

COORDINATED RESPONSE THROUGH INTERAGENCY
STRATEGY AND INFORMATION SHARING ACT

JUNE 20, 2018.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. GOWDY, from the Committee on Oversight and Government
Reform, submitted the following

R E P O R T

[To accompany H.R. 5925]

[Including cost estimate of the Congressional Budget Office]

The Committee on Oversight and Government Reform, to whom
was referred the bill (H.R. 5925) to codify provisions relating to the
Office of National Drug Control, and for other purposes, having
considered the same, report favorably thereon with an amendment
and recommend that the bill as amended do pass.

CONTENTS

	Page
Summary and Purpose of Legislation	41
Background and Need for Legislation	41
Statement of Oversight Findings and Recommendations of the Committee	49
Statement of General Performance Goals and Objectives	49
Legislative History	49
Committee Consideration	50
Roll Call Votes	51
Explanation of Amendments	51
Application of Law to the Legislative Branch	52
Duplication of Federal Programs	52
Disclosure of Directed Rule Makings	52
Federal Advisory Committee Act	52
Unfunded Mandates Statement	53
Earmark Identification	53
Committee Estimate	53
New Budget Authority and Congressional Budget Office Cost Estimate	53
Section-by-Section Analysis	55
Changes in Existing Law Made by the Bill, as Reported	63
Correspondence	125

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

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

SEC. 2. OFFICE OF NATIONAL DRUG CONTROL.

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

(b) REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to the Office of National Drug Control Policy is deemed to refer to the Office of National Drug Control.

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

“CHAPTER 10—OFFICE OF NATIONAL 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.

“SUBCHAPTER I—OFFICE**“§ 1001. Definitions**

“In this chapter:

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

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on the Judiciary, the Committee on Appropriations, and the Caucus on International Narcotics Control of the Senate; and

“(B) the Committee on Oversight and Government Reform, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

“(3) DEMAND REDUCTION.—The term ‘demand reduction’ means any activity conducted by a National Drug Control Program Agency, other than an enforcement activity, that is intended to reduce or prevent the use of drugs or support or provide treatment and recovery efforts, including—

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

“(B) services, programs, or strategies to prevent substance use disorder, including evidence-based education campaigns, community-based prevention programs, opioid diversion, collection and disposal of unused prescription drugs, and services to at-risk populations to prevent or delay initial use of an illicit substance;

“(C) substance use disorder treatment;

“(D) illicit drug use research;

“(E) drug-free workplace programs;

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

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

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

“(I) international drug control coordination and cooperation with respect to activities described in this paragraph;

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

“(K) other coordinated and joint initiatives among Federal, State, local, and Tribal agencies to promote comprehensive drug control strategies designed to reduce the demand for, and the availability of, illegal drugs;

“(L) international illicit drug use education, prevention, treatment, recovery, research, rehabilitation activities, and interventions for illicit drug use and dependence; and

“(M) research related to any of the activities described in this paragraph.

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

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

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

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

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

“(9) LAW ENFORCEMENT.—The term ‘law enforcement’ or ‘drug law enforcement’ means all efforts by a Federal, State, local, or Tribal government agency to enforce the drug laws of the United States or any State, including investigation, arrest, prosecution, and incarceration or other punishments or penalties.

“(10) NATIONAL DRUG CONTROL PROGRAM.—The term ‘National Drug Control Program’ means programs, policies, and activities undertaken by National Drug Control Program Agencies pursuant to the responsibilities of such agencies under the National Drug Control Strategy, including any activities involving supply reduction, demand reduction, or State, local, and Tribal affairs.

“(11) NATIONAL DRUG CONTROL PROGRAM AGENCY.—The term ‘National Drug Control Program Agency’ means any agency (or bureau, office, independent agency, board, division, commission, subdivision, unit, or other component thereof) that is responsible for implementing any aspect of the National Drug Control Strategy, including any agency that receives Federal funds to implement any aspect of the National Drug Control Strategy, but does not include any agency that receives funds for drug control activity solely under the National Intelligence Program or the Military Intelligence Program.

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

“(13) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

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

“(15) STATE, LOCAL, AND TRIBAL AFFAIRS.—The term ‘State, local, and Tribal affairs’ means domestic activities conducted by a National Drug Control Program Agency that are intended to reduce the availability and use of illegal drugs, including—

“(A) coordination and enhancement of Federal, State, local, and Tribal law enforcement drug control efforts;

“(B) coordination and enhancement of efforts among National Drug Control Program Agencies and State, local, and Tribal demand reduction and supply reduction agencies;

“(C) coordination and enhancement of Federal, State, local, and Tribal law enforcement initiatives to gather, analyze, and disseminate information and law enforcement intelligence relating to drug control among domestic law enforcement agencies; and

“(D) other coordinated and joint initiatives among Federal, State, local, and Tribal agencies to promote comprehensive drug control strategies designed to reduce the demand for, and the availability of, illegal drugs.

“(16) SUBSTANCE USE DISORDER TREATMENT.—The term ‘substance use disorder treatment’ means an evidence-based, professionally directed, deliberate, and planned regimen including evaluation, observation, medical monitoring, and rehabilitative services and interventions such as pharmacotherapy, behavioral therapy, and individual and group counseling, on an inpatient or outpatient basis, to help patients with substance use disorder reach recovery.

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

- “(A) law enforcement outside the United States;
- “(B) domestic law enforcement;
- “(C) source country programs, including economic development programs primarily intended to reduce the production or trafficking of illicit drugs;
- “(D) activities to control international trafficking in, and availability of, illegal drugs, including—
 - “(i) accurate assessment and monitoring of international drug production and interdiction programs and policies; and
 - “(ii) coordination and promotion of compliance with international treaties relating to the production, transportation, or interdiction of illegal drugs;
- “(E) activities to conduct and promote international law enforcement programs and policies to reduce the supply of drugs;
- “(F) activities to facilitate and enhance the sharing of domestic and foreign intelligence information among National Drug Control Program Agencies, relating to the production and trafficking of drugs in the United States and in foreign countries;
- “(G) activities to prevent the diversion of drugs for their illicit use; and
- “(H) research related to any of the activities described in this paragraph.

“§ 1002. Office of National Drug Control

“(a) ESTABLISHMENT OF OFFICE.—There is established in the Executive Office of the President an Office of National Drug Control, which shall—

- “(1) lead national drug control efforts, including developing and assessing implementation of evidence-based drug control policy;
- “(2) coordinate and oversee the implementation of the national drug control policy, including the National Drug Control Strategy;
- “(3) assess and certify the adequacy of National Drug Control Programs and the budget for those programs;
- “(4) monitor and evaluate the effectiveness of national drug control policy efforts, including the National Drug Control Program Agencies’ programs, by developing and applying specific goals and performance measurements and tracking program-level spending;
- “(5) identify and respond to emerging threats related to illicit drug use;
- “(6) administer and evaluate grant programs in furtherance of the National Drug Control Strategy; and
- “(7) facilitate broad-scale information sharing and data standardization among Federal, State, and local entities to support the national drug control efforts.

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

“(1) DIRECTOR.—

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

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

“(2) DEPUTY DIRECTOR.—

“(A) IN GENERAL.—There shall be a Deputy Director who shall report directly to the Director, be appointed by the President, and serve at the pleasure of the President.

“(B) RESPONSIBILITIES.—The Deputy Director shall—

- “(i) carry out the responsibilities delegated by the Director; and
- “(ii) be responsible for effectively coordinating with the Coordinators.

“(c) RESPONSIBILITIES.—

“(1) POLICIES, GOALS, OBJECTIVES, AND PRIORITIES.—The Director shall assist the President in directing national drug control efforts, including establishing policies, goals, objectives, and priorities for the National Drug Control Program that are based on evidence-based research.

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

“(A) shall consult with—

- “(i) State and local governments;
- “(ii) National Drug Control Program Agencies;
- “(iii) each committee, working group, council, or other entity established under this chapter, as appropriate;
- “(iv) the public;
- “(v) appropriate congressional committees; and
- “(vi) any other person in the discretion of the Director; and

“(B) may—

- “(i) establish advisory councils;
- “(ii) acquire data from agencies; and
- “(iii) request data from any other entity.

“§ 1003. Administration of the office

“(a) EMPLOYMENT.—

“(1) AUTHORITY OF THE DIRECTOR.—The Director may select, appoint, employ, and fix compensation of such officers and employees of the Office as may be necessary to carry out the functions of the Office under this chapter.

“(2) PROHIBITIONS.—

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

“(B) PROHIBITION ON POLITICAL CAMPAIGNING.—Any officer or employee of the Office who is appointed to that position by the President, by and with the advice and consent of the Senate, may not participate in Federal election campaign activities, except that such official is not prohibited by this paragraph from making contributions to individual candidates.

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

“(c) PERSONNEL DETAILED TO OFFICE.—

“(1) EVALUATIONS.—Notwithstanding any provision of chapter 43 of title 5, the Director shall perform the evaluation of the performance of any employee detailed to the Office for purposes of the applicable performance appraisal system established under such chapter for any rating period, or part thereof, that such employee is detailed to such office.

“(2) COMPENSATION.—

“(A) BONUS PAYMENTS.—Subject to the availability of appropriations, the Director may provide periodic bonus payments to any employee detailed to the Office.

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

- “(i) shall not be greater than 20 percent of the basic pay paid or payable to such employee for such period; and
- “(ii) shall be in addition to the basic pay of such employee.

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

“(d) CONGRESSIONAL ACCESS TO INFORMATION.—The location of the Office in the Executive Office of the President shall not be construed as affecting access by Congress, or any committee of the House of Representatives or the Senate, to any—

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

“(2) personnel of the Office.

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

“(1) use for administrative purposes, on a reimbursable basis, the available services, equipment, personnel, and facilities of Federal, State, and local agencies;

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

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

“(f) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Director, on a reimbursable basis, such administrative support services as the Director may request.

“§ 1004. National drug control program budget

“(a) BUDGET RECOMMENDATIONS.—Not later than July 1 of each year, the Director shall provide to the head of each National Drug Control Program Agency budget recommendations, including requests for specific initiatives that are consistent with the priorities of the President under the National Drug Control Strategy, which shall—

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

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

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

“(1) IN GENERAL.—For each fiscal year, the head of each National Drug Control Program Agency shall transmit to the Director a copy of the proposed drug control budget request of such agency at the same time as that budget request is submitted to their superiors (and before submission to the Office of Management and Budget) in the preparation of the budget of the President submitted to Congress under section 1105(a).

“(2) SUBMISSION OF DRUG CONTROL BUDGET REQUESTS.—The head of each National Drug Control Program Agency shall ensure timely development and submission to the Director of each proposed drug control budget request transmitted pursuant to this subsection, in such format as may be designated by the Director with the concurrence of the Director of the Office of Management and Budget.

“(3) CONTENT OF DRUG CONTROL BUDGET REQUESTS.—A drug control budget request submitted by the head of a National Drug Control Program Agency under this subsection shall include all requests for funds for any drug control activity undertaken by such agency, including demand reduction, supply reduction, and State, local, and Tribal affairs, including any drug law enforcement activities. If an activity has both drug control and nondrug control purposes or applications, such agency shall estimate by a documented calculation the total funds requested for that activity that would be used for drug control, and shall set forth in its request the basis and method for making the estimate.

“(c) REVIEW AND CERTIFICATION OF BUDGET REQUESTS AND BUDGET SUBMISSIONS OF NATIONAL DRUG CONTROL PROGRAM AGENCIES.—

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

“(2) REVIEW OF BUDGET REQUESTS.—

“(A) INADEQUATE REQUESTS.—If the Director concludes that a budget request submitted under subsection (b) is inadequate, in whole or in part, to implement the objectives of the National Drug Control Strategy with respect to the agency or program at issue for the year for which the request is submitted, the Director shall submit to the head of the applicable National Drug Control Program Agency a written description identifying the funding levels and specific initiatives that would, in the determination of the Director, make the request adequate to implement those objectives.

“(B) ADEQUATE REQUESTS.—If the Director concludes that a budget request submitted under subsection (b) is adequate to implement the objectives of the National Drug Control Strategy with respect to the agency or program at issue for the year for which the request is submitted, the Director shall submit to the head of the applicable National Drug Control Program Agency a written statement confirming the adequacy of the request.

“(C) RECORD.—The Director shall maintain a record of each description submitted under subparagraph (A) and each statement submitted under subparagraph (B).

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

“(A) requests funding for Federal law enforcement activities that do not adequately compensate for transfers of drug enforcement resources and personnel to law enforcement and investigation activities;

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

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

“(D) requests funding for drug treatment activities that do not adequately support and enhance Federal drug treatment programs and capacity; and
 “(E) requests funding for the operations and management of the Department of Homeland Security that does not include a specific request for funds for the Office of Counternarcotics Enforcement to carry out its responsibilities under section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458).

“(4) AGENCY RESPONSE.—

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

“(B) IMPACT STATEMENT.—The head of a National Drug Control Program Agency that has altered its budget submission under this paragraph shall include as an appendix to the budget submission for that agency to the Office of Management and Budget an impact statement that summarizes—

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

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

“(C) CONGRESSIONAL NOTIFICATION.—The head of a National Drug Control Program Agency shall submit a copy of any impact statement under subparagraph (B) to the Senate, the House of Representatives, and the appropriate congressional committees, at the time the budget for that agency is submitted to Congress under section 1105(a).

“(5) CERTIFICATION OF BUDGET SUBMISSIONS.—

“(A) IN GENERAL.—At the time a National Drug Control Program Agency submits its budget request to the Office of Management and Budget, the head of the National Drug Control Program Agency shall submit a copy of the budget request to the Director.

“(B) REVIEW AND CERTIFICATION OF SUBMISSIONS.—The Director shall review each budget submission submitted under subparagraph (A) and submit to the appropriate congressional committees one of the following:

“(i) A written certification of the budget request for the agency indicating such request fully funds the National Drug Control Programs as necessary to achieve the goals of the National Drug Control Strategy, including a written statement explaining the basis for the determination that the budget provides sufficient resources for the agency to achieve the goals of the Strategy.

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

“(iii) A written decertification of the budget request for the agency indicating the Director is unable to determine whether such budget request for the agency fully funds or partially funds the National Drug Control Programs as necessary to achieve the goals of the National Drug Control Strategy, including a written statement identifying the additional information necessary for the Director to make a determination on such budget and the level of funding sufficient to achieve the goals of the Strategy.

“(iv) A written decertification of the budget request for the agency indicating that such budget is insufficient to fund the National Drug Control Programs as necessary to achieve the goals of the Strategy, including a written statement explaining the basis for the determination that the budget is insufficient and identifying the level of funding sufficient to achieve the goals of the Strategy.

“(d) NATIONAL DRUG CONTROL PROGRAM BUDGET PROPOSAL.—For each fiscal year, following the transmission of proposed drug control budget requests to the Director under subsection (b), the Director shall, in consultation with the head of each National Drug Control Program Agency and the head of each major national organization that represents law enforcement officers, agencies, or associations—

“(1) develop a consolidated National Drug Control Program budget proposal designed to implement the National Drug Control Strategy and to inform Congress and the public about the total amount proposed to be spent on all supply reduction, demand reduction, State, local, and Tribal affairs, including any drug law enforcement, and other drug control activities by the Federal Government,

which shall conform to the content requirements set forth in subsection (b)(3) and include—

“(A) for each National Drug Control Program Agency, a list of whether the funding level is full, partial, or insufficient to achieve the goals of the National Drug Control Strategy or whether the Director is unable to determine whether the budget request for the agency fully funds or partially funds the agency’s activities and contributions as necessary to achieve the goals of National Drug Control Strategy;

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

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

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

“(e) BUDGET ESTIMATE OR REQUEST SUBMISSION TO CONGRESS.—Whenever the Director submits any budget estimate or request to the President or the Office of Management and Budget, the Director shall concurrently transmit copies of that estimate or request to the appropriate congressional committees.

“(f) REPROGRAMMING AND TRANSFER REQUESTS.—

“(1) IN GENERAL.—No National Drug Control Program Agency shall submit to Congress a reprogramming or transfer request with respect to any amount of appropriated funds in an amount exceeding \$1,000,000 that is included in the National Drug Control Program budget unless the request has been approved by the Director. If the Director has not responded to a request for reprogramming subject to this paragraph within 30 days after receiving notice of the request having been made, the request shall be deemed approved by the Director under this paragraph and forwarded to Congress.

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

“§ 1005. National drug control strategy

“(a) IN GENERAL.—

“(1) STATEMENT OF DRUG POLICY PRIORITIES.—The Director shall release a statement of drug policy priorities in the calendar year of a Presidential inauguration following the inauguration but not later than April 1.

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

“(b) DEVELOPMENT OF THE NATIONAL DRUG CONTROL STRATEGY.—

“(1) PROMULGATION.—The Director shall promulgate the National Drug Control Strategy, which shall set forth a comprehensive plan to reduce illicit drug use and the consequences of such illicit drug use in the United States by limiting the availability of and reducing the demand for illegal drugs and promoting prevention, early intervention, treatment, and recovery support for individuals with substance use disorders.

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

“(3) STRATEGY BASED ON EVIDENCE.—The Director shall ensure the National Drug Control Strategy is based on the best available medical and scientific evidence regarding the policies that are most effective in reducing the demand for and supply of illegal drugs.

“(4) PROCESS FOR DEVELOPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.—In developing and effectively implementing the National Drug Control Strategy, the Director—

“(A) shall consult with—

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

“(ii) the United States Interdiction Coordinator;

“(iii) the Interdiction Committee;

“(iv) the appropriate congressional committees and any other committee of jurisdiction;

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

“(vi) private citizens and organizations, including community and faith-based organizations, with experience and expertise in demand reduction;

“(vii) private citizens and organizations with experience and expertise in supply reduction; and

- “(viii) appropriate representatives of foreign governments; and
- “(B) in satisfying the requirements of subparagraph (A), shall ensure, to the maximum extent possible, that State, local, and Tribal officials and relevant private organizations commit to support and take steps to achieve the goals and objectives of the National Drug Control Strategy.
- “(c) CONTENTS OF THE NATIONAL DRUG CONTROL STRATEGY.—
 - “(1) IN GENERAL.—The National Drug Control Strategy submitted under subsection (a)(2) shall include the following:
 - “(A) A description of the current prevalence of illicit drug use in the United States, including both the availability of illicit drugs and the prevalence of substance use disorders, which shall include the following:
 - “(i) Such description for the previous three years for any drug identified as an emerging threat under section 1009 and any other illicit drug identified by the Director as having a significant impact on the prevalence of illicit drug use.
 - “(ii) A summary of the data and trends presented in the Drug Control Data Dashboard required under section 1013.
 - “(B) A mission statement detailing the major functions of the National Drug Control Program.
 - “(C) A list of comprehensive, research-based, long-range, quantifiable goals for reducing illicit drug use, including—
 - “(i) the percentage of the total flow of illicit drugs to be interdicted during the time period covered by the Strategy; and
 - “(ii) the number of individuals to receive treatment for substance use disorders.
 - “(D) A description of how each goal listed in the National Drug Control Strategy will be achieved, including—
 - “(i) a list of relevant National Drug Control Program Agencies and each such agency’s related programs, activities, and available assets and the role of each such program, activity, and asset in achieving the goal;
 - “(ii) a list of relevant stakeholders and each such stakeholder’s role in achieving the goal;
 - “(iii) an estimate of Federal funding and other resources needed to achieve each goal;
 - “(iv) an identification of existing or new coordinating mechanisms needed to achieve the goal; and
 - “(v) a description of the Office’s role in facilitating the achievement of such goal.
 - “(E) For each year covered by the Strategy, a performance evaluation plan for each goal listed in the National Drug Control Strategy for each National Drug Control Program Agency, including—
 - “(i) specific performance measures for each National Drug Control Program Agency and each such agency’s related programs and activities;
 - “(ii) annual and quarterly objectives and targets for each performance measure; and
 - “(iii) an estimate of Federal funding and other resources needed to achieve each performance measure.
 - “(F) A list identifying existing data sources or a description of data collection needed to evaluate performance, including a description of how the Director will obtain such data.
 - “(G) A list of anticipated challenges to achieving the National Drug Control Strategy goals and planned actions to address such challenges;
 - “(H) A description of how each goal was determined, including—
 - “(i) a description of each required consultation and how such consultation was incorporated;
 - “(ii) data, research, or other information used to inform the decision; and
 - “(iii) a statement of whether the goal established in subparagraph (C)(i) will be adequate to disrupt drug trafficking organizations that supply the majority of foreign-sourced illicit drugs trafficked into the United States.
 - “(I) A 5-year projection for program and budget priorities.
 - “(J) A review of international, State, local, and private sector drug control activities to ensure that the United States pursues coordinated and effective drug control at all levels of government.
 - “(K) Such statistical data and information as the Director considers appropriate to demonstrate and assess trends relating to illicit drug use, the

effects and consequences of illicit drug use (including the effects on children), supply reduction, demand reduction, drug-related law enforcement, and the implementation of the National Drug Control Strategy.

“(2) ADDITIONAL STRATEGIES.—

“(A) IN GENERAL.—The Director shall include in the National Drug Control Strategy the additional strategies required under this paragraph and shall comply with the following:

“(i) Provide a copy of the additional strategies to the appropriate congressional committees and to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

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

“(iii) Not change any existing agency authority or construe any strategy described under this paragraph to amend or modify any law governing interagency relationship but may include recommendations about changes to such authority or law.

“(iv) Present separately from the rest of any strategy described under this paragraph any information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant National Drug Control Program Agency, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or Tribal agency.

“(B) REQUIREMENT FOR SOUTHWEST BORDER COUNTERNARCOTICS.—

“(i) PURPOSES.—The Southwest Border Counternarcotics Strategy shall—

“(I) set forth the Government’s strategy for preventing the illegal trafficking of drugs across the international border between the United States and Mexico, including through ports of entry and between ports of entry on that border;

“(II) state the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy; and

“(III) identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement that strategy.

“(ii) SPECIFIC CONTENT RELATED TO DRUG TUNNELS BETWEEN THE UNITED STATES AND MEXICO.—The Southwest Border Counternarcotics Strategy shall include—

“(I) a strategy to end the construction and use of tunnels and subterranean passages that cross the international border between the United States and Mexico for the purpose of illegal trafficking of drugs across such border; and

“(II) recommendations for criminal penalties for persons who construct or use such a tunnel or subterranean passage for such a purpose.

“(C) REQUIREMENT FOR NORTHERN BORDER COUNTERNARCOTICS STRATEGY.—

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

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

“(II) state the specific roles and responsibilities of each relevant National Drug Control Program Agency for implementing the strategy;

“(III) identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement the strategy;

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

“(V) reflect the unique nature of small communities along the international border between the United States and Canada, ongoing cooperation and coordination with Canadian law, enforcement authorities, and variations in the volumes of vehicles and pedes-

trians crossing through ports of entry along the international border between the United States and Canada.

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

“(I) a strategy to end the illegal trafficking of drugs to or through Indian reservations on or near the international border between the United States and Canada; and

“(II) recommendations for additional assistance, if any, needed by Tribal law enforcement agencies relating to the strategy, including an evaluation of Federal technical and financial assistance, infrastructure capacity building, and interoperability deficiencies.

“(3) CLASSIFIED INFORMATION.—Any contents of the National Drug Control Strategy that involve information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the National Drug Control Strategy.

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

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

“(B) the inclusion of data and information to permit a standardized and uniform assessment of the effectiveness of drug treatment programs in the United States.

“(d) ANNUAL PERFORMANCE SUPPLEMENT.—Not later than the first Monday in February of each year following the year in which the National Drug Control Strategy is submitted pursuant to subsection (a)(2), the Director shall submit to the appropriate congressional committees a supplement to the Strategy that shall include—

“(1) annual and quarterly quantifiable and measurable objectives and specific targets to accomplish long-term quantifiable goals specified in the Strategy; and

“(2) for each year covered by the Strategy, a performance evaluation plan for each goal listed in the Strategy for each National Drug Control Program Agency, including—

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

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

“(C) an estimate of Federal funding and other resources needed to achieve each performance measure.

“(e) SUBMISSION OF REVISED STRATEGY.—The President may submit to Congress a revised National Drug Control Strategy that meets the requirements of this section—

“(1) at any time, upon a determination of the President, in consultation with the Director, that the National Drug Control Strategy in effect is not sufficiently effective; or

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

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

“(1) explaining why the Strategy was not submitted; and

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

“§ 1006. Development of an annual national drug control assessment

“(a) TIMING.—Not later than the first Monday in February of each year, the Director shall submit to the President, Congress, and the appropriate congressional committees, a report assessing the progress of each National Drug Control Program Agency toward achieving the annual goals, objectives, and targets contained in the National Drug Control Strategy applicable to the prior fiscal year.

“(b) PROCESS FOR DEVELOPMENT OF THE ANNUAL ASSESSMENT.—Not later than November 1 of each year, the head of each National Drug Control Program Agency shall submit, in accordance with guidance issued by the Director, to the Director an evaluation of progress by the agency with respect to drug control program goals using the performance measures for the agency developed under this section, including progress with respect to—

“(1) success in achieving the goals of the National Drug Control Strategy;

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

“(3) success in expanding access to and increasing the effectiveness of substance use disorder treatment;

“(4) success in protecting the borders of the United States (and in particular the Southwestern border of the United States) from penetration by illegal narcotics;

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

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

“(7) implementation of drug treatment and prevention programs in the United States and improvements in the adequacy and effectiveness of such programs.

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

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

“(2) a summary of the progress of each National Drug Control Program Agency toward the drug control program goals of the agency using the performance measures for the agency developed under this section;

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

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

“(5) a detailed accounting of the amount of funds obligated by each National Drug Control Program Agency in carrying out the responsibilities of that agency under the Strategy, including the information submitted to the Director under section 1007(b);

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

“(7) a detailed accounting of the amount of funds obligated during the previous fiscal year for carrying out the media campaign under section 1009(d), including each recipient of funds, the purpose of each expenditure, the amount of each expenditure, any available outcome information, and any other information necessary to provide a complete accounting of the funds expended; and

“(8) the assessments required under this subsection shall be based on the Performance Measurement System describe in subsection (d).

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

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

“(2) describes the sources of information and data that will be used for each performance measure incorporated into the performance measurement system;

“(3) identifies major programs and activities of the National Drug Control Program Agencies that support the goals and annual objectives of the National Drug Control Strategy;

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

“(5) monitors consistency between the drug-related goals, measures, targets, and objectives of the National Drug Control Program Agencies and ensures that each agency’s goals and budgets support, and are fully consistent with, the National Drug Control Strategy; and

“(6) coordinates the development and implementation of national drug control data collection and reporting systems to support policy formulation and performance measurement, including an assessment of—

“(A) the quality of current drug use measurement instruments and techniques to measure supply reduction and demand reduction activities;

“(B) the adequacy of the coverage of existing national drug use measurement instruments and techniques to measure the illicit drug user population, and groups that are at risk for illicit drug use;

“(C) the adequacy of the coverage of existing national treatment outcome monitoring systems to measure the effectiveness of substance use disorder

treatment in reducing illicit drug use and criminal behavior during and after the completion of substance use disorder treatment; and

“(D) the actions the Director shall take to correct any deficiencies and limitations identified pursuant to subparagraphs (A), (B), and (C).

“(e) MODIFICATIONS.—A description of any modifications made during the preceding year to the national drug performance measurement system described in subsection (d) shall be included in each report submitted under subsection (a).

“(f) ANNUAL REPORT ON CONSULTATION.—The Director shall include in the annual assessment required under subsection (a)—

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

“(2) a general review of the status of, and trends in, demand reduction activities by private sector entities and community-based organizations, including faith-based organizations, to determine their effectiveness and the extent of cooperation, coordination, and mutual support between such entities and organizations and Federal, State, local, and Tribal government agencies.

“(g) PERFORMANCE-BUDGET COORDINATOR.—

“(1) DESIGNATION.—The Director shall designate or appoint a United States Performance-Budget Coordinator to—

“(A) ensure the Director has sufficient information about the performance of each National Drug Control Program Agency, the impact Federal funding has had on the goals in the Strategy, and the likely contributions to the goals of the Strategy based on funding levels of each National Drug Control Program Agency, to make an independent assessment of the budget request of each agency under section 1004;

“(B) advise the Director on agency budgets, performance measures and targets, and additional data and research needed to make informed policy decisions in the National Drug Control Budget and Strategy; and

“(C) other duties as may be determined by the Director with respect to measuring or assessing performance or agency budgets.

“(2) DETERMINATION OF POSITION.—The Director shall determine whether the coordinator position is a career or noncareer position in the Senior Executive Service.

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

“(a) IN GENERAL.—The Director shall monitor implementation of the National Drug Control Program and the activities of the National Drug Control Program Agencies in carrying out the goals and objectives of the National Drug Control Strategy including—

“(1) conducting program and performance audits and evaluations; and

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

“(b) ACCOUNTING OF FUNDS EXPENDED.—Not later than December 1 of each year and in accordance with guidance issued by the Director, the head of each National Drug Control Program Agency shall submit to the Director a detailed accounting of all funds expended by the agency for National Drug Control Program activities during the previous fiscal year and shall ensure such detailed accounting is authenticated by the Inspector General for such agency prior to submission to the Director.

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

“(d) RECOMMENDATIONS.—The Director shall make such recommendations to the President and the appropriate congressional committees as the Director determines are appropriate regarding changes in the organization, management, and budgets of the National Drug Control Program Agencies, and changes in the allocation of personnel to and within those agencies, to implement the policies, goals, priorities, and objectives established under section 1002(c)(1) and the National Drug Control Strategy.

“(e) AUTHORIZATION, DEVELOPMENT, AND IMPLEMENTATION OF A COORDINATED TRACKING SYSTEM.—

“(1) ESTABLISHMENT.—The Director, shall establish a coordinated tracking system of federally-funded initiatives and grant programs which shall—

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

“(B) identify duplication, overlap, or gaps in funding to provide increased accountability of federally-funded grants for substance abuse treatment, prevention, and enforcement;

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

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

“(2) PERFORMANCE METRICS.—The Director shall identify metrics and achievable goals for grant recipients in furtherance of the Strategy. Such metrics should be used to measure how effective each federally funded initiative is in achieving the objectives of the Strategy and to enable comparisons of federally funded initiatives to identify those that are the most cost effective.

“(3) GRANT APPLICATION STANDARDIZATION.—The Director, in consultation with the head of each National Drug Control Program Agency, shall develop a plan for coordinating and standardizing drug control grant application processes and develop a joint application to be used by all National Drug Control Program Agencies to reduce the administrative burden and improve oversight of Federal funds.

“(4) CENTRAL PORTAL.—The Director shall maintain on the public, electronic portal of the Office a list all drug control grant award opportunities available in a central location. The head of each National Drug Control Program Agency shall provide a complete list of all drug control program grant award opportunities to the Director and annually update such list.

“(5) REPORT TO CONGRESS.—The Director shall include in the assessment submitted to Congress under section 1006 an assessment on progress under this section and the feasibility of block grants of Federal funding to States.

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

“(a) IN GENERAL.—The Director shall coordinate and oversee the implementation by the National Drug Control Program Agencies of the policies, goals, objectives, and priorities established under section 1002(c)(1) and the fulfillment of the responsibilities of such agencies under the National Drug Control Strategy and make recommendations to National Drug Control Program Agency heads with respect to implementation of National Drug Control Programs.

“(b) DETAILING EMPLOYEES TO OTHER AGENCIES.—

“(1) REQUEST.—The Director may request the head of an agency or program of the Federal Government to place agency personnel who are engaged in drug control activities on temporary detail to another agency in order to implement the National Drug Control Strategy.

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

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

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

“(B) for any other agency, 10.

“(c) DIRECTING FEDERAL FUNDING.—The Director may transfer funds made available to a National Drug Control Program Agency for National Drug Control Strategy programs and activities to another account within such agency or to another National Drug Control Program Agency for National Drug Control Strategy programs and activities, except that—

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

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

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

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

“(5) the Director shall—

“(A) submit to the appropriate congressional committees and any other applicable committees of jurisdiction, a reprogramming or transfer request in advance of any transfer under this subsection in accordance with the regulations of the affected agency or agencies; and

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

“(6) funds may only be used for—

- “(A) expansion of demand reduction activities;
- “(B) interdiction of illicit drugs on the high seas, in United States territorial waters, and at United States ports of entry by officers and employees of Drug Control Program Agencies and domestic and foreign law enforcement officers;
- “(C) accurate assessment and monitoring of international drug production and interdiction programs and policies;
- “(D) activities to facilitate and enhance the sharing of domestic and foreign intelligence information among Drug Control Program Agencies related to the production and trafficking of drugs in the United States and foreign countries; and
- “(E) activities to prevent the diversion of prescription drugs for illicit use and research related to any of these activities.

