

115TH CONGRESS
2D SESSION

H. R. 5925

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2018

Received; read twice and referred to the Committee on the Judiciary

AN ACT

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

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

1 **SECTION 1. SHORT TITLE.**

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

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

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

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

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

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

“SUBCHAPTER I—OFFICE

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

“SUBCHAPTER II—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

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

1 “SUBCHAPTER I—OFFICE

2 **“§ 1001. Definitions**

3 “In this chapter:

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

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

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

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

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

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

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

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

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

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

21 “(C) substance use disorder treatment;

22 “(D) illicit drug use research;

23 “(E) drug-free workplace programs;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 “(B) domestic law enforcement;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 “(1) DIRECTOR.—

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

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

19 “(2) DEPUTY DIRECTOR.—

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

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

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

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

6 “(c) RESPONSIBILITIES.—

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

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

16 “(A) shall consult with—

17 “(i) State and local governments;

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

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

23 “(iv) the public;

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

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

3 “(B) may—

4 “(i) establish advisory councils;

5 “(ii) acquire data from agencies; and

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

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

9 “(a) EMPLOYMENT.—

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

15 “(2) PROHIBITIONS.—

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

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

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

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

8 “(c) PERSONNEL DETAILED TO OFFICE.—

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

16 “(2) COMPENSATION.—

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

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

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

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

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

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

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

21 “(2) personnel of the Office.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 “(2) REVIEW OF BUDGET REQUESTS.—

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

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

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

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

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

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

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

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

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

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

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

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

3 “(4) AGENCY RESPONSE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 “(f) REPROGRAMMING AND TRANSFER REQUESTS.—

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

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

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

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

4 “(a) IN GENERAL.—

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

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

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

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

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

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

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

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

18 “(A) shall consult with—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 each National Drug Control Program Agency,
2 including—

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(2) ADDITIONAL STRATEGIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 “(e) SUBMISSION OF REVISED STRATEGY.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 “(g) PERFORMANCE-BUDGET COORDINATOR.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2 and

3 “(B) for any other agency, 10.

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

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

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

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

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

1 “(5) the Director shall—

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

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

14 “(6) funds may only be used for—

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

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

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

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

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

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

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

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

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

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

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

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

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

19 “(F) the Director shall—

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

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

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

10 “(G) funds may only be used for—

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

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

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

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

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

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

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

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

15 “(e) FUND CONTROL NOTICES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2 “(a) EMERGING THREATS TASK FORCE.—

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

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

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

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

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

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

6 “(3) INFORMATION REVIEW AND SHARING.—

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

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

15 “(ii) Fatal and nonfatal overdoses.

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

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

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

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

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

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

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

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

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

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

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

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

14 “(b) DESIGNATION.—

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

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

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

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

11 “(c) PLAN.—

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

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

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

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

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

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

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

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

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

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

12 “(4) IMPLEMENTATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 “(C) experts on the designated drug;

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

16 “(E) the public;

17 “(F) appropriate congressional committees;

18 and

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

21 “(3) GIFTS AND DONATIONS.—

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

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

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

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

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

21 “(4) IMPLEMENTATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 “(5) EVALUATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 “(b) STANDARDS.—

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

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

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

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

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

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

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

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

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

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

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

17 “(c) PRIVATE SECTOR.—

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

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

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

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

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

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

18 “(d) MODEL ACTS PROGRAM.—

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

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

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

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

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

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

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

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

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

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

8 **“§ 1011. Interdiction**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(i) includes—

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

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

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

1 in which such patrol hours took place;
2 and

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

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

10 “(b) INTERDICTION COMMITTEE.—

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

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

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

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

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

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

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

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

22 **“§ 1012. Treatment coordinator**

23 “(a) UNITED STATES TREATMENT COORDINATOR.—

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

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

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

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

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

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

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

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

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

21 “(4) NATIONAL TREATMENT PLAN.—

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

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

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

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

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

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

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

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

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

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

10 “(b) TREATMENT COMMITTEE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 “(i) The recipient.

16 “(ii) The amount.

17 “(iii) The intended purpose.

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

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

23 “(4) TOXICOLOGY SCREENING.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 “(A) The public.

