

Union Calendar No. 596

115TH CONGRESS
2^D SESSION

H. R. 5925

[Report No. 115–767, Part I]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2018

Mr. GOWDY (for himself, Mr. CUMMINGS, Mr. MEADOWS, and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence (Permanent Select), and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 20, 2018

Reported from the Committee on Oversight and Government Reform with an amendment

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

JUNE 20, 2018

The Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence (Permanent Select), and Appropriations discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on May 23, 2018]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

11 (b) *REFERENCES.*—*Any reference in any other Federal*
 12 *law, Executive order, rule, regulation, or delegation of au-*
 13 *thority, or any document of or relating to the Office of Na-*
 14 *tional Drug Control Policy is deemed to refer to the Office*
 15 *of National Drug Control.*

16 (c) *CODIFICATION.*—*Subtitle I of title 31, United*
 17 *States Code, is amended by adding at the end the following*
 18 *new chapter:*

19 **“CHAPTER 10—OFFICE OF NATIONAL**
 20 **DRUG CONTROL**

“SUBCHAPTER I—OFFICE

“Sec.

“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 taskforce, plan, media campaign.*

“1010. *National and international coordination.*

“1011. *Interdiction.*

“1012. *Treatment coordinator.*

“1013. *Critical information coordination.*

“1014. *Annual audit and investigation requirements.*

“1015. *Authorization of appropriations.*

“SUBCHAPTER II—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

“1021. *High intensity drug trafficking areas program.*

“SUBCHAPTER III—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

“1031. *Establishment of drug-free communities support program.*

“1032. *Program authorization.*

“1033. *Information collection and dissemination with respect to grant recipients.*

“1034. *Technical assistance and training.*

“1035. *Supplemental grants for coalition mentoring activities.*

“1036. *Authorization for National Community Antidrug Coalition Institute.*

“1037. *Definitions.*

“1038. *Drug-free communities reauthorization.*

1 “SUBCHAPTER I—OFFICE

2 “§ 1001. **Definitions**

3 “*In this chapter:*

4 “(1) *AGENCY.—The term ‘agency’ has the mean-*
5 *ing given the term ‘executive agency’ in section 102.*

6 “(2) *APPROPRIATE CONGRESSIONAL COMMIT-*
7 *TEES.—The term ‘appropriate congressional commit-*
8 *tees’ means—*

9 “(A) *the Committee on the Judiciary, the*
10 *Committee on Appropriations, and the Caucus*
11 *on International Narcotics Control of the Senate;*
12 *and*

13 “(B) *the Committee on Oversight and Gov-*
14 *ernment Reform, the Committee on the Judici-*
15 *ary, and the Committee on Appropriations of the*
16 *House of Representatives.*

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

7 “(A) *education about the dangers of illicit*
8 *drug use;*

9 “(B) *services, programs, or strategies to pre-*
10 *vent substance use disorder, including evidence-*
11 *based education campaigns, community-based*
12 *prevention programs, opioid diversion, collection*
13 *and disposal of unused prescription drugs, and*
14 *services to at-risk populations to prevent or*
15 *delay initial use of an illicit substance;*

16 “(C) *substance use disorder treatment;*

17 “(D) *illicit drug use research;*

18 “(E) *drug-free workplace programs;*

19 “(F) *drug testing, including the testing of*
20 *employees;*

21 “(G) *interventions for illicit drug use and*
22 *dependence;*

23 “(H) *expanding availability of access to*
24 *health care services for the treatment of substance*
25 *use disorders;*

1 “(I) international drug control coordination
2 and cooperation with respect to activities de-
3 scribed in this paragraph;

4 “(J) pre- and post-arrest criminal justice
5 interventions such as diversion programs, drug
6 courts, and the provision of evidence-based treat-
7 ment to individuals with substance use disorders
8 who are arrested or under some form of criminal
9 justice supervision, including medication assisted
10 treatment;

11 “(K) other coordinated and joint initiatives
12 among Federal, State, local, and Tribal agencies
13 to promote comprehensive drug control strategies
14 designed to reduce the demand for, and the avail-
15 ability of, illegal drugs;

16 “(L) international illicit drug use edu-
17 cation, prevention, treatment, recovery, research,
18 rehabilitation activities, and interventions for il-
19 licit drug use and dependence; and

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

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

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

4 “(6) *DRUG CONTROL*.—The term ‘drug control’
5 means any activity conducted by a National Drug
6 Control Program Agency involving supply reduction
7 or demand reduction.

8 “(7) *EMERGING THREAT*.—The term ‘emerging
9 threat’ means the occurrence of a new and growing
10 trend in the use of an illicit drug or class of drugs,
11 including rapid expansion in the supply of or de-
12 mand for such drug.

13 “(8) *ILLICIT DRUG USE; ILLICIT DRUGS; ILLEGAL*
14 *DRUGS*.—The terms ‘illicit drug use’, ‘illicit drugs’,
15 and ‘illegal drugs’ include the illegal or illicit use of
16 prescription drugs.

17 “(9) *LAW ENFORCEMENT*.—The term ‘law en-
18 forcement’ or ‘drug law enforcement’ means all efforts
19 by a Federal, State, local, or Tribal government agen-
20 cy to enforce the drug laws of the United States or
21 any State, including investigation, arrest, prosecu-
22 tion, and incarceration or other punishments or pen-
23 alties.

24 “(10) *NATIONAL DRUG CONTROL PROGRAM*.—The
25 term ‘National Drug Control Program’ means pro-

1 *grams, policies, and activities undertaken by Na-*
2 *tional Drug Control Program Agencies pursuant to*
3 *the responsibilities of such agencies under the Na-*
4 *tional Drug Control Strategy, including any activi-*
5 *ties involving supply reduction, demand reduction, or*
6 *State, local, and Tribal affairs.*

7 “(11) NATIONAL DRUG CONTROL PROGRAM AGEN-
8 CY.—The term ‘National Drug Control Program
9 Agency’ means any agency (or bureau, office, inde-
10 pendent agency, board, division, commission, subdivi-
11 sion, unit, or other component thereof) that is respon-
12 sible for implementing any aspect of the National
13 Drug Control Strategy, including any agency that re-
14 ceives Federal funds to implement any aspect of the
15 National Drug Control Strategy, but does not include
16 any agency that receives funds for drug control activ-
17 ity solely under the National Intelligence Program or
18 the Military Intelligence Program.

19 “(12) NATIONAL DRUG CONTROL STRATEGY;
20 STRATEGY.—The term ‘National Drug Control Strat-
21 egy’ or ‘Strategy’ means the strategy developed and
22 submitted to Congress under section 1005.

23 “(13) NONPROFIT ORGANIZATION.—The term
24 ‘nonprofit organization’ means an organization that
25 is described in section 501(c)(3) of the Internal Rev-

1 *enue Code of 1986 and exempt from tax under section*
2 *501(a) of such Code.*

3 “(14) *OFFICE.*—*The term ‘Office’ means the Of-*
4 *fice of National Drug Control.*

5 “(15) *STATE, LOCAL, AND TRIBAL AFFAIRS.*—*The*
6 *term ‘State, local, and Tribal affairs’ means domestic*
7 *activities conducted by a National Drug Control Pro-*
8 *gram Agency that are intended to reduce the avail-*
9 *ability and use of illegal drugs, including—*

10 “(A) *coordination and enhancement of Fed-*
11 *eral, State, local, and Tribal law enforcement*
12 *drug control efforts;*

13 “(B) *coordination and enhancement of ef-*
14 *forts among National Drug Control Program*
15 *Agencies and State, local, and Tribal demand re-*
16 *duction and supply reduction agencies;*

17 “(C) *coordination and enhancement of Fed-*
18 *eral, State, local, and Tribal law enforcement*
19 *initiatives to gather, analyze, and disseminate*
20 *information and law enforcement intelligence re-*
21 *lating to drug control among domestic law en-*
22 *forcement agencies; and*

23 “(D) *other coordinated and joint initiatives*
24 *among Federal, State, local, and Tribal agencies*
25 *to promote comprehensive drug control strategies*

1 *designed to reduce the demand for, and the avail-*
2 *ability of, illegal drugs.*

3 “(16) *SUBSTANCE USE DISORDER TREATMENT.*—

4 *The term ‘substance use disorder treatment’ means an*
5 *evidence-based, professionally directed, deliberate, and*
6 *planned regimen including evaluation, observation,*
7 *medical monitoring, and rehabilitative services and*
8 *interventions such as pharmacotherapy, behavioral*
9 *therapy, and individual and group counseling, on an*
10 *inpatient or outpatient basis, to help patients with*
11 *substance use disorder reach recovery.*

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

17 “(A) *law enforcement outside the United*
18 *States;*

19 “(B) *domestic law enforcement;*

20 “(C) *source country programs, including*
21 *economic development programs primarily in-*
22 *tended to reduce the production or trafficking of*
23 *illicit drugs;*

1 “(D) activities to control international traf-
2 ficking in, and availability of, illegal drugs, in-
3 cluding—

4 “(i) accurate assessment and moni-
5 toring of international drug production and
6 interdiction programs and policies; and

7 “(ii) coordination and promotion of
8 compliance with international treaties re-
9 lating to the production, transportation, or
10 interdiction of illegal drugs;

11 “(E) activities to conduct and promote
12 international law enforcement programs and
13 policies to reduce the supply of drugs;

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

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

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

1 **“§ 1002. Office of National Drug Control**

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

5 “(1) *lead national drug control efforts, including*
6 *developing and assessing implementation of evidence-*
7 *based drug control policy;*

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

11 “(3) *assess and certify the adequacy of National*
12 *Drug Control Programs and the budget for those pro-*
13 *grams;*

14 “(4) *monitor and evaluate the effectiveness of na-*
15 *tional drug control policy efforts, including the Na-*
16 *tional Drug Control Program Agencies’ programs, by*
17 *developing and applying specific goals and perform-*
18 *ance measurements and tracking program-level spend-*
19 *ing;*

20 “(5) *identify and respond to emerging threats re-*
21 *lated to illicit drug use;*

22 “(6) *administer and evaluate grant programs in*
23 *furtherance of the National Drug Control Strategy;*
24 *and*

25 “(7) *facilitate broad-scale information sharing*
26 *and data standardization among Federal, State, and*

1 *local entities to support the national drug control ef-*
2 *forts.*

3 “(b) *DIRECTOR OF NATIONAL DRUG CONTROL AND*
4 *DEPUTY DIRECTORS.—*

5 “(1) *DIRECTOR.—*

6 “(A) *IN GENERAL.—There shall be at the*
7 *head of the Office a Director who shall hold the*
8 *same rank and status as the head of an executive*
9 *department listed in section 101 of title 5,*
10 *United States Code.*

11 “(B) *APPOINTMENT.—The Director shall be*
12 *appointed by the President, by and with the ad-*
13 *vice and consent of the Senate, and shall serve*
14 *at the pleasure of the President.*

15 “(2) *DEPUTY DIRECTOR.—*

16 “(A) *IN GENERAL.—There shall be a Dep-*
17 *uty Director who shall report directly to the Di-*
18 *rector, be appointed by the President, and serve*
19 *at the pleasure of the President.*

20 “(B) *RESPONSIBILITIES.—The Deputy Di-*
21 *rector shall—*

22 “(i) *carry out the responsibilities dele-*
23 *gated by the Director; and*

24 “(ii) *be responsible for effectively co-*
25 *ordinating with the Coordinators.*

1 “(c) *RESPONSIBILITIES.*—

2 “(1) *POLICIES, GOALS, OBJECTIVES, AND PRIOR-*
3 *ITIES.*—*The Director shall assist the President in di-*
4 *recting national drug control efforts, including estab-*
5 *lishing policies, goals, objectives, and priorities for the*
6 *National Drug Control Program that are based on*
7 *evidence-based research.*

8 “(2) *CONSULTATION.*—*To formulate the National*
9 *Drug Control policies, goals, objectives, and priorities,*
10 *the Director—*

11 “(A) *shall consult with—*

12 “(i) *State and local governments;*

13 “(ii) *National Drug Control Program*
14 *Agencies;*

15 “(iii) *each committee, working group,*
16 *council, or other entity established under*
17 *this chapter, as appropriate;*

18 “(iv) *the public;*

19 “(v) *appropriate congressional com-*
20 *mittees; and*

21 “(vi) *any other person in the discretion*
22 *of the Director; and*

23 “(B) *may—*

24 “(i) *establish advisory councils;*

25 “(ii) *acquire data from agencies; and*

1 “(iii) request data from any other enti-
2 ty.

3 **“§ 1003. Administration of the office**

4 “(a) EMPLOYMENT.—

5 “(1) AUTHORITY OF THE DIRECTOR.—The Direc-
6 tor may select, appoint, employ, and fix compensa-
7 tion of such officers and employees of the Office as
8 may be necessary to carry out the functions of the Of-
9 fice under this chapter.

10 “(2) PROHIBITIONS.—

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

14 “(B) PROHIBITION ON POLITICAL CAM-
15 PAIGNING.—Any officer or employee of the Office
16 who is appointed to that position by the Presi-
17 dent, by and with the advice and consent of the
18 Senate, may not participate in Federal election
19 campaign activities, except that such official is
20 not prohibited by this paragraph from making
21 contributions to individual candidates.

22 “(b) PROHIBITION ON THE USE OF FUNDS FOR POLIT-
23 ICAL CAMPAIGNS OR BALLOT INITIATIVES.—No funds au-
24 thorized under this chapter may be obligated for the purpose

1 *of influencing any Federal, State, or local election or ballot*
2 *initiative.*

3 “(c) *PERSONNEL DETAILED TO OFFICE.*—

4 “(1) *EVALUATIONS.*—*Notwithstanding any pro-*
5 *vision of chapter 43 of title 5, the Director shall per-*
6 *form the evaluation of the performance of any em-*
7 *ployee detailed to the Office for purposes of the appli-*
8 *cable performance appraisal system established under*
9 *such chapter for any rating period, or part thereof,*
10 *that such employee is detailed to such office.*

11 “(2) *COMPENSATION.*—

12 “(A) *BONUS PAYMENTS.*—*Subject to the*
13 *availability of appropriations, the Director may*
14 *provide periodic bonus payments to any em-*
15 *ployee detailed to the Office.*

16 “(B) *RESTRICTIONS.*—*An amount paid*
17 *under this paragraph to an employee for any pe-*
18 *riod—*

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

22 “(ii) *shall be in addition to the basic*
23 *pay of such employee.*

24 “(C) *AGGREGATE AMOUNT.*—*The aggregate*
25 *amount paid during any fiscal year to an em-*

1 *ployee detailed to the Office as basic pay,*
2 *awards, bonuses, and other compensation shall*
3 *not exceed the annual rate payable at the end of*
4 *such fiscal year for positions at level III of the*
5 *Executive Schedule.*

6 “(d) *CONGRESSIONAL ACCESS TO INFORMATION.—The*
7 *location of the Office in the Executive Office of the President*
8 *shall not be construed as affecting access by Congress, or*
9 *any committee of the House of Representatives or the Sen-*
10 *ate, to any—*

11 *“(1) information, document, or study in the pos-*
12 *session of, or conducted by or at the direction of the*
13 *Director; or*

14 *“(2) personnel of the Office.*

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

17 *“(1) use for administrative purposes, on a reim-*
18 *bursable basis, the available services, equipment, per-*
19 *sonnel, and facilities of Federal, State, and local*
20 *agencies;*

21 *“(2) procure the services of experts and consult-*
22 *ants in accordance with section 3109 of title 5 relat-*
23 *ing to appointments in the Federal Service, at rates*
24 *of compensation for individuals not to exceed the*
25 *daily equivalent of the rate of pay payable under level*

1 *IV of the Executive Schedule under section 5311 of*
2 *such title; and*

3 *“(3) use the mails in the same manner as any*
4 *other agency.*

5 *“(f) GENERAL SERVICES ADMINISTRATION.—The Ad-*
6 *ministrators of General Services shall provide to the Direc-*
7 *tor, on a reimbursable basis, such administrative support*
8 *services as the Director may request.*

9 **“§ 1004. National drug control program budget**

10 *“(a) BUDGET RECOMMENDATIONS.—Not later than*
11 *July 1 of each year, the Director shall provide to the head*
12 *of each National Drug Control Program Agency budget rec-*
13 *ommendations, including requests for specific initiatives*
14 *that are consistent with the priorities of the President under*
15 *the National Drug Control Strategy, which shall—*

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

19 *“(2) address funding priorities developed in the*
20 *National Drug Control Strategy.*

21 *“(b) RESPONSIBILITIES OF NATIONAL DRUG CONTROL*
22 *PROGRAM AGENCIES.—*

23 *“(1) IN GENERAL.—For each fiscal year, the*
24 *head of each National Drug Control Program Agency*
25 *shall transmit to the Director a copy of the proposed*

1 *drug control budget request of such agency at the*
2 *same time as that budget request is submitted to their*
3 *superiors (and before submission to the Office of Man-*
4 *agement and Budget) in the preparation of the budget*
5 *of the President submitted to Congress under section*
6 *1105(a).*

7 “(2) *SUBMISSION OF DRUG CONTROL BUDGET*
8 *REQUESTS.—The head of each National Drug Control*
9 *Program Agency shall ensure timely development and*
10 *submission to the Director of each proposed drug con-*
11 *trol budget request transmitted pursuant to this sub-*
12 *section, in such format as may be designated by the*
13 *Director with the concurrence of the Director of the*
14 *Office of Management and Budget.*

15 “(3) *CONTENT OF DRUG CONTROL BUDGET RE-*
16 *QUESTS.—A drug control budget request submitted by*
17 *the head of a National Drug Control Program Agency*
18 *under this subsection shall include all requests for*
19 *funds for any drug control activity undertaken by*
20 *such agency, including demand reduction, supply re-*
21 *duction, and State, local, and Tribal affairs, includ-*
22 *ing any drug law enforcement activities. If an activ-*
23 *ity has both drug control and nondrug control pur-*
24 *poses or applications, such agency shall estimate by*
25 *a documented calculation the total funds requested for*

1 *that activity that would be used for drug control, and*
2 *shall set forth in its request the basis and method for*
3 *making the estimate.*

4 “(c) *REVIEW AND CERTIFICATION OF BUDGET RE-*
5 *QUESTS AND BUDGET SUBMISSIONS OF NATIONAL DRUG*
6 *CONTROL PROGRAM AGENCIES.—*

7 “(1) *IN GENERAL.—The Director shall review*
8 *each drug control budget request submitted to the Di-*
9 *rector under subsection (b).*

10 “(2) *REVIEW OF BUDGET REQUESTS.—*

11 “(A) *INADEQUATE REQUESTS.—If the Di-*
12 *rector concludes that a budget request submitted*
13 *under subsection (b) is inadequate, in whole or*
14 *in part, to implement the objectives of the Na-*
15 *tional Drug Control Strategy with respect to the*
16 *agency or program at issue for the year for*
17 *which the request is submitted, the Director shall*
18 *submit to the head of the applicable National*
19 *Drug Control Program Agency a written de-*
20 *scription identifying the funding levels and spe-*
21 *cific initiatives that would, in the determination*
22 *of the Director, make the request adequate to im-*
23 *plement those objectives.*