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

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

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

“(B) in the case of an interagency transfer, the total amount of transfers under this subsection may not exceed 10 percent of the total amount of funds made available for National Drug Control Strategy programs and activities to the agency from which those funds are to be transferred;

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

“(D) no transfer of funds under this subsection may result in a reduction in total Federal expenditures for substance use disorder treatment;

“(E) the Director shall—

“(i) submit to the appropriate congressional committees and any other applicable committees of jurisdiction, a reprogramming or transfer request in advance of any transfer under this subsection in accordance with the regulations of each affected agency; and

“(ii) annually submit to the appropriate congressional committees a report describing the effect of all transfers of funds made pursuant to this subsection or section 1004(f) during the 12-month period preceding the date on which the report is submitted; and

“(F) funds may only be used for—

“(i) expansion of demand reduction activities;

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

“(iii) accurate assessment and monitoring of international drug production and interdiction programs and policies;

“(iv) activities to facilitate and enhance the sharing of domestic and foreign intelligence information among Drug Control Program Agencies related to the production and trafficking of drugs in the United States and foreign countries; and

“(v) activities to prevent the diversion of prescription drugs for illicit use and research related to any of these activities.

“(2) INADEQUACY OF TRANSFER.—In the event the authority under this subsection is inadequate to implement the provisions of a plan developed under section 1009, the Director shall submit a request for funding to Congress as soon as the Director becomes aware of the need for additional funding.

“(e) FUND CONTROL NOTICES.—

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

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

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

“(2) UNAUTHORIZED OBLIGATION OR EXPENDITURE PROHIBITED.—An officer or employee of a National Drug Control Program Agency shall not make or authorize an expenditure or obligation contrary to a fund control notice issued by the Director.

“(3) DISCIPLINARY ACTION FOR VIOLATION.—In the case of a violation of paragraph (2) by an officer or employee of a National Drug Control Program Agency, the head of the agency, upon the request of and in consultation with the Director, may subject the officer or employee to appropriate administrative discipline, including, when circumstances warrant, suspension from duty without pay or removal from office.

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

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

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

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

“(h) CERTIFICATIONS OF POLICY CHANGES TO DIRECTOR.—

“(1) IN GENERAL.—Subject to paragraph (2), the head of a National Drug Control Program Agency shall, unless exigent circumstances require otherwise, notify the Director in writing regarding any proposed change in policies relating to the activities of that agency under the National Drug Control Program prior to implementation of such change. The Director shall promptly review such proposed change and certify to the head of that agency in writing whether such change is consistent with the National Drug Control Strategy.

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

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

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

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

“§ 1009. Emerging threats taskforce, plan, media campaign

“(a) EMERGING THREATS TASK FORCE.—

“(1) EMERGING AND CONTINUING THREATS COORDINATOR.—The Director shall designate or appoint a United States Emerging and Continuing Threats Coordinator to perform the duties of that position described in this section and such other duties as may be determined by the Director. The Director shall determine whether the coordinator position is a career or noncareer position in the Senior Executive Service.

“(2) ESTABLISHMENT AND MONITORING.—The Emerging and Continuing Threats Coordinator (referred to in this section as the ‘Coordinator’) shall monitor evolving and emerging drug threats in the United States and shall serve as Chair of an Emerging Threats Task Force (in this section, referred to as the ‘task force’). The Director shall appoint other members of the Task force, which shall include representatives from—

“(A) National Drug Control Program Agencies or other agencies;

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

“(C) the Director of the Fusion Center established in section 1013; and

“(D) other entities as determined to be necessary by the Director.

“(3) INFORMATION REVIEW AND SHARING.—

“(A) IN GENERAL.—The task force shall disseminate and facilitate the sharing with Federal, State, local, and Tribal officials and other entities as determined by the Director of pertinent information and data relating to the following:

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

“(ii) Fatal and nonfatal overdoses.

“(iii) Demand for and availability of evidence-based substance use disorder treatment, including the extent of the unmet treatment need, and treatment admission trends.

“(iv) Recent trends in drug interdiction, supply, and demand from State, local, and Tribal law enforcement agencies.

“(v) Other subject matter as determined necessary by the Director.

“(B) CONTRACT, AGREEMENT, AND OTHER AUTHORITY.—The Director may award contracts, enter into interagency agreements, manage individual projects, and conduct other operational activities in support of the identification of emerging threats and in support of the development, implementation, and assessment of Emerging Threat Response Plans.

“(C) DATA ANALYSIS ACTIVITIES.—In support of the task force, the National Drug Control Fusion Center is authorized to conduct and provide to the task force the results of data analysis activities that the task force requests to aid in their review of recent trends in the data disseminated under subparagraph (A).

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

“(5) MEETINGS.—The task force shall meet in person not less frequently than quarterly and at additional meetings if determined to be necessary by and at the call of the Chair to—

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

“(B) formulate the plan described in subsection (c);

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

“(D) provide such other advice to the Coordinator and Director concerning strategy and policies for emerging drug threats and trends as the task force determines to be appropriate.

“(b) DESIGNATION.—

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

“(2) STANDARDS FOR DESIGNATION.—The Director, in consultation with the Coordinator, shall promulgate and make publicly available standards by which a designation under paragraph (1) and the termination of such designation may be made. In developing such standards, the Director shall consider the recommendations of the task force and other criteria the Director considers to be appropriate.

“(3) PUBLIC STATEMENT REQUIRED.—The Director shall publish a public written statement on the portal of the Office explaining the designation of an emerging drug threat or the termination of such designation and shall notify the appropriate congressional committees of the availability of such statement when a designation or termination of such designation has been made.

“(c) PLAN.—

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

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

“(3) CONTENTS OF AN EMERGING THREAT RESPONSE PLAN.—The Director shall include in the plan—

“(A) a comprehensive strategic assessment of the emerging drug threat, including the current availability of, demand for, and effectiveness of evidence-based prevention, treatment, and enforcement programs and efforts to respond to the emerging drug threat;

“(B) comprehensive, research-based, long-range, quantifiable goals for addressing the emerging drug threat, including for reducing the supply of the emerging drug threat and for expanding the availability and effectiveness of evidence-based substance use disorder treatment and prevention programs to reduce the demand for the emerging drug threat;

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

“(D) the level of funding needed to implement the plan, including whether funding is available to be reprogrammed or transferred to support implementation of the plan or whether additional appropriations are necessary to implement the plan;

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

“(F) any other information necessary to inform the public of the status, progress, or response of an emerging drug threat.

“(4) IMPLEMENTATION.—

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

“(B) COORDINATOR’S RESPONSIBILITIES.—The Coordinator shall—

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

“(ii) facilitate information-sharing between agencies identified in the plan, State, local, and Tribal governments, and other relevant entities; and

“(iii) monitor implementation of the plan by coordinating the development and implementation of collection and reporting systems to support performance measurement and adherence to the plan by agencies identified in plan, where appropriate.

“(C) REPORTING.—Not later than 180 days after designation under subsection (b) and in accordance with paragraph (2)(C), the head of each agency identified in the plan shall submit to the Coordinator a report on implementation of the plan.

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

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

“(A) educate the public about the dangers of such drug, including patient and family education about the characteristics and hazards of such drugs and methods to safeguard against such dangers, including the safe disposal of such drugs;

“(B) support evidence-based prevention programs targeting audiences’ attitudes, perceptions, and beliefs concerning substance use and intentions to initiate or continue such use;

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

“(D) encourage individuals affected by substance use disorders to seek treatment and provide such individuals with information on how to recognize addiction issues, what forms of evidence-based treatment options are available, and how to access such treatment; and

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

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

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

“(B) experts in evidence-based media campaigns, education, evaluation, and communication;

“(C) experts on the designated drug;

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

“(E) the public;

“(F) appropriate congressional committees; and

“(G) any other affected person.

“(3) GIFTS AND DONATIONS.—

“(A) IN GENERAL.—The Director may accept gifts and donations (in cash or in kind, including voluntary and uncompensated services or property), which shall be available until expended, for the purpose of supporting the education and outreach campaign authorized in this section, including the media campaign.

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

“(i) reflect unfavorably upon the ability of the Director or the Office, or any employee of the Office, to carry out responsibilities or official duties under this chapter in a fair and objective manner; or

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

“(C) ANNUAL REPORT REQUIRED.—Not later than the first Monday in the February of each year, the Director shall submit to the appropriate congressional committees an annual report that identifies the sources of any gift or donation accepted by the Office or any contractor acting on behalf of the Office, under this subsection, including the value of each gift and donation provided by each source of the gift.

“(4) IMPLEMENTATION.—

“(A) IN GENERAL.—For any campaign established under this subsection, the Director shall ensure the following:

“(i) Implementation is evidence-based, meets accepted standards for public awareness campaigns, and uses available resources in a manner to make the most progress toward achieving the goals identified in the emerging threats plan and paragraph (1).

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

“(iii) The Director approves the strategy of the campaign, all material distributed through the campaign, and the use of any Federal funds used for the campaign.

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

“(I) a media campaign, as described in subparagraph (B);

“(II) local, regional, or population specific messaging;

“(III) establishing partnerships and promoting coordination among community stakeholders, including public, nonprofit organizations, and for profit entities;

“(IV) providing support, training, and technical assistance to establish and expand school and community prevention programs;

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

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

“(VII) establishing State or regional advisory councils to provide input and recommendations to raise awareness regarding the drug designated as an emerging drug threat;

“(VIII) collaborating with law enforcement; and

“(IX) support for school-based public health education classes to improve teen knowledge about the effects of such designated drug.

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

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

“(ii) shall be carried out through competitively awarded contracts to entities providing for the professional production and design of such campaign; and

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

“(C) REQUIRED NOTICE FOR COMMUNICATION FROM THE OFFICE.—Any communication, including an advertisement, paid for or otherwise disseminated by the Office directly or through a contract awarded by the Office shall include a prominent notice informing the audience that the communication was a paid for by of the Office.

“(5) EVALUATION.—

“(A) PERFORMANCE EVALUATION.—The Director shall include an evaluation of the campaign in the annual assessment under section 1006, which shall include the following:

“(i) A performance evaluation of the campaign, including progress toward meeting the goals, objectives, measures, and targets identified in the emerging threats plan.

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

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

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

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

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

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

“(ii) submit the results of the independent evaluation to the appropriate congressional committees.

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

“(A) To supplant current anti-drug community-based coalitions.

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

“(C) For partisan political purposes, or express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.

“(D) For any advocacy in support of any particular company, industry association, or advocacy group or the explicit policy positions held by such groups.

“(E) To direct any individuals to a specific type of substance use disorder treatment, treatment facility, medical provider, or form of medication assisted treatment.

“(F) To fund any advertising that features any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations.

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

“§ 1010. National and international coordination

“(a) DISSEMINATION OF RESEARCH AND INFORMATION TO STATES.—The Director shall ensure that drug control research and information is effectively disseminated by National Drug Control Program Agencies to State and local governments and nongovernmental entities involved in demand reduction by—

“(1) encouraging formal consultation between any such agency that conducts or sponsors research, and any such agency that disseminates information in developing research and information product development agendas;

“(2) encouraging such agencies (as appropriate) to develop and implement dissemination plans that specifically target State and local governments and nongovernmental entities involved in demand reduction; and

“(3) supporting the substance abuse information clearinghouse administered by the Administrator of the Substance Abuse and Mental Health Services Administration and established in section 501(d)(16) of the Public Health Service Act by—

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

“(B) supporting the dissemination of information to all interested entities.

“(b) STANDARDS.—

“(1) DEVELOPMENT.—The Director shall coordinate the development of evidence-based standards developed by National Drug Control Program Agencies and other relevant agencies and non-Federal entities to State, local, and Tribal governments and nongovernmental entities related to drug control policies, practices, and procedures, such as the investigation of drug-related deaths, by—

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

“(B) encouraging information sharing between appropriate agencies and State, local, and Tribal governments of relevant drug control information and data;

“(C) establishing a working group of agencies, State, local, and Tribal governments, and other relevant stakeholders to discuss and develop such standards; and

“(D) facilitating collaboration among agencies, non-Federal entities, States, local, and Tribal governments, and nongovernmental agencies.

“(2) IMPLEMENTATION.—The Director shall promote the implementation of the standards described in paragraph (1) by—

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

“(B) facilitating the use and dissemination of such standards among State and local governments by—

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

“(ii) coordinating seminars and training sessions for State, local, and Tribal governments seeking to adopt or implement such standards.

“(c) PRIVATE SECTOR.—

“(1) IN GENERAL.—The Director or the head of a National Drug Control Program (as designated by the Director) shall coordinate with the private sector to promote private research and development of medications to treat or prevent addiction, including research and development for non-addictive pain management medication, abuse deterrent formulations, medication-assisted treatment, and other addiction research determined to be necessary by the Director by—

“(A) encouraging the sharing of information regarding evidence-based treatment addiction findings and related data between agencies and the private sector, as appropriate;

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

“(C) providing private sector entities with relevant statistical data and information to enhance research as permissible.

“(2) WORKING GROUP.—The Director may establish a working group of National Drug Control Program Agencies, State, local, and Tribal governments, and the private sector stakeholders to discuss and disseminate best practices, research and development, and other related issues, as appropriate.

“(d) MODEL ACTS PROGRAM.—

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

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

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

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

“(e) DRUG COURT TRAINING AND TECHNICAL ASSISTANCE PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Director may make a grant to a nonprofit organization for the purpose of providing training and technical assistance to drug courts.

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

“(f) INTERNATIONAL COORDINATION.—The Director shall facilitate international drug control coordination efforts.

“(g) STATE, LOCAL, AND TRIBAL AFFAIRS COORDINATOR.—The Director shall designate or appoint a United States State, Local, and Tribal Affairs Coordinator to perform the duties of the Office outlined in this section and section 1005 and such other duties as may be determined by the Director with respect to coordination of drug control efforts between agencies and State, local, and Tribal governments. The Director shall determine whether the coordinator position is a career or noncareer position in the Senior Executive Service.

“§ 1011. Interdiction

“(a) UNITED STATES INTERDICTION COORDINATOR.—

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

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

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

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

“(C) assessing the sufficiency of assets committed to illicit drug interdiction by the relevant National Drug Control Program Agencies; and

“(D) advising the Director on the efforts of each National Drug Control Program Agency to implement the National Interdiction Command and Control Plan.

“(3) STAFF.—The Director shall assign such permanent staff of the Office as he considers appropriate to assist the United States Interdiction Coordinator to carry out the responsibilities described in paragraph (2), and may request that appropriate National Drug Control Program Agencies detail or assign staff to assist in carrying out such activities.

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

“(A) PURPOSES.—The National Interdiction Command and Control Plan—

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

“(ii) shall state the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy;

“(iii) shall identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement that strategy; and

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

“(B) CONSULTATION WITH OTHER AGENCIES.—Before the submission of the National Drug Control Strategy or annual supplement required under section 1005(d), as applicable, the United States Interdiction Coordinator shall issue the National Interdiction Command and Control Plan, in consultation with the other members of the Interdiction Committee described in subsection (c).

“(C) REPORT TO CONGRESS.—On or before March 1 of each year, the Director, through the United States Interdiction Coordinator, shall provide to the appropriate congressional committees, to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate, a report that includes—

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

“(ii) information for the previous 10 years regarding the number and type of seizures of drugs by each National Drug Control Program Agency conducting drug interdiction activities and statistical information on the geographic areas of such seizures; and

“(iii) information for the previous 10 years regarding the number of air and maritime patrol hours undertaken by each National Drug Control Program Agency conducting drug interdiction activities and statistical information on the geographic areas in which such patrol hours took place.

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

“(b) INTERDICTION COMMITTEE.—

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

“(A) discuss and resolve issues related to the coordination, oversight, and integration of international, border, and domestic drug interdiction efforts in support of the National Drug Control Strategy;

“(B) review the annual National Interdiction Command and Control Plan, and provide advice to the Director and the United States Interdiction Coordinator concerning that plan; and

“(C) provide such other advice to the Director concerning drug interdiction strategy and policies as the committee determines is appropriate.

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

“(3) MEETINGS.—The members of the Interdiction Committee shall meet, in person and not through any delegate or representative, at least once per cal-

endar year, before March 1. At the call of the Director or the chair, the Interdiction Committee may hold additional meetings, which shall be attended by the members in person, or through such delegates or representatives as the members may choose.

“(4) REPORT.—Not later than September 30 of each year, the chair of the Interdiction Committee shall submit to the Director and to the appropriate congressional committees a report describing the results of the meetings and any significant findings of the committee during the previous 12 months. Such report may include a classified annex.

“§ 1012. Treatment coordinator

“(a) UNITED STATES TREATMENT COORDINATOR.—

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

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

“(A) coordinating the activities of the National Drug Control Program Agencies undertaken to expand the availability of evidence-based substance use disorder treatment to ensure consistency with the National Drug Control Strategy;

“(B) on behalf of the Director, developing and issuing, on or before March 1 of each year and in accordance with paragraph (4), a National Treatment Plan to ensure the coordination and consistency described in subparagraph (A);

“(C) assessing the sufficiency of Federal resources directed to substance use disorder treatment by the relevant National Drug Control Program Agencies;

“(D) encouraging the adoption by all substance use disorder treatment providers of evidence-based standards to guide all aspects of treatment provided; and

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

“(3) STAFF.—The Director shall assign such permanent staff of the Office of the United States Treatment Coordinator as the Director determines to be appropriate to assist the United States Treatment Coordinator to carry out the responsibilities described in paragraph (2), and may request that appropriate National Drug Control Program Agencies detail or assign staff to assist in carrying out such responsibilities.

“(4) NATIONAL TREATMENT PLAN.—

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

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

“(ii) shall describe the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy;

“(iii) shall identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement that strategy;

“(iv) shall identify the resources, including private sources, required to eliminate the unmet need for evidence-based substance use disorder treatment; and

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

“(B) CONSULTATION WITH OTHER AGENCIES.—Before the submission of the National Treatment Strategy or annual supplement required under section 1005(d), as applicable, the United States Treatment Coordinator shall issue the National Treatment Plan, in consultation with the other members of the Interdiction Committee described in subsection (b).

“(C) REPORT TO CONGRESS.—On or before March 1 of each year, the Director, through the United States Treatment Coordinator, shall provide to the appropriate congressional committees a report that includes a copy of that year’s National Treatment Plan;

“(b) TREATMENT COMMITTEE.—

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

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

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

“(C) provide such other advice to the Director concerning substance use disorder treatment initiatives as the committee determines is appropriate.

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

“(3) MEETINGS.—The members of the Treatment Committee shall meet, in person and not through any delegate or representative, at least once per calendar year, before March 1. At the call of the Director or the chair, the Treatment Committee may hold additional meetings, which shall be attended by the members in person, or through such delegates or representatives as the members may choose.

“(4) REPORT.—Not later than September 30 of each year, the chair of the Treatment Committee shall submit to the Director and to the appropriate congressional committees a report describing the results of the meetings and any significant findings of the committee during the previous 12 months. Such report may include a classified annex.

“§ 1013. Critical information coordination

“(a) NATIONAL DRUG CONTROL FUSION CENTER.—

“(1) ESTABLISHMENT.—The Director shall, in consultation with the head of each National Drug Control Program Agency, designate an agency to establish a National Drug Control Fusion Center (referred to in this section as the ‘Center’). The Center shall operate under the authority of the Director and shall work with the National Drug Control Program Agencies to collect, compile, analyze, and facilitate the sharing of data on the use of illicit drugs, treatment for substance use disorder, and interdiction of illicit drugs. The Center shall be considered a ‘statistical agency or unit’, as that term is defined in section 502 of the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note) and shall have the necessary independence to ensure any data or information acquired by an agency under a pledge of confidentiality and for exclusively statistical purposes is used exclusively for statistical purposes.

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

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

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

“(B) Collect information not otherwise collected by National Drug Control Program Agencies as necessary to inform the National Drug Control Strategy.

“(C) Compile and analyze any data required to be collected under this chapter.

“(D) Disseminate technology, as appropriate, to States and local jurisdictions to enable or improve the collection of data on drug use, including the recordation of the occurrence of fatal and non-fatal drug overdoses.

“(E) Compile information collected by National Drug Control Program Agencies on grants issued through any National Drug Control Program, including for any grant the following:

“(i) The recipient.

“(ii) The amount.

“(iii) The intended purpose.

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

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

“(4) TOXICOLOGY SCREENING.—

“(A) ESTABLISHMENT.—The Center Director may establish a toxicology screening program that engages in—

“(i) secondary analysis of urine samples that would otherwise be discarded by—

“(I) hospitals and drug treatment programs;

“(II) correctional facilities, booking sites, probation programs, drug courts, and related facilities; and

“(III) coroners and medical examiners; and

- “(ii) analysis of other physical samples, as determined by the Center Director to be valuable for understanding the prevalence of any illicit drug.
- “(B) DE-IDENTIFICATION OF INFORMATION.—The Center Director shall ensure that no samples have any personally identifiable information prior to collection.
- “(C) LIMITATION ON USE.—No data obtained from analysis conducted under this paragraph may be used as evidence in any proceeding.
- “(D) STATE PROGRAM.—The Center Director may establish a program that enables States and local jurisdictions to submit up to 20 urine samples per year for toxicology analysis for the purposes of identifying substances present in individuals who have suffered fatal drug overdoses.
- “(5) AUTHORITY TO CONTRACT.—The Director may award contracts, enter into interagency agreements, manage individual projects, and conduct other operational activities under this subsection.
- “(b) CRITICAL DRUG CONTROL INFORMATION AND EVIDENCE PLAN.—
- “(1) IN GENERAL.—Not later than the first Monday in February of each year, the Director shall submit to Congress a systematic plan for increasing data collection to enable real-time surveillance of drug control threats, developing analysis and monitoring capabilities, and identifying and addressing policy questions relevant to the National Drug Control Policy, Strategy, and Program. Such plan shall be made available on the public online portal of the Office, shall cover at least a 4-year period beginning with the first fiscal year following the fiscal year in which the plan is submitted and published, and contain the following:
- “(A) A list of policy-relevant questions for which the Director and each National Drug Control Program Agency intends to develop evidence to support the National Drug Control Program and Strategy.
- “(B) A list of data the Director and each National Drug Control Program Agency intends to collect, use, or acquire to facilitate the use of evidence in drug control policymaking and monitoring.
- “(C) A list of methods and analytical approaches that may be used to develop evidence to support the National Drug Control Program and Strategy and related policy.
- “(D) A list of any challenges to developing evidence to support policymaking, including any barriers to accessing, collecting, or using relevant data.
- “(E) A description of the steps the Director and the head of each National Drug Control Program Agency will take to effectuate the plan.
- “(F) Any other relevant information as determined by the Director.
- “(2) CONSULTATION.—In developing the plan required under paragraph (1), the Director shall consult with the following:
- “(A) The public.
- “(B) Any evaluation or analysis units and personnel of the Office.
- “(C) Office officials responsible for implementing privacy policy.
- “(D) Office officials responsible for data governance.
- “(E) The appropriate congressional committees.
- “(F) Any other individual or entity as determined by the Director.
- “(c) EVIDENCE-BASED POLICY.—
- “(1) HARM REDUCTION PROGRAMS.—When developing the national drug control policy, any policy of the Director, including policies relating to syringe exchange programs for intravenous drug users, shall be based on the best available medical and scientific evidence regarding the effectiveness of such policy in promoting individual health, preventing the spread of infectious disease and the impact of such policy on drug addiction and use. In making any policy relating to harm reduction programs, the Director shall consult with the National Institutes of Health and the National Academy of Sciences.
- “(2) FUND RESTRICTION FOR THE LEGALIZATION OF CONTROLLED SUBSTANCES.—The Director shall ensure that no Federal funds appropriated to the Office shall be expended for any study or contract relating to the legalization (for a medical use or any other use) for which a listing in schedule I is in effect under section 202 of the Controlled Substances Act (21 U.S.C. 812).
- “(d) DRUG CONTROL DATA DASHBOARD.—
- “(1) ESTABLISHMENT.—The Director, in consultation with the Center Director, shall establish and maintain a data dashboard on the online portal of the Office to be known as the ‘Drug Control Data Dashboard’. The Director shall ensure the user interface of the dashboard is constructed with modern design standards. To the extent practicable, the data made available on the dashboard shall

be publicly available in a machine-readable format and searchable by year, agency, drug, and location.

“(2) DATA.—The data included in the Drug Control Data Dashboard shall be updated not less frequently than quarterly and shall include, at a minimum, the following:

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

“(i) the total amount seized and disrupted in the calendar year and each of the previous 3 calendar years;

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

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

“(iv) the known and estimated levels of domestic production in the calendar year and each of the previous three calendar years, including the levels of domestic production if the drug is a prescription drug, as determined under the Federal Food, Drug, and Cosmetic Act, for which a listing is in effect under section 202 of the Controlled Substances Act (21 U.S.C. 812); and

“(v) the average street price for the calendar year and the highest known street price during the preceding 10-year period.

“(B) For the calendar year and each of the previous three years data sufficient to show, disaggregated by State and, to the extent feasible, by region within a State, county, or city, the following:

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

“(ii) The prevalence of substance use disorders.

“(iii) The number of individuals who have received substance use disorder treatment, including medication assisted treatment, for a substance use disorder, including treatment provided through publicly-financed health care programs.

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

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

“(D) Any quantifiable measures the Director determines to be appropriate to detail progress toward the achievement of the goals of the National Drug Control Strategy.

“(e) ACCESS TO INFORMATION.—

“(1) IN GENERAL.—Upon the request of the Director, the head of any National Drug Control Program Agency shall cooperate with and provide to the Director any statistics, studies, reports, and other information prepared or collected by the agency concerning the responsibilities of the agency under the National Drug Control Strategy that relate to—

“(A) drug control; or

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

“(2) PROTECTION OF INTELLIGENCE INFORMATION.—

“(A) IN GENERAL.—The authorities conferred on the Office and the Director by this chapter shall be exercised in a manner consistent with provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.). The Director of National Intelligence shall prescribe such regulations as may be necessary to protect information provided pursuant to this chapter regarding intelligence sources and methods.

“(B) DUTIES OF DIRECTOR.—The Director of National Intelligence and the Director of the Central Intelligence Agency shall, to the maximum extent practicable in accordance with subparagraph (A), render full assistance and support to the Office and the Director.

“(3) REQUIRED REPORTS FROM NATIONAL DRUG CONTROL AGENCIES.—The head of each National Drug Control Program Agency shall submit to the Director such information and reports as requested from such National Drug Control Program Agency by the Director, which shall include from the appropriate National Drug Control Program Agencies:

“(A) Not later than July 1 of each year, the head of a designated National Drug Control Program Agency shall submit to the Director and the appropriate congressional committees an assessment of the quantity of illegal drug cultivation and manufacturing in the United States on lands owned

or under the jurisdiction of their respective agencies that was seized or eradicated by their personnel during the preceding calendar year.

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

“(i) the number and type of seizures of drugs by each component of the agency seizing drugs, as well as statistical information on the geographic areas of such seizures; and

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

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

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

“(i) arrests for drug violations;

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

“(iii) seizures of drugs by each component of the Department of Justice seizing drugs, as well as statistical information on the geographic areas of such seizures.

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

“(1) INTERAGENCY AND INTERGOVERNMENTAL DESIGNATION AND USE OF DATA EXCHANGE STANDARDS WORKING GROUP.—The Director shall establish a working group of National Drug Control Program Agencies, State, local and Tribal government health and law enforcement agencies, and data governance experts to develop consensus data exchange standards for necessary categories of information that allow effective electronic exchange of information between States, between State agencies, between States and National Drug Control Program Agencies, and any other drug control relevant data exchange.

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

“(3) OTHER REQUIREMENTS.—In designating data exchange standards under this subsection, the working group shall, to the extent practicable, incorporate—

“(A) interoperable standards developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget;

“(B) interoperable standards developed and maintained by intergovernmental partnerships; and

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

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

“(A) DESIGNATION.—The Director may, in consultation with the working group established under this section, National Drug Control Program Agencies, and State, local, and Tribal governments, designate data exchange standards to govern Federal reporting and exchange requirements for National Drug Control Programs, as appropriate.

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

“(i) incorporate a widely accepted, nonproprietary, searchable, machine-readable format;

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

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

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

“(C) INCORPORATION OF NONPROPRIETARY STANDARDS.—In designating data exchange standards under this paragraph, the Director shall, to the extent practicable, incorporate existing nonproprietary standards.

“(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require a change to existing data exchange standards for Federal reporting about a program referred to in this section, if the head of the

agency responsible for administering the program finds the standards to be effective and efficient.

“(5) TERMINATION.—The working group established under paragraph (1) shall terminate not earlier than 60 days after the public notification of termination by the Director.

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

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

“(2) PREPARATION AND DISSEMINATION OF INFORMATION.—The Director shall prepare and disseminate the following:

“(A) An assessment of current illicit drug use (including inhalants and steroids) and availability, impact of illicit drug use, and treatment availability, which assessment shall include—

“(i) estimates of drug prevalence and frequency of use as measured by national, State, and local surveys of illicit drug use and by other special studies of nondependent and dependent illicit drug use;

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

“(iii) illicit drug use by arrestees, probationers, and parolees.

“(B) An assessment of the reduction of illicit drug availability, for each drug identified under section 1005(c)(1)(A)(i), as measured by—

“(i) the quantities of such drug available for consumption in the United States;

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

“(iii) the number of illicit drug manufacturing laboratories seized and destroyed of each relevant drug and the number of hectares cultivated and destroyed domestically and in other countries of each relevant drug;

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

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

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

“(i) the cost of treating substance use disorder in the United States, such as the quantity of illicit drug-related services provided;

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

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

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

“(i) public and private treatment utilization; and

“(ii) the number of illicit drug users the Director estimates meet diagnostic criteria for treatment.

“(E) A summary of the efforts made to coordinate with private sector entities to conduct private research and development of medications to treat addiction by—

“(i) screening chemicals for potential therapeutic value;

“(ii) developing promising compounds;

“(iii) conducting clinical trials;

“(iv) seeking Food and Drug Administration approval for drugs to treat addiction;

“(v) marketing the drug for the treatment of addiction;

“(vi) urging physicians to use the drug in the treatment of addiction;

and

“(vii) encouraging insurance companies to reimburse the cost of the drug for the treatment of addiction.

“§ 1014. Annual audit and investigation requirements

“(a) PERIODIC GOVERNMENT ACCOUNTABILITY OFFICE AUDITS OF PROGRAMS AND OPERATIONS.—Not later than December 31, 2019, and every 3 years thereafter, the Comptroller General shall—

“(1) conduct and supervise an audit and investigation relating to the programs and operations of—

“(A) the Office; or

“(B) certain programs within the Office, including—

“(i) the High Intensity Drug Trafficking Areas Program; and

“(iii) the media campaign under section 1009(d); and

“(2) submit to the Director and the appropriate congressional committees a report containing an evaluation of and recommendations on the—

“(A) policies and activities of the programs and operations subject to the audit and investigation;

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

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

“§ 1015. Authorization of appropriations

“There are authorized to be appropriated to carry out this chapter, except as otherwise specified, to remain available until expended, \$18,400,000 for each of fiscal years 2019 through 2023.

“SUBCHAPTER II—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

“§ 1021. High intensity drug trafficking areas program

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established in the Office a program to be known as the High Intensity Drug Trafficking Areas Program (in this section referred to as the ‘Program’).

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

“(A) facilitating cooperation among Federal, State, local, and Tribal law enforcement agencies to share information and implement coordinated enforcement activities;

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

“(C) providing reliable law enforcement intelligence to law enforcement agencies needed to design effective enforcement strategies and operations; and

“(D) supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.

“(b) DESIGNATION.—

“(1) IN GENERAL.—The Director, in consultation with the Attorney General, the Secretary of the Treasury, the Secretary of Homeland Security, heads of the National Drug Control Program Agencies, and the Governor of each applicable State, may designate any specified area of the United States as a high intensity drug trafficking area.

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

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

“(B) direct the temporary reassignment of Federal personnel to such area, subject to the approval of the head of the agency that employs such personnel;

“(C) take any other action authorized under this chapter to provide increased Federal assistance to those areas; and

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

“(c) PETITIONS FOR DESIGNATION.—The Director shall establish and maintain regulations under which a coalition of interested law enforcement agencies from an area may petition for designation as a high intensity drug trafficking area (in this section referred to as the ‘HIDTA’). Such regulations shall provide for a regular review by the Director of the petition, including a recommendation regarding the merit of the petition to the Director by a panel of qualified, independent experts.

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

“(1) the area is a significant center of illegal drug production, manufacturing, importation, or distribution;

“(2) State, local, and Tribal law enforcement agencies have committed resources to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem;

“(3) drug-related activities in the area are having a significant harmful impact in the area, and in other areas of the country; and

“(4) a significant increase in allocation of Federal resources is necessary to respond adequately to drug-related activities in the area.

“(e) ORGANIZATION OF HIGH INTENSITY DRUG TRAFFICKING AREAS.—

“(1) EXECUTIVE BOARD AND OFFICERS.—To be eligible for funds appropriated under this section, each high intensity drug trafficking area shall be governed by an Executive Board. The Executive Board shall designate a chairman, vice chairman, and any other officers to the Executive Board that it determines are necessary.

“(2) RESPONSIBILITIES.—The Executive Board of a high intensity drug trafficking area shall be responsible for—

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

“(B) managing the funds of the high intensity drug trafficking area;

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

“(D) reviewing and approving all reports to the Director on the activities of the high intensity drug trafficking area.

