          shall send a notification to the appropriate congressional  
20          committees—

21                 “(1) explaining why the Strategy was not sub-  
22                 mitted; and

23                 “(2) specifying the date by which the Strategy  
24                 will be submitted.

1 **“§ 1006. Development of an annual national drug con-**  
2 **trol assessment**

3 “(a) TIMING.—Not later than the first Monday in  
4 February of each year, the Director shall submit to the  
5 President, Congress, and the appropriate congressional  
6 committees, a report assessing the progress of each Na-  
7 tional Drug Control Program Agency toward achieving  
8 each goal, objective, and target contained in the National  
9 Drug Control Strategy applicable to the prior fiscal year.

10 “(b) PROCESS FOR DEVELOPMENT OF THE ANNUAL  
11 ASSESSMENT.—Not later than November 1 of each year,  
12 the head of each National Drug Control Program Agency  
13 shall submit, in accordance with guidance issued by the  
14 Director, to the Director an evaluation of progress by the  
15 agency with respect to the National Drug Control Strategy  
16 goals using the performance measures for the agency de-  
17 veloped under this chapter, including progress with respect  
18 to—

19 “(1) success in achieving the goals of the Na-  
20 tional Drug Control Strategy;

21 “(2) success in reducing domestic and foreign  
22 sources of illegal drugs;

23 “(3) success in expanding access to and in-  
24 creasing the effectiveness of substance use disorder  
25 treatment;

1           “(4) success in protecting the borders of the  
2           United States (and in particular the Southwestern  
3           border of the United States) from penetration by il-  
4           legal narcotics;

5           “(5) success in reducing crime associated with  
6           drug use in the United States;

7           “(6) success in reducing the negative health  
8           and social consequences of drug use in the United  
9           States; and

10          “(7) implementation of substance use disorder  
11          treatment and prevention programs in the United  
12          States and improvements in the adequacy and effec-  
13          tiveness of such programs.

14          “(c) CONTENTS OF THE ANNUAL ASSESSMENT.—  
15          The Director shall include in the annual assessment re-  
16          quired under subsection (a)—

17                 “(1) a summary of each evaluation received by  
18                 the Director under subsection (b);

19                 “(2) a summary of the progress of each Na-  
20                 tional Drug Control Program Agency toward the  
21                 National Drug Control Strategy goals of the agency  
22                 using the performance measures for the agency de-  
23                 veloped under this chapter;

24                 “(3) an assessment of the effectiveness of each  
25                 National Drug Control Program Agency and pro-

1       gram in achieving the National Drug Control Strat-  
2       egy for the previous year, including a specific evalua-  
3       tion of whether the applicable goals, measures, ob-  
4       jectives, and targets for the previous year were met;

5           “(4) for each National Drug Control Program  
6       Agency that administers grant programs, an evalua-  
7       tion of the effectiveness of each grant program, in-  
8       cluding an accounting of the funds disbursed by the  
9       program in the prior year and a summary of how  
10      those funds were used by the grantees and sub-  
11      grantees during that period;

12          “(5) a detailed accounting of the amount of  
13      funds obligated by each National Drug Control Pro-  
14      gram Agency in carrying out the responsibilities of  
15      that agency under the Strategy;

16          “(6) an assessment of the effectiveness of any  
17      Emerging Threat Response Plan in effect for the  
18      previous year, including a specific evaluation of  
19      whether the objectives and targets were met and rea-  
20      sons for the success or failure of the previous year’s  
21      plan;

22          “(7) a detailed accounting of the amount of  
23      funds obligated during the previous fiscal year for  
24      carrying out the campaign under section 1009(d),  
25      including each recipient of funds, the purpose of

1 each expenditure, the amount of each expenditure,  
2 any available outcome information, and any other in-  
3 formation necessary to provide a complete account-  
4 ing of the funds expended; and

5 “(8) the assessments required under this sub-  
6 section shall be based on the Performance Measure-  
7 ment System describe in subsection (d).

8 “(d) PERFORMANCE MEASUREMENT SYSTEM.—The  
9 Director shall include in the annual assessment required  
10 under subsection (a) a national drug control performance  
11 measurement system, that—

12 “(1) develops annual, 2-year, and 5-year per-  
13 formance measures, objectives, and targets for each  
14 National Drug Control Strategy goal and objective  
15 established for reducing drug use, availability, and  
16 the consequences of drug use;

17 “(2) describes the sources of information and  
18 data that will be used for each performance measure  
19 incorporated into the performance measurement sys-  
20 tem;

21 “(3) identifies major programs and activities of  
22 the National Drug Control Program Agencies that  
23 support the goals and annual objectives of the Na-  
24 tional Drug Control Strategy;

1           “(4) evaluates the contribution of demand re-  
2           duction and supply reduction activities implemented  
3           by each National Drug Control Program Agency in  
4           support of the National Drug Control Strategy;

5           “(5) monitors consistency between the drug-re-  
6           lated goals, measures, targets, and objectives of the  
7           National Drug Control Program Agencies and en-  
8           sures that each agency’s goals and budgets support,  
9           and are fully consistent with, the National Drug  
10          Control Strategy; and

11          “(6) coordinates the development and imple-  
12          mentation of national drug control data collection  
13          and reporting systems to support policy formulation  
14          and performance measurement, including an assess-  
15          ment of—

16                 “(A) the quality of current drug use meas-  
17                 urement instruments and techniques to measure  
18                 supply reduction and demand reduction activi-  
19                 ties;

20                 “(B) the adequacy of the coverage of exist-  
21                 ing national drug use measurement instruments  
22                 and techniques to measure the illicit drug user  
23                 population and groups that are at risk for illicit  
24                 drug use;

1           “(C) the adequacy of the coverage of exist-  
2           ing national treatment outcome monitoring sys-  
3           tems to measure the effectiveness of substance  
4           use disorder treatment in reducing illicit drug  
5           use and criminal behavior during and after the  
6           completion of substance use disorder treatment;  
7           and

8           “(D) the actions the Director shall take to  
9           correct any deficiencies and limitations identi-  
10          fied pursuant to subparagraphs (A), (B), and  
11          (C).

12          “(e) MODIFICATIONS.—A description of any modi-  
13          fications made during the preceding year to the national  
14          drug performance measurement system described in sub-  
15          section (d) shall be included in each report submitted  
16          under subsection (a).

17          “(f) ANNUAL REPORT ON CONSULTATION.—The Di-  
18          rector shall include in the annual assessment required  
19          under subsection (a)—

20                 “(1) a detailed description of how the Office  
21                 has consulted with and assisted State, local, and  
22                 Tribal governments with respect to the formulation  
23                 and implementation of the National Drug Control  
24                 Strategy and other relevant issues; and



1           “(2) a general review of the status of, and  
2 trends in, demand reduction activities by private sec-  
3 tor entities and community-based organizations, in-  
4 cluding faith-based organizations, to determine their  
5 effectiveness and the extent of cooperation, coordina-  
6 tion, and mutual support between such entities and  
7 organizations and Federal, State, local, and Tribal  
8 government agencies.

9           “(g) PERFORMANCE-BUDGET COORDINATOR.—

10           “(1) DESIGNATION.—The Director shall des-  
11 ignate or appoint a United States Performance-  
12 Budget Coordinator to—

13           “(A) ensure the Director has sufficient in-  
14 formation necessary to analyze the performance  
15 of each National Drug Control Program Agen-  
16 cy, the impact Federal funding has had on the  
17 goals in the Strategy, and the likely contribu-  
18 tions to the goals of the Strategy based on  
19 funding levels of each National Drug Control  
20 Program Agency, to make an independent as-  
21 sessment of the budget request of each agency  
22 under section 1004;

23           “(B) advise the Director on agency budg-  
24 ets, performance measures and targets, and ad-  
25 ditional data and research needed to make in-

1           formed policy decisions under sections 1004 and  
2           1005; and

3                   “(C) other duties as may be determined by  
4           the Director with respect to measuring or as-  
5           sessing performance or agency budgets.

6                   “(2) DETERMINATION OF POSITION.—The Di-  
7           rector shall determine whether the coordinator posi-  
8           tion is a noncareer appointee in the Senior Executive  
9           Service or a career appointee at the GS–15 level (or  
10          equivalent) or above.

11   **“§ 1007. Monitoring and evaluation of national drug**  
12                   **control program**

13                   “(a) IN GENERAL.—The Director shall monitor im-  
14          plementation of the National Drug Control Program and  
15          the activities of the National Drug Control Program Agen-  
16          cies in carrying out the goals and objectives of the Na-  
17          tional Drug Control Strategy including—

18                           “(1) conducting program and performance au-  
19                           dits and evaluations; and

20                           “(2) requesting assistance from the Inspector  
21                           General of the relevant agency in such audits and  
22                           evaluations.

23                   “(b) ACCOUNTING OF FUNDS EXPENDED.—(1) Not  
24          later than February 1 of each year, in accordance with  
25          guidance issued by the Director, the head of each National

1 Drug Control Program Agency shall submit to the Direc-  
2 tor a detailed accounting of all funds expended by the  
3 agency for National Drug Control Program activities dur-  
4 ing the previous fiscal year and shall ensure such detailed  
5 accounting is authenticated for the previous fiscal year by  
6 the Inspector General for such agency prior to the submis-  
7 sion to the Director as frequently as determined by the  
8 Inspector General but not less frequently than every 3  
9 years.

10       “(2) The Director shall submit to Congress not later  
11 than April 1 of each year the information submitted to  
12 the Director under paragraph (1).

13       “(c) NOTIFICATION.—The Director shall notify any  
14 National Drug Control Program Agency if its activities  
15 are not in compliance with the responsibilities of the agen-  
16 cy under the National Drug Control Strategy, transmit  
17 a copy of each such notification to the President and the  
18 appropriate congressional committees, and maintain a  
19 copy of each such notification.

20       “(d) RECOMMENDATIONS.—The Director shall make  
21 such recommendations to the President and the appro-  
22 priate congressional committees as the Director deter-  
23 mines are appropriate regarding changes in the organiza-  
24 tion, management, and budgets of the National Drug Con-  
25 trol Program Agencies, and changes in the allocation of

1 personnel to and within those agencies, to implement the  
2 policies, goals, objectives, and priorities established under  
3 section 1002(c)(1) and the National Drug Control Strat-  
4 egy.

5 “(e) AUTHORIZATION, DEVELOPMENT, AND IMPLE-  
6 MENTATION OF A COORDINATED TRACKING SYSTEM.—

7 “(1) ESTABLISHMENT.—The Director shall es-  
8 tablish a coordinated tracking system of federally-  
9 funded initiatives and grant programs which shall—

10 “(A) be the central repository of all drug  
11 control grants;

12 “(B) identify duplication, overlap, or gaps  
13 in funding to provide increased accountability of  
14 federally-funded grants for substance use dis-  
15 order treatment, prevention, and enforcement;

16 “(C) identify impediments that applicants  
17 currently have in the grant application process  
18 with applicable agencies; and

19 “(D) be developed and maintained by the  
20 Office with the support of designated National  
21 Drug Control Program Agencies and any other  
22 agency determined by the Director.

23 “(2) PERFORMANCE METRICS.—The Director  
24 shall identify metrics and achievable goals for grant  
25 recipients in furtherance of the Strategy. Such

1 metrics shall be used to measure how effective each  
2 federally funded initiative is in achieving the objec-  
3 tives of the Strategy and to enable comparisons of  
4 federally funded initiatives to identify those that are  
5 the most cost effective.

6 “(3) GRANT APPLICATION STANDARDIZA-  
7 TION.—To reduce the administrative burden on  
8 grant applicants and improve oversight of Federal  
9 funds, the Director, in consultation with the head of  
10 each National Drug Control Program Agency, shall  
11 develop a plan for coordinating and standardizing  
12 drug control grant application processes and develop  
13 a joint application to be used by all National Drug  
14 Control Program Agencies.

15 “(4) CENTRAL PORTAL.—The Director shall  
16 maintain on the public, electronic portal of the Of-  
17 fice a list all drug control grant programs available  
18 in a central location. The head of each National  
19 Drug Control Program Agency shall provide a com-  
20 plete list of all drug control program grant programs  
21 to the Director and annually update such list.

22 “(5) REPORT TO CONGRESS.—The Director  
23 shall include in the assessment submitted to Con-  
24 gress under section 1006 an assessment on progress  
25 under this section.

1 **“§ 1008. Coordination and oversight of the national**  
2 **drug control program**

3 “(a) IN GENERAL.—The Director shall coordinate  
4 and oversee the implementation by the National Drug  
5 Control Program Agencies of the policies, goals, objectives,  
6 and priorities established under section 1002(c)(1) and  
7 the fulfillment of the responsibilities of such agencies  
8 under the National Drug Control Strategy and make rec-  
9 ommendations to National Drug Control Program Agency  
10 heads with respect to implementation of National Drug  
11 Control Programs.

12 “(b) DETAILING EMPLOYEES TO OTHER AGEN-  
13 CIES.—

14 “(1) REQUEST.—The Director may request the  
15 head of an agency or program of the Federal Gov-  
16 ernment to place agency personnel who are engaged  
17 in drug control activities on temporary detail to an-  
18 other agency in order to implement the National  
19 Drug Control Strategy.

20 “(2) AGENCY COMPLIANCE.—The head of the  
21 agency shall comply with any request made under  
22 paragraph (1).

23 “(3) MAXIMUM NUMBER OF DETAILEES.—The  
24 maximum number of personnel who may be detailed  
25 to another agency (including the Office) under this  
26 subsection during any fiscal year is—

1                   “(A) for the Department of Defense, 50;

2                   and

3                   “(B) for any other agency, 10.

4           “(c) DIRECTING FEDERAL FUNDING.—The Director  
5 may transfer funds made available to a National Drug  
6 Control Program Agency for National Drug Control Strat-  
7 egy programs and activities to another account within  
8 such agency or to another National Drug Control Program  
9 Agency for National Drug Control Strategy programs and  
10 activities, except that—

11                   “(1) the authority under this subsection may be  
12                   limited in an annual appropriations Act or other  
13                   provision of Federal law;

14                   “(2) the Director may exercise the authority  
15                   under this subsection only with the concurrence of  
16                   the head of each affected agency;

17                   “(3) in the case of an interagency transfer, the  
18                   total amount of transfers under this subsection may  
19                   not exceed 3 percent of the total amount of funds  
20                   made available for National Drug Control Strategy  
21                   programs and activities to the agency from which  
22                   those funds are to be transferred;

23                   “(4) funds transferred to an agency under this  
24                   subsection may only be used to increase the funding  
25                   for programs or activities authorized by law;

1 “(5) the Director shall—

2 “(A) submit to the appropriate congres-  
3 sional committees and any other applicable  
4 committee of jurisdiction, a reprogramming or  
5 transfer request in advance of any transfer  
6 under this subsection in accordance with the  
7 regulations of each affected agency; and

8 “(B) annually submit to the appropriate  
9 congressional committees a report describing  
10 the effect of all transfers of funds made pursu-  
11 ant to this subsection or section 1004(f) during  
12 the 12-month period preceding the date on  
13 which the report is submitted; and

14 “(6) funds may only be used for—

15 “(A) expansion of demand reduction activi-  
16 ties;

17 “(B) interdiction of illicit drugs on the  
18 high seas, in United States territorial waters,  
19 and at United States ports of entry by officers  
20 and employees of National Drug Control Pro-  
21 gram Agencies and domestic and foreign law  
22 enforcement officers;

23 “(C) accurate assessment and monitoring  
24 of international drug production and interdic-  
25 tion programs and policies;



1           “(D) activities to facilitate and enhance  
2           the sharing of domestic and foreign intelligence  
3           information among National Drug Control Pro-  
4           gram Agencies related to the production and  
5           trafficking of drugs in the United States and  
6           foreign countries;

7           “(E) activities to prevent the diversion of  
8           prescription drugs for illicit use; and

9           “(F) research related to any of these ac-  
10          tivities.