24 “(B) *ADEQUATE REQUESTS.—If the Direc-*
25 *tor concludes that a budget request submitted*

1 *under subsection (b) is adequate to implement*
2 *the objectives of the National Drug Control*
3 *Strategy with respect to the agency or program*
4 *at issue for the year for which the request is sub-*
5 *mitted, the Director shall submit to the head of*
6 *the applicable National Drug Control Program*
7 *Agency a written statement confirming the ade-*
8 *quacy of the request.*

9 “(C) *RECORD.*—*The Director shall main-*
10 *tain a record of each description submitted*
11 *under subparagraph (A) and each statement sub-*
12 *mitted under subparagraph (B).*

13 “(3) *SPECIFIC REQUESTS.*—*The Director shall*
14 *not confirm the adequacy of any budget request that*
15 *requests a level of funding that will not enable*
16 *achievement of the goals of the National Drug Control*
17 *Strategy, including—*

18 “(A) *requests funding for Federal law en-*
19 *forcement activities that do not adequately com-*
20 *pensate for transfers of drug enforcement re-*
21 *sources and personnel to law enforcement and*
22 *investigation activities;*

23 “(B) *requests funding for law enforcement*
24 *activities on the borders of the United States that*

1 *do not adequately direct resources to drug inter-*
2 *diction and enforcement;*

3 “(C) *requests funding for drug treatment*
4 *activities that do not provide adequate results*
5 *and accountability measures;*

6 “(D) *requests funding for drug treatment*
7 *activities that do not adequately support and en-*
8 *hance Federal drug treatment programs and ca-*
9 *capacity; and*

10 “(E) *requests funding for the operations*
11 *and management of the Department of Home-*
12 *land Security that does not include a specific re-*
13 *quest for funds for the Office of Counternarcotics*
14 *Enforcement to carry out its responsibilities*
15 *under section 878 of the Homeland Security Act*
16 *of 2002 (6 U.S.C. 458).*

17 “(4) *AGENCY RESPONSE.—*

18 “(A) *IN GENERAL.—The head of a National*
19 *Drug Control Program Agency that receives a*
20 *description under paragraph (2)(A) shall include*
21 *the funding levels and initiatives described by*
22 *the Director in the budget submission for that*
23 *agency to the Office of Management and Budget.*

24 “(B) *IMPACT STATEMENT.—The head of a*
25 *National Drug Control Program Agency that has*

1 *altered its budget submission under this para-*
2 *graph shall include as an appendix to the budget*
3 *submission for that agency to the Office of Man-*
4 *agement and Budget an impact statement that*
5 *summarizes—*

6 *“(i) the changes made to the budget*
7 *under this paragraph; and*

8 *“(ii) the impact of those changes on the*
9 *ability of that agency to perform its other*
10 *responsibilities, including any impact on*
11 *specific missions or programs of the agency.*

12 *“(C) CONGRESSIONAL NOTIFICATION.—The*
13 *head of a National Drug Control Program Agen-*
14 *cy shall submit a copy of any impact statement*
15 *under subparagraph (B) to the Senate, the*
16 *House of Representatives, and the appropriate*
17 *congressional committees, at the time the budget*
18 *for that agency is submitted to Congress under*
19 *section 1105(a).*

20 *“(5) CERTIFICATION OF BUDGET SUBMIS-*
21 *SIONS.—*

22 *“(A) IN GENERAL.—At the time a National*
23 *Drug Control Program Agency submits its budg-*
24 *et request to the Office of Management and*
25 *Budget, the head of the National Drug Control*

1 *Program Agency shall submit a copy of the*
2 *budget request to the Director.*

3 “(B) *REVIEW AND CERTIFICATION OF SUB-*
4 *MISSIONS.—The Director shall review each budg-*
5 *et submission submitted under subparagraph (A)*
6 *and submit to the appropriate congressional*
7 *committees one of the following:*

8 “(i) *A written certification of the budg-*
9 *et request for the agency indicating such re-*
10 *quest fully funds the National Drug Control*
11 *Programs as necessary to achieve the goals*
12 *of the National Drug Control Strategy, in-*
13 *cluding a written statement explaining the*
14 *basis for the determination that the budget*
15 *provides sufficient resources for the agency*
16 *to achieve the goals of the Strategy.*

17 “(ii) *A written certification of the*
18 *budget request for the agency indicating*
19 *such request partially funds the National*
20 *Drug Control Programs as necessary to*
21 *achieve the goals of the Strategy, including*
22 *a written statement explaining the basis for*
23 *the determination and identifying the level*
24 *of funding sufficient to achieve the goals of*
25 *the Strategy.*

1 “(iii) *A written decertification of the*
2 *budget request for the agency indicating the*
3 *Director is unable to determine whether*
4 *such budget request for the agency fully*
5 *funds or partially funds the National Drug*
6 *Control Programs as necessary to achieve*
7 *the goals of the National Drug Control*
8 *Strategy, including a written statement*
9 *identifying the additional information nec-*
10 *essary for the Director to make a deter-*
11 *mination on such budget and the level of*
12 *funding sufficient to achieve the goals of the*
13 *Strategy.*

14 “(iv) *A written decertification of the*
15 *budget request for the agency indicating*
16 *that such budget is insufficient to fund the*
17 *National Drug Control Programs as nec-*
18 *essary to achieve the goals of the Strategy,*
19 *including a written statement explaining*
20 *the basis for the determination that the*
21 *budget is insufficient and identifying the*
22 *level of funding sufficient to achieve the*
23 *goals of the Strategy.*

24 “(d) *NATIONAL DRUG CONTROL PROGRAM BUDGET*
25 *PROPOSAL.—For each fiscal year, following the trans-*

1 mission of proposed drug control budget requests to the Di-
2 rector under subsection (b), the Director shall, in consulta-
3 tion with the head of each National Drug Control Program
4 Agency and the head of each major national organization
5 that represents law enforcement officers, agencies, or asso-
6 ciations—

7 “(1) develop a consolidated National Drug Con-
8 trol Program budget proposal designed to implement
9 the National Drug Control Strategy and to inform
10 Congress and the public about the total amount pro-
11 posed to be spent on all supply reduction, demand re-
12 duction, State, local, and Tribal affairs, including
13 any drug law enforcement, and other drug control ac-
14 tivities by the Federal Government, which shall con-
15 form to the content requirements set forth in sub-
16 section (b)(3) and include—

17 “(A) for each National Drug Control Pro-
18 gram Agency, a list of whether the funding level
19 is full, partial, or insufficient to achieve the
20 goals of the National Drug Control Strategy or
21 whether the Director is unable to determine
22 whether the budget request for the agency fully
23 funds or partially funds the agency’s activities
24 and contributions as necessary to achieve the
25 goals of National Drug Control Strategy;

1 “(B) a statement describing the extent to
2 which any budget of a National Drug Control
3 Program Agency with less than full funding
4 hinders progress on achieving the goals of the
5 National Drug Control Strategy; and

6 “(C) alternative funding structures that
7 could improve progress on achieving the goals of
8 the National Drug Control Strategy; and

9 “(2) submit the consolidated budget proposal to
10 the President and Congress.

11 “(e) *BUDGET ESTIMATE OR REQUEST SUBMISSION TO*
12 *CONGRESS.*—Whenever the Director submits any budget es-
13 timate or request to the President or the Office of Manage-
14 ment and Budget, the Director shall concurrently transmit
15 copies of that estimate or request to the appropriate congres-
16 sional committees.

17 “(f) *REPROGRAMMING AND TRANSFER REQUESTS.*—

18 “(1) *IN GENERAL.*—No National Drug Control
19 Program Agency shall submit to Congress a re-
20 programming or transfer request with respect to any
21 amount of appropriated funds in an amount exceed-
22 ing \$1,000,000 that is included in the National Drug
23 Control Program budget unless the request has been
24 approved by the Director. If the Director has not re-
25 sponded to a request for reprogramming subject to

1 *this paragraph within 30 days after receiving notice*
2 *of the request having been made, the request shall be*
3 *deemed approved by the Director under this para-*
4 *graph and forwarded to Congress.*

5 “(2) *APPEAL.*—*The head of any National Drug*
6 *Control Program Agency may appeal to the President*
7 *any disapproval by the Director of a reprogramming*
8 *or transfer request under this subsection.*

9 **“§ 1005. National drug control strategy**

10 “(a) *IN GENERAL.*—

11 “(1) *STATEMENT OF DRUG POLICY PRIOR-*
12 *ITIES.*—*The Director shall release a statement of drug*
13 *policy priorities in the calendar year of a Presi-*
14 *dential inauguration following the inauguration but*
15 *not later than April 1.*

16 “(2) *NATIONAL DRUG CONTROL STRATEGY SUB-*
17 *MITTED BY THE PRESIDENT.*—*Not later than the first*
18 *Monday in February following the year in which the*
19 *term of the President commences, the President shall*
20 *submit to Congress a National Drug Control Strat-*
21 *egy.*

22 “(b) *DEVELOPMENT OF THE NATIONAL DRUG CON-*
23 *TROL STRATEGY.*—

24 “(1) *PROMULGATION.*—*The Director shall pro-*
25 *mulgate the National Drug Control Strategy, which*

1 *shall set forth a comprehensive plan to reduce illicit*
2 *drug use and the consequences of such illicit drug use*
3 *in the United States by limiting the availability of*
4 *and reducing the demand for illegal drugs and pro-*
5 *moting prevention, early intervention, treatment, and*
6 *recovery support for individuals with substance use*
7 *disorders.*

8 “(2) *STATE AND LOCAL COMMITMENT.—The Di-*
9 *rector shall seek the support and commitment of*
10 *State, local, and Tribal officials in the formulation*
11 *and implementation of the National Drug Control*
12 *Strategy.*

13 “(3) *STRATEGY BASED ON EVIDENCE.—The Di-*
14 *rector shall ensure the National Drug Control Strat-*
15 *egy is based on the best available medical and sci-*
16 *entific evidence regarding the policies that are most*
17 *effective in reducing the demand for and supply of il-*
18 *legal drugs.*

19 “(4) *PROCESS FOR DEVELOPMENT AND SUBMIS-*
20 *SION OF NATIONAL DRUG CONTROL STRATEGY.—In*
21 *developing and effectively implementing the National*
22 *Drug Control Strategy, the Director—*

23 “(A) *shall consult with—*

24 “(i) *the heads of the National Drug*
25 *Control Program Agencies;*

1 “(ii) *the United States Interdiction*
2 *Coordinator;*

3 “(iii) *the Interdiction Committee;*

4 “(iv) *the appropriate congressional*
5 *committees and any other committee of ju-*
6 *risdiction;*

7 “(v) *State, local, and Tribal officials;*

8 “(vi) *private citizens and organiza-*
9 *tions, including community and faith-based*
10 *organizations, with experience and expertise*
11 *in demand reduction;*

12 “(vii) *private citizens and organiza-*
13 *tions with experience and expertise in sup-*
14 *ply reduction; and*

15 “(viii) *appropriate representatives of*
16 *foreign governments; and*

17 “(B) *in satisfying the requirements of sub-*
18 *paragraph (A), shall ensure, to the maximum ex-*
19 *tent possible, that State, local, and Tribal offi-*
20 *cial and relevant private organizations commit*
21 *to support and take steps to achieve the goals*
22 *and objectives of the National Drug Control*
23 *Strategy.*

24 “(c) *CONTENTS OF THE NATIONAL DRUG CONTROL*
25 *STRATEGY.—*

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

4 “(A) *A description of the current prevalence*
5 *of illicit drug use in the United States, including*
6 *both the availability of illicit drugs and the*
7 *prevalence of substance use disorders, which shall*
8 *include the following:*

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

15 “(ii) *A summary of the data and*
16 *trends presented in the Drug Control Data*
17 *Dashboard required under section 1013.*

18 “(B) *A mission statement detailing the*
19 *major functions of the National Drug Control*
20 *Program.*

21 “(C) *A list of comprehensive, research-based,*
22 *long-range, quantifiable goals for reducing illicit*
23 *drug use, including—*

1 “(i) the percentage of the total flow of
2 illicit drugs to be interdicted during the
3 time period covered by the Strategy; and

4 “(ii) the number of individuals to re-
5 ceive treatment for substance use disorders.

6 “(D) A description of how each goal listed
7 in the National Drug Control Strategy will be
8 achieved, including—

9 “(i) a list of relevant National Drug
10 Control Program Agencies and each such
11 agency’s related programs, activities, and
12 available assets and the role of each such
13 program, activity, and asset in achieving
14 the goal;

15 “(ii) a list of relevant stakeholders and
16 each such stakeholder’s role in achieving the
17 goal;

18 “(iii) an estimate of Federal funding
19 and other resources needed to achieve each
20 goal;

21 “(iv) an identification of existing or
22 new coordinating mechanisms needed to
23 achieve the goal; and

24 “(v) a description of the Office’s role in
25 facilitating the achievement of such goal.

1 “(E) For each year covered by the Strategy,
2 a performance evaluation plan for each goal list-
3 ed in the National Drug Control Strategy for
4 each National Drug Control Program Agency,
5 including—

6 “(i) specific performance measures for
7 each National Drug Control Program Agen-
8 cy and each such agency’s related programs
9 and activities;

10 “(ii) annual and quarterly objectives
11 and targets for each performance measure;
12 and

13 “(iii) an estimate of Federal funding
14 and other resources needed to achieve each
15 performance measure.

16 “(F) A list identifying existing data sources
17 or a description of data collection needed to
18 evaluate performance, including a description of
19 how the Director will obtain such data.

20 “(G) A list of anticipated challenges to
21 achieving the National Drug Control Strategy
22 goals and planned actions to address such chal-
23 lenges;

24 “(H) A description of how each goal was de-
25 termined, including—

1 “(i) a description of each required con-
2 sultation and how such consultation was in-
3 corporated;

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

6 “(iii) a statement of whether the goal
7 established in subparagraph (C)(i) will be
8 adequate to disrupt drug trafficking organi-
9 zations that supply the majority of foreign-
10 sourced illicit drugs trafficked into the
11 United States.

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

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

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

1 *forcement, and the implementation of the Na-*
2 *tional Drug Control Strategy.*

3 “(2) *ADDITIONAL STRATEGIES.*—

4 “(A) *IN GENERAL.*—*The Director shall in-*
5 *clude in the National Drug Control Strategy the*
6 *additional strategies required under this para-*
7 *graph 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 Armed*
11 *Services and the Committee on Homeland*
12 *Security of the House of Representatives,*
13 *and the Committee on Homeland Security*
14 *and Governmental Affairs and the Com-*
15 *mittee on Armed Services of the Senate.*

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

22 “(iii) *Not change any existing agency*
23 *authority or construe any strategy described*
24 *under this paragraph to amend or modify*
25 *any law governing interagency relationship*

1 *but may include recommendations about*
2 *changes to such authority or law.*

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

13 “(B) *REQUIREMENT FOR SOUTHWEST BOR-*
14 *DER COUNTERNARCOTICS.—*

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

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

24 “(II) *state the specific roles and*
25 *responsibilities of the relevant National*

1 *Drug Control Program Agencies for*
2 *implementing that strategy; and*

3 *“(III) identify the specific re-*
4 *sources required to enable the relevant*
5 *National Drug Control Program Agen-*
6 *cies to implement that strategy.*

7 *“(ii) SPECIFIC CONTENT RELATED TO*
8 *DRUG TUNNELS BETWEEN THE UNITED*
9 *STATES AND MEXICO.—The Southwest Bor-*
10 *der Counternarcotics Strategy shall in-*
11 *clude—*

12 *“(I) a strategy to end the con-*
13 *struction and use of tunnels and sub-*
14 *terranean passages that cross the inter-*
15 *national border between the United*
16 *States and Mexico for the purpose of il-*
17 *legal trafficking of drugs across such*
18 *border; and*

19 *“(II) recommendations for crimi-*
20 *nal penalties for persons who construct*
21 *or use such a tunnel or subterranean*
22 *passage for such a purpose.*

23 *“(C) REQUIREMENT FOR NORTHERN BOR-*
24 *DER COUNTERNARCOTICS STRATEGY.—*

1 “(i) *PURPOSES.*—*The Northern Border*
2 *Counternarcotics Strategy shall—*

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

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

14 “(III) *identify the specific re-*
15 *sources required to enable the relevant*
16 *National Drug Control Program Agen-*
17 *cies to implement the strategy;*

18 “(IV) *be designed to promote, and*
19 *not hinder, legitimate trade and travel;*
20 *and*

21 “(V) *reflect the unique nature of*
22 *small communities along the inter-*
23 *national border between the United*
24 *States and Canada, ongoing coopera-*
25 *tion and coordination with Canadian*

1 *law, enforcement authorities, and vari-*
2 *ations in the volumes of vehicles and*
3 *pedestrians crossing through ports of*
4 *entry along the international border*
5 *between the United States and Canada.*

6 *“(ii) SPECIFIC CONTENT RELATED TO*
7 *CROSS-BORDER INDIAN RESERVATIONS.—*
8 *The Northern Border Counternarcotics*
9 *Strategy shall include—*

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

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

23 *“(3) CLASSIFIED INFORMATION.—Any contents*
24 *of the National Drug Control Strategy that involve*
25 *information properly classified under criteria estab-*

1 *lished by an Executive order shall be presented to*
2 *Congress separately from the rest of the National*
3 *Drug Control Strategy.*

4 *“(4) SELECTION OF DATA AND INFORMATION.—*
5 *In selecting data and information for inclusion under*
6 *paragraph (1), the Director shall ensure—*

7 *“(A) the inclusion of data and information*
8 *that will permit analysis of current trends*
9 *against previously compiled data and informa-*
10 *tion where the Director believes such analysis en-*
11 *hances long-term assessment of the National*
12 *Drug Control Strategy; and*

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

17 *“(d) ANNUAL PERFORMANCE SUPPLEMENT.—Not later*
18 *than the first Monday in February of each year following*
19 *the year in which the National Drug Control Strategy is*
20 *submitted pursuant to subsection (a)(2), the Director shall*
21 *submit to the appropriate congressional committees a sup-*
22 *plement to the Strategy that shall include—*

23 *“(1) annual and quarterly quantifiable and*
24 *measurable objectives and specific targets to accom-*

1 *plish long-term quantifiable goals specified in the*
2 *Strategy; and*

3 *“(2) for each year covered by the Strategy, a per-*
4 *formance evaluation plan for each goal listed in the*
5 *Strategy for each National Drug Control Program*
6 *Agency, including—*

7 *“(A) specific performance measures for each*
8 *National Drug Control Program Agency and*
9 *each such agency’s related programs and activi-*
10 *ties;*