“(3) BOARD REPRESENTATION.—None of the funds appropriated under this section may be expended for any high intensity drug trafficking area, or for a partnership or region of a high intensity drug trafficking area, if the Executive Board for such area, region, or partnership, does not apportion an equal number of votes between representatives of participating agencies and representatives of participating State, local, and Tribal agencies. Where it is impractical for an equal number of representatives of agencies and State, local, and Tribal agencies to attend a meeting of an Executive Board in person, the Executive Board may use a system of proxy votes or weighted votes to achieve the voting balance required by this paragraph.

“(4) NO AGENCY RELATIONSHIP.—The eligibility requirements of this section are intended to ensure the responsible use of Federal funds. Nothing in this section is intended to create an agency relationship between individual high intensity drug trafficking areas and the Federal Government.

“(f) USE OF FUNDS.—The Director shall ensure that not more than 5 percent of Federal funds appropriated for the Program are expended for drug treatment programs and not more than 5 percent of the Federal funds appropriated for the Program are expended for drug prevention programs.

“(g) COUNTERTERRORISM ACTIVITIES.—

“(1) ASSISTANCE AUTHORIZED.—The Director may authorize use of resources available for the Program to assist Federal, State, local, and Tribal law enforcement agencies in investigations and activities related to terrorism and prevention of terrorism, especially but not exclusively with respect to such investigations and activities that are also related to drug trafficking.

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

“(A) that assistance provided under paragraph (1) remains incidental to the purpose of the Program to reduce drug availability and carry out drug-related law enforcement activities; and

“(B) that significant resources of the Program are not redirected to activities exclusively related to terrorism, except on a temporary basis under extraordinary circumstances, as determined by the Director.

“(h) ROLE OF DRUG ENFORCEMENT ADMINISTRATION.—The Director, in consultation with the Attorney General, shall ensure that a representative of the Drug Enforcement Administration is included in the Intelligence Support Center for each high intensity drug trafficking area.

“(i) EMERGING THREAT RESPONSE FUND.—

“(1) IN GENERAL.—Subject to the availability of appropriations, the Director may expend up to 10 percent of the amounts appropriated under this section on a discretionary basis, in accordance with the criteria established under paragraph (2)—

“(A) to respond to any emerging drug trafficking threat in an existing high intensity drug trafficking area;

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

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

“(2) CONSIDERATION OF IMPACT.—In allocating funds under this subsection, the Director shall consider—

“(A) the impact of activities funded on reducing overall drug traffic in the United States, or minimizing the probability that an emerging drug trafficking threat will spread to other areas of the United States; and

“(B) such other criteria as the Director considers appropriate.

“(j) ANNUAL HIDTA PROGRAM BUDGET SUBMISSIONS.—As part of the documentation that supports the President’s annual budget request for the Office, the Director shall submit to Congress a budget justification that includes—

“(1) the amount proposed for each HIDTA, conditional upon a review by the Office of the request submitted by such HIDTA and the performance of such HIDTA, with supporting narrative descriptions and rationale for each request;

“(2) a detailed justification that explains—

“(A) the reasons for the proposed funding level and how such funding level was determined based on a current assessment of the drug trafficking threat in each high intensity drug trafficking area;

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

“(C) how such funding supports the National Drug Control Strategy; and

“(3) the amount of HIDTA funds used to investigate and prosecute organizations and individuals trafficking in each major illicit drug, as identified by the Director, in the prior calendar year, and a description of how those funds were used.

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

“(1) describes—

“(A) the specific purposes for the high intensity drug trafficking area; and

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

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

“(3) assesses the number and operation of all federally funded drug enforcement task forces within such high intensity drug trafficking area;

“(4) describes—

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

“(B) how such task forces coordinate with each other, with any high intensity drug trafficking area task force, and with investigations receiving funds from the Organized Crime and Drug Enforcement Task Force;

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

“(D) the role of the high intensity drug trafficking area in coordinating the sharing of such information among task forces;

“(E) the nature and extent of cooperation by each Federal, State, local, and Tribal participant in ensuring that such information is shared among law enforcement agencies and with the high intensity drug trafficking area;

“(F) the nature and extent to which information sharing and enforcement activities are coordinated with joint terrorism task forces in the high intensity drug trafficking area; and

“(G) any recommendations for measures needed to ensure that task force resources are utilized efficiently and effectively to reduce the availability of illegal drugs in the high intensity drug trafficking areas; and

“(5) in consultation with the Director of National Intelligence—

“(A) evaluates existing and planned law enforcement intelligence systems supported by such high intensity drug trafficking area, or utilized by task forces receiving any funding under the Program, including the extent to which such systems ensure access and availability of law enforcement intelligence to Federal, State, local, and Tribal law enforcement agencies within the high intensity drug trafficking area and outside of such area;

“(B) evaluates the extent to which Federal, State, local, and Tribal law enforcement agencies participating in each high intensity drug trafficking area are sharing law enforcement intelligence information to assess current drug trafficking threats and design appropriate enforcement strategies; and

“(C) identifies the measures needed to improve effective sharing of information and law enforcement intelligence regarding drug trafficking and drug production among Federal, State, local, and Tribal law enforcement participating in a high intensity drug trafficking area, and between such agencies and similar agencies outside the high intensity drug trafficking area.

“(l) COORDINATION OF LAW ENFORCEMENT INTELLIGENCE SHARING WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE PROGRAM.—

“(1) DRUG ENFORCEMENT INTELLIGENCE SHARING.—The Director, in consultation with the Attorney General, shall ensure that any drug enforcement intelligence obtained by the Intelligence Support Center for each high intensity drug trafficking area is shared, on a timely basis, with the drug intelligence fusion center operated by the Organized Crime Drug Enforcement Task Force of the Department of Justice.

“(2) CERTIFICATION.—Before the Director awards any funds to a high intensity drug trafficking area, the Director shall certify that the law enforcement entities participating in that HIDTA are providing laboratory seizure data to the national clandestine laboratory database at the El Paso Intelligence Center.

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

“(n) SPECIFIC PURPOSES.—

“(1) IN GENERAL.—The Director shall ensure that, of the amounts appropriated for a fiscal year for the Program, at least 2.5 percent is used in high intensity drug trafficking areas with severe neighborhood safety and illegal drug distribution problems.

“(2) REQUIRED USES.—The funds used under paragraph (1) shall be used to ensure the safety of neighborhoods and the protection of communities, including the prevention of the intimidation of witnesses of illegal drug distribution and related activities and the establishment of or support for programs that provide protection or assistance to witnesses in court proceedings.

“(3) BEST PRACTICE MODELS.—The Director shall work with the HDTAs to develop and maintain best practice models to assist State, local, and Tribal governments in addressing witness safety, relocation, financial and housing assistance, or any other services related to witness protection or assistance in cases of illegal drug distribution and related activities. The Director shall ensure dissemination of the best practice models to each HIDTA.

“SUBCHAPTER III—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

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

“(a) ESTABLISHMENT.—The Director shall establish a program to support communities in the development and implementation of comprehensive, long-term plans and programs to prevent and treat substance use and misuse among youth.

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

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

“(2) provide for technical assistance and training, data collection, and dissemination of information on state-of-the-art practices that the Director determines to be effective in reducing substance use; and

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

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

“(d) CONTRACTING.—The Director may employ any necessary staff and may enter into contracts or agreements with national drug control agencies, including inter-agency agreements, to delegate authority for the execution of grants and for such other activities necessary to carry out this chapter.

“§ 1032. Program authorization

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

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

“(2) MAJOR SECTOR INVOLVEMENT.—

“(A) IN GENERAL.—The coalition shall consist of 1 or more representatives of each of the following categories:

“(i) Youth.

“(ii) Parents.

“(iii) Businesses.

“(iv) The media.

“(v) Schools.

“(vi) Organizations serving youth.

“(vii) Law enforcement.

“(viii) Religious or fraternal organizations.

“(ix) Civic and volunteer groups.

“(x) Health care professionals.

“(xi) State, local, or tribal governmental agencies with expertise in the field of substance use prevention or substance use disorders (includ-

ing, if applicable, the State authority with primary authority for substance use and misuse).

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

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

“(i) the Federal Government; and

“(ii) the government of the appropriate State and political subdivision thereof or the governing body or an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination Act (25 U.S.C. 450b(e))).

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

“(3) COMMITMENT.—The coalition shall demonstrate, to the satisfaction of the Administrator—

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

“(B) substantial participation from volunteer leaders in the community involved (especially in cooperation with individuals involved with youth such as parents, teachers, coaches, youth workers, and members of the clergy).

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

“(A) have as its principal mission the reduction of illegal drug use, which, at a minimum, includes the use of illegal drugs described in section 1037(6)(A), in a comprehensive and long-term manner, with a primary focus on youth in the community;

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

“(C)(i) provide a description of substance use and misuse prevention and treatment programs and activities, which, at a minimum, includes programs and activities relating to the use and misuse of drugs described in section 1037(6)(A), in existence at the time of the grant application; and

“(ii) identify substance use and misuse programs and service gaps, which, at a minimum, includes programs and gaps relating to the use and misuse of drugs described in section 1037(6)(A), in the community;

“(D) develop a strategic plan to reduce substance use and misuse among youth, which, at a minimum, includes the use and misuse of drugs described in section 1037(6)(A), in a comprehensive and long-term fashion; and

“(E) work to develop a consensus regarding the priorities of the community to combat substance use and misuse among youth, which, at a minimum, includes the use and misuse of drugs described in section 1037(6)(A).

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

“(A) is—

“(i)(I) a nonprofit organization; or

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

or

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

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

“(C) has a strategy to solicit substantial financial support from non-Federal sources to ensure that the coalition and the programs operated by the coalition are self-sustaining.

“(6) ACCOUNTABILITY.—The coalition shall—

“(A) establish a system to measure and report outcomes—

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

“(ii) approved by the Administrator;

“(B) conduct—

“(i) for an initial grant under this subchapter, an initial benchmark survey of drug use among youth (or use local surveys or performance

measures available or accessible in the community at the time of the grant application); and

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

“(C) provide assurances that the entity conducting an evaluation under this paragraph, or from which the coalition receives information, has experience—

“(i) in gathering data related to substance use and misuse among youth; or

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

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

“(b) GRANT AMOUNTS.—

“(1) IN GENERAL.—

“(A) GRANTS.—

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

“(ii) SUSPENSION OF GRANTS.—If such grant recipient fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

“(iii) RENEWAL GRANTS.—Subject to clause (iv), the Administrator may award a renewal grant to a grant recipient under this paragraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year, during the 4-year period following the period of the initial grant.

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

“(B) COALITION AWARDS.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Administrator may, with respect to a community, make a grant to 1 eligible coalition that represents that community.

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

“(I) the eligible coalitions demonstrate that the coalitions are collaborating with one another; and

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

“(2) RURAL COALITION GRANTS.—

“(A) IN GENERAL.—

“(i) IN GENERAL.—In addition to awarding grants under paragraph (1), to stimulate the development of coalitions in sparsely populated and rural areas, the Administrator may award a grant in accordance with this section to a coalition that represents a county with a population that does not exceed 30,000 individuals. In awarding a grant under this paragraph, the Administrator may waive any requirement under subsection (a) if the Administrator considers that waiver to be appropriate.

“(ii) MATCHING REQUIREMENT.—Subject to subparagraph (C), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

“(iii) SUSPENSION OF GRANTS.—If such grant recipient fails to continue to meet any criteria specified in subsection (a) that has not been waived by the Administrator pursuant to clause (i), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

“(B) RENEWAL GRANTS.—The Administrator may award a renewal grant to an eligible coalition that is a grant recipient under this paragraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, during the 4-year period following the period of the initial grant.

- “(C) LIMITATIONS.—
- “(i) AMOUNT.—The amount of a grant award under this paragraph shall not exceed \$125,000 for a fiscal year.
- “(ii) AWARDS.—With respect to a county referred to in subparagraph (A), the Administrator may award a grant under this section to not more than 1 eligible coalition that represents the county.
- “(3) ADDITIONAL GRANTS.—
- “(A) IN GENERAL.—Subject to subparagraph (F), the Administrator may award an additional grant under this paragraph to an eligible coalition awarded a grant under paragraph (1) or (2) for any first fiscal year after the end of the 4-year period following the period of the initial grant under paragraph (1) or (2), as the case may be.
- “(B) SCOPE OF GRANTS.—A coalition awarded a grant under paragraph (1) or (2), including a renewal grant under such paragraph, may not be awarded another grant under such paragraph, and is eligible for an additional grant under this section only under this paragraph.
- “(C) NO PRIORITY FOR APPLICATIONS.—The Administrator may not afford a higher priority in the award of an additional grant under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather than an application for a grant under this paragraph.
- “(D) RENEWAL GRANTS.—Subject to subparagraph (F), the Administrator may award a renewal grant to a grant recipient under this paragraph for each of the fiscal years of the 4-fiscal-year period following the fiscal year for which the initial additional grant under subparagraph (A) is awarded in an amount not to exceed amounts as follows:
- “(i) For the first and second fiscal years of that 4-fiscal-year period, the amount equal to 80 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.
- “(ii) For the third and fourth fiscal years of that 4-fiscal-year period, the amount equal to 67 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.
- “(E) SUSPENSION.—If a grant recipient under this paragraph fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.
- “(F) LIMITATION.—The amount of a grant award under this paragraph may not exceed \$125,000 for a fiscal year.
- “(4) PROCESS FOR SUSPENSION.—A grantee shall not be suspended or terminated under paragraph (1)(A)(ii), (2)(A)(iii), or (3)(C) unless that grantee is afforded a fair, timely, and independent appeal prior to such suspension or termination.
- “(c) TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS.—Funds appropriated for the substance use and misuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance use prevention may be counted as non-Federal funds raised by the coalition for purposes of this section.
- “(d) PRIORITY IN AWARDING GRANTS.—In awarding grants under subsection (b)(1)(A)(i), priority shall be given to a coalition serving economically disadvantaged areas.

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

- “(a) COALITION INFORMATION.—
- “(1) GENERAL AUDITING AUTHORITY.—For the purpose of audit and examination, the Administrator—
- “(A) shall have access to any books, documents, papers, and records that are pertinent to any grant or grant renewal request under this chapter; and
- “(B) may periodically request information from a grant recipient to ensure that the grant recipient meets the applicable criteria under section 1032(a).
- “(2) APPLICATION PROCESS.—The Administrator shall issue a request for proposal regarding, with respect to the grants awarded under section 1032, the application process, grant renewal, and suspension or withholding of renewal grants. Each application under this paragraph shall be in writing and shall be subject to review by the Administrator.
- “(3) REPORTING.—The Administrator shall, to the maximum extent practicable and in a manner consistent with applicable law, minimize reporting require-

ments by a grant recipient and expedite any application for a renewal grant made under this subchapter.

“(b) DATA COLLECTION AND DISSEMINATION.—

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

“(A) national substance use and misuse organizations that work with eligible coalitions, community anti-drug coalitions, departments or agencies of the Federal Government, or State or local governments and the governing bodies of Indian tribes; and

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

“(2) ACTIVITIES OF ADMINISTRATOR.—The Administrator may—

“(A) evaluate the utility of specific initiatives relating to the purposes of the Program;

“(B) conduct an evaluation of the Program; and

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

“(i) eligible coalitions and other substance use prevention organizations; and

“(ii) the general public.

“(3) CONSULTATION.—The Administrator shall carry out activities under this subsection in consultation with the National Community Antidrug Coalition Institute.

“(4) LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM.—Amounts for activities under paragraph (2)(B) may not be derived from amounts under section 1038(a) except for amounts that are available under section 1038(b) for administrative costs.

“§ 1034. Technical assistance and training

“(a) IN GENERAL.—

“(1) TECHNICAL ASSISTANCE AND AGREEMENTS.—With respect to any grant recipient or other organization, the Administrator may—

“(A) offer technical assistance and training; and

“(B) enter into contracts and cooperative agreements.

“(2) COORDINATION OF PROGRAMS.—The Administrator may facilitate the coordination of programs between a grant recipient and other organizations and entities.

“(b) TRAINING.—The Administrator may provide training to any representative designated by a grant recipient in—

“(1) coalition building;

“(2) task force development;

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

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

“§ 1035. Supplemental grants for coalition mentoring activities

“(a) AUTHORITY TO MAKE GRANTS.—As part of the program established under section 1031, the Director may award an initial grant under this subsection, and renewal grants under subsection (f), to any coalition awarded a grant under section 1032 that meets the criteria specified in subsection (d) in order to fund coalition mentoring activities by such coalition in support of the program.

“(b) TREATMENT WITH OTHER GRANTS.—

“(1) SUPPLEMENT.—A grant awarded to a coalition under this section is in addition to any grant awarded to the coalition under section 1032.

“(2) REQUIREMENT FOR BASIC GRANT.—A coalition may not be awarded a grant under this section for a fiscal year unless the coalition was awarded a grant or renewal grant under section 1032(b) for that fiscal year.

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

“(d) CRITERIA.—A coalition meets the criteria specified in this subsection if the coalition—

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

“(2) has achieved, by or through its own efforts, measurable results in the prevention and treatment of substance use and misuse among youth;

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

“(4) has demonstrable support from some members of the community in which the coalition mentoring activities to be supported by the grant under this section are to be carried out; and

“(5) submits to the Administrator a detailed plan for the coalition mentoring activities to be supported by the grant under this section.

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

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

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

“(2) has made demonstrable progress in the development of one or more new, self-supporting community coalitions that are focused on the prevention and treatment of substance use and misuse.

“(g) GRANT AMOUNTS.—

“(1) IN GENERAL.—Subject to paragraphs (2) and (3), the total amount of grants awarded to a coalition under this section for a fiscal year may not exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year. Funds appropriated for the substance use and misuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance use prevention may be counted as non-Federal funds raised by the coalition.

“(2) INITIAL GRANTS.—The amount of the initial grant awarded to a coalition under subsection (a) may not exceed \$75,000.

“(3) RENEWAL GRANTS.—The total amount of renewal grants awarded to a coalition under subsection (f) for any fiscal year may not exceed \$75,000.

“(h) FISCAL YEAR LIMITATION ON AMOUNT AVAILABLE FOR GRANTS.—The total amount available for grants under this section, including renewal grants under subsection (f), in any fiscal year may not exceed the amount equal to five percent of the amount authorized to be appropriated by section 1038 for that fiscal year.

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

“§ 1036. Authorization for National Community Antidrug Coalition Institute

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

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

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

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

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

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

“(d) AUTHORIZATION OF APPROPRIATIONS.—The Director shall, using amounts authorized to be appropriated by section 1038, make a grant of \$2,000,000 under subsection (a), for each of the fiscal years 2019 through 2023.

“§ 1037. Definitions

“In this subchapter:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator appointed by the Director under section 1031(c).

“(2) COMMUNITY.—The term ‘community’ shall have the meaning provided that term by the Administrator.

“(3) ELIGIBLE COALITION.—The term ‘eligible coalition’ means a coalition that meets the applicable criteria under section 1032(a).

“(4) GRANT RECIPIENT.—The term ‘grant recipient’ means the recipient of a grant award under section 1032.

“(5) PROGRAM.—The term ‘Program’ means the program established under section 1031(a).

“(6) SUBSTANCE USE AND MISUSE.—The term ‘substance use and misuse’ means—

“(A) the illegal use or misuse of drugs, including substances for which a listing is in effect under any of schedules I through V under section 202 of the Controlled Substances Act (21 U.S.C. 812);

“(B) the misuse of inhalants or over the counter drugs; or

“(C) the use of alcohol, tobacco, or other related product as such use is prohibited by State or local law.

“(7) YOUTH.—The term ‘youth’ shall have the meaning provided that term by the Administrator.

“§ 1038. Drug-free communities reauthorization

“(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Office to carry out this subchapter \$99,000,000 for each of fiscal years 2019 through 2023.

“(b) ADMINISTRATIVE COSTS.—Not more than 8 percent of the funds appropriated for this subchapter may be used by the Office or, in the discretion of the Director, an agency delegated to carry out the program under section 1031(d) to pay for administrative costs associated with carrying out the program.”

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle I of title 31, United States Code, is amended by adding at the end the following new item:

“10. Office of National Drug Control 1001”.

SEC. 3. REPEALS.

The following provisions are repealed:

(1) Section 203 of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 21 U.S.C. 1708a).

(2) Title VIII of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469).

(3) Section 1105 of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 21 U.S.C. 1701 note).

(4) Section 1110 of Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 21 U.S.C. 1705 note).

(5) Section 1110A of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 21 U.S.C. 1705 note).

(6) Section 4 of Public Law 107–82 (21 U.S.C. 1521 note).

SEC. 4. OPIOID CRISIS RESPONSE.

(a) EMERGING THREAT DESIGNATION.—The Director shall designate opioids and opioid analogues as emerging threats, in accordance with section 1009 of title 31, United States Code, as added by section 2(b).

(b) OPIOID RESPONSE PLAN.—

(1) ISSUANCE.—Not later than 60 days after the date of the enactment of this Act, the Director shall publish, make publicly available, and notify the President and the appropriate congressional committees of, the plan required under section 1009 of title 31, United States Code, as added by section 2(b), to be designated as the “National Opioid Crisis Response Plan”.

(2) CONTENTS.—The Director shall ensure the plan establishes measurable goals, including reducing fatal and non-fatal overdoses, and includes the following:

(A) Initiatives to ensure the United States mail is effectively screened to prevent illicit drugs from entering the United States, including—

(i) designating the United States Postal Service as a National Drug Control Program Agency;

(ii) directing the United States Postal Service and any other related National Drug Control Program Agency to take any appropriate actions necessary to reduce the amount of illicit drugs entering the country; and

(iii) developing an international coordination plan, in accordance with section 1010 of such title 31, United States Code, as added by section 2(b)), to include efforts to address international drug control initiatives and strengthen bilateral and multilateral strategies to reduce illicit drugs and precursor chemicals from entering the United States through international mail or across land borders or ports of entry.

(B) Support for universal adoption of evidence-based prescribing guidelines, including—

(i) establishing a task force to supplement existing prescribing guidelines with evidence-based standards and to facilitate, coordinate, and, as appropriate, conduct research to inform such guidelines;

- (ii) encouraging the adoption of evidence-based prescribing guidelines by each relevant agency, State and local governments, and private sector organizations;
 - (iii) issuing guidance to National Drug Control Program Agencies to, as appropriate, revise regulations to ensure professionals have effective continuing education requirements; and
 - (iv) disseminating and encouraging the adoption of best practices and evidence-based guidelines for effective prescribing practices.
- (C) A program to monitor the prescription drug market and illicit drug market for changes in trends relevant to reducing the supply or demand of such drugs.
- (D) An initiative to facilitate and coordinate Federal, State and local government initiatives, studies, and pilot or demonstration programs designed to evaluate the benefits of drug courts and related programs that reduce substance use prevalence.
- (E) Programs, developed in coordination with the private sector, to—
- (i) facilitate the development of treatment and deterrent products, in accordance with section 1010(c) of title 31, United States Code, as added by section 2(b); and
 - (ii) encourage the expansion of medication disposal programs and technology.
- (F) Initiatives to encourage the National Drug Control Program Agencies and the program established under section 1010(d) of title 31, United States Code, as added by section 2(b)—
- (i) to prioritize the development of sentencing standards or model codes for trafficking opioids and opioid analogues; and
 - (ii) to advise States on establishing laws and policies to address opioid issues based on the recommendations developed and set forth by the President's Commission on Combating Drug Addiction and the Opioid Crisis.
- (G) Working groups, established in accordance with section 1010 of title 31, United States Code, as added by section 2(b), to develop standards, and encourage the use of such standards, for the collection of data necessary to understand and monitor the opioid crisis, including—
- (i) State medical examiner reports on deaths caused by overdoses and related statistical data; and
 - (ii) first responder opioid intoxication incidents.
- (H) A program to identify successful college recovery programs, including sober housing programs that provide a shared living residence free of alcohol or illicit drug use for individuals recovering from drug or alcohol addiction and substance use disorders, on college campuses and disseminate best practices to Colleges and Universities to increase the number and capacity of such programs.
- (I) Convening working groups, consisting of the appropriate National Drug Control Program Agencies, State, local and Tribal governments, and other appropriate stakeholders, established in accordance with section 1010 of title 31, United States Code—
- (i) to support Prescription Drug Monitoring Programs by—
 - (I) facilitating the sharing of program data among States and Federal prescription drug monitoring programs to ensure interoperability of such programs;
 - (II) assisting States in increasing utilization of such programs;
 - (III) facilitating efforts to incorporate available overdose and naloxone deployment data into such programs;
 - (IV) evaluating barriers to integrating program data with electronic health records; and
 - (V) offering recommendations to address identified barriers; and
 - (ii) to develop standards, and encourage the use of such standards, for the collection of data necessary to understand and monitor the opioid crisis, including—
 - (I) State medical examiner reports on deaths caused by overdoses and related statistical data; and
 - (II) first responder opioid intoxication incidents.
- (J) Research initiatives, to be initiated not later than 30 days after the issuance of the plan, to evaluate the uses and barriers to use of and the effects of improving the following programs:
- (i) Medication Assisted Treatment.
 - (ii) Data collection systems used to confirm opioid use by individuals who have been arrested or hospitalized.

(K) A requirement for an Advisory Committee on Substance Use Disorder Treatment Standards, to be established not later than 120 days after the issuance of the plan, to promulgate model evidence-based standards for substance use disorder treatment and recovery facilities which—

- (i) shall be chaired by the Director;
- (ii) shall include as members of the advisory committee representatives of the relevant National Drug Control Program Agencies;
- (iii) may include as members of the advisory committee government regulators, State representatives, consumer representatives, substance use disorder treatment providers, recovery residence owners and operators, and purchasers of substance use disorder treatments; and
- (iv) shall ensure such model standards are promulgated no later than 2 years after the date of the issuance of the plan.

(c) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit to Congress a report on the results of the initiatives conducted under subsection (b)(2)(K) and recommendations based on such results.

SEC. 5. EXCEPTIONS AND RULES OF CONSTRUCTION.

(a) RULES OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this act shall be construed as derogating the authorities and responsibilities of the Director of National Intelligence or the Director of the Central Intelligence Agency contained in the National Security Act of 1947 (50 U.S.C. 401 et seq.), the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.), or any other law.

(b) INAPPLICABILITY TO CERTAIN PROGRAMS.—This Act, and the amendments made by this Act, shall not apply to the National Intelligence Program and the Military Intelligence Program, unless such program or an element of such program is designated as a National Drug Control Program—

- (1) by the President; or
- (2) jointly by—
 - (A) in the case of the National Intelligence Program, the Director and the Director of National Intelligence; or
 - (B) in the case of the Military Intelligence Program, the Director, the Director of National Intelligence, and the Secretary of Defense.

(c) CLASSIFIED INFORMATION.—Any contents of any report required under this Act or the amendments made by this Act that involve information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of such report.

SEC. 6. GAO STUDY AND REPORTS.

(a) REPORTS.—

(1) INITIAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General shall provide an initial report to the appropriate Congressional Committees.

(2) FINAL.—Not later than 6 years after the date of the enactment of this Act, the Comptroller General shall provide a final report to the appropriate Congressional Committees.

(b) CONTENTS OF REPORT.—The reports described in subsection (a) shall include the following:

(1) A review of the implementation of the education and outreach campaign for emerging threats, including—

(A) whether the objectives of the campaign and the media campaign have been met during the relevant period; and

(B) whether the Office took steps to ensure that the campaign operated in an efficient and effective manner consistent with the overall strategy and focus of the campaign.

(2) A review of the adherence to policies and practices implemented to ensure that Federal funds were used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud and abuse.

(3) An evaluation of the most recent, applicable National Drug Control Strategy, including whether the National Drug Control Strategy met the requirements of section 1005 of title 31, United States Code, as added by section 2(b).

(4) An evaluation of whether the required annual assessments prepared by the Office met the requirements of section 1006 of title 31, United States Code, as added by section 2(b).

(5) Such other matters as the Comptroller General determines to be appropriate.

SEC. 7. DEFINITIONS.

In this Act, the terms “appropriate congressional committees”, “Director”, “drug”, “illicit drug use”, “illicit drugs”, and “National Drug Control Program Agencies” have the meaning given those terms in section 1001 of title 31, United States Code.

SUMMARY AND PURPOSE OF LEGISLATION

H.R. 5925, the Coordinated Response through Interagency Strategy and Information Sharing Act, or the CRISIS Act, reauthorizes the Office of National Drug Control Policy (the Office) and changes the name of the Office to the Office of National Drug Control, to reflect the fact the Office’s responsibilities extend beyond policy-making. The bill adds a new chapter 10 to title 31, United States Code. The new chapter 10 establishes and details the Office’s responsibilities and authorities, which are based on the previous authorizing statute. Chapter 10 also reauthorizes and codifies the High Intensity Drug Trafficking Areas Program and the Drug-Free Communities Support Program and directs the Office to issue an Opioid Response Plan not later than 60 days after enactment.

BACKGROUND AND NEED FOR LEGISLATION

Thirty years ago, the Anti-drug Abuse Act of 1988 established the Office to set the Nation’s drug control policy and priorities and to coordinate and oversee government-wide implementation of the National Drug Control Program.¹ The unified drug control policy and the Office’s coordinating role are critical to ensure federal drug control efforts are effective and to prevent unnecessary duplication and waste. The National Drug Control Program includes nearly 40 designated executive departments, agencies, or components; elements of the Judicial branch; and at least 130 distinct programs.² The President’s fiscal year 2019 budget requests \$29.9 billion for the drug control efforts of National Drug Control Program agencies.³

The objectives of the National Drug Control Program generally focus on reducing the supply of, and demand for, illicit drugs, and cover a spectrum of activities, including prevention, treatment, interdiction, domestic law enforcement, and international coordination.

SUBSTANCE USE DISORDER EPIDEMIC

In December 2017, the Centers for Disease Control and Prevention (CDC) reported life expectancy in the United States dropped for the second year in a row, primarily due to drug overdoses.⁴ The CDC also reported that in 2016, nearly 64,000 Americans died from drug overdoses⁵—a figure that rivals the peak death figures from

¹ Pub. L. No. 100–690 (1988).

² EXEC. OFFICE OF THE PRESIDENT, FY 2014 BUDGET AND PERFORMANCE SUMMARY REPORT, <https://www.whitehouse.gov/sites/whitehouse.gov/files/ondcp/budget-performance/fy2014-budget-and-performance-summary.pdf>.

³ EXEC. OFFICE OF THE PRESIDENT, NATIONAL DRUG CONTROL BUDGET FY 2019 FUNDING HIGHLIGHTS (on file with the Committee).

⁴ KENNETH D. KOCHANEK ET AL., CENTERS FOR DISEASE CONTROL & PREVENTION, MORTALITY IN THE UNITED STATES, 2016 (Dec. 2017), <https://www.cdc.gov/nchs/data/databriefs/db293.pdf>.

⁵ HOLLY HEDEGAARD ET AL., CENTERS FOR DISEASE CONTROL & PREVENTION, DRUG OVERDOSE DEATHS IN THE UNITED STATES, 1999–2016 (Dec. 2017), <https://www.cdc.gov/nchs/data/databriefs/db294.pdf>.

HIV/AIDS in the mid-1990s.⁶ The Department of Health and Human Services estimates more than 20 million adults in the United States have substance use disorders.⁷ The availability of evidence-based treatment is critically important to addressing this epidemic, but a wide treatment gap exists. According to the President’s Commission on Combating Drug Addiction and the Opioid Crisis (the President’s Commission), “[t]oday, only 10.6% of youth and adults who need treatment for a substance use disorder receive that treatment.”⁸

Opioids—prescription and illicit—are a leading contributor to the increase in drug overdose deaths in the United States. Opioids are a class of drugs that includes hydrocodone, oxycodone, heroin, and synthetic analogs such as fentanyl.⁹ Opioids are most often prescribed to relieve or manage pain. Opioids have also been heavily marketed by pharmaceutical companies and are highly addictive.¹⁰ A dramatic increase in the prescription rates for opioids in recent years has contributed to unprecedented levels of dependency and misuse.¹¹ According to the President’s Commission, “sales of prescription opioids in the U.S. nearly quadrupled from 1999 to 2014.”¹²

As the medical community has become more aware of the dangers of prescription opioids and has begun altering prescribing practices, there has been a dramatic increase in the use of non-prescription opioids, which are less expensive and easier to obtain.¹³ For example, since 2010, heroin-related overdose deaths have increased fivefold.¹⁴ Synthetic opioids like fentanyl, which is 30 to 50 times more potent than heroin,¹⁵ accounted for more than 20,000 overdose deaths in 2016.¹⁶

The opioid crisis in the United States appears to be worsening. Every day, 175 Americans die from a drug overdose, 115 of which are from opioids.¹⁷ In 2016, 2.1 million Americans had an opioid use disorder and 42,249 Americans died from overdosing on

⁶CTRS. FOR DISEASE CONTROL & PREVENTION, *HIV Surveillance 1981–2008*, 60(21) MMWR 689–96 (June 3, 2011), available at <https://www.cdc.gov/mmwr/preview/mmwrhtml/mm6021a2.htm>.