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

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

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

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

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

17 “(c) EVIDENCE-BASED POLICY.—

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

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

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

13 “(d) DRUG CONTROL DATA DASHBOARD.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 “(e) ACCESS TO INFORMATION.—

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

22 “(A) drug control; or

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

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

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

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

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

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

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

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

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

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

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

16 “(i) arrests for drug violations;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 **SUPPORT PROGRAM**

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

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

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

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

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

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

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

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

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

21 **“§ 1022. Program authorization**

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

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

4 “(2) MAJOR SECTOR INVOLVEMENT.—

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

8 “(i) Youth.

9 “(ii) Parents.

10 “(iii) Businesses.

11 “(iv) The media.

12 “(v) Schools.

13 “(vi) Organizations serving youth.

14 “(vii) Law enforcement.

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

17 “(ix) Civic and volunteer groups.

18 “(x) Health care professionals.

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

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

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

9 “(i) the Federal Government; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(A) is—

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

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

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

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

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

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

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

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

18 “(ii) approved by the Administrator;

19 “(B) conduct—

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

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

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

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

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

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

17 “(b) GRANT AMOUNTS.—

18 “(1) IN GENERAL.—

19 “(A) GRANTS.—

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

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

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

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

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

24 “(B) COALITION AWARDS.—

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

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

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

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

16 “(2) RURAL COALITION GRANTS.—

17 “(A) IN GENERAL.—

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

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

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

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

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

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

6 “(C) LIMITATIONS.—

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

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

15 “(3) ADDITIONAL GRANTS.—

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

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

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

6 “(C) NO PRIORITY FOR APPLICATIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

15 “(a) COALITION INFORMATION.—

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

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

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

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

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

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

16 “(b) DATA COLLECTION AND DISSEMINATION.—

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

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

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

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

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

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

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

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

14 “(ii) the general public.

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

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

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

2 “(a) IN GENERAL.—

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

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

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

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

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

17 “(1) coalition building;

18 “(2) task force development;

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

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

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

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

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

6 “(b) TREATMENT WITH OTHER GRANTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(g) GRANT AMOUNTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 **“§ 1027. Definitions**

21 “In this subchapter:

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

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

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

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

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

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

14 “(A) the illegal use or misuse of drugs, in-
15 cluding substances for which a listing is in ef-
16 fect under any of schedules I through V under
17 section 202 of the Controlled Substances Act
18 (21 U.S.C. 812);

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

21 “(C) the use of alcohol, tobacco, or other
22 related product as such use is prohibited by
23 State or local law.

24 “(7) YOUTH.—The term ‘youth’ shall have the
25 meaning provided that term by the Administrator.

1 **“§ 1028. Drug-free communities reauthorization**

2 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
3 are authorized to be appropriated to the Office to carry
4 out this subchapter \$99 million for each of the fiscal years
5 2019 through 2023.

6 “(b) ADMINISTRATIVE COSTS.—Not more than 8
7 percent of the funds appropriated for this subchapter may
8 be used by the Office or, in the discretion of the Director,
9 an agency delegated to carry out the program under sec-
10 tion 1021(d) to pay for administrative costs associated
11 with carrying out the program.”.

12 (d) TECHNICAL AND CONFORMING AMENDMENT.—
13 The table of chapters for subtitle I of title 31, United
14 States Code, is amended by adding at the end the fol-
15 lowing new item:

“10. Office of National Drug Control 1001”.

16 **SEC. 3. HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-**
17 **GRAM.**

18 (a) ESTABLISHMENT.—

19 (1) IN GENERAL.—There is established in the
20 Office a program to be known as the High Intensity
21 Drug Trafficking Areas Program (in this section re-
22 ferred to as the “Program”).

23 (2) PURPOSE.—The purpose of the Program is
24 to reduce drug trafficking and drug production in
25 the United States by—

1 (A) facilitating cooperation among Federal,
2 State, local, and Tribal law enforcement agen-
3 cies to share information and implement coordi-
4 nated enforcement activities;

5 (B) enhancing law enforcement intelligence
6 sharing among Federal, State, local, and Tribal
7 law enforcement agencies;

8 (C) providing reliable law enforcement in-
9 telligence to law enforcement agencies needed to
10 design effective enforcement strategies and op-
11 erations; and

12 (D) supporting coordinated law enforce-
13 ment strategies which maximize use of available
14 resources to reduce the supply of illegal drugs
15 in designated areas and in the United States as
16 a whole.