11 *“(B) annual and quarterly objectives and*
12 *targets for each performance measure; and*

13 *“(C) an estimate of Federal funding and*
14 *other resources needed to achieve each perform-*
15 *ance measure.*

16 *“(e) SUBMISSION OF REVISED STRATEGY.—The Presi-*
17 *dent may submit to Congress a revised National Drug Con-*
18 *trol Strategy that meets the requirements of this section—*

19 *“(1) at any time, upon a determination of the*
20 *President, in consultation with the Director, that the*
21 *National Drug Control Strategy in effect is not suffi-*
22 *ciently effective; or*

23 *“(2) if a new President or Director takes office.*

24 *“(f) FAILURE OF PRESIDENT TO SUBMIT NATIONAL*
25 *DRUG CONTROL STRATEGY.—If the President does not sub-*

1 *measures for the agency developed under this section, in-*
2 *cluding progress with respect to—*

3 “(1) *success in achieving the goals of the Na-*
4 *tional Drug Control Strategy;*

5 “(2) *success in reducing domestic and foreign*
6 *sources of illegal drugs;*

7 “(3) *success in expanding access to and increas-*
8 *ing the effectiveness of substance use disorder treat-*
9 *ment;*

10 “(4) *success in protecting the borders of the*
11 *United States (and in particular the Southwestern*
12 *border of the United States) from penetration by ille-*
13 *gal narcotics;*

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

16 “(6) *success in reducing the negative health and*
17 *social consequences of drug use in the United States;*
18 *and*

19 “(7) *implementation of drug treatment and pre-*
20 *vention programs in the United States and improve-*
21 *ments in the adequacy and effectiveness of such pro-*
22 *grams.*

23 “(c) *CONTENTS OF THE ANNUAL ASSESSMENT.—The*
24 *Director shall include in the annual assessment required*
25 *under subsection (a)—*

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

3 “(2) a summary of the progress of each National
4 Drug Control Program Agency toward the drug con-
5 trol program goals of the agency using the perform-
6 ance measures for the agency developed under this sec-
7 tion;

8 “(3) an assessment of the effectiveness of each
9 Drug Control Program agency and program in
10 achieving the National Drug Control Strategy for the
11 previous year, including a specific evaluation of
12 whether the applicable goals, measures, objectives, and
13 targets for the previous year were met;

14 “(4) for National Drug Control Program Agen-
15 cies that administer grant programs, an evaluation of
16 the effectiveness of each grant program, including an
17 accounting of the funds disbursed by the program in
18 the prior year and a summary of how those funds
19 were used by the grantees and sub-grantees during
20 that period;

21 “(5) a detailed accounting of the amount of
22 funds obligated by each National Drug Control Pro-
23 gram Agency in carrying out the responsibilities of
24 that agency under the Strategy, including the infor-

1 *mation submitted to the Director under section*
2 *1007(b);*

3 *“(6) an assessment of the effectiveness of any*
4 *Emerging Threat Response Plan in effect for the pre-*
5 *vious year, including a specific evaluation of whether*
6 *the objectives and targets were met and reasons for the*
7 *success or failure of the previous year’s plan;*

8 *“(7) a detailed accounting of the amount of*
9 *funds obligated during the previous fiscal year for*
10 *carrying out the media campaign under section*
11 *1009(d), including each recipient of funds, the pur-*
12 *pose of each expenditure, the amount of each expendi-*
13 *ture, any available outcome information, and any*
14 *other information necessary to provide a complete ac-*
15 *counting of the funds expended; and*

16 *“(8) the assessments required under this sub-*
17 *section shall be based on the Performance Measure-*
18 *ment System describe in subsection (d).*

19 *“(d) PERFORMANCE MEASUREMENT SYSTEM.—The*
20 *Director shall include in the annual assessment required*
21 *under subsection (a) a national drug control performance*
22 *measurement system, that—*

23 *“(1) develops annual, 2-year, and 5-year per-*
24 *formance measures, objectives, and targets for each*
25 *National Drug Control Strategy goal and objective es-*

1 *established for reducing drug use, availability, and the*
2 *consequences of drug use;*

3 *“(2) describes the sources of information and*
4 *data that will be used for each performance measure*
5 *incorporated into the performance measurement sys-*
6 *tem;*

7 *“(3) identifies major programs and activities of*
8 *the National Drug Control Program Agencies that*
9 *support the goals and annual objectives of the Na-*
10 *tional Drug Control Strategy;*

11 *“(4) evaluates the contribution of demand reduc-*
12 *tion and supply reduction activities implemented by*
13 *each National Drug Control Program Agency in sup-*
14 *port of the National Drug Control Strategy;*

15 *“(5) monitors consistency between the drug-re-*
16 *lated goals, measures, targets, and objectives of the*
17 *National Drug Control Program Agencies and ensures*
18 *that each agency’s goals and budgets support, and are*
19 *fully consistent with, the National Drug Control*
20 *Strategy; and*

21 *“(6) coordinates the development and implemen-*
22 *tation of national drug control data collection and re-*
23 *porting systems to support policy formulation and*
24 *performance measurement, including an assessment*
25 *of—*

1 “(A) the quality of current drug use meas-
2 urement instruments and techniques to measure
3 supply reduction and demand reduction activi-
4 ties;

5 “(B) the adequacy of the coverage of exist-
6 ing national drug use measurement instruments
7 and techniques to measure the illicit drug user
8 population, and groups that are at risk for illicit
9 drug use;

10 “(C) the adequacy of the coverage of existing
11 national treatment outcome monitoring systems
12 to measure the effectiveness of substance use dis-
13 order treatment in reducing illicit drug use and
14 criminal behavior during and after the comple-
15 tion of substance use disorder treatment; and

16 “(D) the actions the Director shall take to
17 correct any deficiencies and limitations identi-
18 fied pursuant to subparagraphs (A), (B), and
19 (C).

20 “(e) *MODIFICATIONS*.—A description of any modifica-
21 tions made during the preceding year to the national drug
22 performance measurement system described in subsection
23 (d) shall be included in each report submitted under sub-
24 section (a).

1 “(f) *ANNUAL REPORT ON CONSULTATION.*—*The Direc-*
2 *tor shall include in the annual assessment required under*
3 *subsection (a)—*

4 “(1) *a detailed description of how the Office has*
5 *consulted with and assisted State, local, and Tribal*
6 *governments with respect to the formulation and im-*
7 *plementation of the National Drug Control Strategy*
8 *and other relevant issues; and*

9 “(2) *a general review of the status of, and trends*
10 *in, demand reduction activities by private sector enti-*
11 *ties and community-based organizations, including*
12 *faith-based organizations, to determine their effective-*
13 *ness and the extent of cooperation, coordination, and*
14 *mutual support between such entities and organiza-*
15 *tions and Federal, State, local, and Tribal govern-*
16 *ment agencies.*

17 “(g) *PERFORMANCE-BUDGET COORDINATOR.*—

18 “(1) *DESIGNATION.*—*The Director shall des-*
19 *ignate or appoint a United States Performance-Budg-*
20 *et Coordinator to—*

21 “(A) *ensure the Director has sufficient in-*
22 *formation about the performance of each Na-*
23 *tional Drug Control Program Agency, the im-*
24 *pact Federal funding has had on the goals in the*
25 *Strategy, and the likely contributions to the*

1 “(2) *requesting assistance from the Inspector*
2 *General of the relevant agency in such audits and*
3 *evaluations.*

4 “(b) *ACCOUNTING OF FUNDS EXPENDED.—Not later*
5 *than December 1 of each year and in accordance with guid-*
6 *ance issued by the Director, the head of each National Drug*
7 *Control Program Agency shall submit to the Director a de-*
8 *tailed accounting of all funds expended by the agency for*
9 *National Drug Control Program activities during the pre-*
10 *vious fiscal year and shall ensure such detailed accounting*
11 *is authenticated by the Inspector General for such agency*
12 *prior to submission to the Director.*

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

20 “(d) *RECOMMENDATIONS.—The Director shall make*
21 *such recommendations to the President and the appropriate*
22 *congressional committees as the Director determines are ap-*
23 *propriate regarding changes in the organization, manage-*
24 *ment, and budgets of the National Drug Control Program*
25 *Agencies, and changes in the allocation of personnel to and*

1 *within those agencies, to implement the policies, goals, pri-*
2 *orities, and objectives established under section 1002(c)(1)*
3 *and the National Drug Control Strategy.*

4 “(e) *AUTHORIZATION, DEVELOPMENT, AND IMPLEMEN-*
5 *TATION OF A COORDINATED TRACKING SYSTEM.—*

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

9 “(A) *be the central repository of all relevant*
10 *grants;*

11 “(B) *identify duplication, overlap, or gaps*
12 *in funding to provide increased accountability of*
13 *federally-funded grants for substance abuse treat-*
14 *ment, prevention, and enforcement;*

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

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

22 “(2) *PERFORMANCE METRICS.—The Director*
23 *shall identify metrics and achievable goals for grant*
24 *recipients in furtherance of the Strategy. Such*
25 *metrics should be used to measure how effective each*

1 *federally funded initiative is in achieving the objec-*
2 *tives of the Strategy and to enable comparisons of fed-*
3 *erally funded initiatives to identify those that are the*
4 *most cost effective.*

5 “(3) *GRANT APPLICATION STANDARDIZATION.*—
6 *The Director, in consultation with the head of each*
7 *National Drug Control Program Agency, shall develop*
8 *a plan for coordinating and standardizing drug con-*
9 *trol grant application processes and develop a joint*
10 *application to be used by all National Drug Control*
11 *Program Agencies to reduce the administrative bur-*
12 *den and improve oversight of Federal funds.*

13 “(4) *CENTRAL PORTAL.*—*The Director shall*
14 *maintain on the public, electronic portal of the Office*
15 *a list all drug control grant award opportunities*
16 *available in a central location. The head of each Na-*
17 *tional Drug Control Program Agency shall provide a*
18 *complete list of all drug control program grant award*
19 *opportunities to the Director and annually update*
20 *such list.*

21 “(5) *REPORT TO CONGRESS.*—*The Director shall*
22 *include in the assessment submitted to Congress under*
23 *section 1006 an assessment on progress under this sec-*
24 *tion and the feasibility of block grants of Federal*
25 *funding to States.*

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

3 “(a) *IN GENERAL.*—*The Director shall coordinate and*
4 *oversee the implementation by the National Drug Control*
5 *Program Agencies of the policies, goals, objectives, and pri-*
6 *orities established under section 1002(c)(1) and the fulfill-*
7 *ment of the responsibilities of such agencies under the Na-*
8 *tional Drug Control Strategy and make recommendations*
9 *to National Drug Control Program Agency heads with re-*
10 *spect to implementation of National Drug Control Pro-*
11 *grams.*

12 “(b) *DETAILING EMPLOYEES TO OTHER AGENCIES.*—

13 “(1) *REQUEST.*—*The Director may request the*
14 *head of an agency or program of the Federal Govern-*
15 *ment to place agency personnel who are engaged in*
16 *drug control activities on temporary detail to another*
17 *agency in order to implement the National Drug Con-*
18 *trol Strategy.*

19 “(2) *AGENCY COMPLIANCE.*—*The head of the*
20 *agency shall comply with such a request.*

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

25 “(A) *for the Department of Defense, 50; and*

26 “(B) *for any other agency, 10.*

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

8 “(1) *the authority under this subsection may be*
9 *limited in an annual appropriations Act or other*
10 *provision of Federal law;*

11 “(2) *the Director may exercise the authority*
12 *under this subsection only with the concurrence of the*
13 *head of each affected agency;*

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

20 “(4) *funds transferred to an agency under this*
21 *subsection may only be used to increase the funding*
22 *for programs or activities authorized by law;*

23 “(5) *the Director shall—*

24 “(A) *submit to the appropriate congres-*
25 *sional committees and any other applicable com-*

1 *mittees of jurisdiction, a reprogramming or*
2 *transfer request in advance of any transfer under*
3 *this subsection in accordance with the regula-*
4 *tions of the affected agency or agencies; and*

5 *“(B) annually submit to the appropriate*
6 *congressional committees a report describing the*
7 *effect of all transfers of funds made pursuant to*
8 *this subsection or section 1004(f) during the 12-*
9 *month period preceding the date on which the re-*
10 *port is submitted; and*

11 *“(6) funds may only be used for—*

12 *“(A) expansion of demand reduction activi-*
13 *ties;*

14 *“(B) interdiction of illicit drugs on the high*
15 *seas, in United States territorial waters, and at*
16 *United States ports of entry by officers and em-*
17 *ployees of Drug Control Program Agencies and*
18 *domestic and foreign law enforcement officers;*

19 *“(C) accurate assessment and monitoring of*
20 *international drug production and interdiction*
21 *programs and policies;*

22 *“(D) activities to facilitate and enhance the*
23 *sharing of domestic and foreign intelligence in-*
24 *formation among Drug Control Program Agen-*
25 *cies related to the production and trafficking of*

1 *drugs in the United States and foreign countries;*
2 *and*

3 “(E) *activities to prevent the diversion of*
4 *prescription drugs for illicit use and research re-*
5 *lated to any of these activities.*

6 “(d) *DIRECTING FEDERAL FUNDING TO RESPOND TO*
7 *EMERGING THREATS.—*

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

16 “(A) *the authority under this subsection*
17 *may be limited in an annual appropriations Act*
18 *or other provision of Federal law;*

19 “(B) *in the case of an interagency transfer,*
20 *the total amount of transfers under this sub-*
21 *section may not exceed 10 percent of the total*
22 *amount of funds made available for National*
23 *Drug Control Strategy programs and activities*
24 *to the agency from which those funds are to be*
25 *transferred;*

1 “(C) funds transferred to an agency under
2 this subsection may only be used to increase the
3 funding for programs or activities authorized by
4 law;

5 “(D) no transfer of funds under this sub-
6 section may result in a reduction in total Fed-
7 eral expenditures for substance use disorder
8 treatment;

9 “(E) the Director shall—

10 “(i) submit to the appropriate congres-
11 sional committees and any other applicable
12 committees of jurisdiction, a reprogram-
13 ming or transfer request in advance of any
14 transfer under this subsection in accordance
15 with the regulations of each affected agency;
16 and

17 “(ii) annually submit to the appro-
18 priate congressional committees a report de-
19 scribing the effect of all transfers of funds
20 made pursuant to this subsection or section
21 1004(f) during the 12-month period pre-
22 ceding the date on which the report is sub-
23 mitted; and

24 “(F) funds may only be used for—

1 “(i) expansion of demand reduction ac-
2 tivities;

3 “(ii) interdiction of illicit drugs on the
4 high seas, in United States territorial
5 waters, and at United States ports of entry
6 by officers and employees of Drug Control
7 Program agencies and domestic and foreign
8 law enforcement officers;

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

12 “(iv) activities to facilitate and en-
13 hance the sharing of domestic and foreign
14 intelligence information among Drug Con-
15 trol Program Agencies related to the pro-
16 duction and trafficking of drugs in the
17 United States and foreign countries; and

18 “(v) activities to prevent the diversion
19 of prescription drugs for illicit use and re-
20 search related to any of these activities.

21 “(2) *INADEQUACY OF TRANSFER.*—*In the event*
22 *the authority under this subsection is inadequate to*
23 *implement the provisions of a plan developed under*
24 *section 1009, the Director shall submit a request for*

1 *funding to Congress as soon as the Director becomes*
2 *aware of the need for additional funding.*

3 “(e) *FUND CONTROL NOTICES.*—

4 “(1) *IN GENERAL.*—*The Director may issue to*
5 *the head of a National Drug Control Program Agency*
6 *a fund control notice to ensure compliance with the*
7 *National Drug Control Program Strategy. A fund*
8 *control notice may direct that all or part of an*
9 *amount appropriated to the National Drug Control*
10 *Program Agency account be obligated by—*

11 “(A) *months, fiscal year quarters, or other*
12 *time periods; and*

13 “(B) *activities, functions, projects, or object*
14 *classes.*

15 “(2) *UNAUTHORIZED OBLIGATION OR EXPENDI-*
16 *TURE PROHIBITED.*—*An officer or employee of a Na-*
17 *tional Drug Control Program Agency shall not make*
18 *or authorize an expenditure or obligation contrary to*
19 *a fund control notice issued by the Director.*

20 “(3) *DISCIPLINARY ACTION FOR VIOLATION.*—*In*
21 *the case of a violation of paragraph (2) by an officer*
22 *or employee of a National Drug Control Program*
23 *Agency, the head of the agency, upon the request of*
24 *and in consultation with the Director, may subject*
25 *the officer or employee to appropriate administrative*

1 *discipline, including, when circumstances warrant,*
2 *suspension from duty without pay or removal from*
3 *office.*

4 “(4) *CONGRESSIONAL NOTICE.*—*Not later than 5*
5 *days after issuance of a fund control notice, the Di-*
6 *rector shall submit a copy of such fund control notice*
7 *to the appropriate congressional committees and make*
8 *such notice publicly available.*

9 “(5) *RESTRICTIONS.*—*The Director shall not*
10 *issue a fund control notice to direct that all or part*
11 *of an amount appropriated to the National Drug*
12 *Control Program Agency account be obligated, modi-*
13 *fied, or altered in any manner contrary, in whole or*
14 *in part, to a specific appropriation or statute.*

15 “(f) *EXCLUSIONS.*—*The authorities described under*
16 *subsections (c), (d), and (e) do not apply to any program*
17 *under subchapter II or III.*

18 “(g) *FOREIGN ASSISTANCE ACT PARTICIPATION.*—*The*
19 *Director may participate in the drug certification process*
20 *pursuant to section 490 of the Foreign Assistance Act of*
21 *1961 (22 U.S.C. 2291j) and section 706 of the Department*
22 *of State Authorization Act for Fiscal Year 2003 (22 U.S.C.*
23 *229j–l).*

24 “(h) *CERTIFICATIONS OF POLICY CHANGES TO DIREC-*
25 *TOR.*—

1 “(1) *IN GENERAL.*—Subject to paragraph (2), the
2 *head of a National Drug Control Program Agency*
3 *shall, unless exigent circumstances require otherwise,*
4 *notify the Director in writing regarding any proposed*
5 *change in policies relating to the activities of that*
6 *agency under the National Drug Control Program*
7 *prior to implementation of such change. The Director*
8 *shall promptly review such proposed change and cer-*
9 *tify to the head of that agency in writing whether*
10 *such change is consistent with the National Drug*
11 *Control Strategy.*

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

14 “(A) *the head of the National Drug Control*
15 *Program Agency shall notify the Director of the*
16 *proposed change as soon as practicable; and*

17 “(B) *upon such notification, the Director*
18 *shall review the change and certify to the head*
19 *of that agency in writing whether the change is*
20 *consistent with the National Drug Control Strat-*
21 *egy.*