11          “(d) DIRECTING FEDERAL FUNDING TO RESPOND  
12 TO EMERGING THREATS.—

13           “(1) IN GENERAL.—The Director may transfer  
14          funds made available to a National Drug Control  
15          Program Agency for National Drug Control Strategy  
16          programs and activities to another account within  
17          such agency or to another National Drug Control  
18          Program Agency for National Drug Control Strategy  
19          programs and activities to implement the provisions  
20          of a plan developed under section 1009, except  
21          that—

22           “(A) the authority under this subsection  
23          may be limited in an annual appropriations Act  
24          or other provision of Federal law;

1           “(B) the Director may exercise the author-  
2           ity under this subsection only with the concur-  
3           rence of the head of each affected agency;

4           “(C) in the case of an interagency transfer,  
5           the total amount of transfers under this sub-  
6           section may not exceed 10 percent of the total  
7           amount of funds made available for National  
8           Drug Control Strategy programs and activities  
9           to the agency from which those funds are to be  
10          transferred;

11          “(D) funds transferred to an agency under  
12          this subsection may only be used to increase the  
13          funding for programs or activities authorized by  
14          law;

15          “(E) no transfer of funds under this sub-  
16          section may result in a reduction in total Fed-  
17          eral expenditures for substance use disorder  
18          treatment;

19          “(F) the Director shall—

20                 “(i) submit to the appropriate con-  
21                 gressional committees and any other appli-  
22                 cable committee of jurisdiction, a re-  
23                 programming or transfer request in ad-  
24                 vance of any transfer under this subsection

1 in accordance with the regulations of each  
2 affected agency; and

3 “(ii) annually submit to the appro-  
4 priate congressional committees a report  
5 describing the effect of all transfers of  
6 funds made pursuant to this subsection or  
7 section 1004(f) during the 12-month pe-  
8 riod preceding the date on which the report  
9 is submitted; and

10 “(G) funds may only be used for—

11 “(i) expansion of demand reduction  
12 activities;

13 “(ii) interdiction of illicit drugs on the  
14 high seas, in United States territorial  
15 waters, and at United States ports of entry  
16 by officers and employees of National  
17 Drug Control Program Agencies and do-  
18 mestic and foreign law enforcement offi-  
19 cers;

20 “(iii) accurate assessment and moni-  
21 toring of international drug production and  
22 interdiction programs and policies;

23 “(iv) activities to facilitate and en-  
24 hance the sharing of domestic and foreign  
25 intelligence information among National

1 Drug Control Program Agencies related to  
2 the production and trafficking of drugs in  
3 the United States and foreign countries;

4 “(v) activities to prevent the diversion  
5 of prescription drugs for illicit use; and

6 “(vi) research related to any of these  
7 activities.

8 “(2) INADEQUACY OF TRANSFER.—In the event  
9 the authority under this subsection is inadequate to  
10 implement the provisions of a plan developed under  
11 section 1009, the Director shall submit a request for  
12 funding to the appropriate congressional committees  
13 within 30 days after the date on which the Director  
14 determines there is a need for additional funding.

15 “(e) FUND CONTROL NOTICES.—

16 “(1) IN GENERAL.—The Director may issue to  
17 the head of a National Drug Control Program Agen-  
18 cy a fund control notice to ensure compliance with  
19 the National Drug Control Program Strategy. A  
20 fund control notice may direct that all or part of an  
21 amount appropriated to the National Drug Control  
22 Program Agency account be obligated by—

23 “(A) months, fiscal year quarters, or other  
24 time periods; and

1           “(B) activities, functions, projects, or ob-  
2           ject classes.

3           “(2) UNAUTHORIZED OBLIGATION OR EXPENDI-  
4           TURE PROHIBITED.—An officer or employee of a  
5           National Drug Control Program Agency shall not  
6           make or authorize an expenditure or obligation con-  
7           trary to a fund control notice issued by the Director.

8           “(3) DISCIPLINARY ACTION FOR VIOLATION.—  
9           In the case of a violation of paragraph (2) by an of-  
10          ficer or employee of a National Drug Control Pro-  
11          gram Agency, the head of the agency, upon the re-  
12          quest of and in consultation with the Director, may  
13          subject the officer or employee to appropriate ad-  
14          ministrative discipline, including, when cir-  
15          cumstances warrant, suspension from duty without  
16          pay or removal from office.

17          “(4) CONGRESSIONAL NOTICE.—Not later than  
18          5 days after issuance of a fund control notice, the  
19          Director shall submit a copy of such fund control  
20          notice to the appropriate congressional committees  
21          and make such notice publicly available.

22          “(5) RESTRICTIONS.—The Director may not  
23          issue a fund control notice to direct that all or part  
24          of an amount appropriated to the National Drug  
25          Control Program Agency account be obligated, modi-

1       fied, or altered in any manner contrary, in whole or  
2       in part, to a specific appropriation or statute.

3       “(f) EXCLUSIONS.—The authorities described under  
4 subsections (c), (d), and (e) do not apply to any program  
5 under subchapter II or III.

6       “(g) FOREIGN ASSISTANCE ACT PARTICIPATION.—  
7 The Director may participate in the drug certification  
8 process pursuant to section 490 of the Foreign Assistance  
9 Act of 1961 (22 U.S.C. 2291j) and section 706 of the  
10 Department of State Authorization Act for Fiscal Year  
11 2003 (22 U.S.C. 229j–1).

12       “(h) CERTIFICATIONS OF POLICY CHANGES TO DI-  
13 RECTOR.—

14               “(1) IN GENERAL.—Subject to paragraph (2),  
15       the head of a National Drug Control Program Agen-  
16       cy shall, unless exigent circumstances require other-  
17       wise, notify the Director in writing regarding any  
18       proposed change in policies relating to the activities  
19       of that agency under the National Drug Control  
20       Program prior to implementation of such change.  
21       The Director shall promptly review such proposed  
22       change and certify to the head of that agency in  
23       writing whether such change is consistent with the  
24       National Drug Control Strategy.

1           “(2) EXCEPTION.—If prior notice of a proposed  
2 change under paragraph (1) is not practicable—

3           “(A) the head of the National Drug Con-  
4 trol Program Agency shall notify the Director  
5 of the proposed change as soon as practicable;  
6 and

7           “(B) upon such notification, the Director  
8 shall review the change and certify to the head  
9 of that agency in writing whether the change is  
10 consistent with the National Drug Control  
11 Strategy.

12       “(i) WORK IN CONJUNCTION WITH ASSISTANT FOR  
13 NATIONAL SECURITY AFFAIRS.—The Director shall, in  
14 any matter affecting national security interests, work in  
15 conjunction with the Assistant to the President for Na-  
16 tional Security Affairs.

17       “(j) AUTHORITIES NOT DEROGATED.—Nothing in  
18 this chapter shall be construed as derogating the authori-  
19 ties and responsibilities of the head of any agency, the Di-  
20 rector of National Intelligence, or the Director of the Cen-  
21 tral Intelligence Agency contained in the National Security  
22 Act of 1947 (50 U.S.C. 401 et seq.), the Central Intel-  
23 ligence Agency Act of 1949 (50 U.S.C. 403a et seq.), or  
24 any other law.

1 **“§ 1009. Emerging threats task force, plan, campaign**

2 “(a) EMERGING THREATS TASK FORCE.—

3 “(1) EMERGING AND CONTINUING THREATS CO-  
4 ORDINATOR.—The Director shall designate or ap-  
5 point a United States Emerging and Continuing  
6 Threats Coordinator to perform the duties of that  
7 position described in this section and such other du-  
8 ties as may be determined by the Director. The Di-  
9 rector shall determine whether the coordinator posi-  
10 tion is a noncareer appointee in the Senior Executive  
11 Service or a career appointee at the GS–15 level (or  
12 equivalent) or above.

13 “(2) ESTABLISHMENT AND MONITORING.—The  
14 Emerging and Continuing Threats Coordinator (re-  
15 ferred to in this section as the ‘Coordinator’) shall  
16 monitor evolving and emerging drug threats in the  
17 United States and shall serve as Chair of an Emerg-  
18 ing Threats Task Force (in this section, referred to  
19 as the ‘task force’). The Director shall appoint other  
20 members of the task force, which shall include—

21 “(A) representatives from National Drug  
22 Control Program Agencies or other agencies;

23 “(B) representatives from State, local, and  
24 Tribal governments;



1           “(C) the Director of the National Drug  
2 Control Fusion Center established in section  
3 1013; and

4           “(D) representatives from other entities as  
5 determined to be necessary by the Director.

6           “(3) INFORMATION REVIEW AND SHARING.—

7           “(A) IN GENERAL.—The task force shall  
8 disseminate and facilitate the sharing with Fed-  
9 eral, State, local, and Tribal officials and other  
10 entities as determined by the Director of perti-  
11 nent information and data relating to the fol-  
12 lowing:

13                   “(i) Recent trends in drug supply and  
14 demand.

15                   “(ii) Fatal and nonfatal overdoses.

16                   “(iii) Demand for and availability of  
17 evidence-based substance use disorder  
18 treatment, including the extent of the  
19 unmet treatment need, and treatment ad-  
20 mission trends.

21                   “(iv) Recent trends in drug interdic-  
22 tion, supply, and demand from State, local,  
23 and Tribal law enforcement agencies.

24                   “(v) Other subject matter as deter-  
25 mined necessary by the Director.

1           “(B) CONTRACT, AGREEMENT, AND OTHER  
2           AUTHORITY.—The Director may award con-  
3           tracts, enter into interagency agreements, man-  
4           age individual projects, and conduct other ac-  
5           tivities in support of the identification of emerg-  
6           ing drug threats and in support of the develop-  
7           ment, implementation, and assessment of any  
8           Emerging Threat Response Plan.

9           “(C) DATA ANALYSIS ACTIVITIES.—In sup-  
10          port of the task force, the National Drug Con-  
11          trol Fusion Center is authorized to conduct and  
12          provide to the task force the results of data  
13          analysis activities that the task force requests  
14          to aid in their review of recent trends in the  
15          data disseminated under subparagraph (A).

16          “(4) CRITERIA TO IDENTIFY EMERGING DRUG  
17          THREATS.—Not later than 60 days after the date on  
18          which a task force first meets, the task force shall  
19          develop and recommend to the Director criteria to be  
20          used to identify an emerging drug threat or the ter-  
21          mination of an emerging drug threat designation  
22          based on information gathered by the task force in  
23          paragraph (2), statistical data, and other evidence.

24          “(5) MEETINGS.—The task force shall meet in  
25          person not less frequently than quarterly and at ad-

1       ditional meetings if determined to be necessary by  
2       and at the call of the Chair to—

3               “(A) identify and discuss evolving and  
4               emerging drug trends in the United States  
5               using the criteria established in paragraph (3);

6               “(B) assist in the formulation of any plan  
7               described in subsection (c);

8               “(C) oversee implementation of the plan  
9               described in subsection (c); and

10              “(D) provide such other advice to the Co-  
11              ordinator and Director concerning strategy and  
12              policies for emerging drug threats and trends as  
13              the task force determines to be appropriate.

14       “(b) DESIGNATION.—

15              “(1) IN GENERAL.—The Director, in consulta-  
16              tion with the Coordinator, the task force, and the  
17              head of each National Drug Control Program Agen-  
18              cy, may designate an emerging drug threat in the  
19              United States.

20              “(2) STANDARDS FOR DESIGNATION.—The Di-  
21              rector, in consultation with the Coordinator, shall  
22              promulgate and make publicly available standards by  
23              which a designation under paragraph (1) and the  
24              termination of such designation may be made. In de-  
25              veloping such standards, the Director shall consider

1 the recommendations of the task force and other cri-  
2 teria the Director considers to be appropriate.

3 “(3) PUBLIC STATEMENT REQUIRED.—The Di-  
4 rector shall publish a public written statement on  
5 the portal of the Office explaining the designation of  
6 an emerging drug threat or the termination of such  
7 designation and shall notify the appropriate congress-  
8 sional committees of the availability of such state-  
9 ment when a designation or termination of such des-  
10 ignation has been made.

11 “(c) PLAN.—

12 “(1) PUBLIC AVAILABILITY OF PLAN.—Not  
13 later than 60 days after making a designation under  
14 subsection (b), the Director shall publish and make  
15 publicly available an Emerging Threat Response  
16 Plan and notify the President and the appropriate  
17 congressional committees of such plan’s availability.

18 “(2) TIMING.—Not less frequently than every  
19 90 days after the date on which the plan is pub-  
20 lished under paragraph (1), the Director shall up-  
21 date the plan and report on implementation of the  
22 plan, until the Director issues the public statement  
23 required under subsection (b)(3) to terminate the  
24 emerging drug threat designation.

1           “(3) CONTENTS OF AN EMERGING THREAT RE-  
2           SPONSE PLAN.—The Director shall include in the  
3           plan—

4                   “(A) a comprehensive strategic assessment  
5                   of the emerging drug threat, including the cur-  
6                   rent availability of, demand for, and effective-  
7                   ness of evidence-based prevention, treatment,  
8                   and enforcement programs and efforts to re-  
9                   spond to the emerging drug threat;

10                   “(B) comprehensive, research-based, long-  
11                   range, quantifiable goals for addressing the  
12                   emerging drug threat, including for reducing  
13                   the supply of the drug designated as the emerg-  
14                   ing drug threat and for expanding the avail-  
15                   ability and effectiveness of evidence-based sub-  
16                   stance use disorder treatment and prevention  
17                   programs to reduce the demand for the emerg-  
18                   ing drug threat;

19                   “(C) performance measures pertaining to  
20                   the plan’s goals, including quantifiable and  
21                   measurable objectives and specific targets;

22                   “(D) the level of funding needed to imple-  
23                   ment the plan, including whether funding is  
24                   available to be reprogrammed or transferred to  
25                   support implementation of the plan or whether

1 additional appropriations are necessary to im-  
2 plement the plan;

3 “(E) an implementation strategy for the  
4 education and public awareness campaign under  
5 subsection (d), including goals as described  
6 under subparagraph (B) and performance  
7 measures, objectives, and targets, as described  
8 under subparagraph (C); and

9 “(F) any other information necessary to  
10 inform the public of the status, progress, or re-  
11 sponse of an emerging drug threat.

12 “(4) IMPLEMENTATION.—

13 “(A) IN GENERAL.—Not later than 90  
14 days after the date on which a designation is  
15 made under subsection (b), the Director, in  
16 consultation with the President, the appropriate  
17 congressional committees, and the head of each  
18 National Drug Control Program Agency, shall  
19 issue guidance on implementation of the plan  
20 described in this subsection to the National  
21 Drug Control Program Agencies and any other  
22 relevant agency determined to be necessary by  
23 the Director.

24 “(B) COORDINATOR’S RESPONSIBIL-  
25 ITIES.—The Coordinator shall—

1           “(i) direct the implementation of the  
2           plan among the agencies identified in the  
3           plan, State, local, and Tribal governments,  
4           and other relevant entities;

5           “(ii) facilitate information-sharing be-  
6           tween agencies identified in the plan,  
7           State, local, and Tribal governments, and  
8           other relevant entities; and

9           “(iii) monitor implementation of the  
10          plan by coordinating the development and  
11          implementation of collection and reporting  
12          systems to support performance measure-  
13          ment and adherence to the plan by agen-  
14          cies identified in plan, where appropriate.

15          “(C) REPORTING.—Not later than 180  
16          days after the date on which a designation is  
17          made under subsection (b) and in accordance  
18          with paragraph (2)(C), the head of each agency  
19          identified in the plan shall submit to the Coor-  
20          dinator a report on implementation of the plan.

21          “(d) EDUCATION AND PUBLIC AWARENESS CAM-  
22          PAIGN FOR EMERGING DRUG THREATS.—

23                 “(1) IN GENERAL.—Not later than 90 days  
24                 after the date on which a designation is made under  
25                 subsection (b), the Director shall, to the extent fea-

1 sible and appropriate, establish and implement an  
2 evidence-based substance use prevention education  
3 and public awareness campaign to inform the public  
4 about the dangers of any drug designated as an  
5 emerging drug threat. Such campaign shall—

6 “(A) educate the public about the dangers  
7 of such drug, including patient and family edu-  
8 cation about the characteristics and hazards of  
9 such drug and methods to safeguard against  
10 such dangers, including the safe disposal of  
11 such drug;

12 “(B) support evidence-based prevention  
13 programs targeting audiences’ attitudes, percep-  
14 tions, and beliefs concerning substance use and  
15 intentions to initiate or continue such use;

16 “(C) increase awareness of the negative  
17 consequences of drug use;

18 “(D) encourage individuals affected by  
19 substance use disorders to seek treatment and  
20 provide such individuals with information on  
21 how to recognize addiction issues, what forms  
22 of evidence-based treatment options are avail-  
23 able, and how to access such treatment; and

24 “(E) combat the stigma of addiction and  
25 substance use disorders, including the stigma of



1           treating such disorders with medication-assisted  
2           treatment therapies.

