

117TH CONGRESS
2D SESSION

S. 4358

To establish an awareness campaign related to the lethality of fentanyl and fentanyl-contaminated drugs, to establish a Federal Interagency Work Group on Fentanyl Contamination of Illegal Drugs, and to provide community-based coalition enhancement grants to mitigate the effects of drug misuse.

IN THE SENATE OF THE UNITED STATES

JUNE 8 (legislative day, JUNE 7), 2022

Ms. MURKOWSKI (for herself, Mrs. FEINSTEIN, Ms. HASSAN, and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish an awareness campaign related to the lethality of fentanyl and fentanyl-contaminated drugs, to establish a Federal Interagency Work Group on Fentanyl Contamination of Illegal Drugs, and to provide community-based coalition enhancement grants to mitigate the effects of drug misuse.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bruce’s Law”.

1 **SEC. 2. AWARENESS CAMPAIGNS.**

2 (a) OPIOID PROGRAM.—Section 102 of the Com-
3 prehensive Addiction and Recovery Act of 2016 (Public
4 Law 114–198) is amended—

5 (1) in the section heading, by inserting “**RE-**
6 **LATING TO OPIOIDS**” after “**CAMPAIGNS**”; and

7 (2) in subsection (c)—

8 (A) in paragraph (1), by inserting “and”
9 after the semicolon;

10 (B) in paragraph (2)(B), by striking “;
11 and” and inserting a period; and

12 (C) by striking paragraph (3).

13 (b) ADDITIONAL CAMPAIGN.—Title I of the Com-
14 prehensive Addiction and Recovery Act of 2016 (Public
15 Law 114–198) is amended by inserting after section 102
16 the following:

17 **“SEC. 102A. AWARENESS CAMPAIGN RELATED TO**
18 **LETHALITY OF FENTANYL AND FENTANYL-**
19 **CONTAMINATED DRUGS.**

20 “(a) IN GENERAL.—The Secretary of Health and
21 Human Services, in coordination with the heads of other
22 Federal departments and agencies, shall, as appropriate,
23 through a public awareness campaign, advance the edu-
24 cation and awareness of the public (including school-aged
25 children, youth, parents, first responders, and providers)
26 and other appropriate entities regarding the risk of coun-

1 counterfeit drugs being contaminated with fentanyl and the
 2 dangers of fentanyl lethality.

3 “(b) TOPICS.—The education and awareness cam-
 4 paigns under subsection (a) shall address—

5 “(1) the dangers of using drugs which may be
 6 contaminated with fentanyl;

7 “(2) the prevention of drug abuse, including
 8 through safe disposal of prescription medications
 9 and other safety precautions; and

10 “(3) the detection of early warning signs of ad-
 11 diction in school-aged children and youth.

12 “(c) OTHER REQUIREMENTS.—The education and
 13 awareness campaigns under subsection (a) shall, as appro-
 14 priate, take into account any association between prescrip-
 15 tion drug misuse, heroin use, and drugs contaminated by
 16 fentanyl.

17 “(d) DRUG DEFINED.—In this section, the term
 18 ‘drug’ means an illicit drug, such as marijuana, hashish,
 19 cocaine (including crack cocaine), inhalants,
 20 hallucinogens, heroin, a synthetic opioid, methamphet-
 21 amine or other stimulant, a counterfeit prescription drug,
 22 or a prescription drug that is sold illegally.

23 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 24 are authorized to be appropriated for fiscal years 2023

1 through 2027 such sums as may be necessary to carry
 2 out this section.”.