22 “(i) *WORK IN CONJUNCTION WITH ASSISTANT FOR*
23 *NATIONAL SECURITY AFFAIRS.*—*The Director shall, in any*
24 *matter affecting national security interests, work in con-*

1 *junction with the Assistant to the President for National*
2 *Security Affairs.*

3 **“§ 1009. Emerging threats taskforce, plan, media cam-**
4 ****paign****

5 *“(a) EMERGING THREATS TASK FORCE.—*

6 *“(1) EMERGING AND CONTINUING THREATS CO-*
7 *ORDINATOR.—The Director shall designate or appoint*
8 *a United States Emerging and Continuing Threats*
9 *Coordinator to perform the duties of that position de-*
10 *scribed in this section and such other duties as may*
11 *be determined by the Director. The Director shall de-*
12 *termine whether the coordinator position is a career*
13 *or noncareer position in the Senior Executive Service.*

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

23 *“(A) National Drug Control Program Agen-*
24 *cies or other agencies;*

25 *“(B) State, local, and Tribal governments;*

1 “(C) *the Director of the Fusion Center es-*
2 *tablished in section 1013; and*

3 “(D) *other entities as determined to be nec-*
4 *essary by the Director.*

5 “(3) *INFORMATION REVIEW AND SHARING.—*

6 “(A) *IN GENERAL.—The task force shall dis-*
7 *seminate and facilitate the sharing with Federal,*
8 *State, local, and Tribal officials and other enti-*
9 *ties as determined by the Director of pertinent*
10 *information and data relating to the following:*

11 “(i) *Recent trends in drug supply and*
12 *demand.*

13 “(ii) *Fatal and nonfatal overdoses.*

14 “(iii) *Demand for and availability of*
15 *evidence-based substance use disorder treat-*
16 *ment, including the extent of the unmet*
17 *treatment need, and treatment admission*
18 *trends.*

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

22 “(v) *Other subject matter as deter-*
23 *mined necessary by the Director.*

24 “(B) *CONTRACT, AGREEMENT, AND OTHER*
25 *AUTHORITY.—The Director may award con-*

1 *tracts, enter into interagency agreements, man-*
2 *age individual projects, and conduct other oper-*
3 *ational activities in support of the identification*
4 *of emerging threats and in support of the devel-*
5 *opment, implementation, and assessment of*
6 *Emerging Threat Response Plans.*

7 “(C) *DATA ANALYSIS ACTIVITIES.*—*In sup-*
8 *port of the task force, the National Drug Control*
9 *Fusion Center is authorized to conduct and pro-*
10 *vide to the task force the results of data analysis*
11 *activities that the task force requests to aid in*
12 *their review of recent trends in the data dissemi-*
13 *nated under subparagraph (A).*

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

22 “(5) *MEETINGS.*—*The task force shall meet in*
23 *person not less frequently than quarterly and at addi-*
24 *tional meetings if determined to be necessary by and*
25 *at the call of the Chair to—*

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

4 “(B) formulate the plan described in sub-
5 section (c);

6 “(C) oversee implementation of the plan de-
7 scribed in subsection (c); and

8 “(D) provide such other advice to the Coor-
9 dinator and Director concerning strategy and
10 policies for emerging drug threats and trends as
11 the task force determines to be appropriate.

12 “(b) DESIGNATION.—

13 “(1) IN GENERAL.—The Director, in consultation
14 with the Coordinator, the task force, and the head of
15 each National Drug Control Program Agency, may
16 designate an emerging drug threat in the United
17 States.

18 “(2) STANDARDS FOR DESIGNATION.—The Direc-
19 tor, in consultation with the Coordinator, shall pro-
20 mulgate and make publicly available standards by
21 which a designation under paragraph (1) and the ter-
22 mination of such designation may be made. In devel-
23 oping such standards, the Director shall consider the
24 recommendations of the task force and other criteria
25 the Director considers to be appropriate.

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

9 “(c) *PLAN.*—

10 “(1) *PUBLIC AVAILABILITY OF PLAN.*—*Not later*
11 *than 60 days after making a designation under sub-*
12 *section (b), the Director shall publish and make pub-*
13 *licly available an Emerging Threat Response Plan*
14 *and notify the President and the appropriate congres-*
15 *sional committees of such plan’s availability.*

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

23 “(3) *CONTENTS OF AN EMERGING THREAT RE-*
24 *SPONSE PLAN.*—*The Director shall include in the*
25 *plan—*

1 “(A) a comprehensive strategic assessment
2 of the emerging drug threat, including the cur-
3 rent availability of, demand for, and effectiveness
4 of evidence-based prevention, treatment, and en-
5 forcement programs and efforts to respond to the
6 emerging drug threat;

7 “(B) comprehensive, research-based, long-
8 range, quantifiable goals for addressing the
9 emerging drug threat, including for reducing the
10 supply of the emerging drug threat and for ex-
11 panding the availability and effectiveness of evi-
12 dence-based substance use disorder treatment and
13 prevention programs to reduce the demand for
14 the emerging drug threat;

15 “(C) performance measures pertaining to
16 the plan’s goals, including quantifiable and
17 measurable objectives and specific targets;

18 “(D) the level of funding needed to imple-
19 ment the plan, including whether funding is
20 available to be reprogrammed or transferred to
21 support implementation of the plan or whether
22 additional appropriations are necessary to im-
23 plement the plan;

24 “(E) an implementation strategy for the
25 education and public awareness campaign under

1 *subsection (d), including goals as described*
2 *under subparagraph (B) and performance meas-*
3 *ures, objectives, and targets, as described under*
4 *subparagraph (C); and*

5 *“(F) any other information necessary to in-*
6 *form the public of the status, progress, or re-*
7 *sponse of an emerging drug threat.*

8 *“(4) IMPLEMENTATION.—*

9 *“(A) IN GENERAL.—Not later than 90 days*
10 *after the date on which a designation is made*
11 *under subsection (b), the Director, in consulta-*
12 *tion with the President, the appropriate congress-*
13 *ional committees, and the head of each National*
14 *Drug Control Program Agency, shall issue guid-*
15 *ance on implementation of the plan described in*
16 *subsection (c) to the National Drug Control Pro-*
17 *gram Agencies and any other relevant agency de-*
18 *termined to be necessary by the Director.*

19 *“(B) COORDINATOR’S RESPONSIBILITIES.—*

20 *The Coordinator shall—*

21 *“(i) direct the implementation of the*
22 *plan among the agencies identified in the*
23 *plan, State, local, and Tribal governments,*
24 *and other relevant entities;*

1 “(ii) facilitate information-sharing be-
2 tween agencies identified in the plan, State,
3 local, and Tribal governments, and other
4 relevant entities; and

5 “(iii) monitor implementation of the
6 plan by coordinating the development and
7 implementation of collection and reporting
8 systems to support performance measure-
9 ment and adherence to the plan by agencies
10 identified in plan, where appropriate.

11 “(C) *REPORTING*.—Not later than 180 days
12 after designation under subsection (b) and in ac-
13 cordance with paragraph (2)(C), the head of each
14 agency identified in the plan shall submit to the
15 Coordinator a report on implementation of the
16 plan.

17 “(d) *EDUCATION AND PUBLIC AWARENESS CAMPAIGN*
18 *FOR EMERGING DRUG THREATS*.—

19 “(1) *IN GENERAL*.—Not later than 90 days after
20 a designation under subsection (b), the Director shall
21 establish and implement an evidence-based substance
22 use prevention education and public awareness cam-
23 paign to inform the public about the dangers of any
24 drug designated as an emerging drug threat. Such
25 campaign shall—

1 “(A) educate the public about the dangers of
2 such drug, including patient and family edu-
3 cation about the characteristics and hazards of
4 such drugs and methods to safeguard against
5 such dangers, including the safe disposal of such
6 drugs;

7 “(B) support evidence-based prevention pro-
8 grams targeting audiences’ attitudes, percep-
9 tions, and beliefs concerning substance use and
10 intentions to initiate or continue such use;

11 “(C) increase awareness of the negative con-
12 sequences of drug use;

13 “(D) encourage individuals affected by sub-
14 stance use disorders to seek treatment and pro-
15 vide such individuals with information on how
16 to recognize addiction issues, what forms of evi-
17 dence-based treatment options are available, and
18 how to access such treatment; and

19 “(E) combat the stigma of addiction and
20 substance use disorders, including the stigma of
21 treating such disorders with medication-assisted
22 treatment therapies.

23 “(2) CONSULTATION.—For the planning of the
24 campaign under paragraph (1), the Secretary shall
25 consult with—

1 “(A) *the head of any appropriate National*
2 *Drug Control Program Agency to obtain advice*
3 *on evidence-based scientific information for pol-*
4 *icy, program development, and evaluation;*

5 “(B) *experts in evidence-based media cam-*
6 *paigns, education, evaluation, and communica-*
7 *tion;*

8 “(C) *experts on the designated drug;*

9 “(D) *State, local, and Tribal government of-*
10 *ficials and relevant agencies;*

11 “(E) *the public;*

12 “(F) *appropriate congressional committees;*
13 *and*

14 “(G) *any other affected person.*

15 “(3) *GIFTS AND DONATIONS.—*

16 “(A) *IN GENERAL.—The Director may ac-*
17 *cept gifts and donations (in cash or in kind, in-*
18 *cluding voluntary and uncompensated services or*
19 *property), which shall be available until ex-*
20 *pended, for the purpose of supporting the edu-*
21 *cation and outreach campaign authorized in this*
22 *section, including the media campaign.*

23 “(B) *ETHICS GUIDELINES.—The Director*
24 *shall establish written guidelines setting forth the*
25 *criteria to be used in determining whether a gift*

1 *or donation should be declined under this section*
2 *because the acceptance of the gift or donation*
3 *would—*

4 “(i) *reflect unfavorably upon the abil-*
5 *ity of the Director or the Office, or any em-*
6 *ployee of the Office, to carry out responsibil-*
7 *ities or official duties under this chapter in*
8 *a fair and objective manner; or*

9 “(ii) *compromise the integrity or the*
10 *appearance of integrity of programs or serv-*
11 *ices provided under this chapter or of any*
12 *official involved in those programs or serv-*
13 *ices.*

14 “(C) *ANNUAL REPORT REQUIRED.—Not*
15 *later than the first Monday in the February of*
16 *each year, the Director shall submit to the ap-*
17 *propriate congressional committees an annual*
18 *report that identifies the sources of any gift or*
19 *donation accepted by the Office or any con-*
20 *tractor acting on behalf of the Office, under this*
21 *subsection, including the value of each gift and*
22 *donation provided by each source of the gift.*

23 “(4) *IMPLEMENTATION.—*

1 “(A) *IN GENERAL.*—*For any campaign es-*
2 *tablished under this subsection, the Director shall*
3 *ensure the following:*

4 “(i) *Implementation is evidence-based,*
5 *meets accepted standards for public aware-*
6 *ness campaigns, and uses available re-*
7 *sources in a manner to make the most*
8 *progress toward achieving the goals identi-*
9 *fied in the emerging threats plan and para-*
10 *graph (1).*

11 “(ii) *Information disseminated through*
12 *the campaign is accurate.*

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

17 “(iv) *The campaign is designed using*
18 *strategies found to be most effective at*
19 *achieving such goals, which may include—*

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

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

24 “(III) *establishing partnerships*
25 *and promoting coordination among*

1 *community stakeholders, including*
2 *public, nonprofit organizations, and*
3 *for profit entities;*

4 *“(IV) providing support, training,*
5 *and technical assistance to establish*
6 *and expand school and community*
7 *prevention programs;*

8 *“(V) creating websites to publicize*
9 *and disseminate information;*

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

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

18 *“(VIII) collaborating with law en-*
19 *forcement; and*

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

1 “(B) *MEDIA CAMPAIGN.*—*Any campaign*
2 *implemented under this subsection may include*
3 *a media component, which—*

4 “(i) *shall be designed to prevent the use*
5 *of the drug designated as an emerging drug*
6 *threat and to achieve the goals of paragraph*
7 *(1);*

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

12 “(iii) *may include the use of television,*
13 *radio, Internet, social media, and other*
14 *commercial marketing venues and may be*
15 *targeted to specific age groups based on*
16 *peer-reviewed social research.*

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

25 “(5) *EVALUATION.*—

1 “(A) *PERFORMANCE EVALUATION.*—*The Di-*
2 *rector shall include an evaluation of the cam-*
3 *campaign in the annual assessment under section*
4 *1006, which shall include the following:*

5 “(i) *A performance evaluation of the*
6 *campaign, including progress toward meet-*
7 *ing the goals, objectives, measures, and tar-*
8 *gets identified in the emerging threats plan.*

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

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

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

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

20 “(B) *INDEPENDENT EVALUATION.*—*Not*
21 *later than 180 days after establishing a cam-*
22 *campaign under paragraph (1) and not less than*
23 *frequently than every two years thereafter, the*
24 *Director shall—*

1 “(i) designate an independent entity to
2 evaluate the effectiveness of the campaign
3 with meeting the goals established in the
4 emerging threat plan and paragraph (1);
5 and

6 “(ii) submit the results of the inde-
7 pendent evaluation to the appropriate con-
8 gressional committees.

9 “(6) *FUNDING PROHIBITIONS.*—None of the
10 amounts made available under this subsection may be
11 obligated for any of the following:

12 “(A) To supplant current anti-drug commu-
13 nity-based coalitions.

14 “(B) To supplant pro bono public service
15 time donated by national and local broadcasting
16 network for other public services campaigns.

17 “(C) For partisan political purposes, or ex-
18 press advocacy in support of or to defeat any
19 clearly identified candidate, clearly identified
20 ballot initiative, or clearly identified legislative
21 or regulatory proposal.

22 “(D) For any advocacy in support of any
23 particular company, industry association, or ad-
24 vocacy group or the explicit policy positions held
25 by such groups.

1 “(E) To direct any individuals to a specific
2 type of substance use disorder treatment, treat-
3 ment facility, medical provider, or form of medi-
4 cation assisted treatment.

5 “(F) To fund any advertising that features
6 any elected officials, persons seeking elected of-
7 fice, cabinet level officials, or other Federal offi-
8 cials employed pursuant to section 213 of Sched-
9 ule C of title 5, Code of Federal Regulations.

10 “(e) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to the Office to carry out this
12 section, \$25,000,000 for each of fiscal years 2019 through
13 2023.

14 “**§ 1010. National and international coordination**

15 “(a) DISSEMINATION OF RESEARCH AND INFORMATION
16 TO STATES.—The Director shall ensure that drug control
17 research and information is effectively disseminated by Na-
18 tional Drug Control Program Agencies to State and local
19 governments and nongovernmental entities involved in de-
20 mand reduction by—

21 “(1) encouraging formal consultation between
22 any such agency that conducts or sponsors research,
23 and any such agency that disseminates information
24 in developing research and information product devel-
25 opment agendas;

1 “(2) encouraging such agencies (as appropriate)
2 to develop and implement dissemination plans that
3 specifically target State and local governments and
4 nongovernmental entities involved in demand reduc-
5 tion; and

6 “(3) supporting the substance abuse information
7 clearinghouse administered by the Administrator of
8 the Substance Abuse and Mental Health Services Ad-
9 ministration and established in section 501(d)(16) of
10 the Public Health Service Act by—

11 “(A) encouraging all National Drug Control
12 Program Agencies to provide all appropriate and
13 relevant information; and

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

16 “(b) STANDARDS.—

17 “(1) DEVELOPMENT.—The Director shall coordi-
18 nate the development of evidence-based standards de-
19 veloped by National Drug Control Program Agencies
20 and other relevant agencies and non-Federal entities
21 to State, local, and Tribal governments and non-
22 governmental entities related to drug control policies,
23 practices, and procedures, such as the investigation of
24 drug-related deaths, by—

1 “(A) encouraging appropriate agencies and
2 State, local, and Tribal governments to develop
3 data standards for drug control practices and
4 procedures and related statistical data;

5 “(B) encouraging information sharing be-
6 tween appropriate agencies and State, local, and
7 Tribal governments of relevant drug control in-
8 formation and data;

9 “(C) establishing a working group of agen-
10 cies, State, local, and Tribal governments, and
11 other relevant stakeholders to discuss and develop
12 such standards; and

13 “(D) facilitating collaboration among agen-
14 cies, non-Federal entities, States, local, and Trib-
15 al governments, and nongovernmental agencies.

16 “(2) IMPLEMENTATION.—The Director shall pro-
17 mote the implementation of the standards described in
18 paragraph (1) by—

19 “(A) encouraging adoption by providing the
20 standards to State and local governments
21 through the internet, annual publications or
22 periodicals, and other widely-disseminated
23 means; and

1 “(B) *facilitating the use and dissemination*
2 *of such standards among State and local govern-*
3 *ments by—*

4 “(i) *providing technical assistance to*
5 *State, local, and Tribal governments seeking*
6 *to adopt or implement such standards; and*

7 “(ii) *coordinating seminars and train-*
8 *ing sessions for State, local, and Tribal gov-*
9 *ernments seeking to adopt or implement*
10 *such standards.*

11 “(c) *PRIVATE SECTOR.—*

12 “(1) *IN GENERAL.—The Director or the head of*
13 *a National Drug Control Program (as designated by*
14 *the Director) shall coordinate with the private sector*
15 *to promote private research and development of medi-*
16 *cations to treat or prevent addiction, including re-*
17 *search and development for non-addictive pain man-*
18 *agement medication, abuse deterrent formulations,*
19 *medication-assisted treatment, and other addiction re-*
20 *search determined to be necessary by the Director*
21 *by—*

22 “(A) *encouraging the sharing of informa-*
23 *tion regarding evidence-based treatment addic-*
24 *tion findings and related data between agencies*
25 *and the private sector, as appropriate;*

1 “(B) encouraging collaboration between ap-
2 propriate agencies and the private sector; and

3 “(C) providing private sector entities with
4 relevant statistical data and information to en-
5 hance research as permissible.