3           “(2) CONSULTATION.—For the planning of the  
4           campaign under paragraph (1), the Director shall  
5           consult with—

6                   “(A) the head of any appropriate National  
7           Drug Control Program Agency to obtain advice  
8           on evidence-based scientific information for pol-  
9           icy, program development, and evaluation;

10                   “(B) experts in evidence-based media cam-  
11           paigns, education, evaluation, and communica-  
12           tion;

13                   “(C) experts on the designated drug;

14                   “(D) State, local, and Tribal government  
15           officials and relevant agencies;

16                   “(E) the public;

17                   “(F) appropriate congressional committees;

18           and

19                   “(G) any other affected person, as deter-  
20           mined by the Director.

21           “(3) GIFTS AND DONATIONS.—

22                   “(A) IN GENERAL.—The Director may ac-  
23           cept gifts and donations (in cash or in kind, in-  
24           cluding voluntary and uncompensated services  
25           or property), which shall be available until ex-

1           pended, for the purpose of supporting the edu-  
2           cation and public awareness campaign author-  
3           ized in this section, including the media cam-  
4           paign.

5           “(B) ETHICS GUIDELINES.—The Director  
6           shall establish written guidelines setting forth  
7           the criteria to be used in determining whether  
8           a gift or donation should be declined under this  
9           section because the acceptance of the gift or do-  
10          nation would—

11                   “(i) reflect unfavorably upon the abil-  
12                   ity of the Director or the Office, or any  
13                   employee of the Office, to carry out re-  
14                   sponsibilities or official duties under this  
15                   chapter in a fair and objective manner; or

16                   “(ii) compromise the integrity or the  
17                   appearance of integrity of programs or  
18                   services provided under this chapter or of  
19                   any official involved in those programs or  
20                   services.

21          “(4) IMPLEMENTATION.—

22           “(A) IN GENERAL.—For any campaign es-  
23           tablished under this subsection, the Director  
24           shall ensure the following:

1 “(i) Implementation is evidence-based,  
2 meets accepted standards for public aware-  
3 ness campaigns, and uses available re-  
4 sources in a manner to make the most  
5 progress toward achieving the goals identi-  
6 fied in the Emerging Threats Response  
7 Plan and the requirements of paragraph  
8 (1).

9 “(ii) Information disseminated  
10 through the campaign is accurate.

11 “(iii) The Director approves the strat-  
12 egy of the campaign, all material distrib-  
13 uted through the campaign, and the use of  
14 any Federal funds used for the campaign.

15 “(iv) The campaign is designed using  
16 strategies found to be most effective at  
17 achieving such goals and requirements of  
18 paragraph (1), which may include—

19 “(I) a media campaign, as de-  
20 scribed in subparagraph (B);

21 “(II) local, regional, or popu-  
22 lation specific messaging;

23 “(III) establishing partnerships  
24 and promoting coordination among  
25 community stakeholders, including

1 public, nonprofit organizations, and  
2 for profit entities;

3 “(IV) providing support, train-  
4 ing, and technical assistance to estab-  
5 lish and expand school and commu-  
6 nity prevention programs;

7 “(V) creating websites to pub-  
8 licize and disseminate information;

9 “(VI) conducting outreach and  
10 providing educational resources for  
11 parents;

12 “(VII) establishing State or re-  
13 gional advisory councils to provide  
14 input and recommendations to raise  
15 awareness regarding the drug des-  
16 igned as an emerging drug threat;

17 “(VIII) collaborating with law  
18 enforcement; and

19 “(IX) support for school-based  
20 public health education classes to im-  
21 prove teen knowledge about the effects  
22 of such designated drug.

23 “(B) MEDIA CAMPAIGN.—Any campaign  
24 implemented under this subsection may include  
25 a media component, which—

1           “(i) shall be designed to prevent the  
2           use of the drug designated as an emerging  
3           drug threat and to achieve the goals and  
4           requirements of paragraph (1);

5           “(ii) shall be carried out through com-  
6           petitively awarded contracts to entities pro-  
7           viding for the professional production and  
8           design of such campaign; and

9           “(iii) may include the use of tele-  
10          vision, radio, Internet, social media, and  
11          other commercial marketing venues and  
12          may be targeted to specific age groups  
13          based on peer-reviewed social research.

14          “(C) REQUIRED NOTICE FOR COMMUNICA-  
15          TION FROM THE OFFICE.—Any communication,  
16          including an advertisement, paid for or other-  
17          wise disseminated by the Office directly or  
18          through a contract awarded by the Office shall  
19          include a prominent notice informing the audi-  
20          ence that the communication was paid for by of  
21          the Office.

22          “(5) EVALUATION.—

23                 “(A) PERFORMANCE EVALUATION.—The  
24          Director shall include an evaluation of the cam-

1           paign in the annual assessment under section  
2           1006, which shall include the following:

3                   “(i) A performance evaluation of the  
4                   campaign, including progress toward meet-  
5                   ing the goals, objectives, measures, and  
6                   targets identified in the Emerging Threats  
7                   Response Plan.

8                   “(ii) A description of all policies and  
9                   practices to eliminate the potential for  
10                  waste, fraud, abuse, and to ensure Federal  
11                  funds are used responsibly.

12                  “(iii) A list of all contracts or other  
13                  agreements entered into to implement the  
14                  campaign.

15                  “(iv) The results of any financial  
16                  audit of the campaign.

17                  “(v) A description of any evidence  
18                  used to develop the campaign.

19                  “(vi) The sources and amount of each  
20                  gift or donation accepted by the Office,  
21                  and the source and amount of each gift or  
22                  donation accepted by a contractor to be  
23                  used in its performance of a contract for  
24                  the campaign.

1           “(B) INDEPENDENT EVALUATION.—Not  
2 later than 180 days after establishing a cam-  
3 paign under paragraph (1) and not less than  
4 frequently than every 2 years thereafter, the  
5 Director shall—

6           “(i) designate an independent entity  
7 to evaluate the effectiveness of the cam-  
8 paign with meeting the goals established in  
9 the Emerging Threat Response Plan and  
10 the requirements of paragraph (1); and

11           “(ii) submit the results of the inde-  
12 pendent evaluation to the appropriate con-  
13 gressional committees.

14           “(6) FUNDING PROHIBITIONS.—None of the  
15 amounts made available under this subsection may  
16 be obligated for any of the following:

17           “(A) To supplant current anti-drug com-  
18 munity-based coalitions.

19           “(B) To supplant pro bono public service  
20 time donated by national and local broadcasting  
21 network for other public services campaigns.

22           “(C) For partisan political purposes, or ex-  
23 press advocacy in support of or to defeat any  
24 clearly identified candidate, clearly identified

1 ballot initiative, or clearly identified legislative  
2 or regulatory proposal.

3 “(D) For any advocacy in support of any  
4 particular company, industry association, or ad-  
5 vocacy group or the explicit policy positions  
6 held by such groups.

7 “(E) To direct any individuals to a specific  
8 type of substance use disorder treatment, treat-  
9 ment facility, medical provider, or form of medi-  
10 cation assisted treatment.

11 “(F) To fund any advertising that features  
12 any elected officials, persons seeking elected of-  
13 fice, cabinet level officials, or other Federal offi-  
14 cials employed pursuant to section 213 of  
15 Schedule C of title 5, Code of Federal Regula-  
16 tions.

17 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
18 is authorized to be appropriated to the Office to carry out  
19 this section, \$25 million for each of fiscal years 2019  
20 through 2023.

21 **“§ 1010. National and international coordination**

22 “(a) DISSEMINATION OF RESEARCH AND INFORMA-  
23 TION TO STATES.—The Director shall ensure that drug  
24 control research and information is effectively dissemi-  
25 nated by National Drug Control Program Agencies to



1 State and local governments and nongovernmental entities  
2 involved in demand reduction by—

3 “(1) encouraging formal consultation between  
4 any such agency that conducts or sponsors research,  
5 and any such agency that disseminates information  
6 in developing research and information product de-  
7 velopment agendas;

8 “(2) encouraging such agencies (as appropriate)  
9 to develop and implement dissemination plans that  
10 specifically target State and local governments and  
11 nongovernmental entities involved in demand reduc-  
12 tion; and

13 “(3) supporting the substance abuse informa-  
14 tion clearinghouse administered by the Assistant  
15 Secretary for Mental Health and Substance Use and  
16 established in section 501(d)(16) of the Public  
17 Health Service Act by—

18 “(A) encouraging all National Drug Con-  
19 trol Program Agencies to provide all appro-  
20 priate and relevant information; and

21 “(B) supporting the dissemination of infor-  
22 mation to all interested entities.

23 “(b) STANDARDS.—

24 “(1) DEVELOPMENT.—The Director shall co-  
25 ordinate the development of evidence-based stand-

1 ards developed by National Drug Control Program  
2 Agencies and other relevant agencies and non-Fed-  
3 eral entities to State, local, and Tribal governments  
4 and nongovernmental entities related to drug control  
5 policies, practices, and procedures, such as the inves-  
6 tigation of drug-related deaths, by—

7 “(A) encouraging appropriate agencies and  
8 State, local, and Tribal governments to develop  
9 data standards for drug control practices and  
10 procedures and related statistical data;

11 “(B) encouraging information sharing be-  
12 tween appropriate agencies and State, local,  
13 and Tribal governments of relevant drug control  
14 information and data;

15 “(C) establishing a working group of agen-  
16 cies, State, local, and Tribal governments, and  
17 other relevant stakeholders to discuss and de-  
18 velop such standards; and

19 “(D) facilitating collaboration among agen-  
20 cies, non-Federal entities, States, local, and  
21 Tribal governments, and nongovernmental  
22 agencies.

23 “(2) IMPLEMENTATION.—The Director shall  
24 promote the implementation of the standards de-  
25 scribed in paragraph (1) by—

1           “(A) encouraging adoption by providing  
2           the standards to State and local governments  
3           through the internet, annual publications or  
4           periodicals, and other widely-disseminated  
5           means; and

6           “(B) facilitating the use and dissemination  
7           of such standards among State and local gov-  
8           ernments by—

9                   “(i) providing technical assistance to  
10                   State, local, and Tribal governments seek-  
11                   ing to adopt or implement such standards;  
12                   and

13                   “(ii) coordinating seminars and train-  
14                   ing sessions for State, local, and Tribal  
15                   governments seeking to adopt or imple-  
16                   ment such standards.

17           “(c) PRIVATE SECTOR.—

18                   “(1) IN GENERAL.—The Director or the head  
19                   of a National Drug Control Program (as designated  
20                   by the Director) shall coordinate with the private  
21                   sector to promote private research and development  
22                   of medications to treat or prevent addiction, includ-  
23                   ing research and development for non-addictive pain  
24                   management medication, abuse deterrent formula-  
25                   tions, medication-assisted treatment, and other ad-

1       diction research determined to be necessary by the  
2       Director by—

3               “(A) encouraging the sharing of informa-  
4               tion regarding evidence-based treatment addic-  
5               tion findings and related data between agencies  
6               and the private sector, as appropriate;

7               “(B) encouraging collaboration between  
8               appropriate agencies and the private sector; and

9               “(C) providing private sector entities with  
10              relevant statistical data and information to en-  
11              hance research as permissible.

12             “(2) WORKING GROUP.—The Director may es-  
13             tablish a working group of National Drug Control  
14             Program Agencies, State, local, and Tribal govern-  
15             ments, and the private sector stakeholders to discuss  
16             and disseminate best practices, research and devel-  
17             opment, and other related issues, as appropriate.

18             “(d) MODEL ACTS PROGRAM.—

19               “(1) IN GENERAL.—The Director shall provide  
20               for or shall enter into an agreement with a nonprofit  
21               organization to—

22                   “(A) advise States on establishing laws  
23                   and policies to address illicit drug use issues;  
24                   and

1           “(B) revise such model State drug laws  
2           and draft supplementary model State laws to  
3           take into consideration changes in illicit drug  
4           use issues in the State involved.

5           “(2) AUTHORIZATION OF APPROPRIATIONS.—  
6           There is authorized to be appropriated to carry out  
7           this subsection \$1.25 million for each of fiscal years  
8           2019 through 2023.

9           “(e) DRUG COURT TRAINING AND TECHNICAL AS-  
10          SISTANCE PROGRAM.—

11           “(1) GRANTS AUTHORIZED.—The Director may  
12           make a grant to a nonprofit organization for the  
13           purpose of providing training and technical assist-  
14           ance to drug courts.

15           “(2) AUTHORIZATION OF APPROPRIATIONS.—  
16           There is authorized to be appropriated to carry out  
17           this subsection \$2 million for each of fiscal years  
18           2019 through 2023.

19           “(f) INTERNATIONAL COORDINATION.—The Director  
20           may facilitate international drug control coordination ef-  
21           forts.

22           “(g) STATE, LOCAL, AND TRIBAL AFFAIRS COORDI-  
23           NATOR.—The Director shall designate or appoint a United  
24           States State, Local, and Tribal Affairs Coordinator to per-  
25           form the duties of the Office outlined in this section and

1 section 1005 and such other duties as may be determined  
2 by the Director with respect to coordination of drug con-  
3 trol efforts between agencies and State, local, and Tribal  
4 governments. The Director shall determine whether the  
5 coordinator position is a noncareer appointee in the Senior  
6 Executive Service or a career appointee at the GS-15 level  
7 (or equivalent) or above.

8 **“§ 1011. Interdiction**

9 “(a) UNITED STATES INTERDICTION COORDI-  
10 NATOR.—

11 “(1) IN GENERAL.—The Director shall des-  
12 ignate or appoint a noncareer appointee in the Sen-  
13 ior Executive Service or a career appointee at the  
14 GS-15 level (or equivalent) or above as the United  
15 States Interdiction Coordinator to perform the du-  
16 ties of that position described in paragraph (2) and  
17 such other duties as may be determined by the Di-  
18 rector with respect to coordination of efforts to  
19 interdict illicit drugs from entering the United  
20 States.

21 “(2) RESPONSIBILITIES.—The United States  
22 Interdiction Coordinator shall be responsible to the  
23 Director for—

24 “(A) coordinating the interdiction activities  
25 of the National Drug Control Program Agen-

1           cies to ensure consistency with the National  
2           Drug Control Strategy;

3           “(B) on behalf of the Director, developing  
4           and issuing, on or before September 1 of each  
5           year and in accordance with paragraph (4), a  
6           National Interdiction Command and Control  
7           Plan to ensure the coordination and consistency  
8           described in subparagraph (A);

9           “(C) assessing the sufficiency of assets  
10          committed to illicit drug interdiction by the rel-  
11          evant National Drug Control Program Agen-  
12          cies; and

13          “(D) advising the Director on the efforts  
14          of each National Drug Control Program Agency  
15          to implement the National Interdiction Com-  
16          mand and Control Plan.

17          “(3) STAFF.—The Director shall assign such  
18          permanent staff of the Office as he considers appro-  
19          priate to assist the United States Interdiction Coor-  
20          dinator to carry out the responsibilities described in  
21          paragraph (2), and may request that appropriate  
22          National Drug Control Program Agencies detail or  
23          assign staff to assist in carrying out such activities.

24          “(4) NATIONAL INTERDICTION COMMAND AND  
25          CONTROL PLAN.—

1           “(A) PURPOSES.—The National Interdic-  
2           tion Command and Control Plan—

3                   “(i) shall set forth the Government’s  
4                   strategy for drug interdiction;

5                   “(ii) shall state the specific roles and  
6                   responsibilities of the relevant National  
7                   Drug Control Program Agencies for imple-  
8                   menting that strategy; and

9                   “(iii) shall identify the specific re-  
10                  sources required to enable the relevant Na-  
11                  tional Drug Control Program Agencies to  
12                  implement that strategy.