3 **SEC. 3. FEDERAL INTERAGENCY WORK GROUP ON**
 4 **FENTANYL CONTAMINATION OF ILLEGAL**
 5 **DRUGS.**

6 Title I of the Comprehensive Addiction and Recovery
 7 Act of 2016 (Public Law 114–198), as amended by section
 8 2(b), is further amended by inserting after section 102A
 9 the following:

10 **“SEC. 102B. FEDERAL INTERAGENCY WORK GROUP ON**
 11 **FENTANYL CONTAMINATION OF ILLEGAL**
 12 **DRUGS.**

13 “(a) ESTABLISHMENT.—The Secretary of Health
 14 and Human Services (referred to in this section as the
 15 ‘Secretary’) shall establish the Federal Interagency Work
 16 Group on Fentanyl Contamination of Illegal Drugs (re-
 17 ferred to in this section as the ‘Work Group’).

18 “(b) MEMBERSHIP; CONSULTATION.—

19 “(1) COMPOSITION.—Not later than 120 days
 20 after the date of enactment of Bruce’s Law, the
 21 heads of the Office of National Drug Control Policy,
 22 the Substance Abuse and Mental Health Services
 23 Administration, the Administration for Children and
 24 Families, the Centers for Disease Control and Pre-
 25 vention, the Department of Justice, the Drug En-

1 enforcement Administration, the Department of State,
2 the Department of Education, and other Federal
3 agencies (as determined by the Secretary) shall des-
4 ignate representatives of the respective agency or of-
5 fice to the Work Group.

6 “(2) CONSULTATION.—The Work Group shall
7 consult with—

8 “(A) experts at the State, Tribal, and local
9 levels with relevant backgrounds in reducing,
10 preventing, and responding to drug overdose by
11 fentanyl contamination of illegal drugs;

12 “(B) family members of adults who have
13 overdosed by fentanyl-contaminated illegal
14 drugs;

15 “(C) family members of school-aged chil-
16 dren and youth who have overdosed by fentanyl-
17 contaminated illegal drugs;

18 “(D) researchers and other experts in the
19 design and implementation of effective drug-re-
20 lated messaging and prevention campaigns; and

21 “(E) technology companies.

22 “(c) DUTIES.—The Work Group shall—

23 “(1) examine all Federal efforts directed to-
24 wards reducing and preventing drug overdose by
25 fentanyl-contaminated illegal drugs;

“(2) identify strategies, resources, and supports
to improve State, Tribal, and local responses to over-
dose by fentanyl-contaminated illegal drugs;

“(3) make recommendations to Congress for improving Federal programs and efforts and coordination across such programs and efforts to reduce and prevent drug overdose by fentanyl-contaminated illegal drugs; and

9 “(4) make recommendations for educating
10 youth on the dangers of drugs contaminated by
11 fentanyl.

“(d) ANNUAL REPORT TO SECRETARY.—The Work Group shall annually prepare and submit to the Secretary, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and Labor of the House of Representatives, a report on the activities carried out by the Work Group under subsection (c), including recommendations to reduce and prevent drug overdose by fentanyl contamination of illegal drugs, in all populations, and specifically among youth at risk for substance misuse.”.

22 SEC. 4. COMMUNITY-BASED COALITION ENHANCEMENT
23 GRANTS TO ADDRESS LOCAL DRUG CRISES.

Section 103(i) of the Comprehensive Addiction and
Recovery Act of 2016 (21 U.S.C. 1536(i)) is amended by

1 striking “2017 through 2021” and inserting “2023
2 through 2027”.

3 **SEC. 5. COMMUNITY-BASED COALITION ENHANCEMENT**
4 **GRANTS TO EDUCATE YOUTH ON THE RISKS**
5 **OF DRUGS CONTAMINATED WITH FENTANYL**
6 **OR OTHER SYNTHETIC OPIOIDS.**

7 Title I of the Comprehensive Addiction and Recovery
8 Act of 2016 (Public Law 114–198) is amended by insert-
9 ing after section 103 the following:

10 **“SEC. 103A. COMMUNITY-BASED COALITION ENHANCEMENT**
11 **GRANTS TO EDUCATE YOUTH ON THE RISKS**
12 **OF DRUGS CONTAMINATED WITH FENTANYL**
13 **OR OTHER SYNTHETIC OPIOIDS.**

14 “(a) PROGRAM AUTHORIZED.—The Director of the
15 Office of National Drug Control Policy (referred to in this
16 section as the ‘Director’), in coordination with the Direc-
17 tor of the Centers for Disease Control and Prevention,
18 may make grants to eligible entities to implement edu-
19 cation of the public on the dangers of contamination of
20 drugs with fentanyl or other synthetic opioids.

21 “(b) APPLICATION.—

22 “(1) IN GENERAL.—An eligible entity seeking a
23 grant under this section shall submit an application
24 to the Director at such time, in such manner, and

1 accompanied by such information as the Director
2 may require.

3 “(2) CRITERIA.—As part of an application for
4 a grant under this section, the Director shall require
5 an eligible entity to submit a detailed, comprehen-
6 sive, multisector plan for addressing the implementa-
7 tion of an evidence-based public education campaign
8 on the dangers of drugs contaminated with fentanyl
9 or other synthetic opioids, with a specific consider-
10 ation given to education focused on youth at in-
11 creased risk for developing a substance use disorder.

12 “(3) ELIGIBLE ENTITIES.—For purposes of this
13 section, the term ‘eligible entity’ means an entity
14 that—

15 “(A) has documented, using local data,
16 rates of drug overdose related to fentanyl or
17 other synthetic opioids at levels that are signifi-
18 cant, as determined by the Director; and

19 “(B) has received a grant under the Drug-
20 Free Communities Act of 1997.

21 “(c) USE OF FUNDS.—An eligible entity shall use a
22 grant received under this section—

23 “(1) for programs designed to implement com-
24 prehensive community-wide prevention strategies to
25 address the dangers of drugs contaminated with

1 fentanyl or other synthetic opioids, in the area
2 served by the eligible entity, in accordance with the
3 plan submitted under subsection (b)(2);

4 “(2) to obtain specialized training and technical
5 assistance from the organization funded under sec-
6 tion 4 of Public Law 107–82 (21 U.S.C. 1521 note);
7 and

8 “(3) for programs designed to implement com-
9 prehensive community-wide strategies to address the
10 dangers of drugs contaminated with fentanyl or
11 other synthetic opioids in the community.

12 “(d) SUPPLEMENT NOT SUPPLANT.—An eligible en-
13 tity shall use Federal funds received under this section
14 only to supplement the funds that would, in the absence
15 of those Federal funds, be made available from other Fed-
16 eral and non-Federal sources for the activities described
17 in this section, and not to supplant those funds.

18 “(e) EVALUATION.—A grant under this section shall
19 be subject to the same evaluation requirements and proce-
20 dures as the evaluation requirements and procedures im-
21 posed on the recipient of a grant under the Drug-Free
22 Communities Act of 1997, and may also include an evalua-
23 tion of the effectiveness at reducing the use of illicit
24 fentanyl or other synthetic opioids.

1 “(f) LIMITATION ON ADMINISTRATIVE EXPENSES.—
2 Not more than 12 percent of the amounts made available
3 to carry out this section for a fiscal year may be used
4 to pay for administrative expenses.

5 “(g) DELEGATION AUTHORITY.—The Director may
6 enter into an interagency agreement with the Director of
7 the Centers for Disease Control and Prevention to dele-
8 gate authority for the execution of grants and for such
9 other activities, as the Director determines necessary to
10 carry out this section.

11 “(h) DEFINITION.—In this section, the term ‘drug’
12 means an illicit drug, such as marijuana, hashish, cocaine
13 (including crack cocaine), inhalants, hallucinogens, heroin,
14 a synthetic opioid, methamphetamine or other stimulant,
15 a counterfeit prescription drug, or a prescription drug that
16 is sold illegally.

17 “(i) AUTHORIZATION OF APPROPRIATIONS.—For the
18 purpose of carrying out this section, there are authorized
19 to be appropriated such sums as may be necessary for
20 each of fiscal years 2023 through 2027.”.