6 “(2) *WORKING GROUP.*—*The Director may estab-*
7 *lish a working group of National Drug Control Pro-*
8 *gram Agencies, State, local, and Tribal governments,*
9 *and the private sector stakeholders to discuss and dis-*
10 *seminate best practices, research and development,*
11 *and other related issues, as appropriate.*

12 “(d) *MODEL ACTS PROGRAM.*—

13 “(1) *IN GENERAL.*—*The Director shall provide*
14 *for or shall enter into an agreement with a nonprofit*
15 *organization to—*

16 “(A) *advise States on establishing laws and*
17 *policies to address illicit drug use issues; and*

18 “(B) *revise such model State drug laws and*
19 *draft supplementary model State laws to take*
20 *into consideration changes in illicit drug use*
21 *issues in the State involved.*

22 “(2) *AUTHORIZATION OF APPROPRIATIONS.*—
23 *There is authorized to be appropriated to carry out*
24 *this subsection \$1,250,000 for each of fiscal years*
25 *2019 through 2023.*

1 “(e) *DRUG COURT TRAINING AND TECHNICAL ASSIST-*
2 *ANCE PROGRAM.*—

3 “(1) *GRANTS AUTHORIZED.*—*The Director may*
4 *make a grant to a nonprofit organization for the pur-*
5 *pose of providing training and technical assistance to*
6 *drug courts.*

7 “(2) *AUTHORIZATION OF APPROPRIATIONS.*—
8 *There is authorized to be appropriated to carry out*
9 *this subsection \$2,000,000 for each of fiscal years*
10 *2019 through 2023.*

11 “(f) *INTERNATIONAL COORDINATION.*—*The Director*
12 *shall facilitate international drug control coordination ef-*
13 *forts.*

14 “(g) *STATE, LOCAL, AND TRIBAL AFFAIRS COORDI-*
15 *NATOR.*—*The Director shall designate or appoint a United*
16 *States State, Local, and Tribal Affairs Coordinator to per-*
17 *form the duties of the Office outlined in this section and*
18 *section 1005 and such other duties as may be determined*
19 *by the Director with respect to coordination of drug control*
20 *efforts between agencies and State, local, and Tribal govern-*
21 *ments. The Director shall determine whether the coordinator*
22 *position is a career or noncareer position in the Senior Ex-*
23 *ecutive Service.*

24 “**§ 1011. Interdiction**

25 “(a) *UNITED STATES INTERDICTION COORDINATOR.*—

1 “(1) *IN GENERAL.*—*The Director shall designate*
2 *or appoint a United States Interdiction Coordinator*
3 *to perform the duties of that position described in*
4 *paragraph (2) and such other duties as may be deter-*
5 *mined by the Director with respect to coordination of*
6 *efforts to interdict illicit drugs from entering the*
7 *United States.*

8 “(2) *RESPONSIBILITIES.*—*The United States*
9 *Interdiction Coordinator shall be responsible to the*
10 *Director for—*

11 “(A) *coordinating the interdiction activities*
12 *of the National Drug Control Program Agencies*
13 *to ensure consistency with the National Drug*
14 *Control Strategy;*

15 “(B) *on behalf of the Director, developing*
16 *and issuing, on or before March 1 of each year*
17 *and in accordance with paragraph (4), a Na-*
18 *tional Interdiction Command and Control Plan*
19 *to ensure the coordination and consistency de-*
20 *scribed in subparagraph (A);*

21 “(C) *assessing the sufficiency of assets com-*
22 *mitted to illicit drug interdiction by the relevant*
23 *National Drug Control Program Agencies; and*

24 “(D) *advising the Director on the efforts of*
25 *each National Drug Control Program Agency to*

1 *implement the National Interdiction Command*
2 *and Control Plan.*

3 “(3) *STAFF.*—*The Director shall assign such per-*
4 *manent staff of the Office as he considers appropriate*
5 *to assist the United States Interdiction Coordinator*
6 *to carry out the responsibilities described in para-*
7 *graph (2), and may request that appropriate Na-*
8 *tional Drug Control Program Agencies detail or as-*
9 *sign staff to assist in carrying out such activities.*

10 “(4) *NATIONAL INTERDICTION COMMAND AND*
11 *CONTROL PLAN.*—

12 “(A) *PURPOSES.*—*The National Interdic-*
13 *tion Command and Control Plan—*

14 “(i) *shall set forth the Government’s*
15 *strategy for drug interdiction;*

16 “(ii) *shall state the specific roles and*
17 *responsibilities of the relevant National*
18 *Drug Control Program Agencies for imple-*
19 *menting that strategy;*

20 “(iii) *shall identify the specific re-*
21 *sources required to enable the relevant Na-*
22 *tional Drug Control Program Agencies to*
23 *implement that strategy; and*

1 “(iv) may include recommendations
2 about changes to existing agency authorities
3 or laws governing interagency relationships.

4 “(B) CONSULTATION WITH OTHER AGEN-
5 CIES.—Before the submission of the National
6 Drug Control Strategy or annual supplement re-
7 quired under section 1005(d), as applicable, the
8 United States Interdiction Coordinator shall
9 issue the National Interdiction Command and
10 Control Plan, in consultation with the other
11 members of the Interdiction Committee described
12 in subsection (c).

13 “(C) REPORT TO CONGRESS.—On or before
14 March 1 of each year, the Director, through the
15 United States Interdiction Coordinator, shall
16 provide to the appropriate congressional commit-
17 tees, to the Committee on Armed Services and the
18 Committee on Homeland Security of the House
19 of Representatives, and to the Committee on
20 Homeland Security and Governmental Affairs
21 and the Committee on Armed Services of the
22 Senate, a report that includes—

23 “(i) a copy of that year’s National
24 Interdiction Command and Control Plan;

1 “(ii) information for the previous 10
2 years regarding the number and type of sei-
3 zures of drugs by each National Drug Con-
4 trol Program Agency conducting drug inter-
5 diction activities and statistical informa-
6 tion on the geographic areas of such sei-
7 zures; and

8 “(iii) information for the previous 10
9 years regarding the number of air and mar-
10 itime patrol hours undertaken by each Na-
11 tional Drug Control Program Agency con-
12 ducting drug interdiction activities and sta-
13 tistical information on the geographic areas
14 in which such patrol hours took place.

15 “(D) CLASSIFIED ANNEX.—The report sub-
16 mitted pursuant to subparagraph (C) may in-
17 clude a classified annex.

18 “(b) INTERDICTION COMMITTEE.—

19 “(1) IN GENERAL.—The Interdiction Committee
20 shall meet to—

21 “(A) discuss and resolve issues related to the
22 coordination, oversight, and integration of inter-
23 national, border, and domestic drug interdiction
24 efforts in support of the National Drug Control
25 Strategy;

1 “(B) review the annual National Interdic-
2 tion Command and Control Plan, and provide
3 advice to the Director and the United States
4 Interdiction Coordinator concerning that plan;
5 and

6 “(C) provide such other advice to the Direc-
7 tor concerning drug interdiction strategy and
8 policies as the committee determines is appro-
9 priate.

10 “(2) CHAIR.—The Director shall designate one of
11 the members of the Interdiction Committee to serve as
12 chair.

13 “(3) MEETINGS.—The members of the Interdic-
14 tion Committee shall meet, in person and not through
15 any delegate or representative, at least once per cal-
16 endar year, before March 1. At the call of the Director
17 or the chair, the Interdiction Committee may hold ad-
18 ditional meetings, which shall be attended by the
19 members in person, or through such delegates or rep-
20 resentatives as the members may choose.

21 “(4) REPORT.—Not later than September 30 of
22 each year, the chair of the Interdiction Committee
23 shall submit to the Director and to the appropriate
24 congressional committees a report describing the re-
25 sults of the meetings and any significant findings of

1 *the committee during the previous 12 months. Such*
2 *report may include a classified annex.*

3 **“§ 1012. Treatment coordinator**

4 “(a) *UNITED STATES TREATMENT COORDINATOR.*—

5 “(1) *IN GENERAL.*—*The Director shall designate*
6 *or appoint a United States Treatment Coordinator to*
7 *perform the responsibilities of that position described*
8 *in paragraph (2) and such other duties as may be de-*
9 *termined by the Director with respect to coordination*
10 *of efforts to expand the availability of substance use*
11 *disorder treatment with the goal of eliminating the*
12 *unmet treatment need.*

13 “(2) *RESPONSIBILITIES.*—*The United States*
14 *Treatment Coordinator shall be responsible to the Di-*
15 *rector for—*

16 “(A) *coordinating the activities of the Na-*
17 *tional Drug Control Program Agencies under-*
18 *taken to expand the availability of evidence-*
19 *based substance use disorder treatment to ensure*
20 *consistency with the National Drug Control*
21 *Strategy;*

22 “(B) *on behalf of the Director, developing*
23 *and issuing, on or before March 1 of each year*
24 *and in accordance with paragraph (4), a Na-*
25 *tional Treatment Plan to ensure the coordina-*

1 *tion and consistency described in subparagraph*
2 *(A);*

3 *“(C) assessing the sufficiency of Federal re-*
4 *sources directed to substance use disorder treat-*
5 *ment by the relevant National Drug Control Pro-*
6 *gram Agencies;*

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

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

14 *“(3) STAFF.—The Director shall assign such per-*
15 *manent staff of the Office of the United States Treat-*
16 *ment Coordinator as the Director determines to be ap-*
17 *propriate to assist the United States Treatment Coor-*
18 *dinator to carry out the responsibilities described in*
19 *paragraph (2), and may request that appropriate Na-*
20 *tional Drug Control Program Agencies detail or as-*
21 *sign staff to assist in carrying out such responsibil-*
22 *ities.*

23 *“(4) NATIONAL TREATMENT PLAN.—*

24 *“(A) PURPOSES.—The National Treatment*
25 *Plan—*

1 “(i) shall identify the unmet need for
2 treatment for evidence-based substance use
3 disorders including opioid use disorders,
4 and set forth the Government’s strategy for
5 closing the gap between available and need-
6 ed treatment through all sources;

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

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

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

19 “(v) may include recommendations
20 about changes to existing agency authorities
21 or laws governing interagency relationships.

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

1 *United States Treatment Coordinator shall issue*
2 *the National Treatment Plan, in consultation*
3 *with the other members of the Interdiction Com-*
4 *mittee described in subsection (b).*

5 “(C) *REPORT TO CONGRESS.—On or before*
6 *March 1 of each year, the Director, through the*
7 *United States Treatment Coordinator, shall pro-*
8 *vide to the appropriate congressional committees*
9 *a report that includes a copy of that year’s Na-*
10 *tional Treatment Plan;*

11 “(b) *TREATMENT COMMITTEE.—*

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

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

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

20 “(C) *provide such other advice to the Direc-*
21 *tor concerning substance use disorder treatment*
22 *initiatives as the committee determines is appro-*
23 *priate.*

1 “(2) *CHAIR.*—*The Director shall designate one of*
2 *the members of the Treatment Committee to serve as*
3 *chair.*

4 “(3) *MEETINGS.*—*The members of the Treatment*
5 *Committee shall meet, in person and not through any*
6 *delegate or representative, at least once per calendar*
7 *year, before March 1. At the call of the Director or*
8 *the chair, the Treatment Committee may hold addi-*
9 *tional meetings, which shall be attended by the mem-*
10 *bers in person, or through such delegates or represent-*
11 *atives as the members may choose.*

12 “(4) *REPORT.*—*Not later than September 30 of*
13 *each year, the chair of the Treatment Committee shall*
14 *submit to the Director and to the appropriate con-*
15 *gressional committees a report describing the results*
16 *of the meetings and any significant findings of the*
17 *committee during the previous 12 months. Such re-*
18 *port may include a classified annex.*

19 **“§ 1013. Critical information coordination**

20 “(a) *NATIONAL DRUG CONTROL FUSION CENTER.*—

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

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

15 “(2) *CENTER DIRECTOR.*—*There shall be at the*
16 *head of the Center a Center Director who shall be ap-*
17 *pointed by the Director from among individuals*
18 *qualified and distinguished in data governance and*
19 *statistical analysis.*

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

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

1 “(B) Collect information not otherwise col-
2 lected by National Drug Control Program Agen-
3 cies as necessary to inform the National Drug
4 Control Strategy.

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

7 “(D) Disseminate technology, as appro-
8 priate, to States and local jurisdictions to enable
9 or improve the collection of data on drug use, in-
10 cluding the recordation of the occurrence of fatal
11 and non-fatal drug overdoses.

12 “(E) Compile information collected by Na-
13 tional Drug Control Program Agencies on grants
14 issued through any National Drug Control Pro-
15 gram, including for any grant the following:

16 “(i) The recipient.

17 “(ii) The amount.

18 “(iii) The intended purpose.

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

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

24 “(4) TOXICOLOGY SCREENING.—

1 “(A) *ESTABLISHMENT.*—*The Center Direc-*
2 *tor may establish a toxicology screening program*
3 *that engages in—*

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

6 “(I) *hospitals and drug treatment*
7 *programs;*

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

11 “(III) *coroners and medical exam-*
12 *iners; and*

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

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

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

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

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

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

13 “(1) *IN GENERAL.*—*Not later than the first Mon-*
14 *day in February of each year, the Director shall sub-*
15 *mit to Congress a systematic plan for increasing data*
16 *collection to enable real-time surveillance of drug con-*
17 *trol threats, developing analysis and monitoring ca-*
18 *pabilities, and identifying and addressing policy*
19 *questions relevant to the National Drug Control Pol-*
20 *icy, Strategy, and Program. Such plan shall be made*
21 *available on the public online portal of the Office,*
22 *shall cover at least a 4-year period beginning with the*
23 *first fiscal year following the fiscal year in which the*
24 *plan is submitted and published, and contain the fol-*
25 *lowing:*

1 “(A) A list of policy-relevant questions for
2 which the Director and each National Drug Con-
3 trol Program Agency intends to develop evidence
4 to support the National Drug Control Program
5 and Strategy.

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

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

15 “(D) A list of any challenges to developing
16 evidence to support policymaking, including any
17 barriers to accessing, collecting, or using relevant
18 data.

19 “(E) A description of the steps the Director
20 and the head of each National Drug Control Pro-
21 gram Agency will take to effectuate the plan.

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

1 “(2) *CONSULTATION.*—*In developing the plan re-*
2 *quired under paragraph (1), the Director shall con-*
3 *sult with the following:*

4 “(A) *The public.*

5 “(B) *Any evaluation or analysis units and*
6 *personnel of the Office.*

7 “(C) *Office officials responsible for imple-*
8 *menting privacy policy.*

9 “(D) *Office officials responsible for data*
10 *governance.*

11 “(E) *The appropriate congressional com-*
12 *mittees.*

13 “(F) *Any other individual or entity as de-*
14 *termined by the Director.*

15 “(c) *EVIDENCE-BASED POLICY.*—

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

1 *consult with the National Institutes of Health and the*
2 *National Academy of Sciences.*

3 “(2) *FUND RESTRICTION FOR THE LEGALIZATION*
4 *OF CONTROLLED SUBSTANCES.—The Director shall*
5 *ensure that no Federal funds appropriated to the Of-*
6 *fice shall be expended for any study or contract relat-*
7 *ing to the legalization (for a medical use or any other*
8 *use) for which a listing in schedule I is in effect*
9 *under section 202 of the Controlled Substances Act*
10 *(21 U.S.C. 812).*

11 “(d) *DRUG CONTROL DATA DASHBOARD.—*

12 “(1) *ESTABLISHMENT.—The Director, in con-*
13 *sultation with the Center Director, shall establish and*
14 *maintain a data dashboard on the online portal of*
15 *the Office to be known as the ‘Drug Control Data*
16 *Dashboard’. The Director shall ensure the user inter-*
17 *face of the dashboard is constructed with modern de-*
18 *sign standards. To the extent practicable, the data*
19 *made available on the dashboard shall be publicly*
20 *available in a machine-readable format and search-*
21 *able by year, agency, drug, and location.*

22 “(2) *DATA.—The data included in the Drug*
23 *Control Data Dashboard shall be updated not less fre-*
24 *quently than quarterly and shall include, at a min-*
25 *imum, the following:*

1 “(A) For each substance identified under
2 section 1005(c)(1)(A)(i)—

3 “(i) the total amount seized and dis-
4 rupted in the calendar year and each of the
5 previous 3 calendar years;

6 “(ii) the known and estimated flows
7 into the United States from all sources in
8 the calendar year and each of the previous
9 3 calendar years;

10 “(iii) the total amount of known flows
11 that could not be interdicted or disrupted in
12 the calendar year and each of the previous
13 3 calendar years;

14 “(iv) the known and estimated levels of
15 domestic production in the calendar year
16 and each of the previous three calendar
17 years, including the levels of domestic pro-
18 duction if the drug is a prescription drug,
19 as determined under the Federal Food,
20 Drug, and Cosmetic Act, for which a listing
21 is in effect under section 202 of the Con-
22 trolled Substances Act (21 U.S.C. 812); and

23 “(v) the average street price for the cal-
24 endar year and the highest known street
25 price during the preceding 10-year period.

1 “(B) For the calendar year and each of the
2 previous three years data sufficient to show,
3 disaggregated by State and, to the extent feasible,
4 by region within a State, county, or city, the fol-
5 lowing:

6 “(i) The number of fatal and non-fatal
7 overdoses caused by each drug identified
8 under subparagraph (A)(i).

9 “(ii) The prevalence of substance use
10 disorders.

11 “(iii) The number of individuals who
12 have received substance use disorder treat-
13 ment, including medication assisted treat-
14 ment, for a substance use disorder, includ-
15 ing treatment provided through publicly-fi-
16 nanced health care programs.

17 “(iv) The extent of the unmet need for
18 substance use disorder treatment, including
19 the unmet need for medication-assisted
20 treatment.

21 “(C) Data sufficient to show the extent of
22 prescription drug diversion, trafficking, and
23 misuse in the calendar year and each of the pre-
24 vious 3 calendar years.

1 “(D) Any quantifiable measures the Direc-
2 tor determines to be appropriate to detail
3 progress toward the achievement of the goals of
4 the National Drug Control Strategy.

5 “(e) ACCESS TO INFORMATION.—

6 “(1) IN GENERAL.—Upon the request of the Di-
7 rector, the head of any National Drug Control Pro-
8 gram Agency shall cooperate with and provide to the
9 Director any statistics, studies, reports, and other in-
10 formation prepared or collected by the agency con-
11 cerning the responsibilities of the agency under the
12 National Drug Control Strategy that relate to—

13 “(A) drug control; or

14 “(B) the manner in which amounts made
15 available to that agency for drug control are
16 being used by that agency.

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

19 “(A) IN GENERAL.—The authorities con-
20 ferred on the Office and the Director by this
21 chapter shall be exercised in a manner consistent
22 with provisions of the National Security Act of
23 1947 (50 U.S.C. 401 et seq.). The Director of Na-
24 tional Intelligence shall prescribe such regula-
25 tions as may be necessary to protect information

1 *provided pursuant to this chapter regarding in-*
2 *telligence sources and methods.*

3 “(B) *DUTIES OF DIRECTOR.*—*The Director*
4 *of National Intelligence and the Director of the*
5 *Central Intelligence Agency shall, to the max-*
6 *imum extent practicable in accordance with sub-*
7 *paragraph (A), render full assistance and sup-*
8 *port to the Office and the Director.*

9 “(3) *REQUIRED REPORTS FROM NATIONAL DRUG*
10 *CONTROL AGENCIES.*—*The head of each National*
11 *Drug Control Program Agency shall submit to the Di-*
12 *rector such information and reports as requested from*
13 *such National Drug Control Program Agency by the*
14 *Director, which shall include from the appropriate*
15 *National Drug Control Program Agencies:*

16 “(A) *Not later than July 1 of each year, the*
17 *head of a designated National Drug Control Pro-*
18 *gram Agency shall submit to the Director and*
19 *the appropriate congressional committees an as-*
20 *essment of the quantity of illegal drug cultiva-*
21 *tion and manufacturing in the United States on*
22 *lands owned or under the jurisdiction of their re-*
23 *spective agencies that was seized or eradicated by*
24 *their personnel during the preceding calendar*
25 *year.*

1 “(B) Not later than July 1 of each year, the
2 head of a designated National Drug Control Pro-
3 gram Agency shall submit to the Director and
4 the appropriate congressional committees infor-
5 mation for the preceding year regarding—

6 “(i) the number and type of seizures of
7 drugs by each component of the agency seiz-
8 ing drugs, as well as statistical information
9 on the geographic areas of such seizures;
10 and

11 “(ii) the number of air and maritime
12 patrol hours primarily dedicated to drug
13 supply reduction missions undertaken by
14 each component of the agency.