13           “(B) CONSULTATION WITH OTHER AGEN-  
14           CIES.—Before the submission of the National  
15           Drug Control Strategy or annual supplement  
16           required under section 1005(d), as applicable,  
17           the United States Interdiction Coordinator shall  
18           issue the National Interdiction Command and  
19           Control Plan, in consultation with the other  
20           members of the Interdiction Committee de-  
21           scribed in subsection (b).

22           “(C) REPORT TO CONGRESS.—On or be-  
23           fore September 1 of each year, the Director,  
24           through the United States Interdiction Coordi-  
25           nator, shall provide to the appropriate congres-



1           sional committees, to the Committee on Armed  
2           Services and the Committee on Homeland Secu-  
3           rity of the House of Representatives, and to the  
4           Committee on Homeland Security and Govern-  
5           mental Affairs and the Committee on Armed  
6           Services of the Senate, a report that—

7                   “(i) includes—

8                           “(I) a copy of that year’s Na-  
9                           tional Interdiction Command and  
10                           Control Plan;

11                           “(II) information for the previous  
12                           10 years regarding the number and  
13                           type of seizures of drugs by each Na-  
14                           tional Drug Control Program Agency  
15                           conducting drug interdiction activities  
16                           and statistical information on the geo-  
17                           graphic areas of such seizures; and

18                           “(III) information for the pre-  
19                           vious 10 years regarding the number  
20                           of air and maritime patrol hours un-  
21                           dertaken by each National Drug Con-  
22                           trol Program Agency conducting drug  
23                           interdiction activities and statistical  
24                           information on the geographic areas

1 in which such patrol hours took place;

2 and

3 “(ii) may include recommendations  
4 about changes to existing agency authori-  
5 ties or laws governing interagency relation-  
6 ships.

7 “(D) CLASSIFIED ANNEX.—The report  
8 submitted pursuant to subparagraph (C) may  
9 include a classified annex.

10 “(b) INTERDICTION COMMITTEE.—

11 “(1) IN GENERAL.—The Interdiction Com-  
12 mittee shall meet to—

13 “(A) discuss and resolve issues related to  
14 the coordination, oversight, and integration of  
15 international, border, and domestic drug inter-  
16 diction efforts in support of the National Drug  
17 Control Strategy;

18 “(B) review the annual National Interdic-  
19 tion Command and Control Plan, and provide  
20 advice to the Director and the United States  
21 Interdiction Coordinator concerning that plan;  
22 and

23 “(C) provide such other advice to the Di-  
24 rector concerning drug interdiction strategy and

1 policies as the committee determines is appro-  
2 priate.

3 “(2) CHAIR.—The Director shall designate one  
4 of the members of the Interdiction Committee to  
5 serve as Chair.

6 “(3) MEETINGS.—The members of the Interdic-  
7 tion Committee shall meet, in person and not  
8 through any delegate or representative, at least once  
9 per calendar year, before June 1. At the call of the  
10 Director or the Chair, the Interdiction Committee  
11 may hold additional meetings, which shall be at-  
12 tended by the members in person, or through such  
13 delegates or representatives as the members may  
14 choose.

15 “(4) REPORT.—Not later than September 30 of  
16 each year, the Chair of the Interdiction Committee  
17 shall submit to the Director and to the appropriate  
18 congressional committees a report describing the re-  
19 sults of the meetings and any significant findings of  
20 the committee during the previous 12 months. Such  
21 report may include a classified annex.

22 **“§ 1012. Treatment coordinator**

23 “(a) UNITED STATES TREATMENT COORDINATOR.—

24 “(1) IN GENERAL.—The Director shall des-  
25 ignate or appoint a noncareer appointee in the Sen-

1       ior Executive Service or a career appointee at the  
2       GS–15 level (or equivalent) or above as the United  
3       States Treatment Coordinator to perform the re-  
4       sponsibilities of that position described in paragraph  
5       (2) and such other duties as may be determined by  
6       the Director with respect to coordination of efforts  
7       to expand the availability of substance use disorder  
8       treatment with the goal of eliminating the unmet  
9       treatment need.

10           “(2) RESPONSIBILITIES.—The United States  
11       Treatment Coordinator shall be responsible to the  
12       Director for—

13                   “(A) coordinating the activities of the Na-  
14       tional Drug Control Program Agencies under-  
15       taken to expand the availability of evidence-  
16       based substance use disorder treatment to en-  
17       sure consistency with the National Drug Con-  
18       trol Strategy;

19                   “(B) on behalf of the Director, developing  
20       and issuing, on or before September 1 of each  
21       year and in accordance with paragraph (4), a  
22       National Treatment Plan to ensure the coordi-  
23       nation and consistency described in subpara-  
24       graph (A);

1           “(C) assessing the sufficiency of Federal  
2 resources directed to substance use disorder  
3 treatment by the relevant National Drug Con-  
4 trol Program Agencies;

5           “(D) encouraging the adoption by all sub-  
6 stance use disorder treatment providers of evi-  
7 dence-based standards to guide all aspects of  
8 treatment provided; and

9           “(E) advising the Director on the efforts  
10 of each National Drug Control Program Agency  
11 to implement the National Treatment Plan.

12           “(3) STAFF.—The Director shall assign such  
13 permanent staff of the Office of the United States  
14 Treatment Coordinator as the Director determines  
15 to be appropriate to assist the United States Treat-  
16 ment Coordinator to carry out the responsibilities  
17 described in paragraph (2), and may request that  
18 appropriate National Drug Control Program Agen-  
19 cies detail or assign staff to assist in carrying out  
20 such responsibilities.

21           “(4) NATIONAL TREATMENT PLAN.—

22           “(A) PURPOSES.—The National Treatment  
23 Plan—

24                   “(i) shall identify the unmet need for  
25 treatment for evidence-based substance use

1 disorders and set forth the Government’s  
2 strategy for closing the gap between avail-  
3 able and needed treatment through all  
4 sources;

5 “(ii) shall describe the specific roles  
6 and responsibilities of the relevant Na-  
7 tional Drug Control Program Agencies for  
8 implementing that strategy;

9 “(iii) shall identify the specific re-  
10 sources required to enable the relevant Na-  
11 tional Drug Control Program Agencies to  
12 implement that strategy;

13 “(iv) shall identify the resources, in-  
14 cluding private sources, required to elimi-  
15 nate the unmet need for evidence-based  
16 substance use disorder treatment; and

17 “(v) may include recommendations  
18 about changes to existing agency authori-  
19 ties or laws governing interagency relation-  
20 ships.

21 “(B) CONSULTATION WITH OTHER AGEN-  
22 CIES.—Before the submission of the National  
23 Treatment Strategy or annual supplement re-  
24 quired under section 1005(d), as applicable, the  
25 United States Treatment Coordinator shall

1 issue the National Treatment Plan, in consulta-  
2 tion with the other members of the Treatment  
3 Committee described in subsection (b).

4 “(C) REPORT TO CONGRESS.—On or be-  
5 fore September 1 of each year, the Director,  
6 through the United States Treatment Coordi-  
7 nator, shall provide to the appropriate congres-  
8 sional committees a report that includes a copy  
9 of that year’s National Treatment Plan.

10 “(b) TREATMENT COMMITTEE.—

11 “(1) IN GENERAL.—The Treatment Committee  
12 shall meet to—

13 “(A) review and discuss the adequacy of  
14 evidence-based substance use disorder treat-  
15 ment as well as the unmet need for treatment;

16 “(B) review and discuss the status of the  
17 implementation of the National Treatment  
18 Plan; and

19 “(C) provide such other advice to the Di-  
20 rector concerning substance use disorder treat-  
21 ment initiatives as the committee determines is  
22 appropriate.

23 “(2) CHAIR.—The Director shall designate one  
24 of the members of the Treatment Committee to  
25 serve as Chair.

1           “(3) MEETINGS.—The members of the Treat-  
2           ment Committee shall meet, in person and not  
3           through any delegate or representative, at least once  
4           per calendar year, before June 1. At the call of the  
5           Director or the Chair, the Treatment Committee  
6           may hold additional meetings, which shall be at-  
7           tended by the members in person, or through such  
8           delegates or representatives as the members may  
9           choose.

10           “(4) REPORT.—Not later than September 30 of  
11           each year, the Chair of the Treatment Committee  
12           shall submit to the Director and to the appropriate  
13           congressional committees a report describing the re-  
14           sults of the meetings and any significant findings of  
15           the committee during the previous 12 months. Such  
16           report may include a classified annex.

17   **“§ 1013. Critical information coordination**

18           “(a) NATIONAL DRUG CONTROL FUSION CENTER.—

19           “(1) ESTABLISHMENT.—The Director shall, in  
20           consultation with the head of each National Drug  
21           Control Program Agency, designate an agency to es-  
22           tablish a National Drug Control Fusion Center (re-  
23           ferred to in this section as the ‘Center’). The Center  
24           shall operate under the authority of the Director and  
25           shall work with the National Drug Control Program



1 Agencies to collect, compile, analyze, and facilitate  
2 the sharing of data on the use of illicit drugs, treat-  
3 ment for substance use disorder, and interdiction of  
4 illicit drugs. The Center shall be considered a ‘statistical  
5 agency or unit’, as that term is defined in section  
6 502 of the Confidential Information Protection  
7 and Statistical Efficiency Act of 2002 (44 U.S.C.  
8 3501 note) and shall have the necessary independence  
9 to ensure any data or information acquired by  
10 an agency under a pledge of confidentiality and for  
11 exclusively statistical purposes is used exclusively for  
12 statistical purposes.

13 “(2) CENTER DIRECTOR.—There shall be at the  
14 head of the Center a Center Director who shall be  
15 appointed by the Director from among individuals  
16 qualified and distinguished in data governance and  
17 statistical analysis.

18 “(3) DATA COMPILATION.—The Director, acting  
19 through the Center Director, shall do the following:  
20

21 “(A) Coordinate data collection activities  
22 among the National Drug Control Program  
23 Agencies.

24 “(B) Collect information not otherwise collected  
25 by National Drug Control Program

1 Agencies as necessary to inform the National  
2 Drug Control Strategy.

3 “(C) Compile and analyze any data re-  
4 quired to be collected under this chapter.

5 “(D) Disseminate technology, as appro-  
6 priate, to States and local jurisdictions to en-  
7 able or improve the collection of data on drug  
8 use, including the recordation of the occurrence  
9 of fatal and non-fatal drug overdoses.

10 “(E) Compile information collected by Na-  
11 tional Drug Control Program Agencies on  
12 grants issued through any National Drug Con-  
13 trol Program, including for any grant the fol-  
14 lowing:

15 “(i) The recipient.

16 “(ii) The amount.

17 “(iii) The intended purpose.

18 “(iv) Any evidence of the efficacy of  
19 the outcomes achieved by the program  
20 funded through the grant.

21 “(v) Any assessments of how the  
22 grant met its intended purpose.

23 “(4) TOXICOLOGY SCREENING.—

1           “(A) ESTABLISHMENT.—The Center Di-  
2           rector may establish a toxicology screening pro-  
3           gram that engages in—

4                   “(i) secondary analysis of urine sam-  
5                   ples that would otherwise be discarded  
6                   by—

7                           “(I) hospitals and substance use  
8                           disorder treatment programs;

9                           “(II) correctional facilities, book-  
10                          ing sites, probation programs, drug  
11                          courts, and related facilities; and

12                          “(III) coroners and medical ex-  
13                          aminers; and

14                          “(ii) analysis of other physical sam-  
15                          ples, as determined by the Center Director  
16                          to be valuable for understanding the preva-  
17                          lence of any illicit drug.

18           “(B) DE-IDENTIFICATION OF INFORMA-  
19           TION.—The Center Director shall ensure that  
20           no samples have any personally identifiable in-  
21           formation prior to collection.

22           “(C) LIMITATION ON USE.—No data ob-  
23           tained from analysis conducted under this para-  
24           graph may be used as evidence in any pro-  
25           ceeding.

1           “(D) STATE PROGRAM.—The Center Di-  
2           rector may establish a program that enables  
3           States and local jurisdictions to submit up to  
4           20 urine samples per year for toxicology anal-  
5           ysis for the purposes of identifying substances  
6           present in individuals who have suffered fatal  
7           drug overdoses.

8           “(5) AUTHORITY TO CONTRACT.—The Director  
9           may award contracts, enter into interagency agree-  
10          ments, manage individual projects, and conduct  
11          other operational activities under this subsection.

12          “(b) CRITICAL DRUG CONTROL INFORMATION AND  
13 EVIDENCE PLAN.—

14           “(1) IN GENERAL.—Not later than the first  
15          Monday in February of each year, the Director shall  
16          submit to Congress a systematic plan for increasing  
17          data collection to enable real-time surveillance of  
18          drug control threats, developing analysis and moni-  
19          toring capabilities, and identifying and addressing  
20          policy questions relevant to the National Drug Con-  
21          trol Policy, Strategy, and Program. Such plan shall  
22          be made available on the public online portal of the  
23          Office, shall cover at least a 4-year period beginning  
24          with the first fiscal year following the fiscal year in

1       which the plan is submitted and published, and con-  
2       tain the following:

3               “(A) A list of policy-relevant questions for  
4               which the Director and each National Drug  
5               Control Program Agency intends to develop evi-  
6               dence to support the National Drug Control  
7               Program and Strategy.

8               “(B) A list of data the Director and each  
9               National Drug Control Program Agency intends  
10              to collect, use, or acquire to facilitate the use of  
11              evidence in drug control policymaking and mon-  
12              itoring.

13              “(C) A list of methods and analytical ap-  
14              proaches that may be used to develop evidence  
15              to support the National Drug Control Program  
16              and Strategy and related policy.

17              “(D) A list of any challenges to developing  
18              evidence to support policymaking, including any  
19              barriers to accessing, collecting, or using rel-  
20              evant data.

21              “(E) A description of the steps the Direc-  
22              tor and the head of each National Drug Control  
23              Program Agency will take to effectuate the  
24              plan.

1           “(F) Any other relevant information as de-  
2           termined by the Director.

3           “(2) CONSULTATION.—In developing the plan  
4           required under paragraph (1), the Director shall  
5           consult with the following:

6           “(A) The public.

7           “(B) Any evaluation or analysis units and  
8           personnel of the Office.

9           “(C) Office officials responsible for imple-  
10          menting privacy policy.

11          “(D) Office officials responsible for data  
12          governance.

13          “(E) The appropriate congressional com-  
14          mittees.

15          “(F) Any other individual or entity as de-  
16          termined by the Director.

17          “(c) EVIDENCE-BASED POLICY.—

18               “(1) HARM REDUCTION PROGRAMS.—When de-  
19               veloping the national drug control policy, any policy  
20               of the Director, including policies relating to syringe  
21               exchange programs for intravenous drug users, shall  
22               be based on the best available medical and scientific  
23               evidence regarding the effectiveness of such policy in  
24               promoting individual health, preventing the spread  
25               of infectious disease and the impact of such policy

1 on drug addiction and use. In making any policy re-  
2 lating to harm reduction programs, the Director  
3 shall consult with the National Institutes of Health  
4 and the National Academy of Sciences.

5 “(2) FUND RESTRICTION FOR THE LEGALIZA-  
6 TION OF CONTROLLED SUBSTANCES.—The Director  
7 shall ensure that no Federal funds appropriated to  
8 the Office shall be expended for any study or con-  
9 tract relating to the legalization (for a medical use  
10 or any other use) for which a listing in schedule I  
11 is in effect under section 202 of the Controlled Sub-  
12 stances Act (21 U.S.C. 812).

13 “(d) DRUG CONTROL DATA DASHBOARD.—

14 “(1) ESTABLISHMENT.—The Director, in con-  
15 sultation with the Center Director, shall establish  
16 and maintain a data dashboard on the online portal  
17 of the Office to be known as the ‘Drug Control Data  
18 Dashboard’. The Director shall ensure the user  
19 interface of the dashboard is constructed with mod-  
20 ern design standards. To the extent practicable, the  
21 data made available on the dashboard shall be pub-  
22 licly available in a machine-readable format and  
23 searchable by year, agency, drug, and location.

24 “(2) DATA.—The data included in the Drug  
25 Control Data Dashboard shall be updated quarterly

1 to the extent practicable, but not less frequently  
2 than annually and shall include, at a minimum, the  
3 following:

4 “(A) For each substance identified under  
5 section 1005(e)(1)(A)(i)—

6 “(i) the total amount seized and dis-  
7 rupted in the calendar year and each of  
8 the previous 3 calendar years, including to  
9 the extent practicable the amount seized by  
10 State, local, and Tribal governments;

11 “(ii) the known and estimated flows  
12 into the United States from all sources in  
13 the calendar year and each of the previous  
14 3 calendar years;

15 “(iii) the total amount of known flows  
16 that could not be interdicted or disrupted  
17 in the calendar year and each of the pre-  
18 vious 3 calendar years;

19 “(iv) the known and estimated levels  
20 of domestic production in the calendar year  
21 and each of the previous 3 calendar years,  
22 including the levels of domestic production  
23 if the drug is a prescription drug, as deter-  
24 mined under the Federal Food, Drug, and  
25 Cosmetic Act, for which a listing is in ef-



1           fect under section 202 of the Controlled  
2           Substances Act (21 U.S.C. 812);

3           “(v) the average street price for the  
4           calendar year and the highest known street  
5           price during the preceding 10-year period;  
6           and

7           “(vi) to the extent practicable, related  
8           prosecutions by State, local, and Tribal  
9           governments.

10          “(B) For the calendar year and each of the  
11          previous 3 years data sufficient to show,  
12          disaggregated by State and, to the extent fea-  
13          sible, by region within a State, county, or city,  
14          the following:

15          “(i) The number of fatal and non-  
16          fatal overdoses caused by each drug identi-  
17          fied under subparagraph (A)(i).

18          “(ii) The prevalence of substance use  
19          disorders.

20          “(iii) The number of individuals who  
21          have received substance use disorder treat-  
22          ment, including medication assisted treat-  
23          ment, for a substance use disorder, includ-  
24          ing treatment provided through publicly-fi-  
25          nanced health care programs.

1                   “(iv) The extent of the unmet need  
2                   for substance use disorder treatment, in-  
3                   cluding the unmet need for medication-as-  
4                   sisted treatment.

5                   “(C) Data sufficient to show the extent of  
6                   prescription drug diversion, trafficking, and  
7                   misuse in the calendar year and each of the  
8                   previous 3 calendar years.

9                   “(D) Any quantifiable measures the Direc-  
10                  tor determines to be appropriate to detail  
11                  progress toward the achievement of the goals of  
12                  the National Drug Control Strategy.

13                 “(e) ACCESS TO INFORMATION.—

14                 “(1) IN GENERAL.—Upon the request of the  
15                 Director, the head of any National Drug Control  
16                 Program Agency shall cooperate with and provide to  
17                 the Director any statistics, studies, reports, and  
18                 other information prepared or collected by the agen-  
19                 cy concerning the responsibilities of the agency  
20                 under the National Drug Control Strategy that re-  
21                 late to—

22                         “(A) drug control; or

23                         “(B) the manner in which amounts made  
24                         available to that agency for drug control are  
25                         being used by that agency.

1           “(2) PROTECTION OF INTELLIGENCE INFORMA-  
2           TION.—

3                   “(A) IN GENERAL.—The authorities con-  
4                   ferred on the Office and the Director by this  
5                   chapter shall be exercised in a manner con-  
6                   sistent with provisions of the National Security  
7                   Act of 1947 (50 U.S.C. 401 et seq.). The Di-  
8                   rector of National Intelligence shall prescribe  
9                   such regulations as may be necessary to protect  
10                  information provided pursuant to this chapter  
11                  regarding intelligence sources and methods.

12                  “(B) DUTIES OF DIRECTOR.—The Director  
13                  of National Intelligence and the Director of the  
14                  Central Intelligence Agency shall, to the max-  
15                  imum extent practicable in accordance with  
16                  subparagraph (A), render full assistance and  
17                  support to the Office and the Director.

18                  “(3) REQUIRED REPORTS FROM NATIONAL  
19                  DRUG CONTROL PROGRAM AGENCIES.—The head of  
20                  each National Drug Control Program Agency shall  
21                  submit to the Director such information and reports  
22                  as requested from such National Drug Control Pro-  
23                  gram Agency by the Director, which shall include  
24                  from the appropriate National Drug Control Pro-  
25                  gram Agencies:

1           “(A) Not later than July 1 of each year,  
2           the head of a National Drug Control Program  
3           Agency designated by the Director shall submit  
4           to the Director and the appropriate congress-  
5           sional committees an assessment of the quantity  
6           of illegal drug cultivation and manufacturing in  
7           the United States on lands owned or under the  
8           jurisdiction of their respective agencies that was  
9           seized or eradicated by their personnel during  
10          the preceding calendar year.

11          “(B) Not later than July 1 of each year,  
12          the head of a designated National Drug Control  
13          Program Agency shall submit to the Director  
14          and the appropriate congressional committees  
15          information for the preceding year regarding—

16                 “(i) the number and type of seizures  
17                 of drugs by each component of the agency  
18                 seizing drugs, as well as statistical infor-  
19                 mation on the geographic areas of such  
20                 seizures; and

21                 “(ii) the number of air and maritime  
22                 patrol hours primarily dedicated to drug  
23                 supply reduction missions undertaken by  
24                 each component of the agency.

1           “(C) Not later than July 1 of each year,  
2           the head of a designated National Drug Control  
3           Program Agency shall submit to the Director  
4           and the appropriate congressional committees  
5           information for the preceding year regarding  
6           the number of air and maritime patrol hours  
7           primarily dedicated to drug supply reduction  
8           missions undertaken by each component of the  
9           agency.

10           “(D) Not later than July 1 of each year,  
11           the head of a designated National Drug Control  
12           Program Agency shall submit to the Director  
13           and the appropriate congressional committees  
14           information for the preceding year regarding  
15           the number and type of—

16                   “(i) arrests for drug violations;

17                   “(ii) prosecutions by United States  
18                   Attorneys for drug violations; and

19                   “(iii) seizures of drugs by each com-  
20                   ponent of the Department of Justice seiz-  
21                   ing drugs, as well as statistical information  
22                   on the geographic areas of such seizures.

23           “(f) DATA EXCHANGE STANDARDS FOR IMPROVED  
24           INTEROPERABILITY.—

1           “(1) INTERAGENCY AND INTERGOVERNMENTAL  
2           DESIGNATION AND USE OF DATA EXCHANGE STAND-  
3           ARDS WORKING GROUP.—The Director shall estab-  
4           lish a working group of National Drug Control Pro-  
5           gram Agencies, State, local and Tribal government  
6           health and law enforcement agencies, and data gov-  
7           ernance experts to develop consensus data exchange  
8           standards for necessary categories of information  
9           that allow effective electronic exchange of informa-  
10          tion between States, between State agencies, be-  
11          tween States and National Drug Control Program  
12          Agencies, and any other drug control relevant data  
13          exchange.

14           “(2) DATA EXCHANGE STANDARDS MUST BE  
15          NONPROPRIETARY AND INTEROPERABLE.—The data  
16          exchange standards developed under paragraph (1)  
17          shall, to the extent practicable, be nonproprietary  
18          and interoperable.

19           “(3) OTHER REQUIREMENTS.—In developing  
20          data exchange standards under this subsection, the  
21          working group shall, to the extent practicable, incor-  
22          porate—

23                   “(A) interoperable standards developed  
24                   and maintained by an international voluntary

1 consensus standards body, as defined by the Of-  
2 fice of Management and Budget;

3 “(B) interoperable standards developed  
4 and maintained by intergovernmental partner-  
5 ships; and

6 “(C) interoperable standards developed  
7 and maintained by Federal entities with author-  
8 ity over contracting and financial assistance.

9 “(4) DATA EXCHANGE STANDARDS FOR FED-  
10 ERAL REPORTING.—

11 “(A) DESIGNATION.—The Director may, in  
12 consultation with the working group established  
13 under this subsection, National Drug Control  
14 Program Agencies, and State, local, and Tribal  
15 governments, designate data exchange stand-  
16 ards to govern Federal reporting and exchange  
17 requirements for National Drug Control Pro-  
18 grams, as appropriate.

19 “(B) REQUIREMENTS.—The data exchange  
20 reporting standards designated under subpara-  
21 graph (A) shall, to the extent practicable—

22 “(i) incorporate a widely accepted,  
23 nonproprietary, searchable, machine-read-  
24 able format;

1                   “(ii) be consistent with and implement  
2                   applicable accounting principles;

3                   “(iii) be implemented in a manner  
4                   that is cost-effective and improves program  
5                   efficiency and effectiveness; and

6                   “(iv) be capable of being continually  
7                   upgraded as necessary.

8                   “(C) INCORPORATION OF NONPROPRI-  
9                   ETARY STANDARDS.—In designating data ex-  
10                  change standards under this paragraph, the Di-  
11                  rector shall, to the extent practicable, incor-  
12                  porate existing nonproprietary standards.

13                  “(D) RULE OF CONSTRUCTION.—Nothing  
14                  in this paragraph shall be construed to require  
15                  a change to existing data exchange standards  
16                  for Federal reporting about a program referred  
17                  to in this section, if the head of the agency re-  
18                  sponsible for administering the program finds  
19                  the standards to be effective and efficient.

20                  “(5) TERMINATION.—The working group estab-  
21                  lished under paragraph (1) shall terminate not ear-  
22                  lier than 60 days after the public notification of ter-  
23                  mination by the Director.

24                  “(g) ANNUAL DATA COLLECTION AND DISSEMINA-  
25                  TION REQUIREMENTS.—



1           “(1) IN GENERAL.—The Director shall collect  
2           and disseminate, as appropriate, such information as  
3           the Director determines is appropriate, but not less  
4           than the information described in this subsection. To  
5           the extent practicable, the data shall be publicly  
6           available in a machine-readable format on the Drug  
7           Control Data Dashboard, be searchable by year,  
8           agency, drug, and location, and cover not less than  
9           the previous 10-year period.

10           “(2) PREPARATION AND DISSEMINATION OF IN-  
11           FORMATION.—The Director shall prepare and dis-  
12           seminate the following:

13           “(A) An assessment of current illicit drug  
14           use (including inhalants and steroids) and avail-  
15           ability, impact of illicit drug use, and treatment  
16           availability, which assessment shall include—

17           “(i) estimates of drug prevalence and  
18           frequency of use as measured by national,  
19           State, and local surveys of illicit drug use  
20           and by other special studies of non-  
21           dependent and dependent illicit drug use;

22           “(ii) illicit drug use in the workplace  
23           and the productivity lost by such use; and

24           “(iii) illicit drug use by arrestees, pro-  
25           bationers, and parolees.

1           “(B) An assessment of the reduction of il-  
2           licit drug availability, for each drug identified  
3           under section 1005(c)(1)(A)(i), as measured  
4           by—

5                   “(i) the quantities of such drug avail-  
6                   able for consumption in the United States;

7                   “(ii) the amount of such drug enter-  
8                   ing the United States;

9                   “(iii) the number of illicit drug manu-  
10                  facturing laboratories seized and destroyed  
11                  of each such drug and the number of hec-  
12                  tares cultivated and destroyed domestically  
13                  and in other countries of such drug;

14                  “(iv) the number of metric tons of  
15                  such drug seized; and

16                  “(v) changes in the price and purity  
17                  of such drug.

18           “(C) An assessment of the reduction of the  
19           consequences of illicit drug use and availability,  
20           which shall include—

21                   “(i) the cost of treating substance use  
22                   disorder in the United States, such as the  
23                   quantity of illicit drug-related services pro-  
24                   vided;

1                   “(ii) the annual national health care  
2                   cost of illicit drug use; and

3                   “(iii) the extent of illicit drug-related  
4                   crime and criminal activity.

5                   “(D) A determination of the status of sub-  
6                   stance use disorder treatment in the United  
7                   States, by assessing—

8                   “(i) public and private treatment utili-  
9                   zation; and

10                   “(ii) the number of illicit drug users  
11                   the Director estimates meet diagnostic cri-  
12                   teria for treatment.

13   **“§ 1014. Authorization of appropriations**

14                   “There are authorized to be appropriated to carry out  
15   this chapter, except as otherwise specified, to remain avail-  
16   able until expended, \$18.4 million for each of fiscal years  
17   2019 through 2023.

18   **“SUBCHAPTER II—DRUG-FREE COMMUNITIES**

19                   **SUPPORT PROGRAM**

20   **“§ 1021. Establishment of drug-free communities sup-  
21                   port program**

22                   “(a) ESTABLISHMENT.—The Director shall establish  
23   a program to support communities in the development and  
24   implementation of comprehensive, long-term plans and

1 programs to prevent and treat substance use and misuse  
2 among youth.

3 “(b) PROGRAM.—In carrying out the Program, the  
4 Director shall—

5 “(1) make and track grants to grant recipients;

6 “(2) provide for technical assistance and train-  
7 ing, data collection, and dissemination of informa-  
8 tion on state-of-the-art practices that the Director  
9 determines to be effective in reducing substance use;  
10 and

11 “(3) provide for the general administration of  
12 the Program.

13 “(c) ADMINISTRATION.—The Director shall appoint  
14 an Administrator to carry out the Program.

15 “(d) CONTRACTING.—The Director may employ any  
16 necessary staff and may enter into contracts or agree-  
17 ments with National Drug Control Program Agencies, in-  
18 cluding interagency agreements, to delegate authority for  
19 the execution of grants and for such other activities nec-  
20 essary to carry out this chapter.

21 **“§ 1022. Program authorization**

22 “(a) GRANT ELIGIBILITY.—To be eligible to receive  
23 an initial grant or a renewal grant under this subchapter,  
24 a coalition shall meet each of the following criteria:

1           “(1) APPLICATION.—The coalition shall submit  
2           an application to the Administrator in accordance  
3           with section 1023(a)(2).

4           “(2) MAJOR SECTOR INVOLVEMENT.—

5           “(A) IN GENERAL.—The coalition shall  
6           consist of one or more representatives of each  
7           of the following categories:

8                   “(i) Youth.

9                   “(ii) Parents.

10                  “(iii) Businesses.

11                  “(iv) The media.

12                  “(v) Schools.

13                  “(vi) Organizations serving youth.

14                  “(vii) Law enforcement.

15                  “(viii) Religious or fraternal organiza-  
16                  tions.

17                  “(ix) Civic and volunteer groups.

18                  “(x) Health care professionals.

19                  “(xi) State, local, or Tribal govern-  
20                  mental agencies with expertise in the field  
21                  of substance use prevention or substance  
22                  use disorders (including, if applicable, the  
23                  State authority with primary authority for  
24                  substance use and misuse).

1           “(xii) Other organizations involved in  
2           reducing the prevalence of substance use  
3           and misuse or substance use disorders.

4           “(B) ELECTED OFFICIALS.—If feasible, in  
5           addition to representatives from the categories  
6           listed in subparagraph (A), the coalition shall  
7           have an elected official (or a representative of  
8           an elected official) from—

9                   “(i) the Federal Government; and

10                   “(ii) the government of the appro-  
11                   priate State and political subdivision there-  
12                   of or the governing body or an Indian tribe  
13                   (as that term is defined in section 4(e) of  
14                   the Indian Self-Determination Act (25  
15                   U.S.C. 5304)).

16           “(C) REPRESENTATION.—An individual  
17           who is a member of the coalition may serve on  
18           the coalition as a representative of not more  
19           than one category listed under subparagraph  
20           (A).

21           “(3) COMMITMENT.—The coalition shall dem-  
22           onstrate, to the satisfaction of the Administrator—

23                   “(A) that the representatives of the coali-  
24                   tion have worked together on substance use and  
25                   misuse reduction initiatives, which, at a min-

1           imum, includes initiatives that target drugs de-  
2           scribed in section 1027(6)(A), for a period of  
3           not less than 6 months, acting through entities  
4           such as task forces, subcommittees, or commu-  
5           nity boards; and

6           “(B) substantial participation from volun-  
7           teer leaders in the community involved (espe-  
8           cially in cooperation with individuals involved  
9           with youth such as parents, teachers, coaches,  
10          youth workers, and members of the clergy).

11          “(4) MISSION AND STRATEGIES.—The coalition  
12          shall, with respect to the community involved—

13               “(A) have as its principal mission the re-  
14               duction of illegal drug use, which, at a min-  
15               imum, includes the use of illegal drugs de-  
16               scribed in section 1027(6)(A), in a comprehen-  
17               sive and long-term manner, with a primary  
18               focus on youth in the community;

19               “(B) describe and document the nature  
20               and extent of the substance use and misuse  
21               problem, which, at a minimum, includes the use  
22               and misuse of drugs described in section  
23               1027(6)(A), in the community;

24               “(C)(i) provide a description of substance  
25               use and misuse prevention and treatment pro-

1           grams and activities, which, at a minimum, in-  
2           cludes programs and activities relating to the  
3           use and misuse of drugs described in section  
4           1027(6)(A), in existence at the time of the  
5           grant application; and

6           “(ii) identify substance use and misuse  
7           programs and service gaps, which, at a min-  
8           imum, includes programs and gaps relating to  
9           the use and misuse of drugs described in sec-  
10          tion 1027(6)(A), in the community;

11          “(D) develop a strategic plan to reduce  
12          substance use and misuse among youth, which,  
13          at a minimum, includes the use and misuse of  
14          drugs described in section 1027(6)(A), in a  
15          comprehensive and long-term fashion; and

16          “(E) work to develop a consensus regard-  
17          ing the priorities of the community to combat  
18          substance use and misuse among youth, which,  
19          at a minimum, includes the use and misuse of  
20          drugs described in section 1027(6)(A).

21          “(5) SUSTAINABILITY.—The coalition shall  
22          demonstrate that the coalition is an ongoing concern  
23          by demonstrating that the coalition—

24                  “(A) is—

25                          “(i)(I) a nonprofit organization; or



1                   “(II) an entity that the Administrator  
2                   determines to be appropriate; or

3                   “(ii) part of, or is associated with, an  
4                   established legal entity;

5                   “(B) receives financial support (including,  
6                   in the discretion of the Administrator, in-kind  
7                   contributions) from non-Federal sources; and

8                   “(C) has a strategy to solicit substantial fi-  
9                   nancial support from non-Federal sources to en-  
10                  sure that the coalition and the programs oper-  
11                  ated by the coalition are self-sustaining.

12                  “(6) ACCOUNTABILITY.—The coalition shall—

13                  “(A) establish a system to measure and re-  
14                  port outcomes—

15                  “(i) consistent with common indica-  
16                  tors and evaluation protocols established  
17                  by the Administrator; and

18                  “(ii) approved by the Administrator;

19                  “(B) conduct—

20                  “(i) for an initial grant under this  
21                  subchapter, an initial benchmark survey of  
22                  drug use among youth (or use local sur-  
23                  veys or performance measures available or  
24                  accessible in the community at the time of  
25                  the grant application); and

1           “(ii) biennial surveys (or incorporate  
2           local surveys in existence at the time of the  
3           evaluation) to measure the progress and  
4           effectiveness of the coalition; and

5           “(C) provide assurances that the entity  
6           conducting an evaluation under this paragraph,  
7           or from which the coalition receives informa-  
8           tion, has experience—

9                   “(i) in gathering data related to sub-  
10                   stance use and misuse among youth; or

11                   “(ii) in evaluating the effectiveness of  
12                   community anti-drug coalitions.

13           “(7) ADDITIONAL CRITERIA.—The Director  
14           shall not impose any eligibility criteria on new appli-  
15           cants or renewal grantees not provided in this chap-  
16           ter.

17           “(b) GRANT AMOUNTS.—

18                   “(1) IN GENERAL.—

19                           “(A) GRANTS.—

20                                   “(i) IN GENERAL.—Subject to clause  
21                                   (iv), for a fiscal year, the Administrator  
22                                   may grant to an eligible coalition under  
23                                   this paragraph, an amount not to exceed  
24                                   the amount of non-Federal funds raised by

1 the coalition, including in-kind contribu-  
2 tions, for that fiscal year.

3 “(ii) SUSPENSION OF GRANTS.—If  
4 such grant recipient fails to continue to  
5 meet the criteria specified in subsection  
6 (a), the Administrator may suspend the  
7 grant, after providing written notice to the  
8 grant recipient and an opportunity to ap-  
9 peal.

10 “(iii) RENEWAL GRANTS.—Subject to  
11 clause (iv), the Administrator may award a  
12 renewal grant to a grant recipient under  
13 this subparagraph for each fiscal year fol-  
14 lowing the fiscal year for which an initial  
15 grant is awarded, in an amount not to ex-  
16 ceed the amount of non-Federal funds  
17 raised by the coalition, including in-kind  
18 contributions, for that fiscal year, during  
19 the 4-year period following the period of  
20 the initial grant.

21 “(iv) LIMITATION.—The amount of a  
22 grant award under this subparagraph may  
23 not exceed \$125,000 for a fiscal year.

24 “(B) COALITION AWARDS.—

1           “(i) IN GENERAL.—Except as pro-  
2           vided in clause (ii), the Administrator may,  
3           with respect to a community, make a grant  
4           to one eligible coalition that represents  
5           that community.

6           “(ii) EXCEPTION.—The Administrator  
7           may make a grant to more than one eligi-  
8           ble coalition that represents a community  
9           if—

10                   “(I) the eligible coalitions dem-  
11                   onstrate that the coalitions are col-  
12                   laborating with one another; and

13                   “(II) each of the coalitions has  
14                   independently met the requirements  
15                   set forth in subsection (a).

16           “(2) RURAL COALITION GRANTS.—

17                   “(A) IN GENERAL.—

18                   “(i) IN GENERAL.—In addition to  
19                   awarding grants under paragraph (1), to  
20                   stimulate the development of coalitions in  
21                   sparsely populated and rural areas, the  
22                   Administrator may award a grant in ac-  
23                   cordance with this section to a coalition  
24                   that represents a county with a population  
25                   that does not exceed 30,000 individuals. In

1           awarding a grant under this paragraph,  
2           the Administrator may waive any require-  
3           ment under subsection (a) if the Adminis-  
4           trator considers that waiver to be appro-  
5           priate.

6           “(ii) MATCHING REQUIREMENT.—  
7           Subject to subparagraph (C), for a fiscal  
8           year, the Administrator may grant to an  
9           eligible coalition under this paragraph, an  
10          amount not to exceed the amount of non-  
11          Federal funds raised by the coalition, in-  
12          cluding in-kind contributions, for that fis-  
13          cal year.

14          “(iii) SUSPENSION OF GRANTS.—If  
15          such grant recipient fails to continue to  
16          meet any criteria specified in subsection  
17          (a) that has not been waived by the Ad-  
18          ministrator pursuant to clause (i), the Ad-  
19          ministrator may suspend the grant, after  
20          providing written notice to the grant re-  
21          cipient and an opportunity to appeal.

22          “(B) RENEWAL GRANTS.—The Adminis-  
23          trator may award a renewal grant to an eligible  
24          coalition that is a grant recipient under this  
25          paragraph for each fiscal year following the fis-

1 cal year for which an initial grant is awarded,  
2 in an amount not to exceed the amount of non-  
3 Federal funds raised by the coalition, including  
4 in-kind contributions, during the 4-year period  
5 following the period of the initial grant.

6 “(C) LIMITATIONS.—

7 “(i) AMOUNT.—The amount of a  
8 grant award under this paragraph shall  
9 not exceed \$125,000 for a fiscal year.

10 “(ii) AWARDS.—With respect to a  
11 county referred to in subparagraph (A),  
12 the Administrator may award a grant  
13 under this section to not more than one el-  
14 igible coalition that represents the county.

15 “(3) ADDITIONAL GRANTS.—

16 “(A) IN GENERAL.—Subject to subpara-  
17 graph (F), the Administrator may award an ad-  
18 ditional grant under this paragraph to an eligi-  
19 ble coalition awarded a grant under paragraph  
20 (1) or (2) for any first fiscal year after the end  
21 of the 4-year period following the period of the  
22 initial grant under paragraph (1) or (2), as the  
23 case may be.

24 “(B) SCOPE OF GRANTS.—A coalition  
25 awarded a grant under paragraph (1) or (2),

1 including a renewal grant under such para-  
2 graph, may not be awarded another grant  
3 under such paragraph, and is eligible for an ad-  
4 ditional grant under this section only under this  
5 paragraph.

6 “(C) NO PRIORITY FOR APPLICATIONS.—

7 The Administrator may not afford a higher pri-  
8 ority in the award of an additional grant under  
9 this paragraph than the Administrator would  
10 afford the applicant for the grant if the appli-  
11 cant were submitting an application for an ini-  
12 tial grant under paragraph (1) or (2) rather  
13 than an application for a grant under this para-  
14 graph.

15 “(D) RENEWAL GRANTS.—Subject to sub-

16 paragraph (F), the Administrator may award a  
17 renewal grant to a grant recipient under this  
18 paragraph for each of the fiscal years of the 4-  
19 fiscal-year period following the fiscal year for  
20 which the initial additional grant under sub-  
21 paragraph (A) is awarded in an amount not to  
22 exceed amounts as follows:

23 “(i) For the first and second fiscal  
24 years of that 4-fiscal-year period, the  
25 amount of the non-Federal funds, includ-

1           ing in-kind contributions, raised by the co-  
2           alition for the applicable fiscal year is not  
3           less than 125 percent of the amount  
4           awarded.

5           “(ii) For the third and fourth fiscal  
6           years of that 4-fiscal-year period, the  
7           amount of the non-Federal funds, includ-  
8           ing in-kind contributions, raised by the co-  
9           alition for the applicable fiscal year is not  
10          less than 150 percent of the amount  
11          awarded.

12          “(E) SUSPENSION.—If a grant recipient  
13          under this paragraph fails to continue to meet  
14          the criteria specified in subsection (a), the Ad-  
15          ministrators may suspend the grant, after pro-  
16          viding written notice to the grant recipient and  
17          an opportunity to appeal.

18          “(F) LIMITATION.—The amount of a grant  
19          award under this paragraph may not exceed  
20          \$125,000 for a fiscal year.

21          “(4) PROCESS FOR SUSPENSION.—A grantee  
22          shall not be suspended or terminated under para-  
23          graph (1)(A)(ii), (2)(A)(iii), or (3)(E) unless that  
24          grantee is afforded a fair, timely, and independent  
25          appeal prior to such suspension or termination.



1       “(c) TREATMENT OF FUNDS FOR COALITIONS REP-  
2 RESENTING CERTAIN ORGANIZATIONS.—Funds appro-  
3 priated for the substance use and misuse activities of a  
4 coalition that includes a representative of the Bureau of  
5 Indian Affairs, the Indian Health Service, or a Tribal gov-  
6 ernment agency with expertise in the field of substance  
7 use prevention may be counted as non-Federal funds  
8 raised by the coalition for purposes of this section.

9       “(d) PRIORITY IN AWARDING GRANTS.—In awarding  
10 grants under subsection (b)(1)(A)(i), priority shall be  
11 given to a coalition serving economically disadvantaged  
12 areas.

13 **“§ 1023. Information collection and dissemination**  
14 **with respect to grant recipients**

15       “(a) COALITION INFORMATION.—

16               “(1) GENERAL AUDITING AUTHORITY.—For the  
17 purpose of audit and examination, the Adminis-  
18 trator—

19                       “(A) shall have access to any books, docu-  
20 ments, papers, and records that are pertinent to  
21 any grant or grant renewal request under this  
22 subchapter; and

23                       “(B) may periodically request information  
24 from a grant recipient to ensure that the grant

1 recipient meets the applicable criteria under  
2 section 1022(a).

3 “(2) APPLICATION PROCESS.—The Adminis-  
4 trator shall issue a request for proposal regarding,  
5 with respect to the grants awarded under section  
6 1022, the application process, grant renewal, and  
7 suspension or withholding of renewal grants. Each  
8 application under this paragraph shall be in writing  
9 and shall be subject to review by the Administrator.

10 “(3) REPORTING.—The Administrator shall, to  
11 the maximum extent practicable and in a manner  
12 consistent with applicable law, minimize reporting  
13 requirements by a grant recipient and expedite any  
14 application for a renewal grant made under this sub-  
15 chapter.

16 “(b) DATA COLLECTION AND DISSEMINATION.—

17 “(1) IN GENERAL.—The Administrator may  
18 collect data from—

19 “(A) national substance use and misuse or-  
20 ganizations that work with eligible coalitions,  
21 community anti-drug coalitions, departments or  
22 agencies of the Federal Government, or State  
23 or local governments and the governing bodies  
24 of Indian Tribes; and

1           “(B) any other entity or organization that  
2 carries out activities that relate to the purposes  
3 of the Program.

4           “(2) ACTIVITIES OF ADMINISTRATOR.—The Ad-  
5 ministrator may—

6           “(A) evaluate the utility of specific initia-  
7 tives relating to the purposes of the Program;

8           “(B) conduct an evaluation of the Pro-  
9 gram; and

10           “(C) disseminate information described in  
11 this subsection to—

12           “(i) eligible coalitions and other sub-  
13 stance use prevention organizations; and

14           “(ii) the general public.

15           “(3) CONSULTATION.—The Administrator shall  
16 carry out activities under this subsection in consulta-  
17 tion with the National Community Antidrug Coali-  
18 tion Institute.

19           “(4) LIMITATION ON USE OF CERTAIN FUNDS  
20 FOR EVALUATION OF PROGRAM.—Amounts for ac-  
21 tivities under paragraph (2)(B) may not be derived  
22 from amounts under section 1028(a) except for  
23 amounts that are available under section 1028(b) for  
24 administrative costs.

1 **“§ 1024. Technical assistance and training**

2 “(a) IN GENERAL.—

3 “(1) TECHNICAL ASSISTANCE AND AGREE-  
4 MENTS.—With respect to any grant recipient or  
5 other organization, the Administrator may—

6 “(A) offer technical assistance and train-  
7 ing; and

8 “(B) enter into contracts and cooperative  
9 agreements.

10 “(2) COORDINATION OF PROGRAMS.—The Ad-  
11 ministrator may facilitate the coordination of pro-  
12 grams between a grant recipient and other organiza-  
13 tions and entities.

14 “(b) TRAINING.—The Administrator may provide  
15 training to any representative designated by a grant re-  
16 cipient in—

17 “(1) coalition building;

18 “(2) task force development;

19 “(3) mediation and facilitation, direct service,  
20 assessment and evaluation; or

21 “(4) any other activity related to the purposes  
22 of the Program.

23 **“§ 1025. Supplemental grants for coalition mentoring**  
24 **activities**

25 “(a) AUTHORITY TO MAKE GRANTS.—As part of the  
26 Program, the Director may award an initial grant under

1 this subsection, and renewal grants under subsection (f),  
2 to any coalition awarded a grant under section 1022 that  
3 meets the criteria specified in subsection (d) in order to  
4 fund coalition mentoring activities by such coalition in  
5 support of the program.

6 “(b) TREATMENT WITH OTHER GRANTS.—

7 “(1) SUPPLEMENT.—A grant awarded to a coa-  
8 lition under this section is in addition to any grant  
9 awarded to the coalition under section 1022.

10 “(2) REQUIREMENT FOR BASIC GRANT.—A coa-  
11 lition may not be awarded a grant under this section  
12 for a fiscal year unless the coalition was awarded a  
13 grant or renewal grant under section 1022(b) for  
14 that fiscal year.

15 “(c) APPLICATION.—A coalition seeking a grant  
16 under this section shall submit to the Administrator an  
17 application for the grant in such form and manner as the  
18 Administrator may require.

19 “(d) CRITERIA.—A coalition meets the criteria speci-  
20 fied in this subsection if the coalition—

21 “(1) has been in existence for at least 5 years;

22 “(2) has achieved, by or through its own ef-  
23 forts, measurable results in the prevention and treat-  
24 ment of substance use and misuse among youth;

1           “(3) has staff or members willing to serve as  
2           mentors for persons seeking to start or expand the  
3           activities of other coalitions in the prevention and  
4           treatment of substance use and misuse;

5           “(4) has demonstrable support from some mem-  
6           bers of the community in which the coalition men-  
7           toring activities to be supported by the grant under  
8           this section are to be carried out; and

9           “(5) submits to the Administrator a detailed  
10          plan for the coalition mentoring activities to be sup-  
11          ported by the grant under this section.

12          “(e) USE OF GRANT FUNDS.—A coalition awarded  
13          a grant under this section shall use the grant amount for  
14          mentoring activities to support and encourage the develop-  
15          ment of new, self-supporting community coalitions that  
16          are focused on the prevention and treatment of substance  
17          use and misuse in such new coalitions’ communities. The  
18          mentoring coalition shall encourage such development in  
19          accordance with the plan submitted by the mentoring coa-  
20          lition under subsection (d)(5).

21          “(f) RENEWAL GRANTS.—The Administrator may  
22          make a renewal grant to any coalition awarded a grant  
23          under subsection (a), or a previous renewal grant under  
24          this subsection, if the coalition, at the time of application  
25          for such renewal grant—

1           “(1) continues to meet the criteria specified in  
2 subsection (d); and

3           “(2) has made demonstrable progress in the de-  
4 velopment of one or more new, self-supporting com-  
5 munity coalitions that are focused on the prevention  
6 and treatment of substance use and misuse.

7           “(g) GRANT AMOUNTS.—

8           “(1) IN GENERAL.—Subject to paragraphs (2)  
9 and (3), the total amount of grants awarded to a co-  
10 alition under this section for a fiscal year may not  
11 exceed the amount of non-Federal funds raised by  
12 the coalition, including in-kind contributions, for  
13 that fiscal year. Funds appropriated for the sub-  
14 stance use and misuse activities of a coalition that  
15 includes a representative of the Bureau of Indian  
16 Affairs, the Indian Health Service, or a Tribal gov-  
17 ernment agency with expertise in the field of sub-  
18 stance use prevention may be counted as non-Fed-  
19 eral funds raised by the coalition.

20           “(2) INITIAL GRANTS.—The amount of the ini-  
21 tial grant awarded to a coalition under subsection  
22 (a) may not exceed \$75,000.

23           “(3) RENEWAL GRANTS.—The total amount of  
24 renewal grants awarded to a coalition under sub-

1 section (f) for any fiscal year may not exceed  
2 \$75,000.

3 “(h) FISCAL YEAR LIMITATION ON AMOUNT AVAIL-  
4 ABLE FOR GRANTS.—The total amount available for  
5 grants under this section, including renewal grants under  
6 subsection (f), in any fiscal year may not exceed the  
7 amount equal to 5 percent of the amount authorized to  
8 be appropriated by section 1028 for that fiscal year.

9 “(i) PRIORITY IN AWARDING INITIAL GRANTS.—In  
10 awarding initial grants under this section, priority shall  
11 be given to a coalition that expressly proposes to provide  
12 mentorship to a coalition or aspiring coalition serving eco-  
13 nomically disadvantaged areas.

14 **“§ 1026. Authorization for National Community Anti-**  
15 **drug Coalition Institute**

16 “(a) IN GENERAL.—The Director shall, using  
17 amounts authorized to be appropriated by subsection (d),  
18 make a competitive grant to provide for the continuation  
19 of the National Community Anti-drug Coalition Institute.

20 “(b) ELIGIBLE ORGANIZATIONS.—An organization  
21 eligible for the grant under subsection (a) is any national  
22 nonprofit organization that represents, provides technical  
23 assistance and training to, and has special expertise and  
24 broad, national-level experience in community antidrug  
25 coalitions under this subchapter.



1       “(c) USE OF GRANT AMOUNT.—The organization  
2 that receives the grant under subsection (a) shall continue  
3 a National Community Anti-Drug Coalition Institute to—

4           “(1) provide education, training, and technical  
5 assistance for coalition leaders and community  
6 teams, with emphasis on the development of coalitions  
7 serving economically disadvantaged areas;

8           “(2) develop and disseminate evaluation tools,  
9 mechanisms, and measures to better assess and document  
10 coalition performance measures and outcomes; and  
11

12           “(3) bridge the gap between research and practice  
13 by translating knowledge from research into  
14 practical information.

15       “(d) AUTHORIZATION OF APPROPRIATIONS.—The  
16 Director shall, using amounts authorized to be appropriated  
17 by section 1028, make a grant of \$2 million under  
18 subsection (a), for each of the fiscal years 2019 through  
19 2023.

20       **“§ 1027. Definitions**

21       “In this subchapter:

22           “(1) ADMINISTRATOR.—The term ‘Administrator’  
23 means the Administrator appointed by the  
24 Director under section 1021(c).

1           “(2) COMMUNITY.—The term ‘community’ shall  
2 have the meaning provided that term by the Admin-  
3 istrator.

4           “(3) ELIGIBLE COALITION.—The term ‘eligible  
5 coalition’ means a coalition that meets the applicable  
6 criteria under section 1022(a).

7           “(4) GRANT RECIPIENT.—The term ‘grant re-  
8 cipient’ means the recipient of a grant award under  
9 section 1022.

10           “(5) PROGRAM.—The term ‘Program’ means  
11 the program established under section 1021(a).

12           “(6) SUBSTANCE USE AND MISUSE.—The term  
13 ‘substance use and misuse’ means—

14                   “(A) the illegal use or misuse of drugs, in-  
15 cluding substances for which a listing is in ef-  
16 fect under any of schedules I through V under  
17 section 202 of the Controlled Substances Act  
18 (21 U.S.C. 812);

19                   “(B) the misuse of inhalants or over the  
20 counter drugs; or

21                   “(C) the use of alcohol, tobacco, or other  
22 related product as such use is prohibited by  
23 State or local law.

24           “(7) YOUTH.—The term ‘youth’ shall have the  
25 meaning provided that term by the Administrator.

1 **“§ 1028. Drug-free communities reauthorization**

2       “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
3 are authorized to be appropriated to the Office to carry  
4 out this subchapter \$99 million for each of the fiscal years  
5 2019 through 2023.

6       “(b) ADMINISTRATIVE COSTS.—Not more than 8  
7 percent of the funds appropriated for this subchapter may  
8 be used by the Office or, in the discretion of the Director,  
9 an agency delegated to carry out the program under sec-  
10 tion 1021(d) to pay for administrative costs associated  
11 with carrying out the program.”.

12       (d) TECHNICAL AND CONFORMING AMENDMENT.—  
13 The table of chapters for subtitle I of title 31, United  
14 States Code, is amended by adding at the end the fol-  
15 lowing new item:

“10. Office of National Drug Control ..... 1001”.

16 **SEC. 3. HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-**  
17 **GRAM.**

18       (a) ESTABLISHMENT.—

19           (1) IN GENERAL.—There is established in the  
20 Office a program to be known as the High Intensity  
21 Drug Trafficking Areas Program (in this section re-  
22 ferred to as the “Program”).

23           (2) PURPOSE.—The purpose of the Program is  
24 to reduce drug trafficking and drug production in  
25 the United States by—

1 (A) facilitating cooperation among Federal,  
2 State, local, and Tribal law enforcement agen-  
3 cies to share information and implement coordi-  
4 nated enforcement activities;

5 (B) enhancing law enforcement intelligence  
6 sharing among Federal, State, local, and Tribal  
7 law enforcement agencies;

8 (C) providing reliable law enforcement in-  
9 telligence to law enforcement agencies needed to  
10 design effective enforcement strategies and op-  
11 erations; and

12 (D) supporting coordinated law enforce-  
13 ment strategies which maximize use of available  
14 resources to reduce the supply of illegal drugs  
15 in designated areas and in the United States as  
16 a whole.

17 (b) DESIGNATION.—

18 (1) IN GENERAL.—The Director, in consulta-  
19 tion with the Attorney General, the Secretary of the  
20 Treasury, the Secretary of Homeland Security, the  
21 head of each National Drug Control Program Agen-  
22 cy, and the Governor of each applicable State, may  
23 designate any specified area of the United States as  
24 a high intensity drug trafficking area.

1           (2) ACTIVITIES.—After making a designation  
2           under paragraph (1) and in order to provide Federal  
3           assistance to the area so designated, the Director  
4           may—

5                   (A) obligate such sums as are appropriated  
6                   for the Program;

7                   (B) direct the temporary reassignment of  
8                   Federal personnel to such area, subject to the  
9                   approval of the head of the agency that employs  
10                  such personnel;

11                  (C) take any other action authorized under  
12                  this section or chapter 10 of title 31, United  
13                  States Code, as added by section 2(c), to pro-  
14                  vide increased Federal assistance to those  
15                  areas; and

16                  (D) coordinate activities under this section  
17                  (specifically administrative, recordkeeping, and  
18                  funds management activities) with State, local,  
19                  and Tribal officials.

20           (c) PETITIONS FOR DESIGNATION.—The Director  
21           shall establish and maintain regulations under which a co-  
22           alition of interested law enforcement agencies from an  
23           area may petition for designation as a high intensity drug  
24           trafficking area (in this section referred to as the  
25           “HIDTA”). Such regulations shall provide for a regular

1 review by the Director of the petition, including a rec-  
2 ommendation regarding the merit of the petition to the  
3 Director by a panel of qualified, independent experts.

4 (d) FACTORS FOR CONSIDERATION.—In considering  
5 whether to designate an area under this section as a high  
6 intensity drug trafficking area, the Director shall consider,  
7 in addition to such other criteria as the Director considers  
8 to be appropriate, the extent to which—

9 (1) the area is a significant center of illegal  
10 drug production, manufacturing, importation, or dis-  
11 tribution;

12 (2) State, local, and Tribal law enforcement  
13 agencies have committed resources to respond to the  
14 drug trafficking problem in the area, thereby indi-  
15 cating a determination to respond aggressively to the  
16 problem;

17 (3) drug-related activities in the area are hav-  
18 ing a significant harmful impact in the area, and in  
19 other areas of the country; and

20 (4) a significant increase in allocation of Fed-  
21 eral resources is necessary to respond adequately to  
22 drug-related activities in the area.

23 (e) ORGANIZATION OF HIGH INTENSITY DRUG TRAF-  
24 FICKING AREAS.—

1           (1) EXECUTIVE BOARD AND OFFICERS.—To be  
2 eligible for funds appropriated under this section,  
3 each high intensity drug trafficking area shall be  
4 governed by an Executive Board. The Executive  
5 Board shall designate a chairman, vice chairman,  
6 and any other officers to the Executive Board that  
7 it determines are necessary.

8           (2) RESPONSIBILITIES.—The Executive Board  
9 of a high intensity drug trafficking area shall be re-  
10 sponsible for—

11                   (A) providing direction and oversight in es-  
12 tablishing and achieving the goals of the high  
13 intensity drug trafficking area;

14                   (B) managing the funds of the high inten-  
15 sity drug trafficking area;

16                   (C) reviewing and approving all funding  
17 proposals consistent with the overall objective of  
18 the high intensity drug trafficking area; and

19                   (D) reviewing and approving all reports to  
20 the Director on the activities of the high inten-  
21 sity drug trafficking area.

22           (3) BOARD REPRESENTATION.—None of the  
23 funds appropriated under this section may be ex-  
24 pended for any high intensity drug trafficking area,  
25 or for a partnership or region of a high intensity

1 drug trafficking area, if the Executive Board for  
2 such area, region, or partnership, does not apportion  
3 an equal number of votes between representatives of  
4 participating agencies and representatives of partici-  
5 pating State, local, and Tribal agencies. Where it is  
6 impractical for an equal number of representatives  
7 of agencies and State, local, and Tribal agencies to  
8 attend a meeting of an Executive Board in person,  
9 the Executive Board may use a system of proxy  
10 votes or weighted votes to achieve the voting balance  
11 required by this paragraph.

12 (4) NO AGENCY RELATIONSHIP.—The eligibility  
13 requirements of this section are intended to ensure  
14 the responsible use of Federal funds. Nothing in this  
15 section is intended to create an agency relationship  
16 between individual high intensity drug trafficking  
17 areas and the Federal Government.

18 (f) USE OF FUNDS.—The Director shall ensure that  
19 not more than 5 percent of Federal funds appropriated  
20 for the Program are expended for substance use disorder  
21 treatment programs and not more than 5 percent of the  
22 Federal funds appropriated for the Program are expended  
23 for drug prevention programs.

24 (g) COUNTERTERRORISM ACTIVITIES.—



1           (1) ASSISTANCE AUTHORIZED.—The Director  
2           may authorize use of resources available for the Pro-  
3           gram to assist Federal, State, local, and Tribal law  
4           enforcement agencies in investigations and activities  
5           related to terrorism and prevention of terrorism, es-  
6           pecially but not exclusively with respect to such in-  
7           vestigations and activities that are also related to  
8           drug trafficking.

9           (2) LIMITATION.—The Director shall ensure—

10           (A) that assistance provided under para-  
11           graph (1) remains incidental to the purpose of  
12           the Program to reduce drug availability and  
13           carry out drug-related law enforcement activi-  
14           ties; and

15           (B) that significant resources of the Pro-  
16           gram are not redirected to activities exclusively  
17           related to terrorism, except on a temporary  
18           basis under extraordinary circumstances, as de-  
19           termined by the Director.

20           (h) ROLE OF DRUG ENFORCEMENT ADMINISTRA-  
21           TION.—The Director, in consultation with the Attorney  
22           General, shall ensure that a representative of the Drug  
23           Enforcement Administration is included in the Intelligence  
24           Support Center for each high intensity drug trafficking  
25           area.

1 (i) EMERGING THREAT RESPONSE FUND.—

2 (1) IN GENERAL.—Subject to the availability of  
3 appropriations, the Director may expend up to 10  
4 percent of the amounts appropriated under this sec-  
5 tion on a discretionary basis, in accordance with the  
6 criteria established under paragraph (2)—

7 (A) to respond to any emerging drug traf-  
8 ficking threat in an existing high intensity drug  
9 trafficking area;

10 (B) to establish a new high intensity drug  
11 trafficking area; or

12 (C) to expand an existing high intensity  
13 drug trafficking area.

14 (2) CONSIDERATION OF IMPACT.—In allocating  
15 funds under this subsection, the Director shall con-  
16 sider—

17 (A) the impact of activities funded on re-  
18 ducing overall drug traffic in the United States,  
19 or minimizing the probability that an emerging  
20 drug trafficking threat will spread to other  
21 areas of the United States; and

22 (B) such other criteria as the Director con-  
23 siders appropriate.

24 (j) ANNUAL HIDTA PROGRAM BUDGET SUBMIS-  
25 SIONS.—As part of the documentation that supports the

1 President’s annual budget request for the Office, the Di-  
2 rector shall submit to Congress a budget justification that  
3 includes—

4 (1) the amount proposed for each HIDTA, con-  
5 ditional upon a review by the Office of the request  
6 submitted by such HIDTA and the performance of  
7 such HIDTA, with supporting narrative descriptions  
8 and rationale for each request;

9 (2) a detailed justification that explains—

10 (A) the reasons for the proposed funding  
11 level and how such funding level was deter-  
12 mined based on a current assessment of the  
13 drug trafficking threat in each high intensity  
14 drug trafficking area;

15 (B) how such funding will ensure that the  
16 goals and objectives of each such area will be  
17 achieved; and

18 (C) how such funding supports the Na-  
19 tional Drug Control Strategy; and

20 (3) the amount of HIDTA funds used to inves-  
21 tigate and prosecute organizations and individuals  
22 trafficking in each major illicit drug, as identified by  
23 the Director, in the prior calendar year, and a de-  
24 scription of how those funds were used.

1 (k) HIDTA ANNUAL EVALUATION REPORT.—As  
2 part of each report submitted pursuant to section 1006(a)  
3 of title 31, United States Code, as added by section 2(e),  
4 the Director shall include, for each designated high inten-  
5 sity drug trafficking area, a report that—

6 (1) describes—

7 (A) the specific purposes for the high in-  
8 tensity drug trafficking area; and

9 (B) the specific long-term and short-term  
10 goals and objectives for the high intensity drug  
11 trafficking area;

12 (2) includes an evaluation of the performance of  
13 the high intensity drug trafficking area in accom-  
14 plishing the specific long-term and short-term goals  
15 and objectives identified under subparagraph (1)(B);

16 (3) assesses the number and operation of all  
17 federally funded drug enforcement task forces within  
18 such high intensity drug trafficking area;

19 (4) describes—

20 (A) each Federal, State, local, and Tribal  
21 drug enforcement task force operating in such  
22 high intensity drug trafficking area;

23 (B) how such task forces coordinate with  
24 each other, with any high intensity drug traf-  
25 ficking area task force, and with investigations

1 receiving funds from the Organized Crime and  
2 Drug Enforcement Task Force;

3 (C) what steps, if any, each such task  
4 force takes to share information regarding drug  
5 trafficking and drug production with other fed-  
6 erally funded drug enforcement task forces in  
7 the high intensity drug trafficking area;

8 (D) the role of the high intensity drug  
9 trafficking area in coordinating the sharing of  
10 such information among task forces;

11 (E) the nature and extent of cooperation  
12 by each Federal, State, local, and Tribal partic-  
13 ipant in ensuring that such information is  
14 shared among law enforcement agencies and  
15 with the high intensity drug trafficking area;

16 (F) the nature and extent to which infor-  
17 mation sharing and enforcement activities are  
18 coordinated with joint terrorism task forces in  
19 the high intensity drug trafficking area; and

20 (G) any recommendations for measures  
21 needed to ensure that task force resources are  
22 utilized efficiently and effectively to reduce the  
23 availability of illegal drugs in the high intensity  
24 drug trafficking areas; and

1           (5) in consultation with the Director of Na-  
2           tional Intelligence—

3           (A) evaluates existing and planned law en-  
4           forcement intelligence systems supported by  
5           such high intensity drug trafficking area, or  
6           utilized by task forces receiving any funding  
7           under the Program, including the extent to  
8           which such systems ensure access and avail-  
9           ability of law enforcement intelligence to Fed-  
10          eral, State, local, and Tribal law enforcement  
11          agencies within the high intensity drug traf-  
12          ficking area and outside of such area;

13          (B) evaluates the extent to which Federal,  
14          State, local, and Tribal law enforcement agen-  
15          cies participating in each high intensity drug  
16          trafficking area are sharing law enforcement in-  
17          telligence information to assess current drug  
18          trafficking threats and design appropriate en-  
19          forcement strategies; and

20          (C) identifies the measures needed to im-  
21          prove effective sharing of information and law  
22          enforcement intelligence regarding drug traf-  
23          ficking and drug production among Federal,  
24          State, local, and Tribal law enforcement partici-  
25          pating in a high intensity drug trafficking area,

1           and between such agencies and similar agencies  
2           outside the high intensity drug trafficking area.

3           (1) COORDINATION OF LAW ENFORCEMENT INTEL-  
4           LIGENCE SHARING WITH ORGANIZED CRIME DRUG EN-  
5           FORCEMENT TASK FORCE PROGRAM.—

6           (1) DRUG ENFORCEMENT INTELLIGENCE SHAR-  
7           ING.—The Director, in consultation with the Attor-  
8           ney General, shall ensure that any drug enforcement  
9           intelligence obtained by the Intelligence Support  
10          Center for each high intensity drug trafficking area  
11          is shared, on a timely basis, with the drug intel-  
12          ligence fusion center operated by the Organized  
13          Crime Drug Enforcement Task Force of the Depart-  
14          ment of Justice.

15          (2) CERTIFICATION.—Before the Director  
16          awards any funds to a high intensity drug traf-  
17          ficking area, the Director shall certify that the law  
18          enforcement entities participating in that HIDTA  
19          are providing laboratory seizure data to the national  
20          clandestine laboratory database at the El Paso Intel-  
21          ligence Center.

22          (m) AUTHORIZATION OF APPROPRIATIONS.—There is  
23          authorized to be appropriated to the Office to carry out  
24          this section \$280 million for each fiscal years 2019  
25          through 2023.

1 (n) SPECIFIC PURPOSES.—

2 (1) IN GENERAL.—The Director shall ensure  
3 that, of the amounts appropriated for a fiscal year  
4 for the Program, at least 2.5 percent is used in high  
5 intensity drug trafficking areas with severe neigh-  
6 borhood safety and illegal drug distribution prob-  
7 lems.

8 (2) REQUIRED USES.—The funds used under  
9 paragraph (1) shall be used to ensure the safety of  
10 neighborhoods and the protection of communities,  
11 including the prevention of the intimidation of wit-  
12 nesses of illegal drug distribution and related activi-  
13 ties and the establishment of or support for pro-  
14 grams that provide protection or assistance to wit-  
15 nesses in court proceedings.

16 (3) BEST PRACTICE MODELS.—The Director  
17 shall work with the HIDTAs to develop and main-  
18 tain best practice models to assist State, local, and  
19 Tribal governments in addressing witness safety, re-  
20 location, financial and housing assistance, or any  
21 other services related to witness protection or assist-  
22 ance in cases of illegal drug distribution and related  
23 activities. The Director shall ensure dissemination of  
24 the best practice models to each HIDTA.



1 **SEC. 4. OPIOID CRISIS RESPONSE.**

2 (a) EMERGING THREAT DESIGNATION.—The Direc-  
3 tor shall designate opioids and opioid analogues as emerg-  
4 ing drug threats, in accordance with section 1009 of title  
5 31, United States Code, as added by section 2(c).

6 (b) OPIOID RESPONSE PLAN.—

7 (1) ISSUANCE.—Not later than 60 days after  
8 the date of the enactment of this Act, the Director  
9 shall publish, make publicly available, and notify the  
10 President and the appropriate congressional commit-  
11 tees of, the plan required under section 1009 of title  
12 31, United States Code, as added by section 2(c), to  
13 be designated as the “National Opioid Crisis Re-  
14 sponse Plan”.

15 (2) CONTENTS.—The Director shall ensure the  
16 plan establishes measurable goals, including reduc-  
17 ing fatal and non-fatal overdoses, and includes the  
18 following:

19 (A) An initiative to ensure the United  
20 States mail is effectively screened to prevent il-  
21 licit drugs from entering the United States, in-  
22 cluding—

23 (i) designating the United States  
24 Postal Service as a National Drug Control  
25 Program Agency;

1 (ii) directing the United States Postal  
2 Service and any other related National  
3 Drug Control Program Agency to take any  
4 appropriate actions necessary to reduce the  
5 amount of illicit drugs entering the coun-  
6 try; and

7 (iii) developing an international co-  
8 ordination plan, in consultation with the  
9 National Drug Control Program Agencies  
10 and in accordance with section 1010 of  
11 such title 31, United States Code, as  
12 added by section 2(c), to include efforts to  
13 address international drug control initia-  
14 tives and strengthen bilateral and multilat-  
15 eral strategies to reduce illicit drugs and  
16 precursor chemicals from entering the  
17 United States through international mail  
18 or across land borders or ports of entry.

19 (B) Support for universal adoption of evi-  
20 dence-based prescribing guidelines, including—

21 (i) establishing a task force to supple-  
22 ment existing prescribing guidelines with  
23 evidence-based standards and to facilitate,  
24 coordinate, and, as appropriate, conduct  
25 research to inform such guidelines;

1 (ii) encouraging the adoption of evi-  
2 dence-based prescribing guidelines by each  
3 relevant agency, State and local govern-  
4 ments, and private sector organizations;

5 (iii) issuing guidance to National  
6 Drug Control Program Agencies to, as ap-  
7 propriate, revise regulations to ensure pro-  
8 fessionals have effective continuing edu-  
9 cation requirements; and

10 (iv) disseminating and encouraging  
11 the adoption of best practices and evi-  
12 dence-based guidelines for effective pre-  
13 scribing practices.

14 (C) A program to monitor the prescription  
15 drug market and illicit drug market for changes  
16 in trends relevant to reducing the supply or de-  
17 mand of such drugs.

18 (D) An initiative to facilitate and coordi-  
19 nate Federal, State and local government initia-  
20 tives, studies, and pilot or demonstration pro-  
21 grams designed to evaluate the benefits of drug  
22 courts and related programs that reduce sub-  
23 stance use prevalence.

24 (E) A program, developed in coordination  
25 with the private sector, to—

1 (i) facilitate the development of treat-  
2 ment and abuse-deterrent products, in ac-  
3 cordance with section 1010(c) of title 31,  
4 United States Code, as added by section  
5 2(c); and

6 (ii) encourage the expansion of medi-  
7 cation disposal programs and technology.

8 (F) Initiatives to—

9 (i) encourage the National Drug Con-  
10 trol Program Agencies and the program  
11 established under section 1010(d) of title  
12 31, United States Code, as added by sec-  
13 tion 2(c), to prioritize the development of  
14 sentencing standards or model codes for  
15 trafficking opioids and opioid analogues;  
16 and

17 (ii) to advise States on establishing  
18 laws and policies to address opioid issues  
19 based on the recommendations developed  
20 and set forth by the President’s Commis-  
21 sion on Combating Drug Addiction and the  
22 Opioid Crisis.

23 (G) A program to identify successful col-  
24 lege recovery programs, including sober housing  
25 programs that provide a shared living residence

1 free of alcohol or illicit drug use for individuals  
2 recovering from drug or alcohol addiction and  
3 substance use disorders, on college campuses  
4 and disseminate best practices to Colleges and  
5 Universities to increase the number and capac-  
6 ity of such programs.

7 (H) Convening working groups, consisting  
8 of the appropriate National Drug Control Pro-  
9 gram Agencies, State, local and Tribal govern-  
10 ments, and other appropriate stakeholders, es-  
11 tablished in accordance with section 1010 of  
12 title 31, United States Code, as added by sec-  
13 tion 2(c)—

14 (i) to support Prescription Drug Mon-  
15 itoring Programs by—

16 (I) facilitating the sharing and  
17 interoperability of program data  
18 among States and Federal prescrip-  
19 tion drug monitoring programs;

20 (II) assisting States in increasing  
21 utilization of such programs;

22 (III) facilitating efforts to incor-  
23 porate available overdose and  
24 naloxone deployment data into such  
25 programs;

1 (IV) evaluating barriers to inte-  
2 grating program data with electronic  
3 health records; and

4 (V) offering recommendations to  
5 address identified barriers; and

6 (ii) to develop standards, and encour-  
7 age the use of such standards, for the col-  
8 lection of data necessary to understand  
9 and monitor the opioid crisis, including—

10 (I) State medical examiner re-  
11 ports on deaths caused by overdoses  
12 and related statistical data; and

13 (II) first responder opioid intoxi-  
14 cation incidents.

15 (I) Research initiatives, to be initiated not  
16 later than 30 days after the issuance of the  
17 plan, to evaluate the uses and barriers to use  
18 of and the effects of improving the following  
19 programs:

20 (i) Medication Assisted Treatment.

21 (ii) Data collection systems used to  
22 confirm opioid use by individuals who have  
23 been arrested or hospitalized.

24 (J) A requirement for an Advisory Com-  
25 mittee on Substance Use Disorder Treatment

1 Standards, to be established not later than 120  
2 days after the issuance of the plan, to promul-  
3 gate model evidence-based standards for sub-  
4 stance use disorder treatment and recovery fa-  
5 cilities which—

6 (i) shall be chaired by the Director;

7 (ii) shall include as members of the  
8 advisory committee representatives of the  
9 relevant National Drug Control Program  
10 Agencies;

11 (iii) may include as members of the  
12 advisory committee government regulators,  
13 State representatives, consumer represent-  
14 atives, substance use disorder treatment  
15 providers, recovery residence owners and  
16 operators, and purchasers of substance use  
17 disorder treatments; and

18 (iv) shall ensure such model standards  
19 are promulgated no later than 2 years  
20 after the date of the issuance of the plan.

21 (c) RECOMMENDATIONS.—Not later than 1 year after  
22 the date of the enactment of this Act, the Director shall  
23 submit to the appropriate congressional committees a re-  
24 port on the results of the initiatives conducted under sub-

1 section (b)(2)(I) and may include recommendations based  
2 on such results.

3 (d) GRANT REPORT TO CONGRESS.—Not later than  
4 1 year after the date of the enactment of this Act, the  
5 Director shall submit to the appropriate congressional  
6 committees an assessment on the feasibility of block  
7 grants of Federal funding to States.

8 **SEC. 5. EXCEPTIONS AND RULES OF CONSTRUCTION.**

9 (a) INAPPLICABILITY TO CERTAIN PROGRAMS.—This  
10 Act, and the amendments made by this Act, shall not  
11 apply to the National Intelligence Program and the Mili-  
12 tary Intelligence Program, unless such program or an ele-  
13 ment of such program is designated as a National Drug  
14 Control Program—

15 (1) by the President; or

16 (2) jointly by—

17 (A) in the case of the National Intelligence  
18 Program, the Director and the Director of Na-  
19 tional Intelligence; or

20 (B) in the case of the Military Intelligence  
21 Program, the Director, the Director of National  
22 Intelligence, and the Secretary of Defense.

23 (b) CLASSIFIED INFORMATION.—Any contents of any  
24 report required under this Act, or the amendments made  
25 by this Act, that involve information properly classified



1 under criteria established by an Executive order shall be  
2 presented to Congress separately from the rest of such re-  
3 port.

4 (c) USE OF EXISTING RESOURCES.—To the extent  
5 practicable, the Director and the head of each agency shall  
6 use existing procedures and systems to carry out agency  
7 requirements under this Act, and the amendments made  
8 by this Act.

9 **SEC. 6. GAO AUDIT AND REPORTS.**

10 Not later than 3 and 6 years after the date of the  
11 enactment of this Act, the Comptroller General shall—

12 (1) conduct an audit relating to the programs  
13 and operations of—

14 (A) the Office; and

15 (B) certain programs within the Office, in-  
16 cluding—

17 (i) the High Intensity Drug Traf-  
18 ficking Areas Program;

19 (ii) the Drug-Free Communities Pro-  
20 gram; and

21 (iii) the campaign under section  
22 1009(d) of title 31, as added by section  
23 2(c); and

1           (2) submit to the Director and the appropriate  
2 congressional committees a report containing an  
3 evaluation of and recommendations on the—

4           (A) policies and activities of the programs  
5 and operations subject to the audit;

6           (B) economy, efficiency, and effectiveness  
7 in the administration of the reviewed programs  
8 and operations; and

9           (C) policy or management changes needed  
10 to prevent and detect fraud and abuse in such  
11 programs and operations.

12 **SEC. 7. REPEALS.**

13       (a) REPEALS TO THE LAW.—The following provisions  
14 are repealed:

15           (1) The Office of National Drug Control Policy  
16 Reauthorization Act of 1998 (Public Law 105–277;  
17 21 U.S.C. 1701 et seq.).

18           (2) Chapter 2 of the National Narcotics Lead-  
19 ership Act of 1988 (Public Law 100–690; 21 U.S.C.  
20 1501 et seq.).

21           (3) Section 203 of the Office of National Drug  
22 Control Policy Reauthorization Act of 2006 (Public  
23 Law 109–469; 21 U.S.C. 1708a).

1           (4) Section 1105 of the Office of National Drug  
2           Control Policy Reauthorization Act of 2006 (Public  
3           Law 109–469; 21 U.S.C. 1701 note).

4           (5) Section 1110 of Office of National Drug  
5           Control Policy Reauthorization Act of 2006 (Public  
6           Law 109–469; 21 U.S.C. 1705 note).

7           (6) Section 1110A of the Office of National  
8           Drug Control Policy Reauthorization Act of 2006  
9           (Public Law 109–469; 21 U.S.C. 1705 note).

10          (7) Section 4 of Public Law 107–82 (21 U.S.C.  
11          1521 note).

12          (b) EFFECT ON THE CODE.—The Law Revision  
13          Counsel shall ensure that the website and any other publi-  
14          cation issued after the date of the enactment of this Act  
15          for the Office of the Law Revision Counsel shows that the  
16          laws reflected in subchapter II of chapter 20 and chapter  
17          22 of nonpositive law title 21 of the United States Code  
18          have been repealed.

19          **SEC. 8. DEFINITIONS.**

20          In this Act, the terms “agency”, “appropriate con-  
21          gressional committees”, “Director”, “drug”, “emerging  
22          drug threat”, “illicit drug use”, “illicit drugs”, “National  
23          Drug Control Program Agencies”, and “Office” have the

- 1 meaning given those terms in section 1001 of title 31,
- 2 United States Code, as added by section 2(c).

Passed the House of Representatives June 20, 2018.

Attest:

*Clerk.*



115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5925**

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**AN ACT**

To codify provisions relating to the Office of National Drug Control, and for other purposes.