⁷*Substance Abuse & Mental Health Services Administration, Mental and Substance Use Disorders*, <https://www.samhsa.gov/disorders> (last updated June 20, 2017).

⁸THE PRESIDENT’S COMMISSION ON COMBATING DRUG ADDICTION AND THE OPIOID CRISIS, FINAL REPORT (2017) (hereinafter COMMISSION REPORT).

⁹*Centers for Disease Control & Prevention: Opioid Data Analysis*, <https://www.cdc.gov/drugoverdose/data/analysis.html> (last visited Apr. 3, 2018).

¹⁰COMMISSION REPORT, *supra* note 8, at 20.

¹¹*Nat’l Institute on Drug Abuse, Opioid Overdose Crisis*, <https://www.drugabuse.gov/drugs-abuse/opioids/opioid-overdose-crisis> (last revised March 2018); *Fentanyl: The Next Wave of the Opioid Crisis: Hearing before the H. Comm. on Energy & Commerce*, 115th Cong. (Mar. 21, 2017) (statement of Wilson M. Compton, Deputy Director, Nat’l Institute on Drug Abuse, Nat’l Institutes of Health, Dep’t of Health & Human Serv.).

¹²COMMISSION REPORT, *supra* note 5.

¹³*Nat’l Institute on Drug Abuse, Opioid Overdose Crisis*, <https://www.drugabuse.gov/drugs-abuse/opioids/opioid-overdose-crisis> (last revised March 2018); *Fentanyl: The Next Wave of the Opioid Crisis: Hearing before the H. Comm. on Energy & Commerce*, 115th Cong. (Mar. 21, 2017) (statement of Wilson M. Compton, Deputy Director, Nat’l Institute on Drug Abuse, Nat’l Institutes of Health, Dep’t of Health & Human Serv.).

¹⁴*Centers for Disease Control & Prevention: Heroin Overdose Data*, <https://www.cdc.gov/drugoverdose/data/heroin.html> (last visited Apr. 3, 2018).

¹⁵*Drug Enf’t Admin.: Fentanyl FAQs*, <https://www.dea.gov/druginfo/fentanyl-faq.shtml> (last visited June 5, 2018).

¹⁶*Nat’l Inst. on Drug Abuse: Overdose Death Rates*, <https://www.drugabuse.gov/related-topics/trends-statistics/overdose-death-rates> (last visited Apr. 3, 2018).

¹⁷*Nat’l Institute on Drug Abuse: Overdose Death Rates*, <https://www.drugabuse.gov/related-topics/trends-statistics/overdose-death-rates> (last visited June 5, 2018); *Centers for Disease Control and Prevention, Understanding the Epidemic*, <https://www.cdc.gov/drugoverdose/epidemic/index.html> (last visited June 5, 2018).

opioids.¹⁸ According to the CDC, from July 2016 through September 2017, emergency room visits “for suspected opioid overdoses” increased 30 percent in the United States.¹⁹ During that period, emergency room visits due to opioid overdoses increased “for men and women, all age groups, and all regions.”²⁰ Dr. Anand Parekh, Chief Medical Advisor for the Bipartisan Policy Center, testified before the Committee, “this crisis, 20 years in the making, will get worse before it gets better.”²¹

The Administration’s Response: A Public Health Emergency and the President’s Commission on Combatting Drug Addiction and the Opioid Crisis

On October 26, 2017, the President directed the Administration to declare a public health emergency to address the growing opioid epidemic.²²

On March 29, 2017, the President issued Executive Order 13784, establishing the President’s Commission on Combating Drug Addiction and the Opioid Crisis. The President charged the Commission with studying the scope and effectiveness of the federal response to drug addiction and the opioid crisis, and making recommendations to improve the federal response.²³ The Office of National Drug Control Policy was responsible for facilitating the work of the Commission, providing administrative support, and ensuring compliance with the *Federal Advisory Committee Act*.²⁴ Chaired by former New Jersey Governor Chris Christie, the Commission held multiple meetings and received testimony from numerous witnesses.²⁵

The Commission issued an interim report containing 9 recommendations and a final report containing 56 recommendations to address the opioid crisis.²⁶ Governor Christie testified to the Committee on November 28, 2017, that the recommendations from both the draft and final reports “should be read together” and constitute the full set of recommendations from the Commission.²⁷ H.R. 5925 addresses findings and recommendations from the Commission’s report by: (1) improving data access, collection, standardization, and requiring ONDCP to use this data to monitor, inform, evaluate, and address the crisis; (2) enhancing coordination efforts among and between states, federal agencies, private sector entities, and nonprofit organizations; and (3) strengthening capacity for

¹⁸ *A Sustainable Solution to the Evolving Opioid Crisis: Revitalizing the Office of National Drug Control Policy: Hearing Before the H. Comm. on Oversight & Gov’t Reform*, 115th Cong. (May 17, 2018) (statement of Dr. Anand Parekh, Chief Medical Advisor, Bipartisan Policy Center).

¹⁹ Press Release, Centers for Disease Control & Prevention, Emergency Department Data Show Rapid Increases in Opioid Overdoses (2018), available at <https://www.cdc.gov/media/releases/2018/p0306-vs-opioids-overdoses.html>.

²⁰ *Id.*

²¹ *Hearing Before the H. Comm. on Oversight & Gov’t Reform*, *supra* note 18.

²² Press Release, Dep’t of Health & Human Serv., *HHS Acting Secretary Declares Public Health Emergency to Address National Opioid Crisis* (Oct. 26, 2017), <https://www.hhs.gov/about/news/2017/10/26/hhs-acting-secretary-declares-public-health-emergency-address-national-opioid-crisis.html>.

²³ Exec. Order No. 13784, 82 Fed. Reg. 16283 (Mar. 29, 2017).

²⁴ *Id.*

²⁵ *Office of Nat’l Drug Control Policy Meetings*, <https://www.whitehouse.gov/ondcp/presidents-commission/meetings/> (last visited May 31, 2018).

²⁶ COMMISSION REPORT, *supra* note 8.

²⁷ *Combating the Opioid Crisis: Hearing Before the H. Comm. on Oversight & Gov’t Reform*, 115th Cong. (Nov. 28, 2017).

oversight, tracking, and evidence-based decision making in the use of federal resources to combat the opioid epidemic.

THE OFFICE'S ROLE IN THE NATION'S DRUG CONTROL EFFORTS AND ACTIVITIES

Over the last 30 years, the Office has operated under a number of authorizing and appropriating laws. Until 2010, the Director of the Office—often informally referred to as the nation's "Drug Czar"—served on the President's cabinet. The Office's most recent authorization expired in 2010, and annual funding for the Office began to decline from more than \$29.5 million in fiscal year 2010 to \$18.4 million in fiscal year 2018.²⁸

H.R. 5925 reaffirms the role of the Office by increasing its prominence and strengthening its coordinating roles and responsibilities. Prior authorizations, though well intended, have been layered one on top of the other in the statutes at large, creating ambiguity as to the state of current law.²⁹ H.R. 5925 places the Office's authorizing law into the U.S. Code, creating a new chapter 10 in title 31. Putting the office in title 31 places the Office on level ground with the Office of Management and Budget (OMB).

Office structure

Prior authorizations established an Office led by a Director and four deputy directors, including a principal deputy director, a deputy director for demand reduction, a deputy director for supply reduction, and a deputy director for state, local, and tribal affairs. H.R. 5925 aims to respond to the nation's growing drug crisis by strengthening government-wide coordination across agencies working on supply and demand reduction at the federal, state, local, and tribal levels. To that end, H.R. 5925 restructures the Office by reducing the number of deputy directors from four to one.

H.R. 5925 also aims to decrease the potential for the emergence of "silos" within the Office, while ensuring necessary responsibility for, and attention to, the priority objectives of national drug control efforts. The bill creates four new coordinator positions, including: (1) a performance-budget coordinator; (2) an emerging threats coordinator; (3) a state, local and tribal affairs coordinator; and (4) a treatment coordinator. The bill retains the interdiction coordinator position established in the 2006 reauthorization to coordinate interdiction activities under the National Interdiction Command and Control Plan.³⁰ The bill creates a new treatment coordinator to coordinate efforts to expand the availability of evidence-based substance use disorder treatment. The shift from deputy directors to coordinators creates more flexibility in the Office's organizational

²⁸Pub. L. No. 111–117, div. C, title II, 123 Stat. 3170 (2009); Pub. L. No. 115–141 (2018).

²⁹According to the Office of Law Revision Counsel, "A positive law title of the Code is itself a Federal statute. A non-positive law title of the Code is an editorial compilation of Federal statutes." Because of this distinction, non-positive law titles may not reflect the exact letter of the law. For example, section 103(f) of the 2006 reauthorization, which created the role of the Interdiction Coordinator appears intended to replace the prior section 711 of the 1998 reauthorization, which required an interdiction budget, but the 2006 law directed the amendment of section 711 by "by adding at the end" a new section 711. Pub. L. 109–469, 120 Stat. 3507. The Office of Law Revision Counsel's editorial compilation reflects the likely intent of the law, which is to replace the 1998 section 711, but not the actual law, which is to add at the end of section 711. Positive Law Codification, OLC, <http://uscode.house.gov/codification/legislation.shtml> (last visited June 1, 2018).

³⁰Pub. L. No. 109–469.

structure while ensuring the Office's activities and resources are focused on key priorities.

National Drug Control Strategy

The Office establishes national drug control policy primarily through the issuance of an annual National Drug Control Strategy (Strategy). The Strategy sets forth goals and performance measures for the National Drug Control Program agencies (NDCP agencies). The Strategy also communicates and reflects national drug control policy developed in coordination with state, local, and tribal governments.

To ensure the Strategy remains current while reducing the sometimes unnecessary burden of annual reconsideration, H.R. 5925 requires the Strategy to be promulgated quadrennially instead of annually. H.R. 5925 does not require the issuance of the Strategy until the second year of a new Presidential term, but requires the Office to issue a policy statement during the first year of a Presidential term. The policy statement is not required to provide the level of detail required of the Strategy. H.R. 5925 retains the requirement to update performance metrics annually, which will enable the Office to more precisely measure progress toward achieving the Strategy's goals and adjust performance targets and indicators appropriately.

National Drug Control Budget

Since 1988, the Office has been responsible for reviewing the budget requests for each NDCP agency to ensure requested funding is adequate to achieve the goals of the Strategy.³¹ The annual cycle is as follows:

1. The Office submits suggested budget requests to each NDCP agency by July 1 of each year;
2. NDCP agencies submit proposed drug control budgets to the Director prior to submission to OMB;
3. The Director determines whether the proposed budget request is adequate to meet the goals of the Strategy and offers recommendations if such proposed budget request is inadequate;
4. NDCP agencies must revise any inadequate budget requests prior to submitting them to OMB;
5. NDCP agencies submit final budget requests to OMB and the Director;
6. The Director conducts a final review of each request submitted to OMB and may decertify budgets that are inadequate to achieve the goals of the Strategy; and
7. The Director submits a consolidated National Drug Control Budget to the President and Congress.

H.R. 5925 strengthens oversight of the budget resources of NDCP agencies by requiring the Office to provide an affirmative statement as to whether each agency's budgetary resources will be sufficient to enable it to meet the goals of the Strategy. The Office then must submit a consolidated budget that indicates the level of funding requested for each agency and a determination of whether the funding level is fully sufficient, partially sufficient, or insufficient

³¹ 21 U.S.C. 1703(c).

to enable the agency to achieve the goals of the Strategy, with a proposal for any additional funding needed to fund the Strategy fully.

Education and Public Awareness Campaign

The President’s Commission recommended a national media campaign as an important initiative to address the opioid epidemic. The Commission recommended the Administration “fund and collaborate with private sector and non-profit partners to design and implement a wide-reaching, national multi-platform media campaign addressing the hazards of substance use, the danger of opioids, and stigma.”³²

H.R. 5925 requires the Office to establish and implement an education campaign focused on preventing substance misuse and raising public awareness of any drug designated as an emerging threat. H.R. 5925 designates opioids as an emerging threat, triggering the requirement for the Office to plan and implement a national evidence-based campaign to educate the public about the hazards of opioids and the availability of substance use disorder treatment. The education and public awareness campaign replaces the previously authorized media campaign—the 1998 National Youth Anti-Drug Media Campaign—which focused on preventing drug use among youth.

While the prior campaign was authorized for \$210 million for fiscal years 2010 and 2011,³³ H.R. 5925 authorizes \$25 million for carrying out the education and public awareness campaign to respond to emerging threats. The authorization covers the range of activities needed to support an effective campaign, including monitoring for emerging threats, developing and implementing the broader emerging threats plan, and ensuring sufficient data sharing and coordination to fulfill the functions of section 1009. The authorization is substantially lower than the previous authorization because the creation of new platforms, such as social media, has enabled information-sharing at a lower cost than traditional media.³⁴

H.R. 5925 expressly requires the Director to ensure the media campaign is modeled on strategies proven to be effective. According to the President’s Commission, “Mass-media campaigns are one of the primary universal prevention strategies for delivering educational messages on health promotion to youth and adults.”³⁵ However, the Commission’s report also stated, “for a mass-media campaign to be effective, it is critical to develop coherent, credible, evidence based-messages that are grounded in behavioral science.”³⁶ The report cites the 1998 National Youth Anti-Drug Media Campaign as an example of an ineffective campaign.³⁷ The media campaign authorized in 2006 was more effective than the

³² COMMISSION REPORT, *supra* note 8, at 12.

³³ See 21 U.S.C. 1708(l).

³⁴ See, e.g., Evaluating Communication Campaigns, Ctrs. for Disease Control, <https://blogs.cdc.gov/publichealthmatters/2018/04/evaluating-campaigns/> (last visited June 4, 2018).

³⁵ COMMISSION REPORT, *supra* note 8, at 44.

³⁶ *Id.* at 45.

³⁷ *Id.*; U.S. GOV’T ACCOUNTABILITY OFF., GAO-06-818, ONDCP MEDIA CAMPAIGN: CONTRACTOR’S NATIONAL EVALUATION DID NOT FIND THAT THE YOUTH ANTI-DRUG MEDIA CAMPAIGN WAS EFFECTIVE IN REDUCING YOUTH DRUG USE (2006).

1998 campaign, but it too was found not to have fully achieved its objectives.

Given the lessons learned from prior campaigns and the urgent need for effective solutions in the face of the ongoing opioid epidemic, H.R. 5925 requires the Office to adopt an evidence-based approach at the onset of the Education and Public Awareness Campaign.

Opioid Plan

H.R. 5925 requires the Office to issue a National Opioid Crisis Response Plan (Opioid Plan) within 60 days of the date of enactment to guide efforts to combat the opioid crisis. H.R. 5925 requires the Director to ensure the Opioid Plan addresses several recommendations made by the President's Commission. For example, H.R. 5925 requires the Opioid Plan to provide for the creation of working groups consisting of appropriate stakeholders to support better use of Prescription Drug Monitoring Programs (PDMPs) by improving data sharing, increasing utilization of PDMPs, and supporting the incorporation of available overdose and naloxone deployment data.

The Opioid Plan must include an evaluation of the benefits of drug courts and similar programs, such as pre-trial diversion and reentry programs that have shown promise at ending the cycle of addiction. The Opioid Plan must encourage NDCP agencies and states, through the Model Acts program, to develop sentencing standards or model codes on opioid analog trafficking and advise states on establishing policies based on the President's Commission recommendations.

The Opioid Plan takes an important step to helping ensure that substance use disorder treatments are effective by requiring the establishment of an Advisory Committee on Substance Use Disorder Treatment Standards not later than 120 days after the issuance of the Opioid Plan to promulgate voluntary model evidence-based standards for substance use disorder treatment and recovery facilities. The amendment leaves the Advisory Committee flexibility on which standards to address but such standards could include licensure of treatment programs, credentialing of treatment professionals, and the prevention of patient brokering and fee splitting arrangements between treatment and recovery residence programs, by the appropriate organizations or agencies and at the appropriate level of government.

Nothing in H.R. 5925 prohibits or reduces access to behavior recovery treatment. Evidence-based behavioral recovery treatment, including faith-based programs and treatment, plays an important role in combating substance use disorder. While medication assisted treatment provides an important pathway to recovery, behavioral recovery treatment groups can be important components of long-term, sustained recovery.³⁸ This includes Substance Abuse and Mental Health Services Administration (SAMHSA) list group programs such as Alcoholics Anonymous and other peer-support

³⁸R. Kathryn McHugh et al, *Cognitive-Behavioral Therapy for Substance Use Disorders*, 33 PSYCHIATRIC CLINICS OF N. AM. 511 (2010).

and faith-based, self-help, and group-based addiction recovery support solutions.³⁹

The Office's increased role in information sharing

Many of the Commission's recommendations called for improving the collection, standardization, and dissemination of information. For example, the Commission recommended "a federal effort to strengthen data collection activities enabling real-time surveillance of the opioid crisis at the national, state, local, and tribal levels."⁴⁰

The Government Accountability Office (GAO) also highlighted the need for the Office to strengthen information sharing initiatives in a report issued in March 2018.⁴¹ The report stated, "embarking on a concerted effort to examine and address data related concerns, such as timeliness and accuracy, will allow law enforcement and public health agencies to better share information as they continue to understand and respond to the opioid epidemic."⁴²

GAO recommended the Director, "in collaboration with law enforcement and public health counterparts, lead a review on ways to improve the timeliness, accuracy, and accessibility of fatal and non-fatal overdose data from law enforcement and public health sources that provide critical information to understand and respond to the opioid epidemic."⁴³

H.R. 5925 requires the Director to designate an agency to establish and operate a fusion center—which shall be a federal statistical agency—to work with NDCP agencies to facilitate the sharing of information on the use of illicit drugs, treatment for substance use disorders, and interdiction of illicit drugs.

H.R. 5925 improves the availability of timely data on supply of and demand for illicit drugs by requiring the Office to create a "data dashboard" to provide basic data—updated at least quarterly—on the flows of illicit drugs and on drug use trends, including fatal and nonfatal overdoses. The Office is also required to develop a systematic plan to increase the collection of data to enable real-time tracking of drug trends.

H.R. 5925 authorizes a toxicology screening program to obtain information on trends in the prevalence of drug use by collecting and analyzing urine and other samples that are not identifiable to the individual and otherwise would have been discarded by hospitals, correctional facilities, booking sites, probation programs, drug courts, and coroners and medical examiners. The Office must consider existing resources, expertise, and capabilities when designating an agency to house the fusion center, with an eye toward limiting additional costs and burdens associated with establishing and operating the center. The authorization for the fusion center includes important privacy protections regarding anonymization and use of data obtained through the toxicology screening program.

H.R. 5925 requires the Director to establish a working group of federal agencies and state, local, and tribal government health and law enforcement agencies, data experts, and other stakeholders to

³⁹ Substance Abuse & Mental Health Services Administration, *Behavioral Health Treatment Services Locator*, <https://findtreatment.samhsa.gov/locator/link-focSelfGP> (last visited June 15, 2018).

⁴⁰ COMMISSION REPORT, *supra* note 5, at 14.

⁴¹ U.S. GOV'T ACCOUNTABILITY OFFICE, GAO-18-205, COMBATING SYNTHETIC OPIOIDS (2018).

⁴² *Id.*

⁴³ *Id.*

develop interoperable data exchange standards to improve information sharing among states, federal agencies, and other relevant drug control data centers.

GRANT PROGRAMS ADMINISTERED THROUGH THE OFFICE

The Office currently administers two grant programs aimed at reducing illicit drug use and availability at the local level—the Drug Free Communities (DFC) program and the High Intensity Drug Trafficking Areas (HIDTA) program. The DFC program awards grants to community coalitions to prevent substance use among adolescents through community collaboration and organization.⁴⁴ The HIDTA program coordinates federal, state, and local law enforcement efforts to identify and dismantle drug trafficking operations specific to each regionally-designated HIDTA area.⁴⁵ Both programs allow grantees to tailor programs to meet the unique needs of their communities.

Congress has repeatedly expressed its intent for the Office to retain responsibility for administering the DFC and HIDTA programs. The Committee reaffirms this longstanding position by reauthorizing the programs with only minor—primarily technical—changes to previously enacted authorizing law. Each program is authorized to receive appropriated funding to carry out those programs at funding levels established in the FY 2018 Consolidated Appropriations Act.⁴⁶ The Office’s role as a grant administrator is further clarified in new section 1002 as one of the seven principal responsibilities of the Office.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in the previous section.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee’s performance goal or objective of this bill is to codify provisions relating to the Office of National Drug Control.

LEGISLATIVE HISTORY

H.R. 5925 is the product of a thorough examination during the 115th Congress by the Committee on Oversight and Government Reform, the Subcommittee on Government Operations, and the Subcommittee on Healthcare, Benefits, and Administrative Rules. The Committee held a series of hearings to examine reauthorizing the Office and to explore options for more effectively combatting the opioid epidemic.

On July 26, 2017, the Committee held a hearing titled, “Office of National Drug Control Policy: Reauthorization in the 115th Con-

⁴⁴ *Office of Nat’l Drug Control Policy, Grants & Programs*, <https://www.whitehouse.gov/ondcp/grants-programs/> (last visited Apr. 3, 2018).

⁴⁵ *Id.*

⁴⁶ Pub. L. No. 115–141 (2018).

gress.” The hearing examined options for reauthorizing the Office and discussed the Office’s effort to coordinate drug control policy and spending across the federal government.

On November 28, 2017, the Committee held a field hearing titled, “Combating the Opioid Crisis.” The field hearing was at Johns Hopkins Hospital in Baltimore and discussed findings and recommendations from the President’s Commission.

On April 11, 2018, the Subcommittee on Healthcare, Benefits, and Administrative Rules held a hearing titled, “Local Responses and Resources to Curtail the Opioid Epidemic.” The hearing examined how federal grant programs have assisted state and local communities and explored ways the federal government can effectively assist states in combating the opioid epidemic.

On May 9, 2018, the Committee hosted a roundtable discussion with ONDCP officials to discuss options for empowering the Office to more effectively direct efforts to end the opioid crisis.

On May 17, 2018, the Committee held a hearing titled, “A Sustainable Solution to the Evolving Opioid Crisis: Revitalizing the Office of National Drug Control Policy.” The hearing examined policy proposals for reauthorizing the Office and discussed how evidence-based policymaking and information sharing can be used to identify and respond to emerging drug trends.

Committee staff also conducted field work to inform H.R. 5925. In March 2018, Committee staff traveled to China to investigate the trafficking of illicit fentanyl through the U.S. Postal Service. Staff reviewed the roles of the Department of Homeland Security, the intelligence community, and the U.S. Postal Service to identify opportunities for better coordination and information sharing.

On March 23, 2018, Committee staff conducted a site visit to a newly designated High Intensity Drug Trafficking Area initiative in Greenville, South Carolina within the Atlanta-Carolinas HIDTA region and held a roundtable discussion. Staff met with federal and state law enforcement officials who highlighted the collaborative nature of the HIDTA program and discussed recent accomplishments in disrupting local drug trafficking organizations. For example, during one operation last year, HIDTA participants arrested 40 individuals, seized more than \$1 million, and confiscated 44 kilograms of crystal methamphetamine, 2.6 kilograms of cocaine, and 370 grams of heroin.

On May 23, 2018, Chairman Trey Gowdy (R–SC) introduced H.R. 5925, the Coordinated Response through Interagency Strategy and Information Sharing (CRISIS) Act, with Ranking Member Elijah Cummings (D–MD), Subcommittee on Government Operations Chairman Mark Meadows (R–NC), and Subcommittee on Government Operations Ranking Member Gerald Connolly (D–VA). H.R. 5925 was referred to the Committee on Oversight and Government Reform, with additional referrals to the Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence (Permanent Select), and Appropriations.

COMMITTEE CONSIDERATION

On May 23, 2018, the Committee met in open session and, with a quorum being present, ordered the bill favorably reported, as amended, by voice vote.

ROLL CALL VOTES

There were no roll call votes requested or conducted during Committee consideration of H.R. 5925.

EXPLANATION OF AMENDMENTS

During Committee consideration of the bill, Representative Elijah Cummings (D–MD), the Ranking Member of the Committee, offered an amendment to add the director of the fusion center to the membership of the emerging threats task force, clarify the emerging threats plan and information sharing requirements to include substance use disorder treatment, and clarify the treatment coordinator section of the bill. The amendment also introduces a new requirement to convene an advisory committee to promulgate standards for substance abuse disorder treatment and recovery facilities. The Cummings amendment was adopted by voice vote.

Representative Stephen Lynch (D–MA) offered an amendment to require the President to notify Congress if the President has not issued the National Drug Control Strategy by the due date. The amendment also requires the President or a designee to appear before the Committee on Oversight and Government Reform of the House of Representatives and the Committee on the Judiciary of the Senate at a hearing not later than the first Monday in March following the failure of the President to submit the Strategy. Representative Gary Palmer (R–AL) offered an amendment to the amendment offered by Representative Lynch to strike the requirement for the President or a designee to appear at a hearing before the first Monday in March following the failure of the President to submit a Strategy, as this requirement is not necessary in order for either Committee to hold such a hearing. The Palmer amendment to the Lynch amendment was adopted by voice vote. The Lynch amendment, as amended, was adopted by voice vote.

Representative Mark DeSaulnier (D–CA) offered an amendment to require the Government Accountability Office to conduct periodic audits on the Office’s programs and operations. The DeSaulnier amendment was adopted by voice vote.

Representative Paul Mitchell (R–MI) offered an amendment with the support of Representative Jamie Raskin (D–MD) to require the Director to establish a system to track federally funded initiatives and grant programs, establish performance metrics and goals for grant programs, develop a common application form for drug control related grant programs, and maintain a comprehensive list of all drug control program grant award opportunities. The amendment was adopted by voice vote.

Pursuant to the unanimous consent agreement during the business meeting, a correction was made to the authorization of appropriations for the Office of National Drug Control’s administration of the Drug Free Communities program in the reported text of section 1038 of Title 31, United States Code. The adopted version of the amendment in the nature of a substitute authorized “\$99,000,000 for fiscal year [sic] 2019 through 2023.” The corrected version in reported text authorizes that amount “for each of fiscal years 2019 through 2023.”

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch where the bill relates to the terms and conditions of employment or access to public services and accommodations. This bill codifies provisions relating to the Office of National Drug Control, and for other purposes. As such, this bill does not relate to employment or access to public services and accommodations.

DUPLICATION OF FEDERAL PROGRAMS

In accordance with clause 2(c)(5) of rule XIII, H.R. 5925 would reauthorize a program the Government Accountability Office (GAO) previously identified as having potential duplication in 2013. Both areas of potential duplication GAO subsequently reported as having been addressed. Specifically, GAO identified “overlap and potential duplication across the fragmented 76 federal drug abuse prevention and treatment programs,” recommending increased coordination.⁴⁷ GAO reported this was fully addressed as of November 19, 2014.⁴⁸ In addition, GAO identified potential inefficiencies from overlap in analytical and investigative support activities.⁴⁹ GAO reported this was fully addressed as of March 21, 2018.⁵⁰

DISCLOSURE OF DIRECTED RULE MAKINGS

This bill directs the completion of specific rule makings within the meaning of section 551 of title 5, United States Code. Section 1021 of title 31, as added in section 2 of H.R. 5925, codifies section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 as amended by the Office of National Drug Control Policy Reauthorization Act of 2006, which requires the Director to establish and maintain regulations about the process to petition to be designated as a HIDTA. Section 4(b)(2)(B)(iii) requires the Director to issue guidance to agencies on appropriate revisions of regulations pertaining to prescribing guidelines and continuing education requirements.

FEDERAL ADVISORY COMMITTEE ACT

H.R. 5925 establishes an advisory committee within the definition of Section 5(b) of the appendix to title 5, United States Code. Section 4(b)(2)(K) requires the Director of the Office to establish an advisory committee on substance use disorder treatment standards. There is not currently an existing advisory committee charged with developing evidence-based standards for substance abuse disorder treatment and recovery facilities. The advisory committee must comply with the requirements in the Federal Advisory Committee Act (5 U.S.C. App).

⁴⁷ GOV'T ACCOUNTABILITY OFFICE, GAO-13-279SP, ACTIONS NEEDED TO REDUCE FRAGMENTATION, OVERLAP, AND DUPLICATION AND ACHIEVE OTHER FINANCIAL BENEFIT (2013).

⁴⁸ GOV'T ACCOUNTABILITY OFFICE, DUPLICATION & COST SAVINGS GAO ACTION TRACKER, *Social Services: Drug Abuse Prevention and Treatment Programs*, https://www.gao.gov/duplication/action_tracker/Drug_Abuse_Prevention_and_Treatment_Programs/ (last updated Nov. 19, 2014).

⁴⁹ GOV'T ACCOUNTABILITY OFFICE, *supra* note 47.

⁵⁰ GOV'T ACCOUNTABILITY OFFICE, DUPLICATION & COST SAVINGS GAO ACTION TRACKER, *Homeland Security/Law Enforcement: Field-Based Information Sharing*, https://www.gao.gov/duplication/action_tracker/Field-Based_Information_Sharing/ (last updated Mar. 21, 2018).

UNFUNDED MANDATES STATEMENT

Pursuant to section 423 of the Congressional Budget and Impoundment Control Act (Pub. L. 113–67) the Committee has included a letter received from the Congressional Budget Office below.

EARMARK IDENTIFICATION

This bill does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the House of Representatives.

COMMITTEE ESTIMATE

Pursuant to clause 3(d)(2)(B) of rule XIII of the Rules of the House of Representatives, the Committee includes below a cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

NEW BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the House of Representatives, the cost estimate prepared by the Congressional Budget Office and submitted pursuant to section 402 of the Congressional Budget Act of 1974 is as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 8, 2018.

Hon. TREY GOWDY,
*Chairman, Committee on Oversight and Government Reform,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5925, the CRISIS Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

MARK P. HADLEY
(For Keith Hall, Director).

Enclosure.

H.R. 5925—CRISIS Act

Summary: H.R. 5925 would authorize appropriations for the operations of the Office of National Drug Control Policy (ONDCP) and change the office's name to the Office of National Drug Control (ONDC). The bill would authorize appropriations for programs administered by that office and for other federal anti-drug programs through 2023. Major programs administered by the office include the High-Intensity Drug Trafficking Areas program, the Drug-Free Communities program, and the Emerging Threats and Media Campaign.

Assuming appropriation of the specified amounts, CBO estimates that implementing H.R. 5925 would cost about \$1.5 billion over the 2019–2023 period. Of that total, \$1.1 billion would result from

amounts specifically authorized for the High-Intensity Drug Trafficking Areas program.

Enacting the bill would affect direct spending because it would allow ONDC to accept and spend monetary gifts; therefore, pay-as-you-go procedures apply. However, CBO estimates that the net effect on direct spending would be negligible. Enacting H.R. 5925 would not affect revenues.

CBO estimates that enacting H.R. 5925 would not significantly increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 5925 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated budgetary effect of H.R. 5925 is shown in the following table. The costs of the legislation fall within budget functions 750 (administration of justice) and 800 (general government).

	By fiscal year, in millions of dollars—					
	2019	2020	2021	2022	2023	2019–2023
INCREASES IN SPENDING SUBJECT TO APPROPRIATION						
High-Intensity Drug Trafficking Area:						
Authorization Level	280	280	280	280	280	1,400
Estimated Outlays	70	238	266	280	280	1,134
Emerging Threats and Media Campaign:						
Authorization Level	25	25	25	25	25	125
Estimated Outlays	23	25	25	25	25	123
Drug-Free Communities:						
Estimated Authorization Level	20	20	20	20	20	99
Estimated Outlays	18	20	20	20	20	98
Office of National Drug Control:						
Authorization Level	18	18	18	18	18	92
Estimated Outlays	15	17	18	18	18	86
Other Provisions:						
Authorization Level	3	3	3	3	3	16
Estimated Outlays	3	3	3	3	3	16
Total Spending:						
Authorization Level ^a	346	346	346	346	346	1,732
Estimated Outlays	129	303	332	346	346	1,457

^a Components may not sum to totals because of rounding.

Basis of estimate: For this estimate, CBO assumes that the bill will be enacted near the end of 2018, that the authorized amounts will be provided each year, and that spending will follow historical patterns for ONDCP and its programs.

The bill would reauthorize all the programs of ONDC through 2023. Although the current authorization for ONDCP expired at the end of fiscal year 2011, the office and related programs received funding through 2018, including about \$415 million in fiscal year 2018. The legislation would authorize the appropriation of specific amounts over the next five years for the following programs:

- High-Intensity Drug Trafficking Areas—\$280 million each year for coordinating drug-control efforts among local, state, and federal law enforcement agencies, CBO estimates that implementing this provision would cost \$1.1 billion over the 2019–2023 period and about \$0.3 billion after 2023;
- Emerging Threats and Media Campaign—\$25 million each year for a media campaign about the emerging threats and other anti-drug messages. CBO estimates that implementing

this provision would cost \$123 million over the 2019–2023 period;

- Drug-Free Communities—\$99 million over the 2019–2023 period for the Drug Free Communities program, which would make grants to community coalitions aimed at reducing substance abuse by young people. Assuming the \$99 million is appropriated equally over the five years, CBO estimates implementing this provision would cost \$98 million over the 2019–2023 period;

- Office of National Drug Control—\$18.4 million each year for operation of the ONDC. CBO estimates providing that appropriation would cost \$86 million over the 2019–2023 period; and

- Other Provisions—\$3.25 million each year for the Model Act Program and the Drug Court Training and Technical Assistance Program. CBO estimates implementing those provisions would cost \$16 million over the 2019–2023 period.