15 “(C) Not later than July 1 of each year, the
16 head of a designated National Drug Control Pro-
17 gram Agency shall submit to the Director and
18 the appropriate congressional committees infor-
19 mation for the preceding year regarding the
20 number of air and maritime patrol hours pri-
21 marily dedicated to drug supply reduction mis-
22 sions undertaken by each component of the agen-
23 cy.

24 “(D) Not later than July 1 of each year, the
25 head of a designated National Drug Control Pro-

1 *gram Agency shall submit to the Director and*
2 *the appropriate congressional committees infor-*
3 *mation for the preceding year regarding the*
4 *number and type of—*

5 *“(i) arrests for drug violations;*

6 *“(ii) prosecutions for drug violations*
7 *by United States Attorneys; and*

8 *“(iii) seizures of drugs by each compo-*
9 *nent of the Department of Justice seizing*
10 *drugs, as well as statistical information on*
11 *the geographic areas of such seizures.*

12 *“(f) DATA EXCHANGE STANDARDS FOR IMPROVED*
13 *INTEROPERABILITY.—*

14 *“(1) INTERAGENCY AND INTERGOVERNMENTAL*
15 *DESIGNATION AND USE OF DATA EXCHANGE STAND-*
16 *ARDS WORKING GROUP.—The Director shall establish*
17 *a working group of National Drug Control Program*
18 *Agencies, State, local and Tribal government health*
19 *and law enforcement agencies, and data governance*
20 *experts to develop consensus data exchange standards*
21 *for necessary categories of information that allow ef-*
22 *fective electronic exchange of information between*
23 *States, between State agencies, between States and*
24 *National Drug Control Program Agencies, and any*
25 *other drug control relevant data exchange.*

1 “(2) *DATA EXCHANGE STANDARDS MUST BE NON-*
2 *PROPRIETARY AND INTEROPERABLE.*—*The data ex-*
3 *change standards designated under paragraph (1)*
4 *shall, to the extent practicable, be nonproprietary and*
5 *interoperable.*

6 “(3) *OTHER REQUIREMENTS.*—*In designating*
7 *data exchange standards under this subsection, the*
8 *working group shall, to the extent practicable, incor-*
9 *porate—*

10 “(A) *interoperable standards developed and*
11 *maintained by an international voluntary con-*
12 *sensus standards body, as defined by the Office*
13 *of Management and Budget;*

14 “(B) *interoperable standards developed and*
15 *maintained by intergovernmental partnerships;*
16 *and*

17 “(C) *interoperable standards developed and*
18 *maintained by Federal entities with authority*
19 *over contracting and financial assistance.*

20 “(4) *DATA EXCHANGE STANDARDS FOR FEDERAL*
21 *REPORTING.*—

22 “(A) *DESIGNATION.*—*The Director may, in*
23 *consultation with the working group established*
24 *under this section, National Drug Control Pro-*
25 *gram Agencies, and State, local, and Tribal gov-*

1 *ernments, designate data exchange standards to*
2 *govern Federal reporting and exchange require-*
3 *ments for National Drug Control Programs, as*
4 *appropriate.*

5 *“(B) REQUIREMENTS.—The data exchange*
6 *reporting standards required by subparagraph*
7 *(A) shall, to the extent practicable—*

8 *“(i) incorporate a widely accepted,*
9 *nonproprietary, searchable, machine-read-*
10 *able format;*

11 *“(ii) be consistent with and implement*
12 *applicable accounting principles;*

13 *“(iii) be implemented in a manner*
14 *that is cost-effective and improves program*
15 *efficiency and effectiveness; and*

16 *“(iv) be capable of being continually*
17 *upgraded as necessary.*

18 *“(C) INCORPORATION OF NONPROPRIETARY*
19 *STANDARDS.—In designating data exchange*
20 *standards under this paragraph, the Director*
21 *shall, to the extent practicable, incorporate exist-*
22 *ing nonproprietary standards.*

23 *“(D) RULE OF CONSTRUCTION.—Nothing in*
24 *this paragraph shall be construed to require a*
25 *change to existing data exchange standards for*

1 *Federal reporting about a program referred to in*
2 *this section, if the head of the agency responsible*
3 *for administering the program finds the stand-*
4 *ards to be effective and efficient.*

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

9 “(g) *ANNUAL DATA COLLECTION AND DISSEMINATION*
10 *REQUIREMENTS.*—

11 “(1) *IN GENERAL.*—*The Director shall collect*
12 *and disseminate, as appropriate, such information as*
13 *the Director determines is appropriate, but not less*
14 *than the information described in this subsection. To*
15 *the extent practicable, the data shall be publicly*
16 *available in a machine-readable format on the Drug*
17 *Control Data Dashboard, be searchable by year, agen-*
18 *cy, drug, and location, and cover not less than the*
19 *previous 10-year period.*

20 “(2) *PREPARATION AND DISSEMINATION OF IN-*
21 *FORMATION.*—*The Director shall prepare and dis-*
22 *seminate the following:*

23 “(A) *An assessment of current illicit drug*
24 *use (including inhalants and steroids) and avail-*

1 *ability, impact of illicit drug use, and treatment*
2 *availability, which assessment shall include—*

3 “(i) *estimates of drug prevalence and*
4 *frequency of use as measured by national,*
5 *State, and local surveys of illicit drug use*
6 *and by other special studies of non-*
7 *dependent and dependent illicit drug use;*

8 “(ii) *illicit drug use in the workplace*
9 *and the productivity lost by such use; and*

10 “(iii) *illicit drug use by arrestees, pro-*
11 *bationers, and parolees.*

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

15 “(i) *the quantities of such drug avail-*
16 *able for consumption in the United States;*

17 “(ii) *the amount of such drug entering*
18 *the United States;*

19 “(iii) *the number of illicit drug manu-*
20 *facturing laboratories seized and destroyed*
21 *of each relevant drug and the number of*
22 *hectares cultivated and destroyed domesti-*
23 *cally and in other countries of each relevant*
24 *drug;*

1 “(iv) the number of metric tons of such
2 drug seized; and

3 “(v) changes in the price and purity of
4 such drug.

5 “(C) An assessment of the reduction of the
6 consequences of illicit drug use and availability,
7 which shall include—

8 “(i) the cost of treating substance use
9 disorder in the United States, such as the
10 quantity of illicit drug-related services pro-
11 vided;

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

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

16 “(D) A determination of the status of drug
17 treatment in the United States, by assessing—

18 “(i) public and private treatment utili-
19 zation; and

20 “(ii) the number of illicit drug users
21 the Director estimates meet diagnostic cri-
22 teria for treatment.

23 “(E) A summary of the efforts made to co-
24 ordinate with private sector entities to conduct

1 *private research and development of medications*
2 *to treat addiction by—*

3 “(i) *screening chemicals for potential*
4 *therapeutic value;*

5 “(ii) *developing promising compounds;*

6 “(iii) *conducting clinical trials;*

7 “(iv) *seeking Food and Drug Adminis-*
8 *tration approval for drugs to treat addic-*
9 *tion;*

10 “(v) *marketing the drug for the treat-*
11 *ment of addiction;*

12 “(vi) *urging physicians to use the drug*
13 *in the treatment of addiction; and*

14 “(vii) *encouraging insurance compa-*
15 *nies to reimburse the cost of the drug for the*
16 *treatment of addiction.*

17 **“§ 1014. Annual audit and investigation requirements**

18 “(a) *PERIODIC GOVERNMENT ACCOUNTABILITY OF-*
19 *FICE AUDITS OF PROGRAMS AND OPERATIONS.—Not later*
20 *than December 31, 2019, and every 3 years thereafter, the*
21 *Comptroller General shall—*

22 “(1) *conduct and supervise an audit and inves-*
23 *tigation relating to the programs and operations of—*

24 “(A) *the Office; or*

1 “(B) certain programs within the Office, in-
2 cluding—

3 “(i) the High Intensity Drug Traf-
4 ficking Areas Program; and

5 “(iii) the media campaign under sec-
6 tion 1009(d); and

7 “(2) submit to the Director and the appropriate
8 congressional committees a report containing an eval-
9 uation of and recommendations on the—

10 “(A) policies and activities of the programs
11 and operations subject to the audit and inves-
12 tigation;

13 “(B) economy, efficiency, and effectiveness
14 in the administration of the reviewed programs
15 and operations; and

16 “(C) policy or management changes needed
17 to prevent and detect fraud and abuse in such
18 programs and operations.

19 **“§ 1015. Authorization of appropriations**

20 “*There are authorized to be appropriated to carry out*
21 *this chapter, except as otherwise specified, to remain avail-*
22 *able until expended, \$18,400,000 for each of fiscal years*
23 *2019 through 2023.*

1 “SUBCHAPTER II—HIGH INTENSITY DRUG
2 TRAFFICKING AREAS PROGRAM

3 “§ 1021. *High intensity drug trafficking areas pro-*
4 *gram*

5 “(a) *ESTABLISHMENT.—*

6 “(1) *IN GENERAL.—There is established in the*
7 *Office a program to be known as the High Intensity*
8 *Drug Trafficking Areas Program (in this section re-*
9 *ferred to as the ‘Program’).*

10 “(2) *PURPOSE.—The purpose of the Program is*
11 *to reduce drug trafficking and drug production in the*
12 *United States by—*

13 “(A) *facilitating cooperation among Fed-*
14 *eral, State, local, and Tribal law enforcement*
15 *agencies to share information and implement co-*
16 *ordinated enforcement activities;*

17 “(B) *enhancing law enforcement intelligence*
18 *sharing among Federal, State, local, and Tribal*
19 *law enforcement agencies;*

20 “(C) *providing reliable law enforcement in-*
21 *telligence to law enforcement agencies needed to*
22 *design effective enforcement strategies and oper-*
23 *ations; and*

24 “(D) *supporting coordinated law enforce-*
25 *ment strategies which maximize use of available*

1 *resources to reduce the supply of illegal drugs in*
2 *designated areas and in the United States as a*
3 *whole.*

4 “(b) *DESIGNATION.*—

5 “(1) *IN GENERAL.*—*The Director, in consultation*
6 *with the Attorney General, the Secretary of the Treas-*
7 *ury, the Secretary of Homeland Security, heads of the*
8 *National Drug Control Program Agencies, and the*
9 *Governor of each applicable State, may designate any*
10 *specified area of the United States as a high intensity*
11 *drug trafficking area.*

12 “(2) *ACTIVITIES.*—*After making a designation*
13 *under paragraph (1) and in order to provide Federal*
14 *assistance to the area so designated, the Director*
15 *may—*

16 “(A) *obligate such sums as are appropriated*
17 *for the Program;*

18 “(B) *direct the temporary reassignment of*
19 *Federal personnel to such area, subject to the ap-*
20 *proval of the head of the agency that employs*
21 *such personnel;*

22 “(C) *take any other action authorized under*
23 *this chapter to provide increased Federal assist-*
24 *ance to those areas; and*

1 “(D) coordinate activities under this section
2 (specifically administrative, recordkeeping, and
3 funds management activities) with State, local,
4 and Tribal officials.

5 “(c) *PETITIONS FOR DESIGNATION.*—*The Director*
6 *shall establish and maintain regulations under which a coa-*
7 *lition of interested law enforcement agencies from an area*
8 *may petition for designation as a high intensity drug traf-*
9 *ficking area (in this section referred to as the ‘HIDTA’).*
10 *Such regulations shall provide for a regular review by the*
11 *Director of the petition, including a recommendation re-*
12 *garding the merit of the petition to the Director by a panel*
13 *of qualified, independent experts.*

14 “(d) *FACTORS FOR CONSIDERATION.*—*In considering*
15 *whether to designate an area under this section as a high*
16 *intensity drug trafficking area, the Director shall consider,*
17 *in addition to such other criteria as the Director considers*
18 *to be appropriate, the extent to which—*

19 “(1) *the area is a significant center of illegal*
20 *drug production, manufacturing, importation, or dis-*
21 *tribution;*

22 “(2) *State, local, and Tribal law enforcement*
23 *agencies have committed resources to respond to the*
24 *drug trafficking problem in the area, thereby indi-*

1 *cating a determination to respond aggressively to the*
2 *problem;*

3 *“(3) drug-related activities in the area are hav-*
4 *ing a significant harmful impact in the area, and in*
5 *other areas of the country; and*

6 *“(4) a significant increase in allocation of Fed-*
7 *eral resources is necessary to respond adequately to*
8 *drug-related activities in the area.*

9 *“(e) ORGANIZATION OF HIGH INTENSITY DRUG TRAF-*
10 *FICKING AREAS.—*

11 *“(1) EXECUTIVE BOARD AND OFFICERS.—To be*
12 *eligible for funds appropriated under this section,*
13 *each high intensity drug trafficking area shall be gov-*
14 *erned by an Executive Board. The Executive Board*
15 *shall designate a chairman, vice chairman, and any*
16 *other officers to the Executive Board that it deter-*
17 *mines are necessary.*

18 *“(2) RESPONSIBILITIES.—The Executive Board*
19 *of a high intensity drug trafficking area shall be re-*
20 *sponsible for—*

21 *“(A) providing direction and oversight in*
22 *establishing and achieving the goals of the high*
23 *intensity drug trafficking area;*

24 *“(B) managing the funds of the high inten-*
25 *sity drug trafficking area;*

1 “(C) reviewing and approving all funding
2 proposals consistent with the overall objective of
3 the high intensity drug trafficking area; and

4 “(D) reviewing and approving all reports to
5 the Director on the activities of the high inten-
6 sity drug trafficking area.

7 “(3) *BOARD REPRESENTATION.*—None of the
8 funds appropriated under this section may be ex-
9 pended for any high intensity drug trafficking area,
10 or for a partnership or region of a high intensity
11 drug trafficking area, if the Executive Board for such
12 area, region, or partnership, does not apportion an
13 equal number of votes between representatives of par-
14 ticipating agencies and representatives of partici-
15 pating State, local, and Tribal agencies. Where it is
16 impractical for an equal number of representatives of
17 agencies and State, local, and Tribal agencies to at-
18 tend a meeting of an Executive Board in person, the
19 Executive Board may use a system of proxy votes or
20 weighted votes to achieve the voting balance required
21 by this paragraph.

22 “(4) *NO AGENCY RELATIONSHIP.*—The eligibility
23 requirements of this section are intended to ensure the
24 responsible use of Federal funds. Nothing in this sec-
25 tion is intended to create an agency relationship be-

1 *tween individual high intensity drug trafficking areas*
2 *and the Federal Government.*

3 “(f) *USE OF FUNDS.—The Director shall ensure that*
4 *not more than 5 percent of Federal funds appropriated for*
5 *the Program are expended for drug treatment programs and*
6 *not more than 5 percent of the Federal funds appropriated*
7 *for the Program are expended for drug prevention pro-*
8 *grams.*

9 “(g) *COUNTERTERRORISM ACTIVITIES.—*

10 “(1) *ASSISTANCE AUTHORIZED.—The Director*
11 *may authorize use of resources available for the Pro-*
12 *gram to assist Federal, State, local, and Tribal law*
13 *enforcement agencies in investigations and activities*
14 *related to terrorism and prevention of terrorism, espe-*
15 *cially but not exclusively with respect to such inves-*
16 *tigations and activities that are also related to drug*
17 *trafficking.*

18 “(2) *LIMITATION.—The Director shall ensure—*

19 “(A) *that assistance provided under para-*
20 *graph (1) remains incidental to the purpose of*
21 *the Program to reduce drug availability and*
22 *carry out drug-related law enforcement activi-*
23 *ties; and*

24 “(B) *that significant resources of the Pro-*
25 *gram are not redirected to activities exclusively*

1 *related to terrorism, except on a temporary basis*
2 *under extraordinary circumstances, as deter-*
3 *mined by the Director.*

4 “(h) *ROLE OF DRUG ENFORCEMENT ADMINISTRA-*
5 *TION.—The Director, in consultation with the Attorney*
6 *General, shall ensure that a representative of the Drug En-*
7 *forcement Administration is included in the Intelligence*
8 *Support Center for each high intensity drug trafficking*
9 *area.*

10 “(i) *EMERGING THREAT RESPONSE FUND.—*

11 “(1) *IN GENERAL.—Subject to the availability of*
12 *appropriations, the Director may expend up to 10*
13 *percent of the amounts appropriated under this sec-*
14 *tion on a discretionary basis, in accordance with the*
15 *criteria established under paragraph (2)—*

16 “(A) *to respond to any emerging drug traf-*
17 *ficking threat in an existing high intensity drug*
18 *trafficking area;*

19 “(B) *to establish a new high intensity drug*
20 *trafficking area; or*

21 “(C) *to expand an existing high intensity*
22 *drug trafficking area.*

23 “(2) *CONSIDERATION OF IMPACT.—In allocating*
24 *funds under this subsection, the Director shall con-*
25 *sider—*

1 “(A) *the impact of activities funded on re-*
2 *ducing overall drug traffic in the United States,*
3 *or minimizing the probability that an emerging*
4 *drug trafficking threat will spread to other areas*
5 *of the United States; and*

6 “(B) *such other criteria as the Director con-*
7 *siders appropriate.*

8 “(j) *ANNUAL HIDTA PROGRAM BUDGET SUBMIS-*
9 *SIONS.—As part of the documentation that supports the*
10 *President’s annual budget request for the Office, the Direc-*
11 *tor shall submit to Congress a budget justification that in-*
12 *cludes—*

13 “(1) *the amount proposed for each HIDTA, con-*
14 *ditional upon a review by the Office of the request*
15 *submitted by such HIDTA and the performance of*
16 *such HIDTA, with supporting narrative descriptions*
17 *and rationale for each request;*

18 “(2) *a detailed justification that explains—*

19 “(A) *the reasons for the proposed funding*
20 *level and how such funding level was determined*
21 *based on a current assessment of the drug traf-*
22 *ficking threat in each high intensity drug traf-*
23 *ficking area;*

1 “(B) how such funding will ensure that the
2 goals and objectives of each such area will be
3 achieved; and

4 “(C) how such funding supports the Na-
5 tional Drug Control Strategy; and

6 “(3) the amount of HIDTA funds used to inves-
7 tigate and prosecute organizations and individuals
8 trafficking in each major illicit drug, as identified by
9 the Director, in the prior calendar year, and a de-
10 scription of how those funds were used.