17 (b) DESIGNATION.—

18 (1) IN GENERAL.—The Director, in consulta-
19 tion with the Attorney General, the Secretary of the
20 Treasury, the Secretary of Homeland Security, the
21 head of each National Drug Control Program Agen-
22 cy, and the Governor of each applicable State, may
23 designate any specified area of the United States as
24 a high intensity drug trafficking area.

1 (2) ACTIVITIES.—After making a designation
2 under paragraph (1) and in order to provide Federal
3 assistance to the area so designated, the Director
4 may—

5 (A) obligate such sums as are appropriated
6 for the Program;

7 (B) direct the temporary reassignment of
8 Federal personnel to such area, subject to the
9 approval of the head of the agency that employs
10 such personnel;

11 (C) take any other action authorized under
12 this section or chapter 10 of title 31, United
13 States Code, as added by section 2(c), to pro-
14 vide increased Federal assistance to those
15 areas; and

16 (D) coordinate activities under this section
17 (specifically administrative, recordkeeping, and
18 funds management activities) with State, local,
19 and Tribal officials.

20 (c) PETITIONS FOR DESIGNATION.—The Director
21 shall establish and maintain regulations under which a co-
22 alition of interested law enforcement agencies from an
23 area may petition for designation as a high intensity drug
24 trafficking area (in this section referred to as the
25 “HIDTA”). Such regulations shall provide for a regular

1 review by the Director of the petition, including a rec-
2 ommendation regarding the merit of the petition to the
3 Director by a panel of qualified, independent experts.

4 (d) FACTORS FOR CONSIDERATION.—In considering
5 whether to designate an area under this section as a high
6 intensity drug trafficking area, the Director shall consider,
7 in addition to such other criteria as the Director considers
8 to be appropriate, the extent to which—

9 (1) the area is a significant center of illegal
10 drug production, manufacturing, importation, or dis-
11 tribution;

12 (2) State, local, and Tribal law enforcement
13 agencies have committed resources to respond to the
14 drug trafficking problem in the area, thereby indi-
15 cating a determination to respond aggressively to the
16 problem;

17 (3) drug-related activities in the area are hav-
18 ing a significant harmful impact in the area, and in
19 other areas of the country; and

20 (4) a significant increase in allocation of Fed-
21 eral resources is necessary to respond adequately to
22 drug-related activities in the area.

23 (e) ORGANIZATION OF HIGH INTENSITY DRUG TRAF-
24 FICKING AREAS.—

1 (1) EXECUTIVE BOARD AND OFFICERS.—To be
2 eligible for funds appropriated under this section,
3 each high intensity drug trafficking area shall be
4 governed by an Executive Board. The Executive
5 Board shall designate a chairman, vice chairman,
6 and any other officers to the Executive Board that
7 it determines are necessary.

8 (2) RESPONSIBILITIES.—The Executive Board
9 of a high intensity drug trafficking area shall be re-
10 sponsible for—

11 (A) providing direction and oversight in es-
12 tablishing and achieving the goals of the high
13 intensity drug trafficking area;

14 (B) managing the funds of the high inten-
15 sity drug trafficking area;

16 (C) reviewing and approving all funding
17 proposals consistent with the overall objective of
18 the high intensity drug trafficking area; and

19 (D) reviewing and approving all reports to
20 the Director on the activities of the high inten-
21 sity drug trafficking area.

22 (3) BOARD REPRESENTATION.—None of the
23 funds appropriated under this section may be ex-
24 pended for any high intensity drug trafficking area,
25 or for a partnership or region of a high intensity

1 drug trafficking area, if the Executive Board for
2 such area, region, or partnership, does not apportion
3 an equal number of votes between representatives of
4 participating agencies and representatives of partici-
5 pating State, local, and Tribal agencies. Where it is
6 impractical for an equal number of representatives
7 of agencies and State, local, and Tribal agencies to
8 attend a meeting of an Executive Board in person,
9 the Executive Board may use a system of proxy
10 votes or weighted votes to achieve the voting balance
11 required by this paragraph.

12 (4) NO AGENCY RELATIONSHIP.—The eligibility
13 requirements of this section are intended to ensure
14 the responsible use of Federal funds. Nothing in this
15 section is intended to create an agency relationship
16 between individual high intensity drug trafficking
17 areas and the Federal Government.

18 (f) USE OF FUNDS.—The Director shall ensure that
19 not more than 5 percent of Federal funds appropriated
20 for the Program are expended for substance use disorder
21 treatment programs and not more than 5 percent of the
22 Federal funds appropriated for the Program are expended
23 for drug prevention programs.

24 (g) COUNTERTERRORISM ACTIVITIES.—

1 (1) ASSISTANCE AUTHORIZED.—The Director
2 may authorize use of resources available for the Pro-
3 gram to assist Federal, State, local, and Tribal law
4 enforcement agencies in investigations and activities
5 related to terrorism and prevention of terrorism, es-
6 pecially but not exclusively with respect to such in-
7 vestigations and activities that are also related to
8 drug trafficking.

9 (2) LIMITATION.—The Director shall ensure—

10 (A) that assistance provided under para-
11 graph (1) remains incidental to the purpose of
12 the Program to reduce drug availability and
13 carry out drug-related law enforcement activi-
14 ties; and

15 (B) that significant resources of the Pro-
16 gram are not redirected to activities exclusively
17 related to terrorism, except on a temporary
18 basis under extraordinary circumstances, as de-
19 termined by the Director.

20 (h) ROLE OF DRUG ENFORCEMENT ADMINISTRA-
21 TION.—The Director, in consultation with the Attorney
22 General, shall ensure that a representative of the Drug
23 Enforcement Administration is included in the Intelligence
24 Support Center for each high intensity drug trafficking
25 area.

1 (i) EMERGING THREAT RESPONSE FUND.—

2 (1) IN GENERAL.—Subject to the availability of
3 appropriations, the Director may expend up to 10
4 percent of the amounts appropriated under this sec-
5 tion on a discretionary basis, in accordance with the
6 criteria established under paragraph (2)—

7 (A) to respond to any emerging drug traf-
8 ficking threat in an existing high intensity drug
9 trafficking area;

10 (B) to establish a new high intensity drug
11 trafficking area; or

12 (C) to expand an existing high intensity
13 drug trafficking area.

14 (2) CONSIDERATION OF IMPACT.—In allocating
15 funds under this subsection, the Director shall con-
16 sider—

17 (A) the impact of activities funded on re-
18 ducing overall drug traffic in the United States,
19 or minimizing the probability that an emerging
20 drug trafficking threat will spread to other
21 areas of the United States; and

22 (B) such other criteria as the Director con-
23 siders appropriate.

24 (j) ANNUAL HIDTA PROGRAM BUDGET SUBMIS-
25 SIONS.—As part of the documentation that supports the

1 President’s annual budget request for the Office, the Di-
2 rector shall submit to Congress a budget justification that
3 includes—

4 (1) the amount proposed for each HIDTA, con-
5 ditional upon a review by the Office of the request
6 submitted by such HIDTA and the performance of
7 such HIDTA, with supporting narrative descriptions
8 and rationale for each request;

9 (2) a detailed justification that explains—

10 (A) the reasons for the proposed funding
11 level and how such funding level was deter-
12 mined based on a current assessment of the
13 drug trafficking threat in each high intensity
14 drug trafficking area;

15 (B) how such funding will ensure that the
16 goals and objectives of each such area will be
17 achieved; and

18 (C) how such funding supports the Na-
19 tional Drug Control Strategy; and

20 (3) the amount of HIDTA funds used to inves-
21 tigate and prosecute organizations and individuals
22 trafficking in each major illicit drug, as identified by
23 the Director, in the prior calendar year, and a de-
24 scription of how those funds were used.

1 (k) HIDTA ANNUAL EVALUATION REPORT.—As
2 part of each report submitted pursuant to section 1006(a)
3 of title 31, United States Code, as added by section 2(e),
4 the Director shall include, for each designated high inten-
5 sity drug trafficking area, a report that—

6 (1) describes—

7 (A) the specific purposes for the high in-
8 tensity drug trafficking area; and

9 (B) the specific long-term and short-term
10 goals and objectives for the high intensity drug
11 trafficking area;

12 (2) includes an evaluation of the performance of
13 the high intensity drug trafficking area in accom-
14 plishing the specific long-term and short-term goals
15 and objectives identified under subparagraph (1)(B);

16 (3) assesses the number and operation of all
17 federally funded drug enforcement task forces within
18 such high intensity drug trafficking area;

19 (4) describes—

20 (A) each Federal, State, local, and Tribal
21 drug enforcement task force operating in such
22 high intensity drug trafficking area;

23 (B) how such task forces coordinate with
24 each other, with any high intensity drug traf-
25 ficking area task force, and with investigations

1 receiving funds from the Organized Crime and
2 Drug Enforcement Task Force;

3 (C) what steps, if any, each such task
4 force takes to share information regarding drug
5 trafficking and drug production with other fed-
6 erally funded drug enforcement task forces in
7 the high intensity drug trafficking area;

8 (D) the role of the high intensity drug
9 trafficking area in coordinating the sharing of
10 such information among task forces;

11 (E) the nature and extent of cooperation
12 by each Federal, State, local, and Tribal partic-
13 ipant in ensuring that such information is
14 shared among law enforcement agencies and
15 with the high intensity drug trafficking area;

16 (F) the nature and extent to which infor-
17 mation sharing and enforcement activities are
18 coordinated with joint terrorism task forces in
19 the high intensity drug trafficking area; and

20 (G) any recommendations for measures
21 needed to ensure that task force resources are
22 utilized efficiently and effectively to reduce the
23 availability of illegal drugs in the high intensity
24 drug trafficking areas; and

1 (5) in consultation with the Director of Na-
2 tional Intelligence—

3 (A) evaluates existing and planned law en-
4 forcement intelligence systems supported by
5 such high intensity drug trafficking area, or
6 utilized by task forces receiving any funding
7 under the Program, including the extent to
8 which such systems ensure access and avail-
9 ability of law enforcement intelligence to Fed-
10 eral, State, local, and Tribal law enforcement
11 agencies within the high intensity drug traf-
12 ficking area and outside of such area;

13 (B) evaluates the extent to which Federal,
14 State, local, and Tribal law enforcement agen-
15 cies participating in each high intensity drug
16 trafficking area are sharing law enforcement in-
17 telligence information to assess current drug
18 trafficking threats and design appropriate en-
19 forcement strategies; and

20 (C) identifies the measures needed to im-
21 prove effective sharing of information and law
22 enforcement intelligence regarding drug traf-
23 ficking and drug production among Federal,
24 State, local, and Tribal law enforcement partici-
25 pating in a high intensity drug trafficking area,

1 and between such agencies and similar agencies
2 outside the high intensity drug trafficking area.

3 (1) COORDINATION OF LAW ENFORCEMENT INTEL-
4 LIGENCE SHARING WITH ORGANIZED CRIME DRUG EN-
5 FORCEMENT TASK FORCE PROGRAM.—

6 (1) DRUG ENFORCEMENT INTELLIGENCE SHAR-
7 ING.—The Director, in consultation with the Attor-
8 ney General, shall ensure that any drug enforcement
9 intelligence obtained by the Intelligence Support
10 Center for each high intensity drug trafficking area
11 is shared, on a timely basis, with the drug intel-
12 ligence fusion center operated by the Organized
13 Crime Drug Enforcement Task Force of the Depart-
14 ment of Justice.

15 (2) CERTIFICATION.—Before the Director
16 awards any funds to a high intensity drug traf-
17 ficking area, the Director shall certify that the law
18 enforcement entities participating in that HIDTA
19 are providing laboratory seizure data to the national
20 clandestine laboratory database at the El Paso Intel-
21 ligence Center.

22 (m) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to the Office to carry out
24 this section \$280 million for each fiscal years 2019
25 through 2023.