Pay-As-You-Go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. H.R. 5925 would allow ONDC to accept and retain gifts; therefore, pay-as-you-go procedures apply. CBO estimates, however, that any net changes in direct spending would be negligible. Enacting the bill would not affect revenues.

Increase in long-term direct spending and deficits: CBO estimates that enacting H.R. 5925 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

Mandates: H.R. 5925 contains no intergovernmental or private-sector mandates as defined in UMRA.

Estimate prepared by: Federal costs: Matthew Pickford; Mandates: Andrew Laughlin.

Estimate reviewed by: Kim P. Cawley, Chief, Natural Resources Cost Estimate Unit; H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides the short title of the bill, the “Coordinated Response through Interagency Strategy and Information Sharing Act” or the “CRISIS Act.”

Section 2. Office of National Drug Control

This section renames the Office of National Drug Control Policy the Office of National Drug Control and creates a new chapter 10 in Title 31, United States Code, as follows:

SUBCHAPTER I—OFFICE

Section 1001. Definitions

Section 1001 defines the terms used in chapter 10 previously defined in the Office of National Drug Control Policy Reauthorization Act of 1998, as amended (Public Law 105–277; 21 U.S.C. 1701 et seq.) (“prior law”), including amendments to the terms “illicit drug

use,” “illegal drug use,” “demand reduction,” “supply reduction,” “emerging threat,” and “substance use disorder treatment.”

Section 1002. Office of National Drug Control

Section 1002 codifies 21 U.S.C. 1702(a), which established the Office, and expands the Office’s responsibilities to include identifying and responding to illicit drug use emerging threats, administering and evaluating grant programs, and facilitating information sharing and data standardization among federal, state, and local entities.

This section also codifies 21 U.S.C. 1702(b), 1703(a), (b)(1), and (b)(5) with changes to the structure of the office. Those changes include requiring the appointment of a director and deputy director, requiring the director to establish policies and objectives for the National Drug Control Program, and requiring the director to consult with state, local, and Tribal governments, and other relevant entities.

Section 1003. Administration of the office

Section 1003 codifies prior law related to the administration of the office—21 U.S.C. 1702(c), 1703(a)(4)–(5), (d)(1), (3)–(4), (6), (e)(1)–(2), and 1704(c)—and prohibits the use of funds authorized under the chapter for campaigns or ballot initiatives.

Section 1004. National Drug Control Program budget

Section 1004 codifies prior law establishing the National Drug Control Program budget process—21 U.S.C. 1703(b)(8) and (c). In addition, Section 1004 requires a certification or decertification for each National Drug Control Program Agency budget request to Congress with a written justification and suggestion for alternative funding levels that may improve progress on achieving the Strategy for any budget request that does not fully fund the National Drug Control Programs of the agency. It requires the Office concurrently submit budget requests to the appropriate congressional committees when requests are submitted to the Office of Management and Budget or the President.

Section 1005. National Drug Control Strategy

Section 1005 codifies prior law requiring the Director to promulgate a National Drug Control Strategy—21 U.S.C. 1705(a)–(b). The section reduces the frequency from an annual requirement to a quadrennial requirement, and requires the release of a statement of drug priority policies in the first calendar year of a new administration and the release of annual performance plan supplement. A new provision requires the Strategy to be based on the best available evidence and to include a description of the current prevalence of illicit drug use and additional details for each Strategy goal. Additional details for each strategy goal must specify how each goal will be achieved, anticipated challenges, and the data necessary to evaluate performance.

This section incorporates into the National Drug Control Strategy the Southwest Border Strategy (*Office of National Drug Control Policy Reauthorization Act of 2006*, Pub. L. No. 109–469) and the Northern Border Strategy (*Northern Border Counternarcotics Strategy Act of 2010*, Pub. L. No. 111–356).

This section also requires the President to notify the appropriate congressional committees if the President fails to submit a Strategy pursuant to the requirements of this section.

Section 1006. Development of an Annual National Drug Control Assessment

Section 1006 codifies prior law requiring an annual assessment of National Drug Control Program Agencies (21 U.S.C. 1703(b)(13)–(14)), with amendments to expand the contents of the assessment to include an accounting of funds distributed, an evaluation of the effectiveness of grant programs, an evaluation of emerging threat plans, and an accounting of funds obligated for the media campaign. This section codifies prior law by requiring a report on consultation (21 U.S.C. 1703(b)(19)) and a performance measurement system (21 U.S.C. 1705(c)–(d)), which are added as requirements for inclusion in the assessment.

This section also requires the Director to designate or appoint a performance-budget coordinator to ensure the Director has sufficient information on each NDCP agency's performance, funding, and contributions to the achievement of the goals of the Strategy. The performance-budget coordinator is also required to advise the Director on agency budget and performance measures and to carry out other duties needed to assess agencies' budgets and performance.

Section 1007. Monitoring and evaluation of National Drug Control Program

Section 1007 codifies requirements for the Director to monitor the activities and funds expended by National Drug Control Program Agencies to ensure implementation of the Strategy—21 U.S.C. 1703(b)(4), (7), (d)(7), and 1704(d).

This section also requires the Director to establish a coordinated tracking system of federally-funded initiatives and grant programs, to develop a plan to standardize the grant application process, to maintain a list of drug control grant award opportunities on the Office's website, and to report on progress under this section and the feasibility of block grants to states.

Section 1008. Coordination and oversight of the National Drug Control Program

Section 1008 codifies prior law requiring the Director to coordinate and oversee implementation by National Drug Control Program Agencies of the Strategy (21 U.S.C. 1703(b)(3)), requiring National Drug Control Program Agencies to notify the Director regarding any proposed policy changes related to a drug control program (21 U.S.C. 1703(d)(9) and (f)), requiring the Director to work in conjunction with the Assistant to the President for National Security Affairs (21 U.S.C. 1704(b)), and authorizing the Director to temporarily detail employees to other agencies (21 U.S.C. 1703(e)), to transfer funds between agencies (21 U.S.C. 1703(d)(8)), and to issue fund control notices to National Drug Control Program Agencies.

This section also expands the authority of the Director to transfer funds for the purpose of implementing an emerging threats plan

under section 1009 and specifies the purposes for which transferred funds may be used.

Section 1009. Emerging threats taskforce, plan, media campaign

This section requires the Director to appoint an emerging and continuing threats coordinator (the Coordinator) to monitor emerging drug threats in the United States by convening a quarterly taskforce with relevant National Drug Control Program Agencies and state, local, and tribal governments to establish evidence-based criteria to identify emerging threats. This section also allows the Director to designate an emerging drug threat and requires a public written statement of any designation or termination of a designation of an emerging threat.

This section requires the Director to publish an Emerging Threat Response Plan within 60 days of the designation of an emerging threat and to update the plan every 90 days until the plan's goals have been achieved. The plan is required to include a comprehensive assessment of the drug threat (including the need for and the availability of evidence-based substance use disorder treatment), goals to address the threat, and performance measures pertaining to the plan's goals. The Director is required to issue implementation guidance within 90 days of the designation of an emerging threat. This section also allows the Director to award contracts or enter into interagency agreements in support of the identification of emerging threats in the plan.

This section also requires the Coordinator to facilitate information sharing and coordination with relevant agencies and entities regarding the identification or status of emerging threats, monitor implementation of emerging threat response plans, and develop reporting systems to support adherence to performance measures. Agencies identified in an emerging threat response plan are required to submit a report to the Coordinator on implementation of the plan within 180 days of designation.

This section revamps prior law (21 U.S.C. 1708)—which required a national youth anti-drug media campaign—by limiting the campaign to emerging drug threats, expanding the focus to education and public awareness, and requiring the campaign be developed in accordance with evidence of effective practices. The Director is required to establish and implement a national education and public awareness campaign to raise awareness of illicit drugs designated as emerging threats and to consult with appropriate National Drug Control Program Agencies, experts, state, local, and tribal governments, Congress, and the public to ensure evidence-based implementation of the campaign. The Director is authorized to accept gifts and donations to support the campaign and must issue an annual report to the appropriate congressional committees to identify the source(s) of any accepted gift or donation. Additionally, the Director is required to establish ethics guidelines to determine whether gifts or donations should be declined.

This section also requires the Director to ensure the media campaign is evidence-based and accurate, meets accepted standards for public awareness campaigns, and utilizes effective strategies. The Director is required to use competitive procedures in selecting entities for the production and design of a campaign.

This section codifies prior law requiring the Director to evaluate the performance of the campaign (21 U.S.C. 1708(h)) but clarifies reporting requirements and aligns the timing with the annual assessment under section 1006. The section also codifies prior law (21 U.S.C. 1708(b)(2)(C)), with the addition of a biennial evaluation of the campaign's effectiveness by an independent entity.

This section codifies prior law establishing prohibitions on the use of funds authorized under this section (21 U.S.C. 1708(e)).

This section also reauthorizes funding for the campaign (Pub. L. No. 109-469) and related emerging threat activities. The section authorizes \$25,000,000 for each fiscal year through 2023, a reduction below the prior authorization of \$195,000,000 for fiscal years 2007 and 2008 and \$210,000,000 for fiscal years 2009 through 2011.

Section 1010. National and international coordination

This section requires the Director to ensure National Drug Control Program Agencies disseminate drug control research and information to state and local governments and other entities involved in demand reduction (21 U.S.C. 1703(b)(15)) and to coordinate with the private sector to promote research and development to treat addiction (21 U.S.C. 1703(b)(16)).

This section also requires the Director to coordinate the development of evidence-based state standards by National Drug Control Program Agencies and other relevant entities for drug control policies, practices, and procedures. The Director is also required to encourage the adoption of state standards by facilitating the dissemination of standards through publications, training seminars, and other means to state and local governments.

This section codifies section 1105 of the Office of National Drug Control Policy Reauthorization Act of 2006, which requires the Director to enter into an agreement with a nonprofit to advise states on establishing laws and policies to address illicit drug use issues. The section authorizes \$1,250,000 for such agreement for each fiscal year through 2023.

This section authorizes, in accordance with Pub. L. No. 115-141, the Director to make a grant to a nonprofit organization to provide training and technical assistance to drug courts and authorizes \$2,000,000 for such grant for each fiscal year through 2023.

This section requires the Director to appoint a state, local, and tribal affairs coordinator to coordinate drug control efforts between federal agencies and state, local, and tribal governments and perform other duties relevant to this section and section 1005.

Section 1011. Interdiction

Section 1011 codifies prior law requiring the designation of an interdiction coordinator, establishment of an Interdiction Committee, and issuance of a Command and Control Plan (21 U.S.C. 1710).

Section 1012. Treatment coordinator

Section 1012 requires the Director to designate or appoint a treatment coordinator to coordinate activities of the National Drug Control Program Agencies to expand the availability of evidence-based substance use disorder treatment, develop and issue a Na-

tional Treatment Plan, assess the sufficiency of resources available for substance use disorder treatment, and encourage the adoption of treatment standards. The Treatment Coordinator is required to develop and issue an annual National Treatment Plan to identify the unmet need for treatment and the resources required to eliminate the unmet need for treatment.

This section establishes a Treatment Committee to review the adequacy of evidence-based substance use disorder treatment, discuss the status of the National Treatment Plan, advise the Director concerning treatment initiatives, and submit an annual report to Congress on the results of the Committee's meetings and any significant findings.

Section 1013. Critical information coordination

Section 1013 requires the Director to designate an agency to establish a National Drug Control Fusion Center as a statistical agency to work with National Drug Control Program Agencies to collect, compile, analyze, and facilitate the sharing of information on the use of illicit drugs, treatment for substance use disorders, and interdiction of illicit drugs. The Fusion Center Director is authorized to establish a toxicology screening program to conduct secondary analysis of urine samples that otherwise would be discarded at hospitals, correctional facilities, and similar institutions and to establish a program allowing state and local jurisdictions to submit up to 20 samples annually to analyze substances found in fatal overdose cases. This section prohibits the use of samples as evidence in any proceeding and requires the Fusion Center comply with the provisions of the *Confidential Information Protection and Statistical Efficiency Act of 2002*.

This section also requires the Director to submit to Congress an annual plan, which must cover a four-year period and be updated annually, for increasing data collection to enable real-time surveillance of drug control threats, developing analysis and monitoring capabilities, and identifying and addressing relevant policy questions.

This section codifies prior law, with amendments, prohibiting the use of federal funds by the Office on any study pertaining to legalization of schedule I substances (21 U.S.C. 1703(b)(12)) and requiring any harm reduction program policies, including syringe exchange programs, to be evidence-based and developed in consultation with the National Institutes of Health and the National Academy of Sciences (21 U.S.C. 1702 paragraph after subsection (a)).

This section also requires the Director to establish and update at least quarterly a dashboard on the Office's website to show data visualizations of key data on illicit drug flows and seizures, fatal and non-fatal overdoses, and availability of substance use disorder treatment.

This section codifies prior law requiring National Drug Control Program Agencies to provide the Director with data and information pertaining to drug control and funding for drug control policy (21 U.S.C. 1704(a)).

This section requires the Director to establish a working group of federal agencies, state, local, and tribal government health and law enforcement agencies, and data governance experts to develop interoperable data exchange standards to improve information

sharing among states, federal agencies, and other relevant drug control data centers. The section authorizes the Director, in consultation with the working group, relevant agencies, and state, local, and tribal governments, to designate data exchange standards for federal reporting and data exchange requirements for National Drug Control Programs.

This section also codifies prior law requiring the reporting of specific data related to the status of drug control efforts (21 U.S.C. 1705(a)(2)).

Section 1014. Annual audit and investigation requirements

Section 1014 codifies section 203(b) of the *Office of National Drug Control Reauthorization of 2006* (Pub. L. No. 109–469), requiring the Government Accountability Office to conduct an annual audit and investigation related to the Office.

Section 1015. Authorization of appropriations

This section authorizes \$18,400,000—the amount appropriated for fiscal year 2018 (Pub. L. No. 115–141)—for the Office for each fiscal year through 2023.

SUBCHAPTER II—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

Section 1021. High Intensity Drug Trafficking Areas Program

Section 1021 codifies prior law establishing the High Intensity Drug Trafficking Areas (HIDTA) Program (21 U.S.C. 1706). The Section amends prior law to grant discretion to HIDTA Directors to use up to 5 percent of program funding for drug treatment programs, in addition to existing discretionary authority to use up to 5 percent of program funding for drug prevention programs. The Section also consolidates reporting requirements and clarifies at least 2.5 percent of program funding is used in areas with severe neighborhood safety and illegal drug distribution problems for safety and protection programs, including programs to prevent intimidation of potential witnesses. This section also authorizes \$280,000,000—the amount appropriated for fiscal year 2018 (Pub. L. No. 115–141)—for the Office to administer this subchapter for each fiscal year through 2023.

SUBCHAPTER III—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

This subchapter codifies the Drug-Free Communities Act of 1997, as amended, (Pub. L. No. 105–20, 21 U.S.C. 1531 seq.), updating the text and clarifying the Office’s authority to use up to 8 percent of appropriated funds for administration of the program. This subchapter also authorizes \$99,000,000—the amount appropriated for fiscal year 2018 (Pub. L. No. 115–141)—for the Office to administer this subchapter for each fiscal year through 2023.

Section 3. Repeals

Section 3 repeals prior laws—the contents of which are now incorporated into chapter 10 of title 31, as added by section 2. This includes a repeal of the Office of National Drug Control Policy Reauthorization Act of 1998 (Public Law 105–277; 21 U.S.C. 1701 et seq.) and chapter 2 of the National Narcotics Leadership Act of 1988 (Public Law 100–690; 21 U.S.C. 1501 et seq.). These repeals

are included in H.R. 5925, notwithstanding prior repeals of both laws, to dispel any confusion and to ensure non-positive law titles of U.S. Code are updated by the Office of Law Revision Counsel to reflect the repeal of those statutes and accurately reflect current law.

Section 4. Opioid crisis response

This section requires the Director to designate opioids and opioid analogues as an emerging threat in accordance with Emerging Threat provisions under section 1009 and to issue a “National Opioid Response Plan,” which must include the following:

1. Initiatives to increase the screening of mail to prevent illicit drugs from entering the country and designation of the United States Postal Service as a National Drug Control Program Agency;
2. Support for adoption of evidence-based prescribing guidelines, including the establishment of a task force to supplement existing prescribing guidelines, guidance for federal continuing education requirements, and dissemination of best practices;
3. A program to monitor changes in prescription and illicit drug markets;
4. Studies to evaluate benefits of drug courts;
5. Programs to coordinate with the private sector to promote research and development of treatment and deterrent products and expansion of disposal programs;
6. Initiatives to encourage National Drug Control Program Agencies and the Model Acts program to develop sentencing standards or model codes for trafficking opioids and opioid analogues and to advise states on establishing policies based on the President’s Opioid Commission;
7. Establishment of working groups to develop data collection standards for medical examiner reports on overdose data and first responder opioid intoxication incidents;
8. A program to identify successful college recovery programs and to disseminate best practices;
9. Working groups to support prescription drug monitoring programs and other data collection programs;
10. Initiation of research on Medication Assisted Treatment and data collection to confirm opioid use by individuals arrested or hospitalized; and
11. Establishment of an Advisory Committee on Substance Use Disorder Treatment Standards, no later than 120 days after issuance of the plan, which will promulgate evidence-based standards for substance abuse disorder no later than 2 years after the issuance of the plan.

This section also requires the Director to submit a report to Congress on the findings and initiatives on Medication Assisted Treatment research.

Section 5. Exceptions and rules of construction

This section codifies prior law relating to national intelligence (21 U.S.C. 1703(g)–(h)).

Section 6. GAO study and reports

This section requires the Comptroller General to provide an initial report to Congress within three years of the date of enactment and a final report within six years on implementation of the Education and Public Awareness Campaign for Emerging Threat, the Strategy, and the annual assessment.

Section 7. Definitions

This section defines terms for the Act as set forth in section 1001 of title 31, United States Code, as amended by section 2 of this bill.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

TITLE 31, UNITED STATES CODE

* * * * *

SUBTITLE I—GENERAL

Chap.		Sec.
1.	Definitions	101
	* * * * *	
10.	<i>Office of National Drug Control</i>	1001
	* * * * *	

CHAPTER 10—OFFICE OF NATIONAL 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.

SUBCHAPTER I—OFFICE

§ 1001. Definitions

In this chapter:

- (1) **AGENCY.**—*The term “agency” has the meaning given the term “executive agency” in section 102.*
- (2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—*The term “appropriate congressional committees” means—*
- (A) *the Committee on the Judiciary, the Committee on Appropriations, and the Caucus on International Narcotics Control of the Senate; and*
 - (B) *the Committee on Oversight and Government Reform, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.*
- (3) **DEMAND REDUCTION.**—*The term “demand reduction” means any activity conducted by a National Drug Control Program Agency, other than an enforcement activity, that is intended to reduce or prevent the use of drugs or support or provide treatment and recovery efforts, including—*
- (A) *education about the dangers of illicit drug use;*
 - (B) *services, programs, or strategies to prevent substance use disorder, including evidence-based education campaigns, community-based prevention programs, opioid diversion, collection and disposal of unused prescription drugs, and services to at-risk populations to prevent or delay initial use of an illicit substance;*
 - (C) *substance use disorder treatment;*
 - (D) *illicit drug use research;*
 - (E) *drug-free workplace programs;*
 - (F) *drug testing, including the testing of employees;*
 - (G) *interventions for illicit drug use and dependence;*
 - (H) *expanding availability of access to health care services for the treatment of substance use disorders;*
 - (I) *international drug control coordination and cooperation with respect to activities described in this paragraph;*
 - (J) *pre- and post-arrest criminal justice interventions such as diversion programs, drug courts, and the provision of evidence-based treatment to individuals with substance use disorders who are arrested or under some form of criminal justice supervision, including medication assisted treatment;*
 - (K) *other coordinated and joint initiatives among Federal, State, local, and Tribal agencies to promote comprehensive drug control strategies designed to reduce the demand for, and the availability of, illegal drugs;*
 - (L) *international illicit drug use education, prevention, treatment, recovery, research, rehabilitation activities, and interventions for illicit drug use and dependence; and*
 - (M) *research related to any of the activities described in this paragraph.*

(4) *DIRECTOR.*—The term “Director” means the Director of the Office of National Drug Control.

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

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

(7) *EMERGING THREAT.*—The term “emerging threat” means the occurrence of a new and growing trend in the use of an illicit drug or class of drugs, including rapid expansion in the supply of or demand for such drug.

(8) *ILLICIT DRUG USE; ILLICIT DRUGS; ILLEGAL DRUGS.*—The terms “illicit drug use”, “illicit drugs”, and “illegal drugs” include the illegal or illicit use of prescription drugs.

(9) *LAW ENFORCEMENT.*—The term “law enforcement” or “drug law enforcement” means all efforts by a Federal, State, local, or Tribal government agency to enforce the drug laws of the United States or any State, including investigation, arrest, prosecution, and incarceration or other punishments or penalties.

(10) *NATIONAL DRUG CONTROL PROGRAM.*—The term “National Drug Control Program” means programs, policies, and activities undertaken by National Drug Control Program Agencies pursuant to the responsibilities of such agencies under the National Drug Control Strategy, including any activities involving supply reduction, demand reduction, or State, local, and Tribal affairs.

(11) *NATIONAL DRUG CONTROL PROGRAM AGENCY.*—The term “National Drug Control Program Agency” means any agency (or bureau, office, independent agency, board, division, commission, subdivision, unit, or other component thereof) that is responsible for implementing any aspect of the National Drug Control Strategy, including any agency that receives Federal funds to implement any aspect of the National Drug Control Strategy, but does not include any agency that receives funds for drug control activity solely under the National Intelligence Program or the Military Intelligence Program.

(12) *NATIONAL DRUG CONTROL STRATEGY; STRATEGY.*—The term “National Drug Control Strategy” or “Strategy” means the strategy developed and submitted to Congress under section 1005.

(13) *NONPROFIT ORGANIZATION.*—The term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(14) *OFFICE.*—The term “Office” means the Office of National Drug Control.

(15) *STATE, LOCAL, AND TRIBAL AFFAIRS.*—The term “State, local, and Tribal affairs” means domestic activities conducted by a National Drug Control Program Agency that are intended to reduce the availability and use of illegal drugs, including—

(A) coordination and enhancement of Federal, State, local, and Tribal law enforcement drug control efforts;

(B) coordination and enhancement of efforts among National Drug Control Program Agencies and State, local, and Tribal demand reduction and supply reduction agencies;

(C) coordination and enhancement of Federal, State, local, and Tribal law enforcement initiatives to gather, analyze, and disseminate information and law enforcement intelligence relating to drug control among domestic law enforcement agencies; and

(D) other coordinated and joint initiatives among Federal, State, local, and Tribal agencies to promote comprehensive drug control strategies designed to reduce the demand for, and the availability of, illegal drugs.

(16) **SUBSTANCE USE DISORDER TREATMENT.**—The term “substance use disorder treatment” means an evidence-based, professionally directed, deliberate, and planned regimen including evaluation, observation, medical monitoring, and rehabilitative services and interventions such as pharmacotherapy, behavioral therapy, and individual and group counseling, on an inpatient or outpatient basis, to help patients with substance use disorder reach recovery.

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

(A) law enforcement outside the United States;

(B) domestic law enforcement;

(C) source country programs, including economic development programs primarily intended to reduce the production or trafficking of illicit drugs;

(D) activities to control international trafficking in, and availability of, illegal drugs, including—

(i) accurate assessment and monitoring of international drug production and interdiction programs and policies; and

(ii) coordination and promotion of compliance with international treaties relating to the production, transportation, or interdiction of illegal drugs;

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

(F) activities to facilitate and enhance the sharing of domestic and foreign intelligence information among National Drug Control Program Agencies, relating to the production and trafficking of drugs in the United States and in foreign countries;

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

(H) research related to any of the activities described in this paragraph.

§ 1002. Office of National Drug Control

(a) **ESTABLISHMENT OF OFFICE.**—There is established in the Executive Office of the President an Office of National Drug Control, which shall—

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

(2) *coordinate and oversee the implementation of the national drug control policy, including the National Drug Control Strategy;*

(3) *assess and certify the adequacy of National Drug Control Programs and the budget for those programs;*

(4) *monitor and evaluate the effectiveness of national drug control policy efforts, including the National Drug Control Program Agencies' programs, by developing and applying specific goals and performance measurements and tracking program-level spending;*

(5) *identify and respond to emerging threats related to illicit drug use;*

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

(7) *facilitate broad-scale information sharing and data standardization among Federal, State, and local entities to support the national drug control efforts.*

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

(1) *DIRECTOR.—*

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

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

(2) *DEPUTY DIRECTOR.—*

(A) *IN GENERAL.—There shall be a Deputy Director who shall report directly to the Director, be appointed by the President, and serve at the pleasure of the President.*

(B) *RESPONSIBILITIES.—The Deputy Director shall—*

(i) *carry out the responsibilities delegated by the Director; and*

(ii) *be responsible for effectively coordinating with the Coordinators.*

(c) *RESPONSIBILITIES.—*

(1) *POLICIES, GOALS, OBJECTIVES, AND PRIORITIES.—The Director shall assist the President in directing national drug control efforts, including establishing policies, goals, objectives, and priorities for the National Drug Control Program that are based on evidence-based research.*

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

(A) *shall consult with—*

(i) *State and local governments;*

(ii) *National Drug Control Program Agencies;*

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

(iv) *the public;*

(v) *appropriate congressional committees; and*

- (vi) any other person in the discretion of the Director;
and
- (B) may—
 - (i) establish advisory councils;
 - (ii) acquire data from agencies; and
 - (iii) request data from any other entity.

§ 1003. Administration of the office

(a) EMPLOYMENT.—

(1) AUTHORITY OF THE DIRECTOR.—The Director may select, appoint, employ, and fix compensation of such officers and employees of the Office as may be necessary to carry out the functions of the Office under this chapter.

(2) PROHIBITIONS.—

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

(B) PROHIBITION ON POLITICAL CAMPAIGNING.—Any officer or employee of the Office who is appointed to that position by the President, by and with the advice and consent of the Senate, may not participate in Federal election campaign activities, except that such official is not prohibited by this paragraph from making contributions to individual candidates.

(b) PROHIBITION ON THE USE OF FUNDS FOR POLITICAL CAMPAIGNS OR BALLOT INITIATIVES.—No funds authorized under this chapter may be obligated for the purpose of influencing any Federal, State, or local election or ballot initiative.

(c) PERSONNEL DETAILED TO OFFICE.—

(1) EVALUATIONS.—Notwithstanding any provision of chapter 43 of title 5, the Director shall perform the evaluation of the performance of any employee detailed to the Office for purposes of the applicable performance appraisal system established under such chapter for any rating period, or part thereof, that such employee is detailed to such office.

(2) COMPENSATION.—

(A) BONUS PAYMENTS.—Subject to the availability of appropriations, the Director may provide periodic bonus payments to any employee detailed to the Office.

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

(i) shall not be greater than 20 percent of the basic pay paid or payable to such employee for such period; and

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

(C) AGGREGATE AMOUNT.—The aggregate amount paid during any fiscal year to an employee detailed to the Office as basic pay, awards, bonuses, and other compensation shall not exceed the annual rate payable at the end of such fiscal year for positions at level III of the Executive Schedule.

(d) CONGRESSIONAL ACCESS TO INFORMATION.—The location of the Office in the Executive Office of the President shall not be con-

strued as affecting access by Congress, or any committee of the House of Representatives or the Senate, to any—

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

(2) personnel of the Office.

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

(1) use for administrative purposes, on a reimbursable basis, the available services, equipment, personnel, and facilities of Federal, State, and local agencies;

(2) procure the services of experts and consultants in accordance with section 3109 of title 5 relating to appointments in the Federal Service, at rates of compensation for individuals not to exceed the daily equivalent of the rate of pay payable under level IV of the Executive Schedule under section 5311 of such title; and

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

(f) *GENERAL SERVICES ADMINISTRATION.*—The Administrator of General Services shall provide to the Director, on a reimbursable basis, such administrative support services as the Director may request.

§ 1004. National drug control program budget

(a) *BUDGET RECOMMENDATIONS.*—Not later than July 1 of each year, the Director shall provide to the head of each National Drug Control Program Agency budget recommendations, including requests for specific initiatives that are consistent with the priorities of the President under the National Drug Control Strategy, which shall—

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

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

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

(1) *IN GENERAL.*—For each fiscal year, the head of each National Drug Control Program Agency shall transmit to the Director a copy of the proposed drug control budget request of such agency at the same time as that budget request is submitted to their superiors (and before submission to the Office of Management and Budget) in the preparation of the budget of the President submitted to Congress under section 1105(a).

(2) *SUBMISSION OF DRUG CONTROL BUDGET REQUESTS.*—The head of each National Drug Control Program Agency shall ensure timely development and submission to the Director of each proposed drug control budget request transmitted pursuant to this subsection, in such format as may be designated by the Director with the concurrence of the Director of the Office of Management and Budget.

(3) *CONTENT OF DRUG CONTROL BUDGET REQUESTS.*—A drug control budget request submitted by the head of a National Drug Control Program Agency under this subsection shall include all requests for funds for any drug control activity undertaken by such agency, including demand reduction, supply re-

duction, and State, local, and Tribal affairs, including any drug law enforcement activities. If an activity has both drug control and nondrug control purposes or applications, such agency shall estimate by a documented calculation the total funds requested for that activity that would be used for drug control, and shall set forth in its request the basis and method for making the estimate.

(c) **REVIEW AND CERTIFICATION OF BUDGET REQUESTS AND BUDGET SUBMISSIONS OF NATIONAL DRUG CONTROL PROGRAM AGENCIES.**—

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

(2) **REVIEW OF BUDGET REQUESTS.**—

(A) **INADEQUATE REQUESTS.**—*If the Director concludes that a budget request submitted under subsection (b) is inadequate, in whole or in part, to implement the objectives of the National Drug Control Strategy with respect to the agency or program at issue for the year for which the request is submitted, the Director shall submit to the head of the applicable National Drug Control Program Agency a written description identifying the funding levels and specific initiatives that would, in the determination of the Director, make the request adequate to implement those objectives.*

(B) **ADEQUATE REQUESTS.**—*If the Director concludes that a budget request submitted under subsection (b) is adequate to implement the objectives of the National Drug Control Strategy with respect to the agency or program at issue for the year for which the request is submitted, the Director shall submit to the head of the applicable National Drug Control Program Agency a written statement confirming the adequacy of the request.*

(C) **RECORD.**—*The Director shall maintain a record of each description submitted under subparagraph (A) and each statement submitted under subparagraph (B).*

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

(A) *requests funding for Federal law enforcement activities that do not adequately compensate for transfers of drug enforcement resources and personnel to law enforcement and investigation activities;*

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

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

(D) *requests funding for drug treatment activities that do not adequately support and enhance Federal drug treatment programs and capacity; and*

(E) *requests funding for the operations and management of the Department of Homeland Security that does not include a specific request for funds for the Office of Counter-narcotics Enforcement to carry out its responsibilities under*

section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458).

(4) AGENCY RESPONSE.—

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

(B) *IMPACT STATEMENT.*—The head of a National Drug Control Program Agency that has altered its budget submission under this paragraph shall include as an appendix to the budget submission for that agency to the Office of Management and Budget an impact statement that summarizes—

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

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

(C) *CONGRESSIONAL NOTIFICATION.*—The head of a National Drug Control Program Agency shall submit a copy of any impact statement under subparagraph (B) to the Senate, the House of Representatives, and the appropriate congressional committees, at the time the budget for that agency is submitted to Congress under section 1105(a).

(5) CERTIFICATION OF BUDGET SUBMISSIONS.—

(A) *IN GENERAL.*—At the time a National Drug Control Program Agency submits its budget request to the Office of Management and Budget, the head of the National Drug Control Program Agency shall submit a copy of the budget request to the Director.

(B) *REVIEW AND CERTIFICATION OF SUBMISSIONS.*—The Director shall review each budget submission submitted under subparagraph (A) and submit to the appropriate congressional committees one of the following:

(i) A written certification of the budget request for the agency indicating such request fully funds the National Drug Control Programs as necessary to achieve the goals of the National Drug Control Strategy, including a written statement explaining the basis for the determination that the budget provides sufficient resources for the agency to achieve the goals of the Strategy.

(ii) A written certification of the budget request for the agency indicating such request partially funds the National Drug Control Programs as necessary to achieve the goals of the Strategy, including a written statement explaining the basis for the determination and identifying the level of funding sufficient to achieve the goals of the Strategy.

(iii) A written decertification of the budget request for the agency indicating the Director is unable to determine whether such budget request for the agency fully funds or partially funds the National Drug Control

Programs as necessary to achieve the goals of the National Drug Control Strategy, including a written statement identifying the additional information necessary for the Director to make a determination on such budget and the level of funding sufficient to achieve the goals of the Strategy.

(iv) A written decertification of the budget request for the agency indicating that such budget is insufficient to fund the National Drug Control Programs as necessary to achieve the goals of the Strategy, including a written statement explaining the basis for the determination that the budget is insufficient and identifying the level of funding sufficient to achieve the goals of the Strategy.

(d) NATIONAL DRUG CONTROL PROGRAM BUDGET PROPOSAL.—For each fiscal year, following the transmission of proposed drug control budget requests to the Director under subsection (b), the Director shall, in consultation with the head of each National Drug Control Program Agency and the head of each major national organization that represents law enforcement officers, agencies, or associations—

(1) develop a consolidated National Drug Control Program budget proposal designed to implement the National Drug Control Strategy and to inform Congress and the public about the total amount proposed to be spent on all supply reduction, demand reduction, State, local, and Tribal affairs, including any drug law enforcement, and other drug control activities by the Federal Government, which shall conform to the content requirements set forth in subsection (b)(3) and include—

(A) for each National Drug Control Program Agency, a list of whether the funding level is full, partial, or insufficient to achieve the goals of the National Drug Control Strategy or whether the Director is unable to determine whether the budget request for the agency fully funds or partially funds the agency's activities and contributions as necessary to achieve the goals of National Drug Control Strategy;

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

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

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

(e) BUDGET ESTIMATE OR REQUEST SUBMISSION TO CONGRESS.—Whenever the Director submits any budget estimate or request to the President or the Office of Management and Budget, the Director shall concurrently transmit copies of that estimate or request to the appropriate congressional committees.

(f) REPROGRAMMING AND TRANSFER REQUESTS.—

(1) IN GENERAL.—No National Drug Control Program Agency shall submit to Congress a reprogramming or transfer request with respect to any amount of appropriated funds in an amount exceeding \$1,000,000 that is included in the National Drug

Control Program budget unless the request has been approved by the Director. If the Director has not responded to a request for reprogramming subject to this paragraph within 30 days after receiving notice of the request having been made, the request shall be deemed approved by the Director under this paragraph and forwarded to Congress.

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

§ 1005. National drug control strategy

(a) IN GENERAL.—

(1) STATEMENT OF DRUG POLICY PRIORITIES.—The Director shall release a statement of drug policy priorities in the calendar year of a Presidential inauguration following the inauguration but not later than April 1.

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

(b) DEVELOPMENT OF THE NATIONAL DRUG CONTROL STRATEGY.—

(1) PROMULGATION.—The Director shall promulgate the National Drug Control Strategy, which shall set forth a comprehensive plan to reduce illicit drug use and the consequences of such illicit drug use in the United States by limiting the availability of and reducing the demand for illegal drugs and promoting prevention, early intervention, treatment, and recovery support for individuals with substance use disorders.

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

(3) STRATEGY BASED ON EVIDENCE.—The Director shall ensure the National Drug Control Strategy is based on the best available medical and scientific evidence regarding the policies that are most effective in reducing the demand for and supply of illegal drugs.

(4) PROCESS FOR DEVELOPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.—In developing and effectively implementing the National Drug Control Strategy, the Director—

(A) shall consult with—

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

(ii) the United States Interdiction Coordinator;

(iii) the Interdiction Committee;

(iv) the appropriate congressional committees and any other committee of jurisdiction;

(v) State, local, and Tribal officials;

(vi) private citizens and organizations, including community and faith-based organizations, with experience and expertise in demand reduction;

(vii) private citizens and organizations with experience and expertise in supply reduction; and

(viii) appropriate representatives of foreign governments; and

(B) in satisfying the requirements of subparagraph (A), shall ensure, to the maximum extent possible, that State, local, and Tribal officials and relevant private organizations commit to support and take steps to achieve the goals and objectives of the National Drug Control Strategy.

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

(1) IN GENERAL.—The National Drug Control Strategy submitted under subsection (a)(2) shall include the following:

(A) A description of the current prevalence of illicit drug use in the United States, including both the availability of illicit drugs and the prevalence of substance use disorders, which shall include the following:

(i) Such description for the previous three years for any drug identified as an emerging threat under section 1009 and any other illicit drug identified by the Director as having a significant impact on the prevalence of illicit drug use.

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

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

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

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

(ii) the number of individuals to receive treatment for substance use disorders.

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

(i) a list of relevant National Drug Control Program Agencies and each such agency's related programs, activities, and available assets and the role of each such program, activity, and asset in achieving the goal;

(ii) a list of relevant stakeholders and each such stakeholder's role in achieving the goal;

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

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

(v) a description of the Office's role in facilitating the achievement of such goal.

(E) For each year covered by the Strategy, a performance evaluation plan for each goal listed in the National Drug Control Strategy for each National Drug Control Program Agency, including—

(i) specific performance measures for each National Drug Control Program Agency and each such agency's related programs and activities;

(ii) annual and quarterly objectives and targets for each performance measure; and

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

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

(G) A list of anticipated challenges to achieving the National Drug Control Strategy goals and planned actions to address such challenges;

(H) A description of how each goal was determined, including—

(i) a description of each required consultation and how such consultation was incorporated;

(ii) data, research, or other information used to inform the decision; and

(iii) a statement of whether the goal established in subparagraph (C)(i) will be adequate to disrupt drug trafficking organizations that supply the majority of foreign-sourced illicit drugs trafficked into the United States.

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

(J) A review of international, State, local, and private sector drug control activities to ensure that the United States pursues coordinated and effective drug control at all levels of government.

(K) Such statistical data and information as the Director considers appropriate to demonstrate and assess trends relating to illicit drug use, the effects and consequences of illicit drug use (including the effects on children), supply reduction, demand reduction, drug-related law enforcement, and the implementation of the National Drug Control Strategy.

(2) ADDITIONAL STRATEGIES.—

(A) IN GENERAL.—The Director shall include in the National Drug Control Strategy the additional strategies required under this paragraph and shall comply with the following:

(i) Provide a copy of the additional strategies to the appropriate congressional committees and to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

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

(iii) Not change any existing agency authority or construe any strategy described under this paragraph to amend or modify any law governing interagency rela-

tionship but may include recommendations about changes to such authority or law.

(iv) Present separately from the rest of any strategy described under this paragraph any information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant National Drug Control Program Agency, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or Tribal agency.

(B) REQUIREMENT FOR SOUTHWEST BORDER COUNTER-NARCOTICS.—

(i) **PURPOSES.**—*The Southwest Border Counternarcotics Strategy shall—*

(I) *set forth the Government's strategy for preventing the illegal trafficking of drugs across the international border between the United States and Mexico, including through ports of entry and between ports of entry on that border;*

(II) *state the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy; and*

(III) *identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement that strategy.*

(ii) **SPECIFIC CONTENT RELATED TO DRUG TUNNELS BETWEEN THE UNITED STATES AND MEXICO.**—*The Southwest Border Counternarcotics Strategy shall include—*

(I) *a strategy to end the construction and use of tunnels and subterranean passages that cross the international border between the United States and Mexico for the purpose of illegal trafficking of drugs across such border; and*

(II) *recommendations for criminal penalties for persons who construct or use such a tunnel or subterranean passage for such a purpose.*

(C) REQUIREMENT FOR NORTHERN BORDER COUNTER-NARCOTICS STRATEGY.—

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

(I) *set forth the strategy of the Federal Government for preventing the illegal trafficking of drugs across the international border between the United States and Canada, including through ports of entry and between ports of entry on the border;*

(II) *state the specific roles and responsibilities of each relevant National Drug Control Program Agency for implementing the strategy;*

(III) *identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement the strategy;*

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

(V) reflect the unique nature of small communities along the international border between the United States and Canada, ongoing cooperation and coordination with Canadian law, enforcement authorities, and variations in the volumes of vehicles and pedestrians crossing through ports of entry along the international border between the United States and Canada.

(ii) *SPECIFIC CONTENT RELATED TO CROSS-BORDER INDIAN RESERVATIONS.*—The Northern Border Counter-narcotics Strategy shall include—

(I) a strategy to end the illegal trafficking of drugs to or through Indian reservations on or near the international border between the United States and Canada; and

(II) recommendations for additional assistance, if any, needed by Tribal law enforcement agencies relating to the strategy, including an evaluation of Federal technical and financial assistance, infrastructure capacity building, and interoperability deficiencies.

(3) *CLASSIFIED INFORMATION.*—Any contents of the National Drug Control Strategy that involve information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the National Drug Control Strategy.

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

(A) the inclusion of data and information that will permit analysis of current trends against previously compiled data and information where the Director believes such analysis enhances long-term assessment of the National Drug Control Strategy; and

(B) the inclusion of data and information to permit a standardized and uniform assessment of the effectiveness of drug treatment programs in the United States.

(d) *ANNUAL PERFORMANCE SUPPLEMENT.*—Not later than the first Monday in February of each year following the year in which the National Drug Control Strategy is submitted pursuant to subsection (a)(2), the Director shall submit to the appropriate congressional committees a supplement to the Strategy that shall include—

(1) annual and quarterly quantifiable and measurable objectives and specific targets to accomplish long-term quantifiable goals specified in the Strategy; and

(2) for each year covered by the Strategy, a performance evaluation plan for each goal listed in the Strategy for each National Drug Control Program Agency, including—

(A) specific performance measures for each National Drug Control Program Agency and each such agency's related programs and activities;

(B) annual and quarterly objectives and targets for each performance measure; and

(C) an estimate of Federal funding and other resources needed to achieve each performance measure.

(e) *SUBMISSION OF REVISED STRATEGY.*—*The President may submit to Congress a revised National Drug Control Strategy that meets the requirements of this section—*

(1) *at any time, upon a determination of the President, in consultation with the Director, that the National Drug Control Strategy in effect is not sufficiently effective; or*

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

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

(1) *explaining why the Strategy was not submitted; and*

(2) *specifying the date by which the Strategy will be submitted.*

§ 1006. Development of an annual national drug control assessment

(a) *TIMING.*—*Not later than the first Monday in February of each year, the Director shall submit to the President, Congress, and the appropriate congressional committees, a report assessing the progress of each National Drug Control Program Agency toward achieving the annual goals, objectives, and targets contained in the National Drug Control Strategy applicable to the prior fiscal year.*

(b) *PROCESS FOR DEVELOPMENT OF THE ANNUAL ASSESSMENT.*—*Not later than November 1 of each year, the head of each National Drug Control Program Agency shall submit, in accordance with guidance issued by the Director, to the Director an evaluation of progress by the agency with respect to drug control program goals using the performance measures for the agency developed under this section, including progress with respect to—*

(1) *success in achieving the goals of the National Drug Control Strategy;*

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

(3) *success in expanding access to and increasing the effectiveness of substance use disorder treatment;*

(4) *success in protecting the borders of the United States (and in particular the Southwestern border of the United States) from penetration by illegal narcotics;*

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

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

(7) *implementation of drug treatment and prevention programs in the United States and improvements in the adequacy and effectiveness of such programs.*

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

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

(2) *a summary of the progress of each National Drug Control Program Agency toward the drug control program goals of the*

agency using the performance measures for the agency developed under this section;

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

(4) for National Drug Control Program Agencies that administer grant programs, an evaluation of the effectiveness of each grant program, including an accounting of the funds disbursed by the program in the prior year and a summary of how those funds were used by the grantees and sub-grantees during that period;

(5) a detailed accounting of the amount of funds obligated by each National Drug Control Program Agency in carrying out the responsibilities of that agency under the Strategy, including the information submitted to the Director under section 1007(b);

(6) an assessment of the effectiveness of any Emerging Threat Response Plan in effect for the previous year, including a specific evaluation of whether the objectives and targets were met and reasons for the success or failure of the previous year's plan;

(7) a detailed accounting of the amount of funds obligated during the previous fiscal year for carrying out the media campaign under section 1009(d), including each recipient of funds, the purpose of each expenditure, the amount of each expenditure, any available outcome information, and any other information necessary to provide a complete accounting of the funds expended; and

(8) the assessments required under this subsection shall be based on the Performance Measurement System describe in subsection (d).

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

(1) develops annual, 2-year, and 5-year performance measures, objectives, and targets for each National Drug Control Strategy goal and objective established for reducing drug use, availability, and the consequences of drug use;

(2) describes the sources of information and data that will be used for each performance measure incorporated into the performance measurement system;

(3) identifies major programs and activities of the National Drug Control Program Agencies that support the goals and annual objectives of the National Drug Control Strategy;

(4) evaluates the contribution of demand reduction and supply reduction activities implemented by each National Drug Control Program Agency in support of the National Drug Control Strategy;

(5) monitors consistency between the drug-related goals, measures, targets, and objectives of the National Drug Control Program Agencies and ensures that each agency's goals and budgets support, and are fully consistent with, the National Drug Control Strategy; and

(6) coordinates the development and implementation of national drug control data collection and reporting systems to support policy formulation and performance measurement, including an assessment of—

(A) the quality of current drug use measurement instruments and techniques to measure supply reduction and demand reduction activities;

(B) the adequacy of the coverage of existing national drug use measurement instruments and techniques to measure the illicit drug user population, and groups that are at risk for illicit drug use;

(C) the adequacy of the coverage of existing national treatment outcome monitoring systems to measure the effectiveness of substance use disorder treatment in reducing illicit drug use and criminal behavior during and after the completion of substance use disorder treatment; and

(D) the actions the Director shall take to correct any deficiencies and limitations identified pursuant to subparagraphs (A), (B), and (C).

(e) **MODIFICATIONS.**—A description of any modifications made during the preceding year to the national drug performance measurement system described in subsection (d) shall be included in each report submitted under subsection (a).

(f) **ANNUAL REPORT ON CONSULTATION.**—The Director shall include in the annual assessment required under subsection (a)—

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

(2) a general review of the status of, and trends in, demand reduction activities by private sector entities and community-based organizations, including faith-based organizations, to determine their effectiveness and the extent of cooperation, coordination, and mutual support between such entities and organizations and Federal, State, local, and Tribal government agencies.

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

(1) **DESIGNATION.**—The Director shall designate or appoint a United States Performance-Budget Coordinator to—

(A) ensure the Director has sufficient information about the performance of each National Drug Control Program Agency, the impact Federal funding has had on the goals in the Strategy, and the likely contributions to the goals of the Strategy based on funding levels of each National Drug Control Program Agency, to make an independent assessment of the budget request of each agency under section 1004;

(B) advise the Director on agency budgets, performance measures and targets, and additional data and research needed to make informed policy decisions in the National Drug Control Budget and Strategy; and

(C) other duties as may be determined by the Director with respect to measuring or assessing performance or agency budgets.

(2) *DETERMINATION OF POSITION.*—The Director shall determine whether the coordinator position is a career or noncareer position in the Senior Executive Service.

§ 1007. Monitoring and evaluation of national drug control program

(a) *IN GENERAL.*—The Director shall monitor implementation of the National Drug Control Program and the activities of the National Drug Control Program Agencies in carrying out the goals and objectives of the National Drug Control Strategy including—

(1) conducting program and performance audits and evaluations; and

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

(b) *ACCOUNTING OF FUNDS EXPENDED.*—Not later than December 1 of each year and in accordance with guidance issued by the Director, the head of each National Drug Control Program Agency shall submit to the Director a detailed accounting of all funds expended by the agency for National Drug Control Program activities during the previous fiscal year and shall ensure such detailed accounting is authenticated by the Inspector General for such agency prior to submission to the Director.

(c) *NOTIFICATION.*—The Director shall notify any National Drug Control Program Agency if its activities are not in compliance with the responsibilities of the agency under the National Drug Control Strategy, transmit a copy of each such notification to the President and the appropriate congressional committees, and maintain a copy of each such notification.

(d) *RECOMMENDATIONS.*—The Director shall make such recommendations to the President and the appropriate congressional committees as the Director determines are appropriate regarding changes in the organization, management, and budgets of the National Drug Control Program Agencies, and changes in the allocation of personnel to and within those agencies, to implement the policies, goals, priorities, and objectives established under section 1002(c)(1) and the National Drug Control Strategy.

(e) *AUTHORIZATION, DEVELOPMENT, AND IMPLEMENTATION OF A COORDINATED TRACKING SYSTEM.*—

(1) *ESTABLISHMENT.*—The Director, shall establish a coordinated tracking system of federally-funded initiatives and grant programs which shall—

(A) be the central repository of all relevant grants;

(B) identify duplication, overlap, or gaps in funding to provide increased accountability of federally-funded grants for substance abuse treatment, prevention, and enforcement;

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

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

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

effective each federally funded initiative is in achieving the objectives of the Strategy and to enable comparisons of federally funded initiatives to identify those that are the most cost effective.

(3) *GRANT APPLICATION STANDARDIZATION.—The Director, in consultation with the head of each National Drug Control Program Agency, shall develop a plan for coordinating and standardizing drug control grant application processes and develop a joint application to be used by all National Drug Control Program Agencies to reduce the administrative burden and improve oversight of Federal funds.*

(4) *CENTRAL PORTAL.—The Director shall maintain on the public, electronic portal of the Office a list all drug control grant award opportunities available in a central location. The head of each National Drug Control Program Agency shall provide a complete list of all drug control program grant award opportunities to the Director and annually update such list.*

(5) *REPORT TO CONGRESS.—The Director shall include in the assessment submitted to Congress under section 1006 an assessment on progress under this section and the feasibility of block grants of Federal funding to States.*

§ 1008. Coordination and oversight of the national drug control program

(a) *IN GENERAL.—The Director shall coordinate and oversee the implementation by the National Drug Control Program Agencies of the policies, goals, objectives, and priorities established under section 1002(c)(1) and the fulfillment of the responsibilities of such agencies under the National Drug Control Strategy and make recommendations to National Drug Control Program Agency heads with respect to implementation of National Drug Control Programs.*

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

(1) *REQUEST.—The Director may request the head of an agency or program of the Federal Government to place agency personnel who are engaged in drug control activities on temporary detail to another agency in order to implement the National Drug Control Strategy.*

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

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

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

(B) *for any other agency, 10.*

(c) *DIRECTING FEDERAL FUNDING.—The Director may transfer funds made available to a National Drug Control Program Agency for National Drug Control Strategy programs and activities to another account within such agency or to another National Drug Control Program Agency for National Drug Control Strategy programs and activities, except that—*

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

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

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

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

(5) *the Director shall—*

(A) *submit to the appropriate congressional committees and any other applicable committees of jurisdiction, a re-programming or transfer request in advance of any transfer under this subsection in accordance with the regulations of the affected agency or agencies; and*

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

(6) *funds may only be used for—*

(A) *expansion of demand reduction activities;*

(B) *interdiction of illicit drugs on the high seas, in United States territorial waters, and at United States ports of entry by officers and employees of Drug Control Program Agencies and domestic and foreign law enforcement officers;*

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

(D) *activities to facilitate and enhance the sharing of domestic and foreign intelligence information among Drug Control Program Agencies related to the production and trafficking of drugs in the United States and foreign countries; and*

(E) *activities to prevent the diversion of prescription drugs for illicit use and research related to any of these activities.*

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

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

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

(B) *in the case of an interagency transfer, the total amount of transfers under this subsection may not exceed 10 percent of the total amount of funds made available for National Drug Control Strategy programs and activities to the agency from which those funds are to be transferred;*

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

(D) no transfer of funds under this subsection may result in a reduction in total Federal expenditures for substance use disorder treatment;

(E) the Director shall—

(i) submit to the appropriate congressional committees and any other applicable committees of jurisdiction, a reprogramming or transfer request in advance of any transfer under this subsection in accordance with the regulations of each affected agency; and

(ii) annually submit to the appropriate congressional committees a report describing the effect of all transfers of funds made pursuant to this subsection or section 1004(f) during the 12-month period preceding the date on which the report is submitted; and

(F) funds may only be used for—

(i) expansion of demand reduction activities;

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

(iii) accurate assessment and monitoring of international drug production and interdiction programs and policies;

(iv) activities to facilitate and enhance the sharing of domestic and foreign intelligence information among Drug Control Program Agencies related to the production and trafficking of drugs in the United States and foreign countries; and

(v) activities to prevent the diversion of prescription drugs for illicit use and research related to any of these activities.

(2) **INADEQUACY OF TRANSFER.**—In the event the authority under this subsection is inadequate to implement the provisions of a plan developed under section 1009, the Director shall submit a request for funding to Congress as soon as the Director becomes aware of the need for additional funding.

(e) **FUND CONTROL NOTICES.**—

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

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

(B) activities, functions, projects, or object classes.

(2) **UNAUTHORIZED OBLIGATION OR EXPENDITURE PROHIBITED.**—An officer or employee of a National Drug Control Program Agency shall not make or authorize an expenditure or obligation contrary to a fund control notice issued by the Director.

(3) *DISCIPLINARY ACTION FOR VIOLATION.*—In the case of a violation of paragraph (2) by an officer or employee of a National Drug Control Program Agency, the head of the agency, upon the request of and in consultation with the Director, may subject the officer or employee to appropriate administrative discipline, including, when circumstances warrant, suspension from duty without pay or removal from office.

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

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

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

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

(h) *CERTIFICATIONS OF POLICY CHANGES TO DIRECTOR.*—

(1) *IN GENERAL.*—Subject to paragraph (2), the head of a National Drug Control Program Agency shall, unless exigent circumstances require otherwise, notify the Director in writing regarding any proposed change in policies relating to the activities of that agency under the National Drug Control Program prior to implementation of such change. The Director shall promptly review such proposed change and certify to the head of that agency in writing whether such change is consistent with the National Drug Control Strategy.

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

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

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

(i) *WORK IN CONJUNCTION WITH ASSISTANT FOR NATIONAL SECURITY AFFAIRS.*—The Director shall, in any matter affecting national security interests, work in conjunction with the Assistant to the President for National Security Affairs.

§ 1009. Emerging threats taskforce, plan, media campaign

(a) *EMERGING THREATS TASK FORCE.*—

(1) *EMERGING AND CONTINUING THREATS COORDINATOR.*—The Director shall designate or appoint a United States Emerging and Continuing Threats Coordinator to perform the duties of that position described in this section and such other duties as may be determined by the Director. The Director shall deter-

mine whether the coordinator position is a career or noncareer position in the Senior Executive Service.

(2) *ESTABLISHMENT AND MONITORING.*—The Emerging and Continuing Threats Coordinator (referred to in this section as the “Coordinator”) shall monitor evolving and emerging drug threats in the United States and shall serve as Chair of an Emerging Threats Task Force (in this section, referred to as the “task force”). The Director shall appoint other members of the Task force, which shall include representatives from—

(A) National Drug Control Program Agencies or other agencies;

(B) State, local, and Tribal governments;

(C) the Director of the Fusion Center established in section 1013; and

(D) other entities as determined to be necessary by the Director.

(3) *INFORMATION REVIEW AND SHARING.*—

(A) *IN GENERAL.*—The task force shall disseminate and facilitate the sharing with Federal, State, local, and Tribal officials and other entities as determined by the Director of pertinent information and data relating to the following:

(i) Recent trends in drug supply and demand.

(ii) Fatal and nonfatal overdoses.

(iii) Demand for and availability of evidence-based substance use disorder treatment, including the extent of the unmet treatment need, and treatment admission trends.

(iv) Recent trends in drug interdiction, supply, and demand from State, local, and Tribal law enforcement agencies.

(v) Other subject matter as determined necessary by the Director.

(B) *CONTRACT, AGREEMENT, AND OTHER AUTHORITY.*—The Director may award contracts, enter into interagency agreements, manage individual projects, and conduct other operational activities in support of the identification of emerging threats and in support of the development, implementation, and assessment of Emerging Threat Response Plans.

(C) *DATA ANALYSIS ACTIVITIES.*—In support of the task force, the National Drug Control Fusion Center is authorized to conduct and provide to the task force the results of data analysis activities that the task force requests to aid in their review of recent trends in the data disseminated under subparagraph (A).

(4) *CRITERIA TO IDENTIFY EMERGING DRUG THREATS.*—Not later than 60 days after the date on which a task force first meets, the task force shall develop and recommend to the Director criteria to be used to identify an emerging drug threat or the termination of an emerging drug threat designation based on information gathered by the task force in paragraph (2), statistical data, and other evidence.

(5) *MEETINGS.*—The task force shall meet in person not less frequently than quarterly and at additional meetings if determined to be necessary by and at the call of the Chair to—

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

(B) formulate the plan described in subsection (c);

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

(D) provide such other advice to the Coordinator and Director concerning strategy and policies for emerging drug threats and trends as the task force determines to be appropriate.

(b) DESIGNATION.—

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

(2) STANDARDS FOR DESIGNATION.—The Director, in consultation with the Coordinator, shall promulgate and make publicly available standards by which a designation under paragraph (1) and the termination of such designation may be made. In developing such standards, the Director shall consider the recommendations of the task force and other criteria the Director considers to be appropriate.

(3) PUBLIC STATEMENT REQUIRED.—The Director shall publish a public written statement on the portal of the Office explaining the designation of an emerging drug threat or the termination of such designation and shall notify the appropriate congressional committees of the availability of such statement when a designation or termination of such designation has been made.

(c) PLAN.—

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

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

(3) CONTENTS OF AN EMERGING THREAT RESPONSE PLAN.—The Director shall include in the plan—

(A) a comprehensive strategic assessment of the emerging drug threat, including the current availability of, demand for, and effectiveness of evidence-based prevention, treatment, and enforcement programs and efforts to respond to the emerging drug threat;

(B) comprehensive, research-based, long-range, quantifiable goals for addressing the emerging drug threat, including for reducing the supply of the emerging drug threat and for expanding the availability and effectiveness of evidence-based substance use disorder treatment and prevention programs to reduce the demand for the emerging drug threat;

(C) performance measures pertaining to the plan's goals, including quantifiable and measurable objectives and specific targets;

(D) the level of funding needed to implement the plan, including whether funding is available to be reprogrammed or transferred to support implementation of the plan or whether additional appropriations are necessary to implement the plan;

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

(F) any other information necessary to inform the public of the status, progress, or response of an emerging drug threat.

(4) IMPLEMENTATION.—

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

(B) COORDINATOR'S RESPONSIBILITIES.—The Coordinator shall—

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

(ii) facilitate information-sharing between agencies identified in the plan, State, local, and Tribal governments, and other relevant entities; and

(iii) monitor implementation of the plan by coordinating the development and implementation of collection and reporting systems to support performance measurement and adherence to the plan by agencies identified in plan, where appropriate.

(C) REPORTING.—Not later than 180 days after designation under subsection (b) and in accordance with paragraph (2)(C), the head of each agency identified in the plan shall submit to the Coordinator a report on implementation of the plan.

(d) EDUCATION AND PUBLIC AWARENESS CAMPAIGN FOR EMERGING DRUG THREATS.—

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

(A) educate the public about the dangers of such drug, including patient and family education about the characteristics and hazards of such drugs and methods to safeguard

against such dangers, including the safe disposal of such drugs;

(B) support evidence-based prevention programs targeting audiences' attitudes, perceptions, and beliefs concerning substance use and intentions to initiate or continue such use;

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

(D) encourage individuals affected by substance use disorders to seek treatment and provide such individuals with information on how to recognize addiction issues, what forms of evidence-based treatment options are available, and how to access such treatment; and

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

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

(A) the head of any appropriate National Drug Control Program Agency to obtain advice on evidence-based scientific information for policy, program development, and evaluation;

(B) experts in evidence-based media campaigns, education, evaluation, and communication;

(C) experts on the designated drug;

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

(E) the public;

(F) appropriate congressional committees; and

(G) any other affected person.

(3) GIFTS AND DONATIONS.—

(A) IN GENERAL.—The Director may accept gifts and donations (in cash or in kind, including voluntary and uncompensated services or property), which shall be available until expended, for the purpose of supporting the education and outreach campaign authorized in this section, including the media campaign.

(B) ETHICS GUIDELINES.—The Director shall establish written guidelines setting forth the criteria to be used in determining whether a gift or donation should be declined under this section because the acceptance of the gift or donation would—

(i) reflect unfavorably upon the ability of the Director or the Office, or any employee of the Office, to carry out responsibilities or official duties under this chapter in a fair and objective manner; or

(ii) compromise the integrity or the appearance of integrity of programs or services provided under this chapter or of any official involved in those programs or services.

(C) ANNUAL REPORT REQUIRED.—Not later than the first Monday in the February of each year, the Director shall submit to the appropriate congressional committees an annual report that identifies the sources of any gift or donation accepted by the Office or any contractor acting on be-

half of the Office, under this subsection, including the value of each gift and donation provided by each source of the gift.

(4) IMPLEMENTATION.—

(A) IN GENERAL.—For any campaign established under this subsection, the Director shall ensure the following:

(i) Implementation is evidence-based, meets accepted standards for public awareness campaigns, and uses available resources in a manner to make the most progress toward achieving the goals identified in the emerging threats plan and paragraph (1).

(ii) Information disseminated through the campaign is accurate.

(iii) The Director approves the strategy of the campaign, all material distributed through the campaign, and the use of any Federal funds used for the campaign.

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

(I) a media campaign, as described in subparagraph (B);

(II) local, regional, or population specific messaging;

(III) establishing partnerships and promoting coordination among community stakeholders, including public, nonprofit organizations, and for profit entities;

(IV) providing support, training, and technical assistance to establish and expand school and community prevention programs;

(V) creating websites to publicize and disseminate information;

(VI) conducting outreach and providing educational resources for parents;

(VII) establishing State or regional advisory councils to provide input and recommendations to raise awareness regarding the drug designated as an emerging drug threat;

(VIII) collaborating with law enforcement; and

(IX) support for school-based public health education classes to improve teen knowledge about the effects of such designated drug.

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

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

(ii) shall be carried out through competitively awarded contracts to entities providing for the professional production and design of such campaign; and

(iii) may include the use of television, radio, Internet, social media, and other commercial marketing venues

and may be targeted to specific age groups based on peer-reviewed social research.

(C) **REQUIRED NOTICE FOR COMMUNICATION FROM THE OFFICE.**—Any communication, including an advertisement, paid for or otherwise disseminated by the Office directly or through a contract awarded by the Office shall include a prominent notice informing the audience that the communication was a paid for by of the Office.

(5) **EVALUATION.**—

(A) **PERFORMANCE EVALUATION.**—The Director shall include an evaluation of the campaign in the annual assessment under section 1006, which shall include the following:

(i) A performance evaluation of the campaign, including progress toward meeting the goals, objectives, measures, and targets identified in the emerging threats plan.

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

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

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

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

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

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

(ii) submit the results of the independent evaluation to the appropriate congressional committees.

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

(A) To supplant current anti-drug community-based coalitions.

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

(C) For partisan political purposes, or express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.

(D) For any advocacy in support of any particular company, industry association, or advocacy group or the explicit policy positions held by such groups.

(E) To direct any individuals to a specific type of substance use disorder treatment, treatment facility, medical provider, or form of medication assisted treatment.

(F) To fund any advertising that features any elected officials, persons seeking elected office, cabinet level officials,

or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations.

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

§ 1010. National and international coordination

(a) *DISSEMINATION OF RESEARCH AND INFORMATION TO STATES.*—The Director shall ensure that drug control research and information is effectively disseminated by National Drug Control Program Agencies to State and local governments and nongovernmental entities involved in demand reduction by—

(1) encouraging formal consultation between any such agency that conducts or sponsors research, and any such agency that disseminates information in developing research and information product development agendas;

(2) encouraging such agencies (as appropriate) to develop and implement dissemination plans that specifically target State and local governments and nongovernmental entities involved in demand reduction; and

(3) supporting the substance abuse information clearinghouse administered by the Administrator of the Substance Abuse and Mental Health Services Administration and established in section 501(d)(16) of the Public Health Service Act by—

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

(B) supporting the dissemination of information to all interested entities.

(b) *STANDARDS.*—

(1) *DEVELOPMENT.*—The Director shall coordinate the development of evidence-based standards developed by National Drug Control Program Agencies and other relevant agencies and non-Federal entities to State, local, and Tribal governments and nongovernmental entities related to drug control policies, practices, and procedures, such as the investigation of drug-related deaths, by—

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

(B) encouraging information sharing between appropriate agencies and State, local, and Tribal governments of relevant drug control information and data;

(C) establishing a working group of agencies, State, local, and Tribal governments, and other relevant stakeholders to discuss and develop such standards; and

(D) facilitating collaboration among agencies, non-Federal entities, States, local, and Tribal governments, and nongovernmental agencies.

(2) *IMPLEMENTATION.*—The Director shall promote the implementation of the standards described in paragraph (1) by—

(A) encouraging adoption by providing the standards to State and local governments through the internet, annual

publications or periodicals, and other widely-disseminated means; and

(B) facilitating the use and dissemination of such standards among State and local governments by—

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

(ii) coordinating seminars and training sessions for State, local, and Tribal governments seeking to adopt or implement such standards.

(c) PRIVATE SECTOR.—

(1) IN GENERAL.—The Director or the head of a National Drug Control Program (as designated by the Director) shall coordinate with the private sector to promote private research and development of medications to treat or prevent addiction, including research and development for non-addictive pain management medication, abuse deterrent formulations, medication-assisted treatment, and other addiction research determined to be necessary by the Director by—

(A) encouraging the sharing of information regarding evidence-based treatment addiction findings and related data between agencies and the private sector, as appropriate;

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

(C) providing private sector entities with relevant statistical data and information to enhance research as permissible.

(2) WORKING GROUP.—The Director may establish a working group of National Drug Control Program Agencies, State, local, and Tribal governments, and the private sector stakeholders to discuss and disseminate best practices, research and development, and other related issues, as appropriate.

(d) MODEL ACTS PROGRAM.—

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

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

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

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

(e) DRUG COURT TRAINING AND TECHNICAL ASSISTANCE PROGRAM.—

(1) GRANTS AUTHORIZED.—The Director may make a grant to a nonprofit organization for the purpose of providing training and technical assistance to drug courts.

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

(f) INTERNATIONAL COORDINATION.—The Director shall facilitate international drug control coordination efforts.

(g) STATE, LOCAL, AND TRIBAL AFFAIRS COORDINATOR.—The Director shall designate or appoint a United States State, Local, and

Tribal Affairs Coordinator to perform the duties of the Office outlined in this section and section 1005 and such other duties as may be determined by the Director with respect to coordination of drug control efforts between agencies and State, local, and Tribal governments. The Director shall determine whether the coordinator position is a career or noncareer position in the Senior Executive Service.

§ 1011. Interdiction

(a) UNITED STATES INTERDICTION COORDINATOR.—

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

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

(A) coordinating the interdiction activities of the National Drug Control Program Agencies to ensure consistency with the National Drug Control Strategy;

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

(C) assessing the sufficiency of assets committed to illicit drug interdiction by the relevant National Drug Control Program Agencies; and

(D) advising the Director on the efforts of each National Drug Control Program Agency to implement the National Interdiction Command and Control Plan.

(3) STAFF.—The Director shall assign such permanent staff of the Office as he considers appropriate to assist the United States Interdiction Coordinator to carry out the responsibilities described in paragraph (2), and may request that appropriate National Drug Control Program Agencies detail or assign staff to assist in carrying out such activities.

(4) NATIONAL INTERDICTION COMMAND AND CONTROL PLAN.—

(A) PURPOSES.—The National Interdiction Command and Control Plan—

(i) shall set forth the Government's strategy for drug interdiction;

(ii) shall state the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy;

(iii) shall identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement that strategy; and

(iv) may include recommendations about changes to existing agency authorities or laws governing inter-agency relationships.

(B) CONSULTATION WITH OTHER AGENCIES.—Before the submission of the National Drug Control Strategy or annual supplement required under section 1005(d), as appli-

cable, the United States Interdiction Coordinator shall issue the National Interdiction Command and Control Plan, in consultation with the other members of the Interdiction Committee described in subsection (c).

(C) *REPORT TO CONGRESS.*—On or before March 1 of each year, the Director, through the United States Interdiction Coordinator, shall provide to the appropriate congressional committees, to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate, a report that includes—

(i) a copy of that year's National Interdiction Command and Control Plan;

(ii) information for the previous 10 years regarding the number and type of seizures of drugs by each National Drug Control Program Agency conducting drug interdiction activities and statistical information on the geographic areas of such seizures; and

(iii) information for the previous 10 years regarding the number of air and maritime patrol hours undertaken by each National Drug Control Program Agency conducting drug interdiction activities and statistical information on the geographic areas in which such patrol hours took place.

(D) *CLASSIFIED ANNEX.*—The report submitted pursuant to subparagraph (C) may include a classified annex.

(b) *INTERDICTION COMMITTEE.*—

(1) *IN GENERAL.*—The Interdiction Committee shall meet to—

(A) discuss and resolve issues related to the coordination, oversight, and integration of international, border, and domestic drug interdiction efforts in support of the National Drug Control Strategy;

(B) review the annual National Interdiction Command and Control Plan, and provide advice to the Director and the United States Interdiction Coordinator concerning that plan; and

(C) provide such other advice to the Director concerning drug interdiction strategy and policies as the committee determines is appropriate.

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

(3) *MEETINGS.*—The members of the Interdiction Committee shall meet, in person and not through any delegate or representative, at least once per calendar year, before March 1. At the call of the Director or the chair, the Interdiction Committee may hold additional meetings, which shall be attended by the members in person, or through such delegates or representatives as the members may choose.

(4) *REPORT.*—Not later than September 30 of each year, the chair of the Interdiction Committee shall submit to the Director and to the appropriate congressional committees a report describing the results of the meetings and any significant findings of the committee during the previous 12 months. Such report may include a classified annex.

§ 1012. Treatment coordinator

(a) *UNITED STATES TREATMENT COORDINATOR.*—

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

(2) *RESPONSIBILITIES.*—*The United States Treatment Coordinator shall be responsible to the Director for—*

(A) coordinating the activities of the National Drug Control Program Agencies undertaken to expand the availability of evidence-based substance use disorder treatment to ensure consistency with the National Drug Control Strategy;

(B) on behalf of the Director, developing and issuing, on or before March 1 of each year and in accordance with paragraph (4), a National Treatment Plan to ensure the coordination and consistency described in subparagraph (A);

(C) assessing the sufficiency of Federal resources directed to substance use disorder treatment by the relevant National Drug Control Program Agencies;

(D) encouraging the adoption by all substance use disorder treatment providers of evidence-based standards to guide all aspects of treatment provided; and

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

(3) *STAFF.*—*The Director shall assign such permanent staff of the Office of the United States Treatment Coordinator as the Director determines to be appropriate to assist the United States Treatment Coordinator to carry out the responsibilities described in paragraph (2), and may request that appropriate National Drug Control Program Agencies detail or assign staff to assist in carrying out such responsibilities.*

(4) *NATIONAL TREATMENT PLAN.*—

(A) PURPOSES.—*The National Treatment Plan—*

(i) shall identify the unmet need for treatment for evidence-based substance use disorders including opioid use disorders, and set forth the Government's strategy for closing the gap between available and needed treatment through all sources;

(ii) shall describe the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy;

(iii) shall identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement that strategy;

(iv) shall identify the resources, including private sources, required to eliminate the unmet need for evidence-based substance use disorder treatment; and

(v) may include recommendations about changes to existing agency authorities or laws governing inter-agency relationships.

(B) *CONSULTATION WITH OTHER AGENCIES.*—Before the submission of the National Treatment Strategy or annual supplement required under section 1005(d), as applicable, the United States Treatment Coordinator shall issue the National Treatment Plan, in consultation with the other members of the Interdiction Committee described in subsection (b).

(C) *REPORT TO CONGRESS.*—On or before March 1 of each year, the Director, through the United States Treatment Coordinator, shall provide to the appropriate congressional committees a report that includes a copy of that year's National Treatment Plan;

(b) *TREATMENT COMMITTEE.*—

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

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

(B) review and discuss the status of the implementation of the National Treatment Plan; and

(C) provide such other advice to the Director concerning substance use disorder treatment initiatives as the committee determines is appropriate.

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

(3) *MEETINGS.*—The members of the Treatment Committee shall meet, in person and not through any delegate or representative, at least once per calendar year, before March 1. At the call of the Director or the chair, the Treatment Committee may hold additional meetings, which shall be attended by the members in person, or through such delegates or representatives as the members may choose.

(4) *REPORT.*—Not later than September 30 of each year, the chair of the Treatment Committee shall submit to the Director and to the appropriate congressional committees a report describing the results of the meetings and any significant findings of the committee during the previous 12 months. Such report may include a classified annex.

§ 1013. Critical information coordination

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

(1) *ESTABLISHMENT.*—The Director shall, in consultation with the head of each National Drug Control Program Agency, designate an agency to establish a National Drug Control Fusion Center (referred to in this section as the “Center”). The Center shall operate under the authority of the Director and shall work with the National Drug Control Program Agencies to collect, compile, analyze, and facilitate the sharing of data on the use of illicit drugs, treatment for substance use disorder, and interdiction of illicit drugs. The Center shall be considered a “statistical agency or unit”, as that term is defined in section 502 of the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note) and shall have the necessary independence to ensure any data or information acquired by an agency under a pledge of confidentiality and for exclu-

sively statistical purposes is used exclusively for statistical purposes.

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

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

(A) Coordinate data collection activities among the National Drug Control Program Agencies.

(B) Collect information not otherwise collected by National Drug Control Program Agencies as necessary to inform the National Drug Control Strategy.

(C) Compile and analyze any data required to be collected under this chapter.

(D) Disseminate technology, as appropriate, to States and local jurisdictions to enable or improve the collection of data on drug use, including the recordation of the occurrence of fatal and non-fatal drug overdoses.

(E) Compile information collected by National Drug Control Program Agencies on grants issued through any National Drug Control Program, including for any grant the following:

(i) The recipient.

(ii) The amount.

(iii) The intended purpose.

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

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

(4) *TOXICOLOGY SCREENING.*—

(A) *ESTABLISHMENT.*—The Center Director may establish a toxicology screening program that engages in—

(i) secondary analysis of urine samples that would otherwise be discarded by—

(I) hospitals and drug treatment programs;

(II) correctional facilities, booking sites, probation programs, drug courts, and related facilities; and

(III) coroners and medical examiners; and

(ii) analysis of other physical samples, as determined by the Center Director to be valuable for understanding the prevalence of any illicit drug.

(B) *DE-IDENTIFICATION OF INFORMATION.*—The Center Director shall ensure that no samples have any personally identifiable information prior to collection.

(C) *LIMITATION ON USE.*—No data obtained from analysis conducted under this paragraph may be used as evidence in any proceeding.

(D) *STATE PROGRAM.*—The Center Director may establish a program that enables States and local jurisdictions to submit up to 20 urine samples per year for toxicology analysis for the purposes of identifying substances present in individuals who have suffered fatal drug overdoses.

(5) *AUTHORITY TO CONTRACT.*—*The Director may award contracts, enter into interagency agreements, manage individual projects, and conduct other operational activities under this subsection.*

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

(1) *IN GENERAL.*—*Not later than the first Monday in February of each year, the Director shall submit to Congress a systematic plan for increasing data collection to enable real-time surveillance of drug control threats, developing analysis and monitoring capabilities, and identifying and addressing policy questions relevant to the National Drug Control Policy, Strategy, and Program. Such plan shall be made available on the public online portal of the Office, shall cover at least a 4-year period beginning with the first fiscal year following the fiscal year in which the plan is submitted and published, and contain the following:*

(A) *A list of policy-relevant questions for which the Director and each National Drug Control Program Agency intends to develop evidence to support the National Drug Control Program and Strategy.*

(B) *A list of data the Director and each National Drug Control Program Agency intends to collect, use, or acquire to facilitate the use of evidence in drug control policy-making and monitoring.*

(C) *A list of methods and analytical approaches that may be used to develop evidence to support the National Drug Control Program and Strategy and related policy.*

(D) *A list of any challenges to developing evidence to support policymaking, including any barriers to accessing, collecting, or using relevant data.*

(E) *A description of the steps the Director and the head of each National Drug Control Program Agency will take to effectuate the plan.*

(F) *Any other relevant information as determined by the Director.*

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

(A) *The public.*

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

(C) *Office officials responsible for implementing privacy policy.*

(D) *Office officials responsible for data governance.*

(E) *The appropriate congressional committees.*

(F) *Any other individual or entity as determined by the Director.*

(c) *EVIDENCE-BASED POLICY.*—

(1) *HARM REDUCTION PROGRAMS.*—*When developing the national drug control policy, any policy of the Director, including policies relating to syringe exchange programs for intravenous drug users, shall be based on the best available medical and scientific evidence regarding the effectiveness of such policy in promoting individual health, preventing the spread of infectious disease and the impact of such policy on drug addiction and*

use. In making any policy relating to harm reduction programs, the Director shall consult with the National Institutes of Health and the National Academy of Sciences.

(2) FUND RESTRICTION FOR THE LEGALIZATION OF CONTROLLED SUBSTANCES.—The Director shall ensure that no Federal funds appropriated to the Office shall be expended for any study or contract relating to the legalization (for a medical use or any other use) for which a listing in schedule I is in effect under section 202 of the Controlled Substances Act (21 U.S.C. 812).

(d) DRUG CONTROL DATA DASHBOARD.—

(1) ESTABLISHMENT.—The Director, in consultation with the Center Director, shall establish and maintain a data dashboard on the online portal of the Office to be known as the “Drug Control Data Dashboard”. The Director shall ensure the user interface of the dashboard is constructed with modern design standards. To the extent practicable, the data made available on the dashboard shall be publicly available in a machine-readable format and searchable by year, agency, drug, and location.

(2) DATA.—The data included in the Drug Control Data Dashboard shall be updated not less frequently than quarterly and shall include, at a minimum, the following:

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

(i) the total amount seized and disrupted in the calendar year and each of the previous 3 calendar years;

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

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

(iv) the known and estimated levels of domestic production in the calendar year and each of the previous three calendar years, including the levels of domestic production if the drug is a prescription drug, as determined under the Federal Food, Drug, and Cosmetic Act, for which a listing is in effect under section 202 of the Controlled Substances Act (21 U.S.C. 812); and

(v) the average street price for the calendar year and the highest known street price during the preceding 10-year period.

(B) For the calendar year and each of the previous three years data sufficient to show, disaggregated by State and, to the extent feasible, by region within a State, county, or city, the following:

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

(ii) The prevalence of substance use disorders.

(iii) The number of individuals who have received substance use disorder treatment, including medication assisted treatment, for a substance use disorder, including treatment provided through publicly-financed health care programs.

(iv) *The extent of the unmet need for substance use disorder treatment, including the unmet need for medication-assisted treatment.*

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

(D) *Any quantifiable measures the Director determines to be appropriate to detail progress toward the achievement of the goals of the National Drug Control Strategy.*

(e) **ACCESS TO INFORMATION.**—

(1) **IN GENERAL.**—*Upon the request of the Director, the head of any National Drug Control Program Agency shall cooperate with and provide to the Director any statistics, studies, reports, and other information prepared or collected by the agency concerning the responsibilities of the agency under the National Drug Control Strategy that relate to—*

(A) *drug control; or*

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

(2) **PROTECTION OF INTELLIGENCE INFORMATION.**—

(A) **IN GENERAL.**—*The authorities conferred on the Office and the Director by this chapter shall be exercised in a manner consistent with provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.). The Director of National Intelligence shall prescribe such regulations as may be necessary to protect information provided pursuant to this chapter regarding intelligence sources and methods.*

(B) **DUTIES OF DIRECTOR.**—*The Director of National Intelligence and the Director of the Central Intelligence Agency shall, to the maximum extent practicable in accordance with subparagraph (A), render full assistance and support to the Office and the Director.*

(3) **REQUIRED REPORTS FROM NATIONAL DRUG CONTROL AGENCIES.**—*The head of each National Drug Control Program Agency shall submit to the Director such information and reports as requested from such National Drug Control Program Agency by the Director, which shall include from the appropriate National Drug Control Program Agencies:*

(A) *Not later than July 1 of each year, the head of a designated National Drug Control Program Agency shall submit to the Director and the appropriate congressional committees an assessment of the quantity of illegal drug cultivation and manufacturing in the United States on lands owned or under the jurisdiction of their respective agencies that was seized or eradicated by their personnel during the preceding calendar year.*

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

(i) *the number and type of seizures of drugs by each component of the agency seizing drugs, as well as statistical information on the geographic areas of such seizures; and*

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

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

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

- (i) arrests for drug violations;
- (ii) prosecutions for drug violations by United States Attorneys; and
- (iii) seizures of drugs by each component of the Department of Justice seizing drugs, as well as statistical information on the geographic areas of such seizures.

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

(1) **INTERAGENCY AND INTERGOVERNMENTAL DESIGNATION AND USE OF DATA EXCHANGE STANDARDS WORKING GROUP.**—The Director shall establish a working group of National Drug Control Program Agencies, State, local and Tribal government health and law enforcement agencies, and data governance experts to develop consensus data exchange standards for necessary categories of information that allow effective electronic exchange of information between States, between State agencies, between States and National Drug Control Program Agencies, and any other drug control relevant data exchange.

(2) **DATA EXCHANGE STANDARDS MUST BE NONPROPRIETARY AND INTEROPERABLE.**—The data exchange standards designated under paragraph (1) shall, to the extent practicable, be nonproprietary and interoperable.

(3) **OTHER REQUIREMENTS.**—In designating data exchange standards under this subsection, the working group shall, to the extent practicable, incorporate—

- (A) interoperable standards developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget;
- (B) interoperable standards developed and maintained by intergovernmental partnerships; and
- (C) interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance.

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

(A) **DESIGNATION.**—The Director may, in consultation with the working group established under this section, National Drug Control Program Agencies, and State, local, and Tribal governments, designate data exchange standards to govern Federal reporting and exchange requirements for National Drug Control Programs, as appropriate.

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

- (i) incorporate a widely accepted, nonproprietary, searchable, machine-readable format;
- (ii) be consistent with and implement applicable accounting principles;
- (iii) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and
- (iv) be capable of being continually upgraded as necessary.

(C) *INCORPORATION OF NONPROPRIETARY STANDARDS.*—In designating data exchange standards under this paragraph, the Director shall, to the extent practicable, incorporate existing nonproprietary standards.

(D) *RULE OF CONSTRUCTION.*—Nothing in this paragraph shall be construed to require a change to existing data exchange standards for Federal reporting about a program referred to in this section, if the head of the agency responsible for administering the program finds the standards to be effective and efficient.

(5) *TERMINATION.*—The working group established under paragraph (1) shall terminate not earlier than 60 days after the public notification of termination by the Director.

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

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

(2) *PREPARATION AND DISSEMINATION OF INFORMATION.*—The Director shall prepare and disseminate the following:

(A) An assessment of current illicit drug use (including inhalants and steroids) and availability, impact of illicit drug use, and treatment availability, which assessment shall include—

- (i) estimates of drug prevalence and frequency of use as measured by national, State, and local surveys of illicit drug use and by other special studies of non-dependent and dependent illicit drug use;
- (ii) illicit drug use in the workplace and the productivity lost by such use; and
- (iii) illicit drug use by arrestees, probationers, and parolees.

(B) An assessment of the reduction of illicit drug availability, for each drug identified under section 1005(c)(1)(A)(i), as measured by—

- (i) the quantities of such drug available for consumption in the United States;
- (ii) the amount of such drug entering the United States;

(iii) the number of illicit drug manufacturing laboratories seized and destroyed of each relevant drug and the number of hectares cultivated and destroyed domestically and in other countries of each relevant drug;

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

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

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

(i) the cost of treating substance use disorder in the United States, such as the quantity of illicit drug-related services provided;

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

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

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

(i) public and private treatment utilization; and

(ii) the number of illicit drug users the Director estimates meet diagnostic criteria for treatment.

(E) A summary of the efforts made to coordinate with private sector entities to conduct private research and development of medications to treat addiction by—

(i) screening chemicals for potential therapeutic value;

(ii) developing promising compounds;

(iii) conducting clinical trials;

(iv) seeking Food and Drug Administration approval for drugs to treat addiction;

(v) marketing the drug for the treatment of addiction;

(vi) urging physicians to use the drug in the treatment of addiction; and

(vii) encouraging insurance companies to reimburse the cost of the drug for the treatment of addiction.

§ 1014. Annual audit and investigation requirements

(a) PERIODIC GOVERNMENT ACCOUNTABILITY OFFICE AUDITS OF PROGRAMS AND OPERATIONS.—Not later than December 31, 2019, and every 3 years thereafter, the Comptroller General shall—

(1) conduct and supervise an audit and investigation relating to the programs and operations of—

(A) the Office; or

(B) certain programs within the Office, including—

(i) the High Intensity Drug Trafficking Areas Program; and

(iii) the media campaign under section 1009(d); and

(2) submit to the Director and the appropriate congressional committees a report containing an evaluation of and recommendations on the—

(A) policies and activities of the programs and operations subject to the audit and investigation;

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

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

§ 1015. Authorization of appropriations

There are authorized to be appropriated to carry out this chapter, except as otherwise specified, to remain available until expended, \$18,400,000 for each of fiscal years 2019 through 2023.

SUBCHAPTER II—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

§ 1021. High intensity drug trafficking areas program

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established in the Office a program to be known as the High Intensity Drug Trafficking Areas Program (in this section referred to as the “Program”).

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

(A) facilitating cooperation among Federal, State, local, and Tribal law enforcement agencies to share information and implement coordinated enforcement activities;

(B) enhancing law enforcement intelligence sharing among Federal, State, local, and Tribal law enforcement agencies;

(C) providing reliable law enforcement intelligence to law enforcement agencies needed to design effective enforcement strategies and operations; and

(D) supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.

(b) **DESIGNATION.**—

(1) **IN GENERAL.**—The Director, in consultation with the Attorney General, the Secretary of the Treasury, the Secretary of Homeland Security, heads of the National Drug Control Program Agencies, and the Governor of each applicable State, may designate any specified area of the United States as a high intensity drug trafficking area.

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

(A) obligate such sums as are appropriated for the Program;

(B) direct the temporary reassignment of Federal personnel to such area, subject to the approval of the head of the agency that employs such personnel;

(C) take any other action authorized under this chapter to provide increased Federal assistance to those areas; and

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

(c) **PETITIONS FOR DESIGNATION.**—The Director shall establish and maintain regulations under which a coalition of interested law enforcement agencies from an area may petition for designation as a high intensity drug trafficking area (in this section referred to as

the "HIDTA"). Such regulations shall provide for a regular review by the Director of the petition, including a recommendation regarding the merit of the petition to the Director by a panel of qualified, independent experts.

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

(1) the area is a significant center of illegal drug production, manufacturing, importation, or distribution;

(2) State, local, and Tribal law enforcement agencies have committed resources to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem;

(3) drug-related activities in the area are having a significant harmful impact in the area, and in other areas of the country; and

(4) a significant increase in allocation of Federal resources is necessary to respond adequately to drug-related activities in the area.

(e) *ORGANIZATION OF HIGH INTENSITY DRUG TRAFFICKING AREAS.*—

(1) *EXECUTIVE BOARD AND OFFICERS.*—To be eligible for funds appropriated under this section, each high intensity drug trafficking area shall be governed by an Executive Board. The Executive Board shall designate a chairman, vice chairman, and any other officers to the Executive Board that it determines are necessary.

(2) *RESPONSIBILITIES.*—The Executive Board of a high intensity drug trafficking area shall be responsible for—

(A) providing direction and oversight in establishing and achieving the goals of the high intensity drug trafficking area;

(B) managing the funds of the high intensity drug trafficking area;

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

(D) reviewing and approving all reports to the Director on the activities of the high intensity drug trafficking area.

(3) *BOARD REPRESENTATION.*—None of the funds appropriated under this section may be expended for any high intensity drug trafficking area, or for a partnership or region of a high intensity drug trafficking area, if the Executive Board for such area, region, or partnership, does not apportion an equal number of votes between representatives of participating agencies and representatives of participating State, local, and Tribal agencies. Where it is impractical for an equal number of representatives of agencies and State, local, and Tribal agencies to attend a meeting of an Executive Board in person, the Executive Board may use a system of proxy votes or weighted votes to achieve the voting balance required by this paragraph.

(4) *NO AGENCY RELATIONSHIP.*—The eligibility requirements of this section are intended to ensure the responsible use of Fed-

eral funds. Nothing in this section is intended to create an agency relationship between individual high intensity drug trafficking areas and the Federal Government.

(f) *USE OF FUNDS.*—The Director shall ensure that not more than 5 percent of Federal funds appropriated for the Program are expended for drug treatment programs and not more than 5 percent of the Federal funds appropriated for the Program are expended for drug prevention programs.

(g) *COUNTERTERRORISM ACTIVITIES.*—

(1) *ASSISTANCE AUTHORIZED.*—The Director may authorize use of resources available for the Program to assist Federal, State, local, and Tribal law enforcement agencies in investigations and activities related to terrorism and prevention of terrorism, especially but not exclusively with respect to such investigations and activities that are also related to drug trafficking.

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

(A) that assistance provided under paragraph (1) remains incidental to the purpose of the Program to reduce drug availability and carry out drug-related law enforcement activities; and

(B) that significant resources of the Program are not redirected to activities exclusively related to terrorism, except on a temporary basis under extraordinary circumstances, as determined by the Director.

(h) *ROLE OF DRUG ENFORCEMENT ADMINISTRATION.*—The Director, in consultation with the Attorney General, shall ensure that a representative of the Drug Enforcement Administration is included in the Intelligence Support Center for each high intensity drug trafficking area.

(i) *EMERGING THREAT RESPONSE FUND.*—

(1) *IN GENERAL.*—Subject to the availability of appropriations, the Director may expend up to 10 percent of the amounts appropriated under this section on a discretionary basis, in accordance with the criteria established under paragraph (2)—

(A) to respond to any emerging drug trafficking threat in an existing high intensity drug trafficking area;

(B) to establish a new high intensity drug trafficking area; or

(C) to expand an existing high intensity drug trafficking area.

(2) *CONSIDERATION OF IMPACT.*—In allocating funds under this subsection, the Director shall consider—

(A) the impact of activities funded on reducing overall drug traffic in the United States, or minimizing the probability that an emerging drug trafficking threat will spread to other areas of the United States; and

(B) such other criteria as the Director considers appropriate.

(j) *ANNUAL HIDTA PROGRAM BUDGET SUBMISSIONS.*—As part of the documentation that supports the President's annual budget request for the Office, the Director shall submit to Congress a budget justification that includes—

(1) the amount proposed for each HIDTA, conditional upon a review by the Office of the request submitted by such HIDTA

and the performance of such HIDTA, with supporting narrative descriptions and rationale for each request;

(2) a detailed justification that explains—

(A) the reasons for the proposed funding level and how such funding level was determined based on a current assessment of the drug trafficking threat in each high intensity drug trafficking area;

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

(C) how such funding supports the National Drug Control Strategy; and

(3) the amount of HIDTA funds used to investigate and prosecute organizations and individuals trafficking in each major illicit drug, as identified by the Director, in the prior calendar year, and a description of how those funds were used.

(k) *HIDTA ANNUAL EVALUATION REPORT*.—As part of each National Drug Control Evaluation assessment under section 1006, the Director shall include, for each designated high intensity drug trafficking area, a report that—

(1) describes—

(A) the specific purposes for the high intensity drug trafficking area; and

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

(2) includes an evaluation of the performance of the high intensity drug trafficking area in accomplishing the specific long-term and short-term goals and objectives identified under subparagraph (1)(B);

(3) assesses the number and operation of all federally funded drug enforcement task forces within such high intensity drug trafficking area;

(4) describes—

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

(B) how such task forces coordinate with each other, with any high intensity drug trafficking area task force, and with investigations receiving funds from the Organized Crime and Drug Enforcement Task Force;

(C) what steps, if any, each such task force takes to share information regarding drug trafficking and drug production with other federally funded drug enforcement task forces in the high intensity drug trafficking area;

(D) the role of the high intensity drug trafficking area in coordinating the sharing of such information among task forces;

(E) the nature and extent of cooperation by each Federal, State, local, and Tribal participant in ensuring that such information is shared among law enforcement agencies and with the high intensity drug trafficking area;

(F) the nature and extent to which information sharing and enforcement activities are coordinated with joint terrorism task forces in the high intensity drug trafficking area; and

(G) any recommendations for measures needed to ensure that task force resources are utilized efficiently and effectively to reduce the availability of illegal drugs in the high intensity drug trafficking areas; and
 (5) in consultation with the Director of National Intelligence—

(A) evaluates existing and planned law enforcement intelligence systems supported by such high intensity drug trafficking area, or utilized by task forces receiving any funding under the Program, including the extent to which such systems ensure access and availability of law enforcement intelligence to Federal, State, local, and Tribal law enforcement agencies within the high intensity drug trafficking area and outside of such area;

(B) evaluates the extent to which Federal, State, local, and Tribal law enforcement agencies participating in each high intensity drug trafficking area are sharing law enforcement intelligence information to assess current drug trafficking threats and design appropriate enforcement strategies; and

(C) identifies the measures needed to improve effective sharing of information and law enforcement intelligence regarding drug trafficking and drug production among Federal, State, local, and Tribal law enforcement participating in a high intensity drug trafficking area, and between such agencies and similar agencies outside the high intensity drug trafficking area.

(l) COORDINATION OF LAW ENFORCEMENT INTELLIGENCE SHARING WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE PROGRAM.—

(1) **DRUG ENFORCEMENT INTELLIGENCE SHARING.**—The Director, in consultation with the Attorney General, shall ensure that any drug enforcement intelligence obtained by the Intelligence Support Center for each high intensity drug trafficking area is shared, on a timely basis, with the drug intelligence fusion center operated by the Organized Crime Drug Enforcement Task Force of the Department of Justice.

(2) **CERTIFICATION.**—Before the Director awards any funds to a high intensity drug trafficking area, the Director shall certify that the law enforcement entities participating in that HIDTA are providing laboratory seizure data to the national clandestine laboratory database at the El Paso Intelligence Center.

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

(n) SPECIFIC PURPOSES.—

(1) **IN GENERAL.**—The Director shall ensure that, of the amounts appropriated for a fiscal year for the Program, at least 2.5 percent is used in high intensity drug trafficking areas with severe neighborhood safety and illegal drug distribution problems.

(2) **REQUIRED USES.**—The funds used under paragraph (1) shall be used to ensure the safety of neighborhoods and the protection of communities, including the prevention of the intimidation of witnesses of illegal drug distribution and related ac-

tivities and the establishment of or support for programs that provide protection or assistance to witnesses in court proceedings.

(3) BEST PRACTICE MODELS.—The Director shall work with the HIDTAs to develop and maintain best practice models to assist State, local, and Tribal governments in addressing witness safety, relocation, financial and housing assistance, or any other services related to witness protection or assistance in cases of illegal drug distribution and related activities. The Director shall ensure dissemination of the best practice models to each HIDTA.

SUBCHAPTER III—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

§ 1031. Establishment of drug-free communities support program

(a) ESTABLISHMENT.—The Director shall establish a program to support communities in the development and implementation of comprehensive, long-term plans and programs to prevent and treat substance use and misuse among youth.

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

(1) make and track grants to grant recipients;

(2) provide for technical assistance and training, data collection, and dissemination of information on state-of-the-art practices that the Director determines to be effective in reducing substance use; and

(3) provide for the general administration of the Program.

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

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

§ 1032. Program authorization

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

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

(2) MAJOR SECTOR INVOLVEMENT.—

(A) IN GENERAL.—The coalition shall consist of 1 or more representatives of each of the following categories:

(i) Youth.

(ii) Parents.

(iii) Businesses.

(iv) The media.

(v) Schools.

(vi) Organizations serving youth.

(vii) Law enforcement.

(viii) Religious or fraternal organizations.

(ix) Civic and volunteer groups.

(x) Health care professionals.

(xi) State, local, or tribal governmental agencies with expertise in the field of substance use prevention or substance use disorders (including, if applicable, the State authority with primary authority for substance use and misuse).

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

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

(i) the Federal Government; and

(ii) the government of the appropriate State and political subdivision thereof or the governing body or an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination Act (25 U.S.C. 450b(e))).

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

(3) **COMMITMENT.**—The coalition shall demonstrate, to the satisfaction of the Administrator—

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

(B) substantial participation from volunteer leaders in the community involved (especially in cooperation with individuals involved with youth such as parents, teachers, coaches, youth workers, and members of the clergy).

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

(A) have as its principal mission the reduction of illegal drug use, which, at a minimum, includes the use of illegal drugs described in section 1037(6)(A), in a comprehensive and long-term manner, with a primary focus on youth in the community;

(B) describe and document the nature and extent of the substance use and misuse problem, which, at a minimum, includes the use and misuse of drugs described in section 1037(6)(A), in the community;

(C)(i) provide a description of substance use and misuse prevention and treatment programs and activities, which, at a minimum, includes programs and activities relating to the use and misuse of drugs described in section 1037(6)(A), in existence at the time of the grant application; and

(ii) identify substance use and misuse programs and service gaps, which, at a minimum, includes programs and gaps relating to the use and misuse of drugs described in section 1037(6)(A), in the community;

- (D) develop a strategic plan to reduce substance use and misuse among youth, which, at a minimum, includes the use and misuse of drugs described in section 1037(6)(A), in a comprehensive and long-term fashion; and
- (E) work to develop a consensus regarding the priorities of the community to combat substance use and misuse among youth, which, at a minimum, includes the use and misuse of drugs described in section 1037(6)(A).
- (5) *SUSTAINABILITY.*—The coalition shall demonstrate that the coalition is an ongoing concern by demonstrating that the coalition—
- (A) is—
- (i)(I) a nonprofit organization; or
(II) an entity that the Administrator determines to be appropriate; or
- (ii) part of, or is associated with, an established legal entity;
- (B) receives financial support (including, in the discretion of the Administrator, in-kind contributions) from non-Federal sources; and
- (C) has a strategy to solicit substantial financial support from non-Federal sources to ensure that the coalition and the programs operated by the coalition are self-sustaining.
- (6) *ACCOUNTABILITY.*—The coalition shall—
- (A) establish a system to measure and report outcomes—
- (i) consistent with common indicators and evaluation protocols established by the Administrator; and
- (ii) approved by the Administrator;
- (B) conduct—
- (i) for an initial grant under this subchapter, an initial benchmark survey of drug use among youth (or use local surveys or performance measures available or accessible in the community at the time of the grant application); and
- (ii) biennial surveys (or incorporate local surveys in existence at the time of the evaluation) to measure the progress and effectiveness of the coalition; and
- (C) provide assurances that the entity conducting an evaluation under this paragraph, or from which the coalition receives information, has experience—
- (i) in gathering data related to substance use and misuse among youth; or
- (ii) in evaluating the effectiveness of community anti-drug coalitions.
- (7) *ADDITIONAL CRITERIA.*—The Director shall not impose any eligibility criteria on new applicants or renewal grantees not provided in this chapter.
- (b) *GRANT AMOUNTS.*—
- (1) *IN GENERAL.*—
- (A) *GRANTS.*—
- (i) *IN GENERAL.*—Subject to clause (iv), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

(ii) *SUSPENSION OF GRANTS.*—If such grant recipient fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

(iii) *RENEWAL GRANTS.*—Subject to clause (iv), the Administrator may award a renewal grant to a grant recipient under this subparagraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year, during the 4-year period following the period of the initial grant.

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

(B) COALITION AWARDS.—

(i) *IN GENERAL.*—Except as provided in clause (ii), the Administrator may, with respect to a community, make a grant to 1 eligible coalition that represents that community.

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

(I) the eligible coalitions demonstrate that the coalitions are collaborating with one another; and

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

(2) RURAL COALITION GRANTS.—

(A) IN GENERAL.—

(i) *IN GENERAL.*—In addition to awarding grants under paragraph (1), to stimulate the development of coalitions in sparsely populated and rural areas, the Administrator may award a grant in accordance with this section to a coalition that represents a county with a population that does not exceed 30,000 individuals. In awarding a grant under this paragraph, the Administrator may waive any requirement under subsection (a) if the Administrator considers that waiver to be appropriate.

(ii) *MATCHING REQUIREMENT.*—Subject to subparagraph (C), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

(iii) *SUSPENSION OF GRANTS.*—If such grant recipient fails to continue to meet any criteria specified in subsection (a) that has not been waived by the Administrator pursuant to clause (i), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

(B) RENEWAL GRANTS.—The Administrator may award a renewal grant to an eligible coalition that is a grant recipient under this paragraph for each fiscal year following the

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

(C) LIMITATIONS.—

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

(ii) AWARDS.—With respect to a county referred to in subparagraph (A), the Administrator may award a grant under this section to not more than 1 eligible coalition that represents the county.

(3) ADDITIONAL GRANTS.—

(A) IN GENERAL.—Subject to subparagraph (F), the Administrator may award an additional grant under this paragraph to an eligible coalition awarded a grant under paragraph (1) or (2) for any first fiscal year after the end of the 4-year period following the period of the initial grant under paragraph (1) or (2), as the case may be.

(B) SCOPE OF GRANTS.—A coalition awarded a grant under paragraph (1) or (2), including a renewal grant under such paragraph, may not be awarded another grant under such paragraph, and is eligible for an additional grant under this section only under this paragraph.

(C) NO PRIORITY FOR APPLICATIONS.—The Administrator may not afford a higher priority in the award of an additional grant under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather than an application for a grant under this paragraph.

(D) RENEWAL GRANTS.—Subject to subparagraph (F), the Administrator may award a renewal grant to a grant recipient under this paragraph for each of the fiscal years of the 4-fiscal-year period following the fiscal year for which the initial additional grant under subparagraph (A) is awarded in an amount not to exceed amounts as follows:

(i) For the first and second fiscal years of that 4-fiscal-year period, the amount equal to 80 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

(ii) For the third and fourth fiscal years of that 4-fiscal-year period, the amount equal to 67 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

(E) SUSPENSION.—If a grant recipient under this paragraph fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

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

(4) PROCESS FOR SUSPENSION.—A grantee shall not be suspended or terminated under paragraph (1)(A)(ii), (2)(A)(iii), or

(3)(C) *unless that grantee is afforded a fair, timely, and independent appeal prior to such suspension or termination.*

(c) **TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS.**—*Funds appropriated for the substance use and misuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance use prevention may be counted as non-Federal funds raised by the coalition for purposes of this section.*

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

§ 1033. Information collection and dissemination with respect to grant recipients

(a) **COALITION INFORMATION.**—

(1) **GENERAL AUDITING AUTHORITY.**—*For the purpose of audit and examination, the Administrator—*

(A) *shall have access to any books, documents, papers, and records that are pertinent to any grant or grant renewal request under this chapter; and*

(B) *may periodically request information from a grant recipient to ensure that the grant recipient meets the applicable criteria under section 1032(a).*

(2) **APPLICATION PROCESS.**—*The Administrator shall issue a request for proposal regarding, with respect to the grants awarded under section 1032, the application process, grant renewal, and suspension or withholding of renewal grants. Each application under this paragraph shall be in writing and shall be subject to review by the Administrator.*

(3) **REPORTING.**—*The Administrator shall, to the maximum extent practicable and in a manner consistent with applicable law, minimize reporting requirements by a grant recipient and expedite any application for a renewal grant made under this subchapter.*

(b) **DATA COLLECTION AND DISSEMINATION.**—

(1) **IN GENERAL.**—*The Administrator may collect data from—*

(A) *national substance use and misuse organizations that work with eligible coalitions, community anti-drug coalitions, departments or agencies of the Federal Government, or State or local governments and the governing bodies of Indian tribes; and*

(B) *any other entity or organization that carries out activities that relate to the purposes of the Program.*

(2) **ACTIVITIES OF ADMINISTRATOR.**—*The Administrator may—*

(A) *evaluate the utility of specific initiatives relating to the purposes of the Program;*

(B) *conduct an evaluation of the Program; and*

(C) *disseminate information described in this subsection to—*

(i) *eligible coalitions and other substance use prevention organizations; and*

(ii) *the general public.*

(3) *CONSULTATION.*—The Administrator shall carry out activities under this subsection in consultation with the National Community Antidrug Coalition Institute.

(4) *LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM.*—Amounts for activities under paragraph (2)(B) may not be derived from amounts under section 1038(a) except for amounts that are available under section 1038(b) for administrative costs.

§ 1034. Technical assistance and training

(a) *IN GENERAL.*—

(1) *TECHNICAL ASSISTANCE AND AGREEMENTS.*—With respect to any grant recipient or other organization, the Administrator may—

- (A) offer technical assistance and training; and
- (B) enter into contracts and cooperative agreements.

(2) *COORDINATION OF PROGRAMS.*—The Administrator may facilitate the coordination of programs between a grant recipient and other organizations and entities.

(b) *TRAINING.*—The Administrator may provide training to any representative designated by a grant recipient in—

- (1) coalition building;
- (2) task force development;
- (3) mediation and facilitation, direct service, assessment and evaluation; or
- (4) any other activity related to the purposes of the Program.

§ 1035. Supplemental grants for coalition mentoring activities

(a) *AUTHORITY TO MAKE GRANTS.*—As part of the program established under section 1031, the Director may award an initial grant under this subsection, and renewal grants under subsection (f), to any coalition awarded a grant under section 1032 that meets the criteria specified in subsection (d) in order to fund coalition mentoring activities by such coalition in support of the program.

(b) *TREATMENT WITH OTHER GRANTS.*—

(1) *SUPPLEMENT.*—A grant awarded to a coalition under this section is in addition to any grant awarded to the coalition under section 1032.

(2) *REQUIREMENT FOR BASIC GRANT.*—A coalition may not be awarded a grant under this section for a fiscal year unless the coalition was awarded a grant or renewal grant under section 1032(b) for that fiscal year.

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

(d) *CRITERIA.*—A coalition meets the criteria specified in this subsection if the coalition—

- (1) has been in existence for at least 5 years;
- (2) has achieved, by or through its own efforts, measurable results in the prevention and treatment of substance use and misuse among youth;
- (3) has staff or members willing to serve as mentors for persons seeking to start or expand the activities of other coalitions in the prevention and treatment of substance use and misuse;

(4) has demonstrable support from some members of the community in which the coalition mentoring activities to be supported by the grant under this section are to be carried out; and

(5) submits to the Administrator a detailed plan for the coalition mentoring activities to be supported by the grant under this section.

(e) *USE OF GRANT FUNDS.*—A coalition awarded a grant under this section shall use the grant amount for mentoring activities to support and encourage the development of new, self-supporting community coalitions that are focused on the prevention and treatment of substance use and misuse in such new coalitions' communities. The mentoring coalition shall encourage such development in accordance with the plan submitted by the mentoring coalition under subsection (d)(5).

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

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

(2) has made demonstrable progress in the development of one or more new, self-supporting community coalitions that are focused on the prevention and treatment of substance use and misuse.

(g) *GRANT AMOUNTS.*—

(1) *IN GENERAL.*—Subject to paragraphs (2) and (3), the total amount of grants awarded to a coalition under this section for a fiscal year may not exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year. Funds appropriated for the substance use and misuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance use prevention may be counted as non-Federal funds raised by the coalition.

(2) *INITIAL GRANTS.*—The amount of the initial grant awarded to a coalition under subsection (a) may not exceed \$75,000.

(3) *RENEWAL GRANTS.*—The total amount of renewal grants awarded to a coalition under subsection (f) for any fiscal year may not exceed \$75,000.

(h) *FISCAL YEAR LIMITATION ON AMOUNT AVAILABLE FOR GRANTS.*—The total amount available for grants under this section, including renewal grants under subsection (f), in any fiscal year may not exceed the amount equal to five percent of the amount authorized to be appropriated by section 1038 for that fiscal year.

(i) *PRIORITY IN AWARDING INITIAL GRANTS.*—In awarding initial grants under this section, priority shall be given to a coalition that expressly proposes to provide mentorship to a coalition or aspiring coalition serving economically disadvantaged areas.

§ 1036. Authorization for National Community Antidrug Coalition Institute

(a) *IN GENERAL.*—The Director shall, using amounts authorized to be appropriated by subsection (d), make a competitive grant to

provide for the continuation of the National Community Anti-drug Coalition Institute.

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

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

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

(2) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes; and

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

(d) **AUTHORIZATION OF APPROPRIATIONS.**—The Director shall, using amounts authorized to be appropriated by section 1038, make a grant of \$2,000,000 under subsection (a), for each of the fiscal years 2019 through 2023.

§ 1037. Definitions

In this subchapter:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator appointed by the Director under section 1031(c).

(2) **COMMUNITY.**—The term “community” shall have the meaning provided that term by the Administrator.

(3) **ELIGIBLE COALITION.**—The term “eligible coalition” means a coalition that meets the applicable criteria under section 1032(a).

(4) **GRANT RECIPIENT.**—The term “grant recipient” means the recipient of a grant award under section 1032.

(5) **PROGRAM.**—The term “Program” means the program established under section 1031(a).

(6) **SUBSTANCE USE AND MISUSE.**—The term “substance use and misuse” means—

(A) the illegal use or misuse of drugs, including substances for which a listing is in effect under any of schedules I through V under section 202 of the Controlled Substances Act (21 U.S.C. 812);

(B) the misuse of inhalants or over the counter drugs; or

(C) the use of alcohol, tobacco, or other related product as such use is prohibited by State or local law.

(7) **YOUTH.**—The term “youth” shall have the meaning provided that term by the Administrator.

§ 1038. Drug-free communities reauthorization

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Office to carry out this subchapter \$99,000,000 for each of fiscal years 2019 through 2023.

(b) **ADMINISTRATIVE COSTS.**—Not more than 8 percent of the funds appropriated for this subchapter may be used by the Office

or, in the discretion of the Director, an agency delegated to carry out the program under section 1031(d) to pay for administrative costs associated with carrying out the program.

**OFFICE OF NATIONAL DRUG CONTROL POLICY
REAUTHORIZATION ACT OF 2006**

* * * * *

**TITLE II—THE NATIONAL DRUG
CONTROL STRATEGY**

* * * * *

[SEC. 203. ANNUAL REPORT REQUIREMENT.

[(a) IN GENERAL.—On or before February 1, 2013, and every 3 years thereafter,, the Director shall submit a report to Congress that describes—

[(1) the strategy of the national media campaign and whether specific objectives of the campaign were accomplished;

[(2) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the campaign;

[(3) plans to purchase advertising time and space;

[(4) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse;

[(5) all contracts entered into with a corporation, partnership, or individual working on behalf of the national media campaign;

[(6) specific policies and steps implemented to ensure compliance with title IV of this Act;

[(7) steps taken to ensure that the national media campaign will secure, to the maximum extent possible, no cost matches of advertising time and space or in-kind contributions that are directly related to the campaign in accordance with title IV of this Act; and

[(8) a review and evaluation of the effectiveness of the national media campaign strategy for the past year.

[(b) AUDIT.—The Government Accountability Office shall, not later than December 31, 2013, and every 3 years thereafter—

[(1) conduct and supervise an audit and investigation relating to the programs and operations of the—

[(A) Office; or

[(B) certain programs within the Office, including—

[(i) the High Intensity Drug Trafficking Areas Program;

[(ii) the Counterdrug Technology Assessment Center; or

[(iii) the National Youth Anti-drug Media Campaign; and

[(2) provide the Director and the appropriate congressional committees with a report containing an evaluation of and recommendations on the—

- [(A) policies and activities of the programs and operations subject to the audit and investigation;
- [(B) economy, efficiency, and effectiveness in the administration of the reviewed programs and operations; and
- [(C) policy or management changes needed to prevent and detect fraud and abuse in such programs and operations.]

* * * * *

[TITLE VIII—DRUG-FREE COMMUNITIES

[SEC. 801. REAUTHORIZATION

[(a) IN GENERAL.—Section 1024(a) of the Drug-Free Communities Act of 1997 (21 U.S.C. 1524(a)) is amended—

[(1) in paragraph (9), by striking “and” after the semicolon;

[(2) in paragraph (10), by striking the period and inserting a semicolon; and

[(3) by adding at the end the following:

[(11) \$109,000,000 for fiscal year 2008;

[(12) \$114,000,000 for fiscal year 2009;

[(13) \$119,000,000 for fiscal year 2010;

[(14) \$124,000,000 for fiscal year 2011; and

[(15) \$129,000,000 for fiscal year 2012.”.

[(b) ADMINISTRATION COSTS.—Section 1024(b) of the Drug-Free Communities Act of 1997 (21 U.S.C. 1524(b)) is amended to read as follows:

[(b) ADMINISTRATIVE COSTS.—

[(1) LIMITATION.—Not more than 3 percent of the funds appropriated for this chapter may be used by the Office of National Drug Control Policy to pay for administrative costs associated with their responsibilities under the chapter.

[(2) DESIGNATED AGENCY.—The agency delegated to carry out this program under section 1031(d) may use up to 5 percent of the funds allocated for grants under this chapter for administrative costs associated with carrying out the program.”.

[SEC. 802. SUSPENSION OF GRANTS.

[(a) IN GENERAL.—Section 1032(b) of the Drug-Free Communities Act of 1997 (21 U.S.C. 1532(b)) is amended by adding at the end the following:

[(4) PROCESS FOR SUSPENSION.—A grantee shall not be suspended or terminated under paragraph (1)(A)(ii), (2)(A)(iii), or (3)(E) unless that grantee is afforded a fair, timely, and independent appeal prior to such suspension or termination.”.

[(b) REPORT TO CONGRESS.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to Congress a report detailing the appeals process required by section 1032(b)(4) of the Drug-Free Communities Act of 1997, as added by subsection (a).

[SEC. 803. GRANT AWARD INCREASE

[Subsections (b)(1)(A)(iv), (b)(2)(C)(i), and (b)(3)(F) of section 1032 of the Drug-Free Communities Act of 1997 (21 U.S.C. 1532) are amended by striking “\$100,000” and inserting “\$125,000”.

[SEC. 804. PROHIBITION ON ADDITIONAL ELIGIBILITY CRITERIA

【Section 1032(a) of the Drug-Free Communities Act of 1997 (21 U.S.C. 1532(a)) is amended by adding at the end the following:

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

[SEC. 805. NATIONAL COMMUNITY ANTI-DRUG COALITION INSTITUTE

【Section 4 of Public Law 107-82 (21 U.S.C. 1521 note), reauthorizing the Drug-Free Communities Support Program, is amended—

【(1) by amending subsection (a) to read as follows:

【“(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall, using amounts authorized to be appropriated by subsection (d), make a directed grant to Community Anti-Drug Coalitions of America to provide for the continuation of the National Community Anti-drug Coalition Institute.”;

【(2) by striking subsection (b) and redesignating subsections (c) and (d) as (b) and (c), respectively; and

【(3) in subsection (c), as redesignated by paragraph (2), by adding at the end the following:

【“(4) For each of the fiscal years 2008 through 2012, \$2,000,000.”.】

* * * * *

TITLE XI—MISCELLANEOUS PROVISIONS

* * * * *

[SEC. 1105. MODEL ACTS.

【(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall provide for or shall enter into an agreement with a non-profit corporation that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code to—

【(1) advise States on establishing laws and policies to address alcohol and other drug issues, based on the model State drug laws developed by the President’s Commission on Model State Drug Laws in 1993; and

【(2) revise such model State drug laws and draft supplementary model State laws to take into consideration changes in the alcohol and drug abuse problems in the State involved.

【(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$1,500,000 for each of fiscal years 2007 through 2011.】

* * * * *

[SEC. 1110. REQUIREMENT FOR SOUTHWEST BORDER COUNTER-NARCOTICS STRATEGY.

【(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, and every 2 years thereafter, the Director of National Drug Control Policy shall submit to the Congress a Southwest Border Counternarcotics Strategy.

【(b) PURPOSES.—The Southwest Border Counternarcotics Strategy shall—

[(1) set forth the Government's strategy for preventing the illegal trafficking of drugs across the international border between the United States and Mexico, including through ports of entry and between ports of entry on that border;

[(2) state the specific roles and responsibilities of the relevant National Drug Control Program agencies (as defined in section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701)) for implementing that strategy; and

[(3) identify the specific resources required to enable the relevant National Drug Control Program agencies to implement that strategy.

[(c) SPECIFIC CONTENT RELATED TO DRUG TUNNELS BETWEEN THE UNITED STATES AND MEXICO.—The Southwest Border Counternarcotics Strategy shall include—

[(1) a strategy to end the construction and use of tunnels and subterranean passages that cross the international border between the United States and Mexico for the purpose of illegal trafficking of drugs across such border; and

[(2) recommendations for criminal penalties for persons who construct or use such a tunnel or subterranean passage for such a purpose.

[(d) CONSULTATION WITH OTHER AGENCIES.—The Director shall issue the Southwest Border Counternarcotics Strategy in consultation with the heads of the relevant National Drug Control Program agencies.

[(e) LIMITATION.—The Southwest Border Counternarcotics Strategy shall not change existing agency authorities or the laws governing interagency relationships, but may include recommendations about changes to such authorities or laws.

[(f) REPORT TO CONGRESS.—The Director shall provide a copy of the Southwest Border Counternarcotics Strategy to the appropriate congressional committees (as defined in section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701)), and to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

[(g) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any content of the Southwest Border Counternarcotics Strategy that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant National Drug Control Program agency, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or tribal agency, shall be presented to Congress separately from the rest of the strategy.

[(SEC. 1110A. REQUIREMENT FOR NORTHERN BORDER COUNTER-NARCOTICS STRATEGY.

[(a) DEFINITIONS.—In this section, the terms “appropriate congressional committees”, “Director”, and “National Drug Control Program agency” have the meanings given those terms in section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701).

[(b) STRATEGY.—Not later than 180 days after the date of enactment of this section, and every 2 years thereafter, the Director, in consultation with the head of each relevant National Drug Control Program agency and relevant officials of States, local governments, tribal governments, and the governments of other countries, shall develop a Northern Border Counternarcotics Strategy and submit the strategy to—

[(1) the appropriate congressional committees (including the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives);

[(2) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Indian Affairs of the Senate; and

[(3) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Natural Resources of the House of Representatives.

[(c) PURPOSES.—The Northern Border Counternarcotics Strategy shall—

[(1) set forth the strategy of the Federal Government for preventing the illegal trafficking of drugs across the international border between the United States and Canada, including through ports of entry and between ports of entry on the border;

[(2) state the specific roles and responsibilities of each relevant National Drug Control Program agency for implementing the strategy;

[(3) identify the specific resources required to enable the relevant National Drug Control Program agencies to implement the strategy; and

[(4) reflect the unique nature of small communities along the international border between the United States and Canada, ongoing cooperation and coordination with Canadian law enforcement authorities, and variations in the volumes of vehicles and pedestrians crossing through ports of entry along the international border between the United States and Canada.

[(d) SPECIFIC CONTENT RELATED TO CROSS-BORDER INDIAN RESERVATIONS.—The Northern Border Counternarcotics Strategy shall include—

[(1) a strategy to end the illegal trafficking of drugs to or through Indian reservations on or near the international border between the United States and Canada; and

[(2) recommendations for additional assistance, if any, needed by tribal law enforcement agencies relating to the strategy, including an evaluation of Federal technical and financial assistance, infrastructure capacity building, and interoperability deficiencies.

[(e) LIMITATION.—

[(1) IN GENERAL.—The Northern Border Counternarcotics Strategy shall not change the existing agency authorities and this section shall not be construed to amend or modify any law governing interagency relationships.

[(2) LEGITIMATE TRADE AND TRAVEL.—The Northern Border Counternarcotics Strategy shall be designed to promote, and not hinder, legitimate trade and travel.

[(f) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—

[(1) IN GENERAL.—The Northern Border Counternarcotics Strategy shall be submitted in unclassified form and shall be available to the public.

[(2) ANNEX.—The Northern Border Counternarcotics Strategy may include an annex containing any classified information or information the public disclosure of which, as determined by the Director or the head of any relevant National Drug Control Program agency, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or tribal agency.]

* * * * *

PUBLIC LAW 107-82

AN ACT To extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes.

* * * * *

[SEC. 4. AUTHORIZATION FOR NATIONAL COMMUNITY ANTIDRUG COALITION INSTITUTE.

[(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall, using amounts authorized to be appropriated by subsection (d), make a directed grant to Community Anti-Drug Coalitions of America to provide for the continuation of the National Community Anti-drug Coalition Institute.

[(b) USE OF GRANT AMOUNT.—The organization receiving the grant under subsection (a) shall establish a National Community Antidrug Coalition Institute to—

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

[(2) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes; and

[(3) bridge the gap between research and practice by translating knowledge from research into practical information.

[(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for purposes of activities under this section, including the grant under subsection (a), amounts as follows:

[(1) For each of fiscal years 2002 and 2003, \$2,000,000.

[(2) For each of fiscal years 2004 and 2005, \$1,000,000.

[(3) For each of fiscal years 2006 and 2007, \$750,000.

[(4) For each of the fiscal years 2008 through 2012, \$2,000,000.]

* * * * *

CORRESPONDENCE

TREY GOWDY, SOUTH CAROLINA
CHAIRMAN

ONE HUNDRED FIFTEENTH CONGRESS

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER**Congress of the United States**
House of RepresentativesCOMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
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<http://www.ogri.house.gov>

June 5, 2018

The Honorable Edward Royce
Chairman, Committee on Foreign Affairs
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

On May 23, 2018, the Committee on Oversight and Government Reform ordered reported H.R. 5925, the "Coordinated Response through Interagency Strategy and Information Sharing Act," with an amendment, by voice vote. The bill was referred primarily to the Committee on Oversight and Government Reform, with additional referrals to the Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence, and Appropriations.

I ask you allow the Committee on Foreign Affairs to be discharged from further consideration of the bill so it may be scheduled for floor consideration by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Foreign Affairs represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the *Congressional Record* during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,



Trey Gowdy

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Elijah E. Cummings
The Honorable Eliot L. Engel
The Honorable Thomas J. Wickham, Parliamentarian

EDWARD R. ROYCE, CALIFORNIA
CHAIRMAN

AMY PORTER
CHIEF OF STAFF

THOMAS SHEEHY
STAFF DIRECTOR



ELIOT L. ENGEL, NEW YORK
RANKING DEMOCRATIC MEMBER

JASON STEINBAUM
DEMOCRATIC STAFF DIRECTOR

One Hundred Fifteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515
www.foreignaffairs.house.gov

June 5, 2018

The Honorable Trey Gowdy
Chairman
Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gowdy:

Thank you for consulting with the Committee on Foreign Affairs on H.R. 5925, the Coordinated Response through Interagency Strategy and Information Sharing Act, and for accommodating appropriate edits in the amended text of the bill.

I agree that the Foreign Affairs Committee may be discharged from further action on this bill, subject to the understanding that this waiver does not in any way diminish or alter the jurisdiction of the Foreign Affairs Committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. The Committee also reserves the right to seek an appropriate number of conferees to any House-Senate conference involving this bill, and would appreciate your support for any such request.

I ask that you place our exchange of letters into the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation, and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE
Chairman

cc: The Honorable Paul Ryan
The Honorable Eliot L. Engel
The Honorable Elijah E. Cummings
Mr. Thomas J. Wickham, Jr.

TRAY GOWDY, SOUTH CAROLINA
CHAIRMAN

ONE HUNDRED FIFTEENTH CONGRESS

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
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June 8, 2018

The Honorable Devin Nunes
Chairman, Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, D.C. 20515

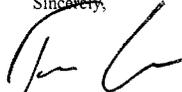
Dear Mr. Chairman:

On May 23, 2018, the Committee on Oversight and Government Reform ordered reported H.R. 5925, the "Coordinated Response through Interagency Strategy and Information Sharing Act," with an amendment, by voice vote. The bill was referred primarily to the Committee on Oversight and Government Reform, with additional referrals to the Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence, and Appropriations.

I ask you allow the Permanent Select Committee on Intelligence to be discharged from further consideration of the bill so it may be scheduled for floor consideration by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Permanent Select Committee on Intelligence represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the *Congressional Record* during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,



Trey Gowdy

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Elijah E. Cummings
The Honorable Adam Schiff
The Honorable Thomas J. Wickham, Parliamentarian

Devin Nunes, California, CHAIRMAN

K. Michael Conaway, Texas
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Elise M. Stefanik, New York
Will Hurd, Texas

Arlam B. Schiff, California,
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Joaquin Castro, Texas
Denny Heck, Washington

Paul D. Ryan, SPEAKER OF THE HOUSE
Nancy Pelosi, DEMOCRATIC LEADER

U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

HVC-304, THE CAPITOL
WASHINGTON, DC 20515
(202) 225-4121

DAMON NELSON
STAFF DIRECTOR
TAMOTHY S. BENGREEN
MINORITY STAFF DIRECTOR

June 11, 2018

The Honorable Trey Gowdy
Chairman, Committee on Government and Oversight Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

On May 23, 2018, H.R. 5925, the "Coordinate Response through Interagency Strategy and Information Sharing Act" was additionally referred to the Permanent Select Committee on Intelligence.

In order to expedite the House's consideration of the measure, and in response to your letter dated June 8, 2018, the Permanent Select Committee on Intelligence will forgo consideration of the measure. This courtesy is conditioned on our mutual understanding and agreement that it will in no way diminish or alter the jurisdiction of the Permanent Select Committee on Intelligence with respect to any future jurisdictional claim over the subject matter contained in the resolution or any similar measure. I appreciate your support to the appointment of Members from the Permanent Select Committee on Intelligence to any House-Senate conference on this legislation.

I would appreciate you including our exchange of letters in the *Congressional Record* during floor consideration of H.R. 5925. Thank you for the cooperative spirit in which you have worked regarding this and other matters between our respective committees.

Sincerely,



Devin Nunes
Chairman

TREY GOWDY, SOUTH CAROLINA
CHAIRMAN

ONE HUNDRED FIFTEENTH CONGRESS

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

Majority (20) 225-5074
Minority (20) 225-5051
http://oversight.house.gov

June 18, 2018

The Honorable Rodney Frelinghuysen
Chairman, Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

On May 23, 2018, the Committee on Oversight and Government Reform ordered reported H.R. 5925, the *Coordinated Response through Interagency Strategy and Information Sharing Act*, with an amendment, by voice vote. The bill was referred primarily to the Committee on Oversight and Government Reform, with additional referrals to the Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence, and Appropriations.

I ask you allow the Committee on Appropriations to be discharged from further consideration of the bill so it may be scheduled for floor consideration by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Appropriations represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the *Congressional Record* during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,



Trey Gowdy

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Elijah E. Cummings
The Honorable Nita Lowey
The Honorable Thomas J. Wickham, Parliamentarian

RODNEY P. FRELINGHUYSEN, NEW JERSEY, CHAIRMAN
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 ROBERT W. ADERHOLT, ALABAMA
 KAY CHANIER, TEXAS
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 DEBBE WASSERMAN SCHULTZ, FLORIDA
 HENRY CUELLAR, TEXAS
 CHELSEY PROSE, MAINE
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 GRACE MENG, NEW YORK
 MARK KUCAN, WISCONSIN
 KATHERINE M. CLARK, MASSACHUSETTS
 PETE AGUIAR, CALIFORNIA

Congress of the United States
 House of Representatives
 Committee on Appropriations
 Washington, DC 20515-6015

June 19, 2018

 NANCY FOX
 CLERK AND STAFF DIRECTOR
 TELEPHONE:
 (202) 225-2771

The Honorable Trey Gowdy
 Chairman, Committee on Oversight & Government Reform
 U.S. House of Representatives
 Washington, DC 20515

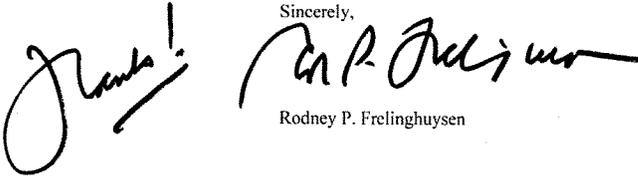
Dear Mr. Ch 

Thank you for your letter regarding H.R. 5925, the *Coordinated Response through Interagency Strategy and Information Sharing Act*. As you know, certain provisions of the bill fall within the jurisdiction of Committee on Appropriations.

So that H.R. 5925 may proceed expeditiously to the House Floor, I agree to discharging the Committee on Appropriations from further consideration thereof, subject to the understanding that forgoing formal consideration of the bill will not prejudice the Committee on Appropriations with respect to any future jurisdictional claim. The Committee on Appropriations also reserves the right to seek an appropriate number of conferees to any House-Senate conference on this or related legislation.

I request you include our exchange of letters in the bill report filed by your Committee, as well as in the *Congressional Record* during consideration of the bill on the floor.

Sincerely,


 Rodney P. Frelinghuysen

cc: The Honorable Paul D. Ryan, Speaker
 The Honorable Nita Lowey
 The Honorable Elijah E. Cummings
 The Honorable Thomas J. Wickham, Jr., Parliamentarian

TREY GOWDY, SOUTH CAROLINA
CHAIRMAN

ONE HUNDRED FIFTEENTH CONGRESS

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER**Congress of the United States**
House of RepresentativesCOMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143Majority (20) 225-5074
Minority (20) 225-8091
<http://oversight.house.gov>

June 19, 2018

The Honorable Greg Walden
Chairman, Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

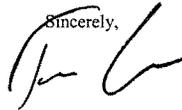
Dear Mr. Chairman:

On May 23, 2018, the Committee on Oversight and Government Reform ordered reported H.R. 5925, the *Coordinated Response through Interagency Strategy and Information Sharing Act*, with an amendment, by voice vote. The bill was referred primarily to the Committee on Oversight and Government Reform, with additional referrals to the Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence, and Appropriations.

I ask you allow the Committee on Energy and Commerce to be discharged from further consideration of the bill so it may be scheduled for floor consideration by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Energy and Commerce represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the *Congressional Record* during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,



Trey Gowdy

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Elijah E. Cummings
The Honorable Frank Pallone
The Honorable Thomas J. Wickham, Parliamentarian

TREY GOWDY, SOUTH CAROLINA
CHAIRMAN

ONE HUNDRED FIFTEENTH CONGRESS

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

MAJORITY (205) 225-5072
MINORITY (205) 225-5051
<http://oversight.house.gov>

June 19, 2018

The Honorable Bob Goodlatte
Chairman, Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

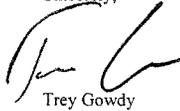
Dear Mr. Chairman:

On May 23, 2018, the Committee on Oversight and Government Reform ordered reported H.R. 5925, the *Coordinated Response through Interagency Strategy and Information Sharing Act*, with an amendment, by voice vote. The bill was referred primarily to the Committee on Oversight and Government Reform, with additional referrals to the Committees on Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence, and Appropriations.

I ask you allow the Committee on the Judiciary to be discharged from further consideration of the bill so it may be scheduled for floor consideration by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the *Congressional Record* during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,



Trey Gowdy

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Elijah E. Cummings
The Honorable Jerry Nadler
The Honorable Thomas J. Wickham, Parliamentarian