11 “(k) HIDTA ANNUAL EVALUATION REPORT.—As part
12 of each National Drug Control Evaluation assessment
13 under section 1006, the Director shall include, for each des-
14 ignated high intensity drug trafficking area, a report
15 that—

16 “(1) describes—

17 “(A) the specific purposes for the high in-
18 tensity drug trafficking area; and

19 “(B) the specific long-term and short-term
20 goals and objectives for the high intensity drug
21 trafficking area;

22 “(2) includes an evaluation of the performance of
23 the high intensity drug trafficking area in accom-
24 plishing the specific long-term and short-term goals
25 and objectives identified under subparagraph (1)(B);

1 “(3) assesses the number and operation of all fed-
2 erally funded drug enforcement task forces within
3 such high intensity drug trafficking area;

4 “(4) describes—

5 “(A) each Federal, State, local, and Tribal
6 drug enforcement task force operating in such
7 high intensity drug trafficking area;

8 “(B) how such task forces coordinate with
9 each other, with any high intensity drug traf-
10 ficking area task force, and with investigations
11 receiving funds from the Organized Crime and
12 Drug Enforcement Task Force;

13 “(C) what steps, if any, each such task force
14 takes to share information regarding drug traf-
15 ficking and drug production with other federally
16 funded drug enforcement task forces in the high
17 intensity drug trafficking area;

18 “(D) the role of the high intensity drug traf-
19 ficking area in coordinating the sharing of such
20 information among task forces;

21 “(E) the nature and extent of cooperation
22 by each Federal, State, local, and Tribal partici-
23 pant in ensuring that such information is shared
24 among law enforcement agencies and with the
25 high intensity drug trafficking area;

1 “(F) the nature and extent to which infor-
2 mation sharing and enforcement activities are
3 coordinated with joint terrorism task forces in
4 the high intensity drug trafficking area; and

5 “(G) any recommendations for measures
6 needed to ensure that task force resources are uti-
7 lized efficiently and effectively to reduce the
8 availability of illegal drugs in the high intensity
9 drug trafficking areas; and

10 “(5) in consultation with the Director of Na-
11 tional Intelligence—

12 “(A) evaluates existing and planned law en-
13 forcement intelligence systems supported by such
14 high intensity drug trafficking area, or utilized
15 by task forces receiving any funding under the
16 Program, including the extent to which such sys-
17 tems ensure access and availability of law en-
18 forcement intelligence to Federal, State, local,
19 and Tribal law enforcement agencies within the
20 high intensity drug trafficking area and outside
21 of such area;

22 “(B) evaluates the extent to which Federal,
23 State, local, and Tribal law enforcement agencies
24 participating in each high intensity drug traf-
25 ficking area are sharing law enforcement intel-

1 *ligence information to assess current drug traf-*
2 *ficking threats and design appropriate enforce-*
3 *ment strategies; and*

4 “(C) *identifies the measures needed to im-*
5 *prove effective sharing of information and law*
6 *enforcement intelligence regarding drug traf-*
7 *ficking and drug production among Federal,*
8 *State, local, and Tribal law enforcement partici-*
9 *pating in a high intensity drug trafficking area,*
10 *and between such agencies and similar agencies*
11 *outside the high intensity drug trafficking area.*

12 “(l) *COORDINATION OF LAW ENFORCEMENT INTEL-*
13 *LIGENCE SHARING WITH ORGANIZED CRIME DRUG EN-*
14 *FORCEMENT TASK FORCE PROGRAM.—*

15 “(1) *DRUG ENFORCEMENT INTELLIGENCE SHAR-*
16 *ING.—The Director, in consultation with the Attorney*
17 *General, shall ensure that any drug enforcement intel-*
18 *ligence obtained by the Intelligence Support Center*
19 *for each high intensity drug trafficking area is*
20 *shared, on a timely basis, with the drug intelligence*
21 *fusion center operated by the Organized Crime Drug*
22 *Enforcement Task Force of the Department of Justice.*

23 “(2) *CERTIFICATION.—Before the Director*
24 *awards any funds to a high intensity drug trafficking*
25 *area, the Director shall certify that the law enforce-*

1 *ment entities participating in that HIDTA are pro-*
2 *viding laboratory seizure data to the national clan-*
3 *destine laboratory database at the El Paso Intel-*
4 *ligence Center.*

5 *“(m) AUTHORIZATION OF APPROPRIATIONS.—There is*
6 *authorized to be appropriated to the Office to carry out this*
7 *section \$280,000,000 for each fiscal years 2019 through*
8 *2023.*

9 *“(n) SPECIFIC PURPOSES.—*

10 *“(1) IN GENERAL.—The Director shall ensure*
11 *that, of the amounts appropriated for a fiscal year for*
12 *the Program, at least 2.5 percent is used in high in-*
13 *tensity drug trafficking areas with severe neighbor-*
14 *hood safety and illegal drug distribution problems.*

15 *“(2) REQUIRED USES.—The funds used under*
16 *paragraph (1) shall be used to ensure the safety of*
17 *neighborhoods and the protection of communities, in-*
18 *cluding the prevention of the intimidation of wit-*
19 *nesses of illegal drug distribution and related activi-*
20 *ties and the establishment of or support for programs*
21 *that provide protection or assistance to witnesses in*
22 *court proceedings.*

23 *“(3) BEST PRACTICE MODELS.—The Director*
24 *shall work with the HIDTAs to develop and maintain*
25 *best practice models to assist State, local, and Tribal*

1 “(c) *ADMINISTRATION.*—*The Director shall appoint an*
2 *Administrator to carry out the Program.*

3 “(d) *CONTRACTING.*—*The Director may employ any*
4 *necessary staff and may enter into contracts or agreements*
5 *with national drug control agencies, including interagency*
6 *agreements, to delegate authority for the execution of grants*
7 *and for such other activities necessary to carry out this*
8 *chapter.*

9 **“§ 1032. Program authorization**

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

13 “(1) *APPLICATION.*—*The coalition shall submit*
14 *an application to the Administrator in accordance*
15 *with section 1033(a)(2).*

16 “(2) *MAJOR SECTOR INVOLVEMENT.*—

17 “(A) *IN GENERAL.*—*The coalition shall con-*
18 *sist of 1 or more representatives of each of the*
19 *following categories:*

20 “(i) *Youth.*

21 “(ii) *Parents.*

22 “(iii) *Businesses.*

23 “(iv) *The media.*

24 “(v) *Schools.*

25 “(vi) *Organizations serving youth.*

1 “(vii) *Law enforcement.*

2 “(viii) *Religious or fraternal organiza-*
3 *tions.*

4 “(ix) *Civic and volunteer groups.*

5 “(x) *Health care professionals.*

6 “(xi) *State, local, or tribal govern-*
7 *mental agencies with expertise in the field*
8 *of substance use prevention or substance use*
9 *disorders (including, if applicable, the State*
10 *authority with primary authority for sub-*
11 *stance use and misuse).*

12 “(xii) *Other organizations involved in*
13 *reducing the prevalence of substance use and*
14 *misuse or substance use disorders.*

15 “(B) *ELECTED OFFICIALS.—If feasible, in*
16 *addition to representatives from the categories*
17 *listed in subparagraph (A), the coalition shall*
18 *have an elected official (or a representative of an*
19 *elected official) from—*

20 “(i) *the Federal Government; and*

21 “(ii) *the government of the appropriate*
22 *State and political subdivision thereof or*
23 *the governing body or an Indian tribe (as*
24 *that term is defined in section 4(e) of the*

1 *Indian Self-Determination Act (25 U.S.C.*
2 *450b(e))*).

3 “(C) *REPRESENTATION.*—*An individual*
4 *who is a member of the coalition may serve on*
5 *the coalition as a representative of not more than*
6 *1 category listed under subparagraph (A).*

7 “(3) *COMMITMENT.*—*The coalition shall dem-*
8 *onstrate, to the satisfaction of the Administrator—*

9 “(A) *that the representatives of the coalition*
10 *have worked together on substance use and mis-*
11 *use reduction initiatives, which, at a minimum,*
12 *includes initiatives that target drugs described in*
13 *section 1037(6)(A), for a period of not less than*
14 *6 months, acting through entities such as task*
15 *forces, subcommittees, or community boards; and*

16 “(B) *substantial participation from volun-*
17 *teer leaders in the community involved (espe-*
18 *cially in cooperation with individuals involved*
19 *with youth such as parents, teachers, coaches,*
20 *youth workers, and members of the clergy).*

21 “(4) *MISSION AND STRATEGIES.*—*The coalition*
22 *shall, with respect to the community involved—*

23 “(A) *have as its principal mission the re-*
24 *duction of illegal drug use, which, at a min-*
25 *imum, includes the use of illegal drugs described*

1 *in section 1037(6)(A), in a comprehensive and*
2 *long-term manner, with a primary focus on*
3 *youth in the community;*

4 “(B) *describe and document the nature and*
5 *extent of the substance use and misuse problem,*
6 *which, at a minimum, includes the use and mis-*
7 *use of drugs described in section 1037(6)(A), in*
8 *the community;*

9 “(C)(i) *provide a description of substance*
10 *use and misuse prevention and treatment pro-*
11 *grams and activities, which, at a minimum, in-*
12 *cludes programs and activities relating to the use*
13 *and misuse of drugs described in section*
14 *1037(6)(A), in existence at the time of the grant*
15 *application; and*

16 “(ii) *identify substance use and misuse pro-*
17 *grams and service gaps, which, at a minimum,*
18 *includes programs and gaps relating to the use*
19 *and misuse of drugs described in section*
20 *1037(6)(A), in the community;*

21 “(D) *develop a strategic plan to reduce sub-*
22 *stance use and misuse among youth, which, at a*
23 *minimum, includes the use and misuse of drugs*
24 *described in section 1037(6)(A), in a comprehen-*
25 *sive and long-term fashion; and*

1 “(E) work to develop a consensus regarding
2 the priorities of the community to combat sub-
3 stance use and misuse among youth, which, at a
4 minimum, includes the use and misuse of drugs
5 described in section 1037(6)(A).

6 “(5) SUSTAINABILITY.—The coalition shall dem-
7 onstrate that the coalition is an ongoing concern by
8 demonstrating that the coalition—

9 “(A) is—

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

11 “(II) an entity that the Administrator
12 determines to be appropriate; or

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

15 “(B) receives financial support (including,
16 in the discretion of the Administrator, in-kind
17 contributions) from non-Federal sources; and

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

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

23 “(A) establish a system to measure and re-
24 port outcomes—

1 “(i) consistent with common indicators
2 and evaluation protocols established by the
3 Administrator; and

4 “(ii) approved by the Administrator;
5 “(B) conduct—

6 “(i) for an initial grant under this
7 subchapter, an initial benchmark survey of
8 drug use among youth (or use local surveys
9 or performance measures available or acces-
10 sible in the community at the time of the
11 grant application); and

12 “(ii) biennial surveys (or incorporate
13 local surveys in existence at the time of the
14 evaluation) to measure the progress and ef-
15 fectiveness of the coalition; and

16 “(C) provide assurances that the entity con-
17 ducting an evaluation under this paragraph, or
18 from which the coalition receives information,
19 has experience—

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

22 “(ii) in evaluating the effectiveness of
23 community anti-drug coalitions.

1 “(7) *ADDITIONAL CRITERIA.*—*The Director shall*
2 *not impose any eligibility criteria on new applicants*
3 *or renewal grantees not provided in this chapter.*

4 “(b) *GRANT AMOUNTS.*—

5 “(1) *IN GENERAL.*—

6 “(A) *GRANTS.*—

7 “(i) *IN GENERAL.*—*Subject to clause*
8 *(iv), for a fiscal year, the Administrator*
9 *may grant to an eligible coalition under*
10 *this paragraph, an amount not to exceed the*
11 *amount of non-Federal funds raised by the*
12 *coalition, including in-kind contributions,*
13 *for that fiscal year.*

14 “(ii) *SUSPENSION OF GRANTS.*—*If such*
15 *grant recipient fails to continue to meet the*
16 *criteria specified in subsection (a), the Ad-*
17 *ministrator may suspend the grant, after*
18 *providing written notice to the grant recipi-*
19 *ent and an opportunity to appeal.*

20 “(iii) *RENEWAL GRANTS.*—*Subject to*
21 *clause (iv), the Administrator may award a*
22 *renewal grant to a grant recipient under*
23 *this subparagraph for each fiscal year fol-*
24 *lowing the fiscal year for which an initial*
25 *grant is awarded, in an amount not to ex-*

1 *ceed the amount of non-Federal funds raised*
2 *by the coalition, including in-kind contribu-*
3 *tions, for that fiscal year, during the 4-year*
4 *period following the period of the initial*
5 *grant.*

6 *“(iv) LIMITATION.—The amount of a*
7 *grant award under this subparagraph may*
8 *not exceed \$125,000 for a fiscal year.*

9 *“(B) COALITION AWARDS.—*

10 *“(i) IN GENERAL.—Except as provided*
11 *in clause (ii), the Administrator may, with*
12 *respect to a community, make a grant to 1*
13 *eligible coalition that represents that com-*
14 *munity.*

15 *“(ii) EXCEPTION.—The Administrator*
16 *may make a grant to more than 1 eligible*
17 *coalition that represents a community if—*

18 *“(I) the eligible coalitions dem-*
19 *onstrate that the coalitions are collabo-*
20 *rating with one another; and*

21 *“(II) each of the coalitions has*
22 *independently met the requirements set*
23 *forth in subsection (a).*

24 *“(2) RURAL COALITION GRANTS.—*

25 *“(A) IN GENERAL.—*

1 “(i) *IN GENERAL.*—*In addition to*
2 *awarding grants under paragraph (1), to*
3 *stimulate the development of coalitions in*
4 *sparsely populated and rural areas, the Ad-*
5 *ministrator may award a grant in accord-*
6 *ance with this section to a coalition that*
7 *represents a county with a population that*
8 *does not exceed 30,000 individuals. In*
9 *awarding a grant under this paragraph, the*
10 *Administrator may waive any requirement*
11 *under subsection (a) if the Administrator*
12 *considers that waiver to be appropriate.*

13 “(ii) *MATCHING REQUIREMENT.*—*Sub-*
14 *ject to subparagraph (C), for a fiscal year,*
15 *the Administrator may grant to an eligible*
16 *coalition under this paragraph, an amount*
17 *not to exceed the amount of non-Federal*
18 *funds raised by the coalition, including in-*
19 *kind contributions, for that fiscal year.*

20 “(iii) *SUSPENSION OF GRANTS.*—*If*
21 *such grant recipient fails to continue to*
22 *meet any criteria specified in subsection (a)*
23 *that has not been waived by the Adminis-*
24 *trator pursuant to clause (i), the Adminis-*
25 *trator may suspend the grant, after pro-*

1 *viding written notice to the grant recipient*
2 *and an opportunity to appeal.*

3 “(B) *RENEWAL GRANTS.*—*The Adminis-*
4 *trator may award a renewal grant to an eligible*
5 *coalition that is a grant recipient under this*
6 *paragraph for each fiscal year following the fis-*
7 *cal year for which an initial grant is awarded,*
8 *in an amount not to exceed the amount of non-*
9 *Federal funds raised by the coalition, including*
10 *in-kind contributions, during the 4-year period*
11 *following the period of the initial grant.*

12 “(C) *LIMITATIONS.*—

13 “(i) *AMOUNT.*—*The amount of a grant*
14 *award under this paragraph shall not ex-*
15 *ceed \$125,000 for a fiscal year.*

16 “(ii) *AWARDS.*—*With respect to a*
17 *county referred to in subparagraph (A), the*
18 *Administrator may award a grant under*
19 *this section to not more than 1 eligible coa-*
20 *lition that represents the county.*

21 “(3) *ADDITIONAL GRANTS.*—

22 “(A) *IN GENERAL.*—*Subject to subpara-*
23 *graph (F), the Administrator may award an ad-*
24 *ditional grant under this paragraph to an eligi-*
25 *ble coalition awarded a grant under paragraph*

1 (1) or (2) for any first fiscal year after the end
2 of the 4-year period following the period of the
3 initial grant under paragraph (1) or (2), as the
4 case may be.

5 “(B) SCOPE OF GRANTS.—A coalition
6 awarded a grant under paragraph (1) or (2), in-
7 cluding a renewal grant under such paragraph,
8 may not be awarded another grant under such
9 paragraph, and is eligible for an additional
10 grant under this section only under this para-
11 graph.

12 “(C) NO PRIORITY FOR APPLICATIONS.—The
13 Administrator may not afford a higher priority
14 in the award of an additional grant under this
15 paragraph than the Administrator would afford
16 the applicant for the grant if the applicant were
17 submitting an application for an initial grant
18 under paragraph (1) or (2) rather than an ap-
19 plication for a grant under this paragraph.

20 “(D) RENEWAL GRANTS.—Subject to sub-
21 paragraph (F), the Administrator may award a
22 renewal grant to a grant recipient under this
23 paragraph for each of the fiscal years of the 4-
24 fiscal-year period following the fiscal year for
25 which the initial additional grant under sub-

1 paragraph (A) is awarded in an amount not to
2 exceed amounts as follows:

3 “(i) For the first and second fiscal
4 years of that 4-fiscal-year period, the
5 amount equal to 80 percent of the non-Fed-
6 eral funds, including in-kind contributions,
7 raised by the coalition for the applicable fis-
8 cal year.

9 “(ii) For the third and fourth fiscal
10 years of that 4-fiscal-year period, the
11 amount equal to 67 percent of the non-Fed-
12 eral funds, including in-kind contributions,
13 raised by the coalition for the applicable fis-
14 cal year.

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

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

24 “(4) *PROCESS FOR SUSPENSION*.—A grantee
25 shall not be suspended or terminated under para-

1 “(B) may periodically request information
2 from a grant recipient to ensure that the grant
3 recipient meets the applicable criteria under sec-
4 tion 1032(a).

5 “(2) APPLICATION PROCESS.—The Administrator
6 shall issue a request for proposal regarding, with re-
7 spect to the grants awarded under section 1032, the
8 application process, grant renewal, and suspension or
9 withholding of renewal grants. Each application
10 under this paragraph shall be in writing and shall be
11 subject to review by the Administrator.