1 (n) SPECIFIC PURPOSES.—

2 (1) IN GENERAL.—The Director shall ensure
3 that, of the amounts appropriated for a fiscal year
4 for the Program, at least 2.5 percent is used in high
5 intensity drug trafficking areas with severe neigh-
6 borhood safety and illegal drug distribution prob-
7 lems.

8 (2) REQUIRED USES.—The funds used under
9 paragraph (1) shall be used to ensure the safety of
10 neighborhoods and the protection of communities,
11 including the prevention of the intimidation of wit-
12 nesses of illegal drug distribution and related activi-
13 ties and the establishment of or support for pro-
14 grams that provide protection or assistance to wit-
15 nesses in court proceedings.

16 (3) BEST PRACTICE MODELS.—The Director
17 shall work with the HIDTAs to develop and main-
18 tain best practice models to assist State, local, and
19 Tribal governments in addressing witness safety, re-
20 location, financial and housing assistance, or any
21 other services related to witness protection or assist-
22 ance in cases of illegal drug distribution and related
23 activities. The Director shall ensure dissemination of
24 the best practice models to each HIDTA.

1 **SEC. 4. OPIOID CRISIS RESPONSE.**

2 (a) EMERGING THREAT DESIGNATION.—The Direc-
3 tor shall designate opioids and opioid analogues as emerg-
4 ing drug threats, in accordance with section 1009 of title
5 31, United States Code, as added by section 2(c).

6 (b) OPIOID RESPONSE PLAN.—

7 (1) ISSUANCE.—Not later than 60 days after
8 the date of the enactment of this Act, the Director
9 shall publish, make publicly available, and notify the
10 President and the appropriate congressional commit-
11 tees of, the plan required under section 1009 of title
12 31, United States Code, as added by section 2(c), to
13 be designated as the “National Opioid Crisis Re-
14 sponse Plan”.

15 (2) CONTENTS.—The Director shall ensure the
16 plan establishes measurable goals, including reduc-
17 ing fatal and non-fatal overdoses, and includes the
18 following:

19 (A) An initiative to ensure the United
20 States mail is effectively screened to prevent il-
21 licit drugs from entering the United States, in-
22 cluding—

23 (i) designating the United States
24 Postal Service as a National Drug Control
25 Program Agency;

1 (ii) directing the United States Postal
2 Service and any other related National
3 Drug Control Program Agency to take any
4 appropriate actions necessary to reduce the
5 amount of illicit drugs entering the coun-
6 try; and

7 (iii) developing an international co-
8 ordination plan, in consultation with the
9 National Drug Control Program Agencies
10 and in accordance with section 1010 of
11 such title 31, United States Code, as
12 added by section 2(c), to include efforts to
13 address international drug control initia-
14 tives and strengthen bilateral and multilat-
15 eral strategies to reduce illicit drugs and
16 precursor chemicals from entering the
17 United States through international mail
18 or across land borders or ports of entry.

19 (B) Support for universal adoption of evi-
20 dence-based prescribing guidelines, including—

21 (i) establishing a task force to supple-
22 ment existing prescribing guidelines with
23 evidence-based standards and to facilitate,
24 coordinate, and, as appropriate, conduct
25 research to inform such guidelines;

1 (ii) encouraging the adoption of evi-
2 dence-based prescribing guidelines by each
3 relevant agency, State and local govern-
4 ments, and private sector organizations;

5 (iii) issuing guidance to National
6 Drug Control Program Agencies to, as ap-
7 propriate, revise regulations to ensure pro-
8 fessionals have effective continuing edu-
9 cation requirements; and

10 (iv) disseminating and encouraging
11 the adoption of best practices and evi-
12 dence-based guidelines for effective pre-
13 scribing practices.

14 (C) A program to monitor the prescription
15 drug market and illicit drug market for changes
16 in trends relevant to reducing the supply or de-
17 mand of such drugs.

18 (D) An initiative to facilitate and coordi-
19 nate Federal, State and local government initia-
20 tives, studies, and pilot or demonstration pro-
21 grams designed to evaluate the benefits of drug
22 courts and related programs that reduce sub-
23 stance use prevalence.

24 (E) A program, developed in coordination
25 with the private sector, to—

1 (i) facilitate the development of treat-
2 ment and abuse-deterrent products, in ac-
3 cordance with section 1010(c) of title 31,
4 United States Code, as added by section
5 2(c); and

6 (ii) encourage the expansion of medi-
7 cation disposal programs and technology.

8 (F) Initiatives to—

9 (i) encourage the National Drug Con-
10 trol Program Agencies and the program
11 established under section 1010(d) of title
12 31, United States Code, as added by sec-
13 tion 2(c), to prioritize the development of
14 sentencing standards or model codes for
15 trafficking opioids and opioid analogues;
16 and

17 (ii) to advise States on establishing
18 laws and policies to address opioid issues
19 based on the recommendations developed
20 and set forth by the President’s Commis-
21 sion on Combating Drug Addiction and the
22 Opioid Crisis.

23 (G) A program to identify successful col-
24 lege recovery programs, including sober housing
25 programs that provide a shared living residence

1 free of alcohol or illicit drug use for individuals
2 recovering from drug or alcohol addiction and
3 substance use disorders, on college campuses
4 and disseminate best practices to Colleges and
5 Universities to increase the number and capac-
6 ity of such programs.

7 (H) Convening working groups, consisting
8 of the appropriate National Drug Control Pro-
9 gram Agencies, State, local and Tribal govern-
10 ments, and other appropriate stakeholders, es-
11 tablished in accordance with section 1010 of
12 title 31, United States Code, as added by sec-
13 tion 2(c)—

14 (i) to support Prescription Drug Mon-
15 itoring Programs by—

16 (I) facilitating the sharing and
17 interoperability of program data
18 among States and Federal prescrip-
19 tion drug monitoring programs;

20 (II) assisting States in increasing
21 utilization of such programs;

22 (III) facilitating efforts to incor-
23 porate available overdose and
24 naloxone deployment data into such
25 programs;

1 (IV) evaluating barriers to inte-
2 grating program data with electronic
3 health records; and

4 (V) offering recommendations to
5 address identified barriers; and

6 (ii) to develop standards, and encour-
7 age the use of such standards, for the col-
8 lection of data necessary to understand
9 and monitor the opioid crisis, including—

10 (I) State medical examiner re-
11 ports on deaths caused by overdoses
12 and related statistical data; and

13 (II) first responder opioid intoxi-
14 cation incidents.

15 (I) Research initiatives, to be initiated not
16 later than 30 days after the issuance of the
17 plan, to evaluate the uses and barriers to use
18 of and the effects of improving the following
19 programs:

20 (i) Medication Assisted Treatment.

21 (ii) Data collection systems used to
22 confirm opioid use by individuals who have
23 been arrested or hospitalized.

24 (J) A requirement for an Advisory Com-
25 mittee on Substance Use Disorder Treatment

1 Standards, to be established not later than 120
2 days after the issuance of the plan, to promul-
3 gate model evidence-based standards for sub-
4 stance use disorder treatment and recovery fa-
5 cilities which—

6 (i) shall be chaired by the Director;

7 (ii) shall include as members of the
8 advisory committee representatives of the
9 relevant National Drug Control Program
10 Agencies;

11 (iii) may include as members of the
12 advisory committee government regulators,
13 State representatives, consumer represent-
14 atives, substance use disorder treatment
15 providers, recovery residence owners and
16 operators, and purchasers of substance use
17 disorder treatments; and

18 (iv) shall ensure such model standards
19 are promulgated no later than 2 years
20 after the date of the issuance of the plan.

21 (c) RECOMMENDATIONS.—Not later than 1 year after
22 the date of the enactment of this Act, the Director shall
23 submit to the appropriate congressional committees a re-
24 port on the results of the initiatives conducted under sub-

1 section (b)(2)(I) and may include recommendations based
2 on such results.

3 (d) GRANT REPORT TO CONGRESS.—Not later than
4 1 year after the date of the enactment of this Act, the
5 Director shall submit to the appropriate congressional
6 committees an assessment on the feasibility of block
7 grants of Federal funding to States.

8 **SEC. 5. EXCEPTIONS AND RULES OF CONSTRUCTION.**

9 (a) INAPPLICABILITY TO CERTAIN PROGRAMS.—This
10 Act, and the amendments made by this Act, shall not
11 apply to the National Intelligence Program and the Mili-
12 tary Intelligence Program, unless such program or an ele-
13 ment of such program is designated as a National Drug
14 Control Program—

15 (1) by the President; or

16 (2) jointly by—

17 (A) in the case of the National Intelligence
18 Program, the Director and the Director of Na-
19 tional Intelligence; or

20 (B) in the case of the Military Intelligence
21 Program, the Director, the Director of National
22 Intelligence, and the Secretary of Defense.

23 (b) CLASSIFIED INFORMATION.—Any contents of any
24 report required under this Act, or the amendments made
25 by this Act, that involve information properly classified

1 under criteria established by an Executive order shall be
2 presented to Congress separately from the rest of such re-
3 port.

4 (c) USE OF EXISTING RESOURCES.—To the extent
5 practicable, the Director and the head of each agency shall
6 use existing procedures and systems to carry out agency
7 requirements under this Act, and the amendments made
8 by this Act.

9 **SEC. 6. GAO AUDIT AND REPORTS.**

10 Not later than 3 and 6 years after the date of the
11 enactment of this Act, the Comptroller General shall—

12 (1) conduct an audit relating to the programs
13 and operations of—

14 (A) the Office; and

15 (B) certain programs within the Office, in-
16 cluding—

17 (i) the High Intensity Drug Traf-
18 ficking Areas Program;

19 (ii) the Drug-Free Communities Pro-
20 gram; and

21 (iii) the campaign under section
22 1009(d) of title 31, as added by section
23 2(c); and

1 (2) submit to the Director and the appropriate
2 congressional committees a report containing an
3 evaluation of and recommendations on the—

4 (A) policies and activities of the programs
5 and operations subject to the audit;

6 (B) economy, efficiency, and effectiveness
7 in the administration of the reviewed programs
8 and operations; and

9 (C) policy or management changes needed
10 to prevent and detect fraud and abuse in such
11 programs and operations.

12 **SEC. 7. REPEALS.**

13 (a) REPEALS TO THE LAW.—The following provisions
14 are repealed:

15 (1) The Office of National Drug Control Policy
16 Reauthorization Act of 1998 (Public Law 105–277;
17 21 U.S.C. 1701 et seq.).

18 (2) Chapter 2 of the National Narcotics Lead-
19 ership Act of 1988 (Public Law 100–690; 21 U.S.C.
20 1501 et seq.).

21 (3) Section 203 of the Office of National Drug
22 Control Policy Reauthorization Act of 2006 (Public
23 Law 109–469; 21 U.S.C. 1708a).

1 (4) Section 1105 of the Office of National Drug
2 Control Policy Reauthorization Act of 2006 (Public
3 Law 109–469; 21 U.S.C. 1701 note).

4 (5) Section 1110 of Office of National Drug
5 Control Policy Reauthorization Act of 2006 (Public
6 Law 109–469; 21 U.S.C. 1705 note).

7 (6) Section 1110A of the Office of National
8 Drug Control Policy Reauthorization Act of 2006
9 (Public Law 109–469; 21 U.S.C. 1705 note).

10 (7) Section 4 of Public Law 107–82 (21 U.S.C.
11 1521 note).

12 (b) EFFECT ON THE CODE.—The Law Revision
13 Counsel shall ensure that the website and any other publi-
14 cation issued after the date of the enactment of this Act
15 for the Office of the Law Revision Counsel shows that the
16 laws reflected in subchapter II of chapter 20 and chapter
17 22 of nonpositive law title 21 of the United States Code
18 have been repealed.

19 **SEC. 8. DEFINITIONS.**

20 In this Act, the terms “agency”, “appropriate con-
21 gressional committees”, “Director”, “drug”, “emerging
22 drug threat”, “illicit drug use”, “illicit drugs”, “National
23 Drug Control Program Agencies”, and “Office” have the

- 1 meaning given those terms in section 1001 of title 31,
- 2 United States Code, as added by section 2(c).

Passed the House of Representatives June 20, 2018.

Attest:

KAREN L. HAAS,

Clerk.