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116TH CONGRESS }
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SENATE

{ REPORT
116-248

EXPANDING FINDINGS FOR FEDERAL
OPIOID RESEARCH AND TREATMENT ACT

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

H.R. 3153



AUGUST 6, 2020.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

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SECOND SESSION

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Mr. WICKER, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany H.R. 3153]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (H.R. 3153) to direct the Director of the National Science Foundation to support research on opioid addiction, and for other purposes, having considered the same, reports favorably thereon with an amendment (in the nature of a substitute) and recommends that the bill (as amended) do pass.

PURPOSE OF THE BILL

The purpose of this bill would be to direct the Director of the National Science Foundation (NSF) to support further research on opioid addiction and other purposes.

BACKGROUND AND NEEDS

Every day, over 192 deaths occur due to drug overdoses in the United States.¹ In 2017, there were 70,237 deaths associated with drug use in the United States.² According to the Centers for Disease Control and Prevention (CDC), there have been three distinct

¹U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, “Opioid Overdose: Drug Overdose Deaths,” (<https://www.cdc.gov/drugoverdose/data/statedeaths.html>) (accessed Apr. 2, 2020).

²U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, “Drug and Opioid-Involved Overdose Deaths—United States, 2017–2018,” (<https://www.cdc.gov/mmwr/volumes/69/wr/mm6911a4.htm>) (accessed Apr. 2, 2020).

waves of increases in opioid deaths in the modern era.³ Beginning in the 1990s, opioid deaths were attributed mostly to overdose of prescription drugs (e.g., natural and semi-synthetic opioids and methadone).⁴ The second wave began in 2010, when overdose deaths involving heroin increased dramatically.⁵ Then, in 2013, there were significant increases in deaths related to synthetic opioids, specifically those containing illicitly manufactured fentanyl (IMF), which has been consistently found in combination with heroin, counterfeit pills, and cocaine.⁶ The CDC continues to fight the opioid epidemic, which persists today. The agency has partnered with States and communities to identify outbreaks, collect data, and respond to overdoses. The CDC's main focus lies in building prevention efforts, improving data quality and tracking trends, supporting healthcare providers and health systems, partnering with public safety, and encouraging consumers to make safe choices.⁷ However, the worsening state of the epidemic has revealed large inconsistencies and gaps in research needed to fully understand and address critical problems.

In response to the knowledge gaps relating to opioids, the Office of Science and Technology Policy (OSTP) established a Fast-Track Action Committee on Health Science and Technology Response to the Opioid Crisis (Opioid FTAC) under the National Science and Technology Council (NSTC). The Opioid FTAC published a research roadmap identifying seven priority research areas in order to support the response to the crisis. These areas include the biology and chemistry of pain and opioid addiction, non-biological contributors to opioid addiction, pain management, prevention of opioid addiction, treatment of opioid addiction and withdrawal, overdose prevention and recovery, community consequences of opioid addiction, and opportunities for enhanced coordination.⁸ In addition, a separate interagency committee, the Interagency Pain Research Coordinating Committee (IPRCC), published a Federal Pain Research Strategy (FPRS). The FPRS is intended to provide a long term strategic plan on advancing Federal pain research.⁹

As the agency focused on health research, the National Institute of Health (NIH) is the Federal lead for research on the opioid epidemic, but the NSF plays a role as well. For example, the NSF has funded research exploring the connection between the healthcare system and law enforcement workers to develop solutions that will positively impact both fields, which requires analyzing social problems, socio-ecological and socio-legal factors, and intersections be-

³U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, "Three Waves of Opioid Overdose Deaths," (<https://www.cdc.gov/drugoverdose/epidemic/index.html>) (accessed Apr. 2, 2020).

⁴Id.

⁵Id.

⁶Id. See also Rudd RA, Aleshire N, Zibbell JE, Gladden RM, "Increases in Drug and Opioid Overdose Deaths—United States, 2000–2014," *MMWR*, Jan. 1, 2016, 64(50); 1378–82 (<https://www.cdc.gov/mmwr/preview/mmwrhtml/mm6450a3.htm>) (accessed Apr. 2, 2020).

⁷U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, "Opioid Overdose: Understanding the Epidemic," (<https://www.cdc.gov/drugoverdose/epidemic/index.html>) (accessed Apr. 2, 2020).

⁸National Science and Technology Council, Fast Track Action Committee on Health Science and Technology Response to the Opioid Crisis Committee on Science, "Health Research and Development to Stem the Opioid Crisis: A National Roadmap," pg. vi, Oct. 2018 (<https://www.nih.gov/sites/default/files/Health-RD-to-Stem-Opioid-Crisis-2018-Roadmap-for-Public-Comment.pdf>) (accessed Apr. 2, 2020).

⁹National Science and Technology Council, Interagency Pain Research Coordinating Committee, "Federal Pain Research Strategy Overview," Dec. 12, 2018 (<https://www.iprcc.nih.gov/Federal-Pain-Research-Strategy/Overview>) (accessed Apr. 2, 2020).

tween law and medicine.¹⁰ The Opioid FTAC roadmap highlighted interagency collaboration as an important facet of improving all agencies' research on this topic, as each agency brings its own strengths to the research bench.¹¹

SUMMARY OF PROVISIONS

This legislation would direct the Director of the NSF, in conjunction with the Director of the NIH, to support merit-reviewed and competitively awarded research on the science of opioid addiction.

LEGISLATIVE HISTORY

H.R. 3153 was introduced on June 6, 2019, by Representative Wexton (for herself and Representatives Baird, Dean, Connolly, Fitzpatrick, and Kilmer) and was referred to the Committee on Science, Space, and Technology of the House of Representatives. There are 20 additional cosponsors. On June 20, 2019, that Committee met in Executive Session and, by voice vote, ordered H.R. 3153 reported favorably without amendment. H.R. 3153 was reported by that Committee on June 27, 2019, and it was passed under suspension of the rules on July 23, 2019, in the House of Representatives.

On July 24, 2019, H.R. 3153 was received in the Senate and referred to the Committee on Commerce, Science, and Transportation of the Senate. On November 13, 2019, the Committee met in open Executive Session and, by voice vote, ordered H.R. 3153 reported favorably with an amendment (in the nature of a substitute) offered by Senator Gardner.

A companion bill, S. 2354, was introduced on July 31, 2019, by Senator Coons (for himself and Senator Gardner) and was referred to the Committee on Commerce, Science, and Transportation of the Senate.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

¹⁰National Science Foundation, Sociology, LSS–Law and Social Sciences, “CAREER: The Influence of Social Problems on Healthcare and Legal Institutions, Abstract Award,” Sep. 11, 2019 (https://www.nsf.gov/awardsearch/showAward?AWD_ID=1753308&HistoricalAwards=false) (accessed Apr. 2, 2020).

¹¹National Science and Technology Council, Fast Track Action Committee on Health Science and Technology Response to the Opioid Crisis Committee on Science, “Health Research and Development to Stem the Opioid Crisis: A National Roadmap,” pg. vi, Oct. 2018 (<https://www.nih.gov/sites/default/files/Health-RD-to-Stem-Opioid-Crisis-2018-Roadmap-for-Public-Comment.pdf>) (accessed Apr. 2, 2020).

H.R. 3153, EFFORT Act			
As ordered reported by the Senate Committee on Commerce, Science, and Transportation on November 13, 2019			
By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Deficit Effect	0	0	0
Spending Subject to Appropriation (Outlays)	1	27	45
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 3153 would authorize the appropriation of \$10 million annually over the 2020–2024 period for the National Science Foundation (NSF) to support research on the science of opioid addiction.

Using information from the NSF, CBO estimates that the agency allocated \$5 million in 2019 for those purposes. Because CBO estimates the budgetary effects of continuing resolutions on an annualized basis, in 2020 CBO assumes that the NSF will allocate the same amount from funds made available under the current continuing resolution (Public Law 116–69). As a result, CBO estimates that H.R. 3153 would authorize an increase in spending subject to appropriation in 2020 of \$5 million, the difference between the authorized amount and the annualized amount under the continuing resolution. Assuming appropriation of the authorized amounts, and based on historical spending patterns for similar activities, CBO estimates that implementing the legislation would cost \$27 million over the 2020–2024 period and \$18 million after 2024.

The costs of the legislation (detailed in Table 1) fall within budget function 250 (science, space, and technology).

Table 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 3153

	By fiscal year, millions of dollars—												
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020–2024	2020–2029	
Authorization ^{1a}	5	10	10	10	10	0	0	0	0	0	45	45	
Estimated Outlays	1	3	6	8	9	8	5	3	1	1	27	45	

^aH.R. 3153 would authorize the appropriation of \$10 million in 2020 for the NSF to support research on opioid addiction. However using information from the NSF, CBO estimates that \$5 million has been allocated on an annualized basis from funds made available under the current continuing resolution (Public Law 116–69), which provided appropriations through December 20, 2019. Thus, the estimated authorization for 2020, (\$5 million) is equal to the specified amount (\$10 million) minus the annualized amount from the continuing resolution (\$5 million).

On June 25, 2019, CBO transmitted a cost estimate for H.R. 3153, the EFFORT Act, as ordered reported by the House Committee on Science, Space, and Technology on June 20, 2019. Both versions of the legislation would direct the NSF to support research on the science of opioid addiction, however, H.R. 3153 as ordered reported by the Senate Committee on Commerce, Science, and Transportation also would authorize appropriations for that pur-

pose. Accordingly, CBO's estimates of the budgetary effects reflect that difference.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

Because H.R. 3153 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title; findings.

This section would provide that the bill may be cited as the "Expanding Findings for Federal Opioid Research and Treatment Act" or the "EFFORT Act".

This section also would describe congressional findings which detail that there are gaps in opioid addiction research and notes that the NSF and NIH have been influential in providing expertise to develop understanding in many key areas relating to the opioid crisis. The findings note that NSF and NIH have recognized that this research would benefit from multidisciplinary collaboration.

Section 2. NSF support of research on opioid addiction.

This section would direct NSF and NIH to support merit-reviewed and competitively awarded research on the science of opioid addiction. This section also authorizes to be appropriated \$10 million for each of fiscal years 2020 through 2024 in order to carry out the section.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.