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

18 “(b) DATA COLLECTION AND DISSEMINATION.—

19 “(1) IN GENERAL.—The Administrator may col-
20 lect data from—

21 “(A) national substance use and misuse or-
22 ganizations that work with eligible coalitions,
23 community anti-drug coalitions, departments or
24 agencies of the Federal Government, or State or

1 *local governments and the governing bodies of*
2 *Indian tribes; and*

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

6 “(2) *ACTIVITIES OF ADMINISTRATOR.—The Ad-*
7 *ministrator may—*

8 “(A) *evaluate the utility of specific initia-*
9 *tives relating to the purposes of the Program;*

10 “(B) *conduct an evaluation of the Program;*
11 *and*

12 “(C) *disseminate information described in*
13 *this subsection to—*

14 “(i) *eligible coalitions and other sub-*
15 *stance use prevention organizations; and*

16 “(ii) *the general public.*

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

21 “(4) *LIMITATION ON USE OF CERTAIN FUNDS*
22 *FOR EVALUATION OF PROGRAM.—Amounts for activi-*
23 *ties under paragraph (2)(B) may not be derived from*
24 *amounts under section 1038(a) except for amounts*

1 *that are available under section 1038(b) for adminis-*
2 *trative costs.*

3 **“§ 1034. Technical assistance and training**

4 “(a) *IN GENERAL.*—

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

8 “(A) *offer technical assistance and training;*
9 *and*

10 “(B) *enter into contracts and cooperative*
11 *agreements.*

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

16 “(b) *TRAINING.*—*The Administrator may provide*
17 *training to any representative designated by a grant recipi-*
18 *ent in—*

19 “(1) *coalition building;*

20 “(2) *task force development;*

21 “(3) *mediation and facilitation, direct service,*
22 *assessment and evaluation; or*

23 “(4) *any other activity related to the purposes of*
24 *the Program.*

1 **“§ 1035. Supplemental grants for coalition mentoring**
2 **activities**

3 “(a) *AUTHORITY TO MAKE GRANTS.*—As part of the
4 program established under section 1031, the Director may
5 award an initial grant under this subsection, and renewal
6 grants under subsection (f), to any coalition awarded a
7 grant under section 1032 that meets the criteria specified
8 in subsection (d) in order to fund coalition mentoring ac-
9 tivities by such coalition in support of the program.

10 “(b) *TREATMENT WITH OTHER GRANTS.*—

11 “(1) *SUPPLEMENT.*—A grant awarded to a coali-
12 tion under this section is in addition to any grant
13 awarded to the coalition under section 1032.

14 “(2) *REQUIREMENT FOR BASIC GRANT.*—A coali-
15 tion may not be awarded a grant under this section
16 for a fiscal year unless the coalition was awarded a
17 grant or renewal grant under section 1032(b) for that
18 fiscal year.

19 “(c) *APPLICATION.*—A coalition seeking a grant under
20 this section shall submit to the Administrator an applica-
21 tion for the grant in such form and manner as the Adminis-
22 trator may require.

23 “(d) *CRITERIA.*—A coalition meets the criteria speci-
24 fied in this subsection if the coalition—

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

1 “(2) has achieved, by or through its own efforts,
2 measurable results in the prevention and treatment of
3 substance use and misuse among youth;

4 “(3) has staff or members willing to serve as
5 mentors for persons seeking to start or expand the ac-
6 tivities of other coalitions in the prevention and treat-
7 ment of substance use and misuse;

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

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

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

24 “(f) *RENEWAL GRANTS.*—The Administrator may
25 make a renewal grant to any coalition awarded a grant

1 *under subsection (a), or a previous renewal grant under*
2 *this subsection, if the coalition, at the time of application*
3 *for such renewal grant—*

4 “(1) *continues to meet the criteria specified in*
5 *subsection (d); and*

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

10 “(g) *GRANT AMOUNTS.—*

11 “(1) *IN GENERAL.—Subject to paragraphs (2)*
12 *and (3), the total amount of grants awarded to a coa-*
13 *lition under this section for a fiscal year may not ex-*
14 *ceed the amount of non-Federal funds raised by the*
15 *coalition, including in-kind contributions, for that*
16 *fiscal year. Funds appropriated for the substance use*
17 *and misuse activities of a coalition that includes a*
18 *representative of the Bureau of Indian Affairs, the In-*
19 *dian Health Service, or a tribal government agency*
20 *with expertise in the field of substance use prevention*
21 *may be counted as non-Federal funds raised by the*
22 *coalition.*

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

1 *broad, national-level experience in community antidrug*
2 *coalitions under this subchapter.*

3 “(c) *USE OF GRANT AMOUNT.*—*The organization that*
4 *receives the grant under subsection (a) shall continue a Na-*
5 *tional Community Anti-Drug Coalition Institute to—*

6 “(1) *provide education, training, and technical*
7 *assistance for coalition leaders and community teams,*
8 *with emphasis on the development of coalitions serv-*
9 *ing economically disadvantaged areas;*

10 “(2) *develop and disseminate evaluation tools,*
11 *mechanisms, and measures to better assess and docu-*
12 *ment coalition performance measures and outcomes;*
13 *and*

14 “(3) *bridge the gap between research and prac-*
15 *tice by translating knowledge from research into prac-*
16 *tical information.*

17 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—*The Di-*
18 *rector shall, using amounts authorized to be appropriated*
19 *by section 1038, make a grant of \$2,000,000 under sub-*
20 *section (a), for each of the fiscal years 2019 through 2023.*

21 **“§ 1037. Definitions**

22 *“In this subchapter:*

23 “(1) *ADMINISTRATOR.*—*The term ‘Adminis-*
24 *trator’ means the Administrator appointed by the Di-*
25 *rector under section 1031(c).*

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

4 “(3) *ELIGIBLE COALITION*.—The term ‘eligible
5 coalition’ means a coalition that meets the applicable
6 criteria under section 1032(a).

7 “(4) *GRANT RECIPIENT*.—The term ‘grant recipi-
8 ent’ means the recipient of a grant award under sec-
9 tion 1032.

10 “(5) *PROGRAM*.—The term ‘Program’ means the
11 program established under section 1031(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 effect
16 under any of schedules I through V under section
17 202 of the Controlled Substances Act (21 U.S.C.
18 812);

19 “(B) the misuse of inhalants or over the
20 counter drugs; or

21 “(C) the use of alcohol, tobacco, or other re-
22 lated product as such use is prohibited by State
23 or local law.

24 “(7) *YOUTH*.—The term ‘youth’ shall have the
25 meaning provided that term by the Administrator.

1 **“§ 1038. Drug-free communities reauthorization**

2 “(a) *AUTHORIZATION OF APPROPRIATIONS.*—There
3 are authorized to be appropriated to the Office to carry out
4 this subchapter \$99,000,000 for each of fiscal years 2019
5 through 2023.

6 “(b) *ADMINISTRATIVE COSTS.*—Not more than 8 per-
7 cent of the funds appropriated for this subchapter may be
8 used by the Office or, in the discretion of the Director, an
9 agency delegated to carry out the program under section
10 1031(d) to pay for administrative costs associated with car-
11 rying out the program.”.

12 (d) *TECHNICAL AND CONFORMING AMENDMENT.*—The
13 table of chapters for subtitle I of title 31, United States
14 Code, is amended by adding at the end the following new
15 item:

“10. Office of National Drug Control 1001”.

16 **SEC. 3. REPEALS.**

17 *The following provisions are repealed:*

18 (1) *Section 203 of the Office of National Drug*
19 *Control Policy Reauthorization Act of 2006 (Public*
20 *Law 109–469; 21 U.S.C. 1708a).*

21 (2) *Title VIII of the Office of National Drug*
22 *Control Policy Reauthorization Act of 2006 (Public*
23 *Law 109–469).*

1 (3) *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 (4) *Section 1110 of Office of National Drug Con-*
5 *trol Policy Reauthorization Act of 2006 (Public Law*
6 *109–469; 21 U.S.C. 1705 note).*

7 (5) *Section 1110A of the Office of National Drug*
8 *Control Policy Reauthorization Act of 2006 (Public*
9 *Law 109–469; 21 U.S.C. 1705 note).*

10 (6) *Section 4 of Public Law 107–82 (21 U.S.C.*
11 *1521 note).*

12 **SEC. 4. OPIOID CRISIS RESPONSE.**

13 (a) *EMERGING THREAT DESIGNATION.*—*The Director*
14 *shall designate opioids and opioid analogues as emerging*
15 *threats, in accordance with section 1009 of title 31, United*
16 *States Code, as added by section 2(b).*

17 (b) *OPIOID RESPONSE PLAN.*—

18 (1) *ISSUANCE.*—*Not later than 60 days after the*
19 *date of the enactment of this Act, the Director shall*
20 *publish, make publicly available, and notify the*
21 *President and the appropriate congressional commit-*
22 *tees of, the plan required under section 1009 of title*
23 *31, United States Code, as added by section 2(b), to*
24 *be designated as the “National Opioid Crisis Re-*
25 *sponse Plan”.*

1 (2) *CONTENTS.*—*The Director shall ensure the*
2 *plan establishes measurable goals, including reducing*
3 *fatal and non-fatal overdoses, and includes the fol-*
4 *lowing:*

5 (A) *Initiatives to ensure the United States*
6 *mail is effectively screened to prevent illicit*
7 *drugs from entering the United States, includ-*
8 *ing—*

9 (i) *designating the United States Post-*
10 *al Service as a National Drug Control Pro-*
11 *gram Agency;*

12 (ii) *directing the United States Postal*
13 *Service and any other related National*
14 *Drug Control Program Agency to take any*
15 *appropriate actions necessary to reduce the*
16 *amount of illicit drugs entering the country;*
17 *and*

18 (iii) *developing an international co-*
19 *ordination plan, in accordance with section*
20 *1010 of such title 31, United States Code, as*
21 *added by section 2(b)), to include efforts to*
22 *address international drug control initia-*
23 *tives and strengthen bilateral and multilat-*
24 *eral strategies to reduce illicit drugs and*
25 *precursor chemicals from entering the*

1 *United States through international mail or*
2 *across land borders or ports of entry.*

3 *(B) Support for universal adoption of evi-*
4 *dence-based prescribing guidelines, including—*

5 *(i) establishing a task force to supple-*
6 *ment existing prescribing guidelines with*
7 *evidence-based standards and to facilitate,*
8 *coordinate, and, as appropriate, conduct re-*
9 *search to inform such guidelines;*

10 *(ii) encouraging the adoption of evi-*
11 *dence-based prescribing guidelines by each*
12 *relevant agency, State and local govern-*
13 *ments, and private sector organizations;*

14 *(iii) issuing guidance to National*
15 *Drug Control Program Agencies to, as ap-*
16 *propriate, revise regulations to ensure pro-*
17 *professionals have effective continuing edu-*
18 *cation requirements; and*

19 *(iv) disseminating and encouraging the*
20 *adoption of best practices and evidence-*
21 *based guidelines for effective prescribing*
22 *practices.*

23 *(C) A program to monitor the prescription*
24 *drug market and illicit drug market for changes*

1 *in trends relevant to reducing the supply or de-*
2 *mand of such drugs.*

3 *(D) An initiative to facilitate and coordi-*
4 *nate Federal, State and local government initia-*
5 *tives, studies, and pilot or demonstration pro-*
6 *grams designed to evaluate the benefits of drug*
7 *courts and related programs that reduce sub-*
8 *stance use prevalence.*

9 *(E) Programs, developed in coordination*
10 *with the private sector, to—*

11 *(i) facilitate the development of treat-*
12 *ment and deterrent products, in accordance*
13 *with section 1010(c) of title 31, United*
14 *States Code, as added by section 2(b); and*

15 *(ii) encourage the expansion of medica-*
16 *tion disposal programs and technology.*

17 *(F) Initiatives to encourage the National*
18 *Drug Control Program Agencies and the pro-*
19 *gram established under section 1010(d) of title*
20 *31, United States Code, as added by section*
21 *2(b)—*

22 *(i) to prioritize the development of sen-*
23 *tencing standards or model codes for traf-*
24 *ficking opioids and opioid analogues; and*

1 (ii) to advise States on establishing
2 laws and policies to address opioid issues
3 based on the recommendations developed
4 and set forth by the President's Commission
5 on Combating Drug Addiction and the
6 Opioid Crisis.

7 (G) Working groups, established in accord-
8 ance with section 1010 of title 31, United States
9 Code, as added by section 2(b), to develop stand-
10 ards, and encourage the use of such standards,
11 for the collection of data necessary to understand
12 and monitor the opioid crisis, including—

13 (i) State medical examiner reports on
14 deaths caused by overdoses and related sta-
15 tistical data; and

16 (ii) first responder opioid intoxication
17 incidents.

18 (H) A program to identify successful college
19 recovery programs, including sober housing pro-
20 grams that provide a shared living residence free
21 of alcohol or illicit drug use for individuals re-
22 covering from drug or alcohol addiction and sub-
23 stance use disorders, on college campuses and
24 disseminate best practices to Colleges and Uni-

1 *versities to increase the number and capacity of*
2 *such programs.*

3 *(I) Convening working groups, consisting of*
4 *the appropriate National Drug Control Program*
5 *Agencies, State, local and Tribal governments,*
6 *and other appropriate stakeholders, established*
7 *in accordance with section 1010 of title 31,*
8 *United States Code—*

9 *(i) to support Prescription Drug Moni-*
10 *toring Programs by—*

11 *(I) facilitating the sharing of pro-*
12 *gram data among States and Federal*
13 *prescription drug monitoring pro-*
14 *grams to ensure interoperability of*
15 *such programs;*

16 *(II) assisting States in increasing*
17 *utilization of such programs;*

18 *(III) facilitating efforts to incor-*
19 *porate available overdose and naloxone*
20 *deployment data into such programs;*

21 *(IV) evaluating barriers to inte-*
22 *grating program data with electronic*
23 *health records; and*

24 *(V) offering recommendations to*
25 *address identified barriers; and*

1 (ii) to develop standards, and encour-
2 age the use of such standards, for the collec-
3 tion of data necessary to understand and
4 monitor the opioid crisis, including—

5 (I) State medical examiner re-
6 ports on deaths caused by overdoses
7 and related statistical data; and

8 (II) first responder opioid intoxi-
9 cation incidents.

10 (J) Research initiatives, to be initiated not
11 later than 30 days after the issuance of the plan,
12 to evaluate the uses and barriers to use of and
13 the effects of improving the following programs:

14 (i) Medication Assisted Treatment.

15 (ii) Data collection systems used to
16 confirm opioid use by individuals who have
17 been arrested or hospitalized.

18 (K) A requirement for an Advisory Com-
19 mittee on Substance Use Disorder Treatment
20 Standards, to be established not later than 120
21 days after the issuance of the plan, to promul-
22 gate model evidence-based standards for sub-
23 stance use disorder treatment and recovery fa-
24 cilities which—

25 (i) shall be chaired by the Director;

1 (ii) shall include as members of the ad-
2 visory committee representatives of the rel-
3 evant National Drug Control Program
4 Agencies;

5 (iii) may include as members of the
6 advisory committee government regulators,
7 State representatives, consumer representa-
8 tives, substance use disorder treatment pro-
9 viders, recovery residence owners and opera-
10 tors, and purchasers of substance use dis-
11 order treatments; and

12 (iv) shall ensure such model standards
13 are promulgated no later than 2 years after
14 the date of the issuance of the plan.

15 (c) *RECOMMENDATIONS.*—Not later than 1 year after
16 the date of the enactment of this Act, the Director shall sub-
17 mit to Congress a report on the results of the initiatives
18 conducted under subsection (b)(2)(K) and recommendations
19 based on such results.

20 **SEC. 5. EXCEPTIONS AND RULES OF CONSTRUCTION.**

21 (a) *RULES OF CONSTRUCTION.*—Nothing in this Act,
22 or the amendments made by this act shall be construed as
23 derogating the authorities and responsibilities of the Direc-
24 tor of National Intelligence or the Director of the Central
25 Intelligence Agency contained in the National Security Act

1 of 1947 (50 U.S.C. 401 et seq.), the Central Intelligence
2 Agency Act of 1949 (50 U.S.C. 403a et seq.), or any other
3 law.

4 (b) *INAPPLICABILITY TO CERTAIN PROGRAMS.*—This
5 Act, and the amendments made by this Act, shall not apply
6 to the National Intelligence Program and the Military In-
7 telligence Program, unless such program or an element of
8 such program is designated as a National Drug Control
9 Program—

10 (1) by the President; or

11 (2) jointly by—

12 (A) in the case of the National Intelligence
13 Program, the Director and the Director of Na-
14 tional Intelligence; or

15 (B) in the case of the Military Intelligence
16 Program, the Director, the Director of National
17 Intelligence, and the Secretary of Defense.

18 (c) *CLASSIFIED INFORMATION.*—Any contents of any
19 report required under this Act or the amendments made by
20 this Act that involve information properly classified under
21 criteria established by an Executive order shall be presented
22 to Congress separately from the rest of such report.

23 **SEC. 6. GAO STUDY AND REPORTS.**

24 (a) *REPORTS.*—

1 (1) *INITIAL.*—Not later than 3 years after the
2 date of the enactment of this Act, the Comptroller
3 General shall provide an initial report to the appro-
4 priate Congressional Committees.

5 (2) *FINAL.*—Not later than 6 years after the date
6 of the enactment of this Act, the Comptroller General
7 shall provide a final report to the appropriate Con-
8 gressional Committees.

9 (b) *CONTENTS OF REPORT.*—The reports described in
10 subsection (a) shall include the following:

11 (1) A review of the implementation of the edu-
12 cation and outreach campaign for emerging threats,
13 including—

14 (A) whether the objectives of the campaign
15 and the media campaign have been met during
16 the relevant period; and

17 (B) whether the Office took steps to ensure
18 that the campaign operated in an efficient and
19 effective manner consistent with the overall strat-
20 egy and focus of the campaign.

21 (2) A review of the adherence to policies and
22 practices implemented to ensure that Federal funds
23 were used responsibly to purchase advertising time
24 and space and eliminate the potential for waste,
25 fraud and abuse.

1 (3) *An evaluation of the most recent, applicable*
2 *National Drug Control Strategy, including whether*
3 *the National Drug Control Strategy met the require-*
4 *ments of section 1005 of title 31, United States Code,*
5 *as added by section 2(b).*

6 (4) *An evaluation of whether the required annual*
7 *assessments prepared by the Office met the require-*
8 *ments of section 1006 of title 31, United States Code,*
9 *as added by section 2(b).*

10 (5) *Such other matters as the Comptroller Gen-*
11 *eral determines to be appropriate.*

12 **SEC. 7. DEFINITIONS.**

13 *In this Act, the terms “appropriate congressional com-*
14 *mittees”, “Director”, “drug”, “illicit drug use”, “illicit*
15 *drugs”, and “National Drug Control Program Agencies”*
16 *have the meaning given those terms in section 1001 of title*
17 *31, United States Code.*

Union Calendar No. 596

115TH CONGRESS
2^D SESSION

H. R. 5925

[Report No. 115-767, Part I]

A BILL

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

JUNE 20, 2018

Reported from the Committee on Oversight and
Government Reform with an amendment

JUNE 20, 2018

The Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence (Permanent Select), and Appropriations discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed