

[DISCUSSION DRAFT]115TH CONGRESS
2^D SESSION**H. R.** _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. GOWDY introduced the following bill; which was referred to the Committee
on _____

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the [“_____ Act
5 of 2018”].

6 **SEC. 2. OFFICE OF NATIONAL DRUG CONTROL POLICY.**

7 Subtitle I of title 31, United States Code, is amended
8 by adding at the end the following new chapter:

1 **“CHAPTER 10—OFFICE OF NATIONAL**
2 **DRUG CONTROL POLICY**

 “SUBCHAPTER I—OFFICE

- “1001. Definitions.
- “1002. Office of national drug control policy.
- “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 agencies.
- “1008. Coordination and oversight of the national drug control program.
- “1009. Emerging threats.
- “1010. National and international coordination.
- “1011. Interdiction.
- “1012. Critical information coordination.
- “1013. Education and outreach campaign for emerging threats.
- “1014. Authorization of appropriations.

 “SUBCHAPTER II—HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

- “1021. High intensity drug trafficking areas program.

 “SUBCHAPTER III—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

- “1031. Establishment of drug-free communities support program.
- “1032. Program authorization.
- “1033. Information collection and dissemination with respect to grant recipients.
- “1034. Technical assistance and training.
- “1035. Supplemental grants for coalition mentoring activities.
- “1036. Authorization for National Community Antidrug Coalition Institute.
- “1037. Definitions.
- “1038. Drug-free communities reauthorization.

3 **“SUBCHAPTER I—OFFICE**

4 **“§ 1001. Definitions**

5 “In this chapter:

6 “(1) AGENCY.—The term ‘agency’ has the
7 meaning given the term ‘executive agency’ in section
8 102.

9 “(2) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term ‘appropriate congressional com-
11 mittees’ means—

1 “(A) the Committee on the Judiciary, the
2 Committee on Appropriations, and the Caucus
3 on International Narcotics Control of the Sen-
4 ate; and

5 “(B) the Committee on Oversight and Gov-
6 ernment Reform, the Committee on the Judici-
7 ary, and the Committee on Appropriations of
8 the House of Representatives.

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

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

17 “(B) services, programs, or strategies to
18 prevent substance use disorder, including evi-
19 dence-based education campaigns, community-
20 based prevention programs, opioid diversion,
21 collection and disposal of unused opioids, and
22 services to at-risk populations to prevent or
23 delay initial use of an illicit substance;

24 “(C) substance use disorder treatment;

25 “(D) illicit drug use research;

- 1 “(E) illicit drug use rehabilitation;
- 2 “(F) drug-free workplace programs;
- 3 “(G) drug testing, including the testing of
- 4 employees;
- 5 “(H) interventions for illicit drug use and
- 6 dependence;
- 7 “(I) expanding availability of access to
- 8 health care services for the treatment of sub-
- 9 stance use disorders;
- 10 “(J) international drug control coordina-
- 11 tion and cooperation with respect to activities
- 12 described in this paragraph;
- 13 “(K) pre- and post-arrest criminal justice
- 14 interventions such as diversion programs, drug
- 15 courts, and the provision of evidence-based
- 16 treatment to individuals with substance use dis-
- 17 orders who are arrested or under some form of
- 18 criminal justice supervision, including medica-
- 19 tion assisted treatment;
- 20 “(L) other coordinated and joint initiatives
- 21 among Federal, State, local, and Tribal agen-
- 22 cies to promote comprehensive drug control
- 23 strategies designed to reduce the demand for,
- 24 and the availability of, illegal drugs;

1 “(M) international illicit drug use edu-
2 cation, prevention, treatment, recovery, re-
3 search, rehabilitation activities, and interven-
4 tions for illicit drug use and dependence; and

5 “(N) research related to any of the activi-
6 ties described in this paragraph.

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

10 “(5) DRUG.—The term ‘drug’ has the meaning
11 given the term ‘controlled substance’ in section
12 102(6) of the Controlled Substances Act (21 U.S.C.
13 802(6)).

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

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

23 “(8) ILLICIT DRUG USE; ILLICIT DRUGS; ILLE-
24 GAL DRUGS.—The terms ‘illicit drug use’, ‘illicit

1 drugs’, and ‘illegal drugs’ include the illegal or illicit
2 use of prescription drugs.

3 “(9) LAW ENFORCEMENT.—The term ‘law en-
4 forcement’ or ‘drug law enforcement’ means all ef-
5 forts by a Federal, State, local, or Tribal govern-
6 ment agency to enforce the drug laws of the United
7 States or any State, including investigation, arrest,
8 prosecution, and incarceration or other punishments
9 or penalties.

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

18 “(11) NATIONAL DRUG CONTROL PROGRAM
19 AGENCY.—The term ‘National Drug Control Pro-
20 gram Agency’ means any agency that is responsible
21 for implementing any aspect of the National Drug
22 Control Strategy, including any agency that receives
23 Federal funds to implement any aspect of the Na-
24 tional Drug Control Strategy, but does not include
25 any agency that receives funds for drug control ac-

1 tivity solely under the National Intelligence Program
2 or the Military Intelligence Program.

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

7 “(13) OFFICE.—The term ‘Office’ means the
8 Office of National Drug Control Policy.

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

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

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

21 “(C) coordination and enhancement of
22 Federal, State, local, and Tribal law enforce-
23 ment initiatives to gather, analyze, and dissemi-
24 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 “(15) SUPPLY REDUCTION.—The term ‘supply
9 reduction’ means any activity or program conducted
10 by a National Drug Control Program Agency that is
11 intended to reduce the availability or use of illegal
12 drugs in the United States or abroad, including—

13 “(A) law enforcement outside the United
14 States;

15 “(B) domestic law enforcement;

16 “(C) source country programs, including
17 economic development programs primarily in-
18 tended to reduce the production or trafficking
19 of illicit drugs;

20 “(D) activities to control international traf-
21 ficking in, and availability of, illegal drugs, in-
22 cluding—

23 “(i) accurate assessment and moni-
24 toring of international drug production and
25 interdiction programs and policies; and

1 “(ii) coordination and promotion of
2 compliance with international treaties re-
3 lating to the production, transportation, or
4 interdiction of illegal drugs;

5 “(E) activities to conduct and promote
6 international law enforcement programs and
7 policies to reduce the supply of drugs;

8 “(F) activities to facilitate and enhance the
9 sharing of domestic and foreign intelligence in-
10 formation among National Drug Control Pro-
11 gram Agencies, relating to the production and
12 trafficking of drugs in the United States and in
13 foreign countries;

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

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

18 **“§ 1002. Office of national drug control policy**

19 “(a) ESTABLISHMENT OF OFFICE.—There is estab-
20 lished in the Executive Office of the President an Office
21 of National Drug Control Policy, which shall—

22 “(1) lead national drug control efforts, includ-
23 ing developing and assessing implementation of evi-
24 dence-based drug control policy;

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

4 “(3) assess and certify the adequacy of Na-
5 tional Drug Control Programs and the budget for
6 those programs;

7 “(4) monitor and evaluate the effectiveness of
8 national drug control policy efforts, including the
9 National Drug Control Program Agencies’ pro-
10 grams, by developing and applying specific goals and
11 performance measurements and tracking program-
12 level spending;

13 “(5) identify and respond to emerging threats
14 related to illicit drug use;

15 “(6) administer and evaluate grant programs in
16 furtherance of the National Drug Control Strategy;
17 and

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

22 “(b) DIRECTOR OF NATIONAL DRUG CONTROL POL-
23 ICY AND DEPUTY DIRECTORS.—

24 “(1) DIRECTOR.—

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

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

10 “(2) DEPUTY DIRECTOR.—

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

15 “(B) RESPONSIBILITIES.—The Deputy Di-
16 rector shall—

17 “(i) carry out the responsibilities dele-
18 gated by the Director; and

19 “(ii) be responsible for effectively co-
20 ordinating with the Associate Deputy Di-
21 rectors.

22 “(3) ACTING DIRECTOR.—If the Director dies,
23 resigns, or is otherwise unable to perform the func-
24 tions and duties of the office, the Deputy Director
25 shall perform the functions and duties of the Direc-

1 tor temporarily in an acting capacity pursuant to
2 subchapter III of chapter 33 of title 5.

3 “(4) ASSOCIATE DIRECTORS.—

4 “(A) IN GENERAL.—There shall be an As-
5 sociate Director for Emerging and Continuing
6 Threats, an Associate Director for Cross-Agen-
7 cy Coordination, and an Associate Director for
8 Intergovernmental Affairs. Each Associate Di-
9 rector position described in the previous sen-
10 tence shall be a career position in the Senior
11 Executive Service.

12 “(B) EMERGING AND CONTINUING
13 THREATS.—The Associate Director for Emerg-
14 ing and Continuing Threats shall—

15 “(i) direct activities related to moni-
16 toring, identifying, and responding to
17 emerging threats, including the responsibil-
18 ities under section 1009; and

19 “(ii) be responsible for analyzing data
20 to inform the development of evidence-
21 based policy.

22 “(C) CROSS-AGENCY IMPLEMENTATION.—
23 The Associate Director for Cross-Agency Imple-
24 mentation shall coordinate and oversee activities
25 related to supply reduction and demand reduc-

1 tion of the National Drug Control Program
2 under sections 1006, 1007, and 1008.

3 “(D) INTERGOVERNMENTAL AFFAIRS.—
4 The Associate Director for Intergovernmental
5 Affairs shall direct implementation of the re-
6 sponsibilities of the Office for—

7 “(i) State, local, and Tribal affairs,
8 including responsibilities under section
9 1010;

10 “(ii) international coordination efforts
11 under section 1010; and

12 “(iii) the High Intensity Drug Traf-
13 ficking Areas Program under subchapter 2
14 and the Drug-Free Communities Support
15 Program under subchapter 3.

16 “(c) RESPONSIBILITIES.—

17 “(1) POLICIES, GOALS, OBJECTIVES, AND PRI-
18 ORITIES.—The Director shall assist the President in
19 directing national drug control efforts, including es-
20 tablishing policies, goals, objectives, and priorities
21 for the National Drug Control Program.

22 “(2) CONSULTATION.—To formulate the Na-
23 tional Drug Control policies, goals, objectives, and
24 priorities, the Director—

25 “(A) shall consult with—

1 “(i) State and local governments;

2 “(ii) National Drug Control Program
3 Agencies;

4 “(iii) each committee, working group,
5 council, or other entity established under
6 this chapter, as appropriate;

7 “(iv) the public;

8 “(v) appropriate congressional com-
9 mittees; and

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

12 “(B) may—

13 “(i) establish advisory councils;

14 “(ii) acquire data from agencies; and

15 “(iii) request data from any other en-
16 tity.

17 **“§ 1003. Administration of the office**

18 “(a) EMPLOYMENT.—

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

24 “(2) PROHIBITIONS.—

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

4 “(B) PROHIBITION ON POLITICAL CAM-
5 PAIGNING.—Any officer or employee of the Of-
6 fice who is appointed to that position by the
7 President, by and with the advice and consent
8 of the Senate, may not participate in Federal
9 election campaign activities, except that such
10 official is not prohibited by this paragraph from
11 making political contributions as otherwise per-
12 mitted by law.

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

18 “(c) PERSONNEL DETAILED TO OFFICE.—

19 “(1) EVALUATIONS.—Notwithstanding any pro-
20 vision of chapter 43 of title 5, the Director shall per-
21 form the evaluation of the performance of any em-
22 ployee detailed to the Office for purposes of the ap-
23 plicable performance appraisal system established
24 under such chapter for any rating period, or part
25 thereof, that such employee is detailed to such office.

1 “(2) COMPENSATION.—

2 “(A) BONUS PAYMENTS.—Subject to the
3 availability of appropriations, the Director may
4 provide periodic bonus payments to any em-
5 ployee detailed to the Office.

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

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

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

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

21 “(d) CONGRESSIONAL ACCESS TO INFORMATION.—

22 The location of the Office in the Executive Office of the
23 President shall not be construed as affecting access by
24 Congress, or any committee of the House of Representa-
25 tives or the Senate, to any—

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

4 “(2) personnel of the Office.

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

7 “(1) use for administrative purposes, on a reim-
8 bursable basis, the available services, equipment,
9 personnel, and facilities of Federal, State, and local
10 agencies;

11 “(2) procure the services of experts and con-
12 sultants in accordance with section 3109 of title 5
13 relating to appointments in the Federal Service, at
14 rates of compensation for individuals not to exceed
15 the daily equivalent of the rate of pay payable under
16 level IV of the Executive Schedule under section
17 5311 of such title; and

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

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

1 **“§ 1004. National drug control program budget**

2 “(a) BUDGET RECOMMENDATIONS.—Not later than
3 July 1 of each year, the Director shall provide to the head
4 of each National Drug Control Program Agency budget
5 recommendations, including requests for specific initia-
6 tives that are consistent with the priorities of the Presi-
7 dent under the National Drug Control Strategy, which
8 shall—

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

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

14 “(b) RESPONSIBILITIES OF NATIONAL DRUG CON-
15 TROL PROGRAM AGENCIES.—

16 “(1) IN GENERAL.—For each fiscal year, the
17 head of each National Drug Control Program Agen-
18 cy shall transmit to the Director a copy of the pro-
19 posed drug control budget request of such agency at
20 the same time as that budget request is submitted
21 to their superiors (and before submission to the Of-
22 fice of Management and Budget) in the preparation
23 of the budget of the President submitted to Con-
24 gress under section 1105(a).

25 “(2) SUBMISSION OF DRUG CONTROL BUDGET
26 REQUESTS.—The head of each National Drug Con-

1 trol Program Agency shall ensure timely develop-
2 ment and submission to the Director of each pro-
3 posed drug control budget request transmitted pur-
4 suant to this subsection, in such format as may be
5 designated by the Director with the concurrence of
6 the Director of the Office of Management and Budg-
7 et.

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

22 “(c) REVIEW AND CERTIFICATION OF BUDGET RE-
23 QUESTS AND BUDGET SUBMISSIONS OF NATIONAL DRUG
24 CONTROL PROGRAM AGENCIES.—

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

4 “(2) REVIEW OF BUDGET REQUESTS.—

5 “(A) INADEQUATE REQUESTS.—If the Di-
6 rector concludes that a budget request sub-
7 mitted under subsection (b) is inadequate, in
8 whole or in part, to implement the objectives of
9 the National Drug Control Strategy with re-
10 spect to the agency or program at issue for the
11 year for which the request is submitted, the Di-
12 rector shall submit to the head of the applicable
13 National Drug Control Program Agency a writ-
14 ten description identifying the funding levels
15 and specific initiatives that would, in the deter-
16 mination of the Director, make the request ade-
17 quate to implement those objectives.

18 “(B) ADEQUATE REQUESTS.—If the Direc-
19 tor concludes that a budget request submitted
20 under subsection (b) is adequate to implement
21 the objectives of the National Drug Control
22 Strategy with respect to the agency or program
23 at issue for the year for which the request is
24 submitted, the Director shall submit to the
25 head of the applicable National Drug Control

1 Program Agency a written statement con-
2 firming the adequacy of the request.

3 “(C) RECORD.—The Director shall main-
4 tain a record of each description submitted
5 under subparagraph (A) and each statement
6 submitted under subparagraph (B).

7 “(3) SPECIFIC REQUESTS.—The Director shall
8 not confirm the adequacy of any budget request that
9 requests a level of funding that will not enable
10 achievement of the goals of the National Drug Con-
11 trol Strategy, including—

12 “(A) requests funding for Federal law en-
13 forcement activities that do not adequately com-
14 pensate for transfers of drug enforcement re-
15 sources and personnel to law enforcement and
16 investigation activities;

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

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

24 “(D) requests funding for any activities of
25 the Safe and Drug-Free Schools Program that

1 do not include a clear anti-drug message or
2 purpose intended to reduce drug use;

3 “(E) requests funding for drug treatment
4 activities that do not adequately support and
5 enhance Federal drug treatment programs and
6 capacity; and

7 “(F) requests funding for the operations
8 and management of the Department of Home-
9 land Security that does not include a specific
10 request for funds for the Office of Counter-
11 narcotics Enforcement to carry out its respon-
12 sibilities under section 878 of the Homeland Se-
13 curity Act of 2002 (6 U.S.C. 458).

14 “(4) AGENCY RESPONSE.—

15 “(A) IN GENERAL.—The head of a Na-
16 tional Drug Control Program Agency that re-
17 ceives a description under paragraph (2)(A)
18 shall include the funding levels and initiatives
19 described by the Director in the budget submis-
20 sion for that agency to the Office of Manage-
21 ment and Budget.

22 “(B) IMPACT STATEMENT.—The head of a
23 National Drug Control Program Agency that
24 has altered its budget submission under this
25 paragraph shall include as an appendix to the

1 budget submission for that agency to the Office
2 of Management and Budget an impact state-
3 ment that summarizes—

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

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

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

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

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

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

3 “(B) REVIEW AND CERTIFICATION OF
4 SUBMISSIONS.—The Director shall review each
5 budget submission submitted under subpara-
6 graph (A) and submit to the appropriate con-
7 gressional committees the following:

8 “(i) A written statement indicating
9 one of the following:

10 “(I) The budget request for the
11 agency fully funds the agency’s activi-
12 ties as necessary to achieve the goals
13 of the National Drug Control Strat-
14 egy.

15 “(II) The budget request for the
16 agency partially funds the agency’s
17 activities as necessary to achieve the
18 goals of the Strategy.

19 “(III) The Director is unable to
20 determine whether the budget request
21 for the agency fully funds or partially
22 funds the agency’s activities as nec-
23 essary to achieve the goals of National
24 Drug Control Strategy.

1 “(IV) The budget is insufficient
2 to fund the agency’s activities as nec-
3 essary to achieve the goals of the
4 Strategy.

5 “(ii) For each determination under
6 subclause (I) of clause (i), a certification of
7 the budget with a written explanation of
8 the basis for the determination that the
9 budget provides sufficient resources for the
10 agency to support activities necessary to
11 achieve the goals of the Strategy.

12 “(iii) For a determination under sub-
13 clause (II) of clause (i), a certification of
14 the budget with a written explanation of
15 the basis for the determination and a
16 statement identifying the level of funding
17 sufficient to achieve the goals fo the Strat-
18 egy.

19 “(iv) For each determination under
20 subclause (III) or (IV) of clause (i), a de-
21 certification of the budget with a written
22 explanation of the basis for the determina-
23 tion that the budget is insufficient and a
24 statement identifying the level of funding

1 sufficient to achieve the goals of the Strat-
2 egy.

3 “(d) NATIONAL DRUG CONTROL PROGRAM BUDGET
4 PROPOSAL.—For each fiscal year, following the trans-
5 mission of proposed drug control budget requests to the
6 Director under subsection (b), the Director shall, in con-
7 sultation with the head of each National Drug Control
8 Program Agency and the head of each major national or-
9 ganization that represents law enforcement officers, agen-
10 cies, or associations—

11 “(1) develop a consolidated National Drug Con-
12 trol Program budget proposal designed to implement
13 the National Drug Control Strategy and to inform
14 Congress and the public about the total amount pro-
15 posed to be spent on all supply reduction, demand
16 reduction, State, local, and Tribal affairs, including
17 any drug law enforcement, and other drug control
18 activities by the Federal Government, which shall
19 conform to the content requirements set forth in
20 subsection (b)(3) and include—

21 “(A) for each National Drug Control Pro-
22 gram Agency, a list of whether the funding level
23 is full, partial, or insufficient to achieve the
24 goals of the National Drug Control Strategy or
25 whether the Director is unable to determine

1 whether the budget request for the agency fully
2 funds or partially funds the agency’s activities
3 and contributions as necessary to achieve the
4 goals of National Drug Control Strategy;

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

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

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

15 “(e) BUDGET ESTIMATE OR REQUEST SUBMISSION
16 TO CONGRESS.—Whenever the Director submits any
17 budget estimate or request to the President or the Office
18 of Management and Budget, the Director shall concur-
19 rently transmit copies of that estimate or request to the
20 appropriate congressional committees.

21 “(f) REPROGRAMMING AND TRANSFER REQUESTS.—

22 “(1) IN GENERAL.—No National Drug Control
23 Program Agency shall submit to Congress a re-
24 programming or transfer request with respect to any
25 amount of appropriated funds in an amount exceed-

1 ing \$1,000,000 that is included in the National
2 Drug Control Program budget unless the request
3 has been approved by the Director. If the Director
4 has not responded to a request for reprogramming
5 subject to this paragraph within 30 days after re-
6 ceiving notice of the request having been made, the
7 request shall be deemed approved by the Director
8 under this paragraph and forwarded to Congress.

9 “(2) APPEAL.—The head of any National Drug
10 Control Program Agency may appeal to the Presi-
11 dent any disapproval by the Director of a re-
12 programming or transfer request under this sub-
13 section.

14 **“§ 1005. National drug control strategy**

15 “(a) IN GENERAL.—

16 “(1) STATEMENT OF DRUG POLICY PRIOR-
17 ITIES.—The Director shall release a statement of
18 drug policy priorities in the calendar year of a Presi-
19 dential inauguration following the inauguration but
20 not later than April 1.

21 “(2) NATIONAL DRUG CONTROL STRATEGY
22 SUBMITTED BY THE PRESIDENT.—Not later than
23 the first Monday in February following the year in
24 which the term of the President commences, the

1 President shall submit to Congress a National Drug
2 Control Strategy.

3 “(b) DEVELOPMENT OF THE NATIONAL DRUG CON-
4 TROL STRATEGY.—

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

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

19 “(3) STRATEGY BASED ON EVIDENCE.—The Di-
20 rector shall ensure the National Drug Control Strat-
21 egy is based on the best available medical and sci-
22 entific evidence regarding the policies that are most
23 effective in reducing the demand for and supply of
24 illegal drugs.

1 “(4) PROCESS FOR DEVELOPMENT AND SUB-
2 MISSION OF NATIONAL DRUG CONTROL STRATEGY.—

3 In developing and effectively implementing the Na-
4 tional Drug Control Strategy, the Director—

5 “(A) shall consult with—

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

8 “(ii) the United States Interdiction
9 Coordinator;

10 “(iii) the Interdiction Committee;

11 “(iv) the appropriate congressional
12 committees and any other committee of ju-
13 risdiction;

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

15 “(vi) private citizens and organiza-
16 tions, including community and faith-based
17 organizations, with experience and exper-
18 tise in demand reduction;

19 “(vii) private citizens and organiza-
20 tions with experience and expertise in sup-
21 ply reduction; and

22 “(viii) appropriate representatives of
23 foreign governments;

24 “(B) in satisfying the requirements of sub-
25 paragraph (A), shall ensure, to the maximum

1 extent possible, that State, local, and Tribal of-
2 ficials and relevant private organizations com-
3 mit to support and take steps to achieve the
4 goals and objectives of the National Drug Con-
5 trol Strategy;

6 “(C) with the concurrence of the Attorney
7 General, may require the El Paso Intelligence
8 Center to undertake specific tasks or projects to
9 support or implement the National Drug Con-
10 trol Strategy; and

11 “(D) with the concurrence of the Director
12 of National Intelligence and the Attorney Gen-
13 eral, may request that the National Drug Intel-
14 ligence Center undertake specific tasks or
15 projects to support or implement the National
16 Drug Control Strategy.

17 “(c) CONTENTS OF THE NATIONAL DRUG CONTROL
18 STRATEGY.—

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

22 “(A) A description of the current preva-
23 lence of illicit drug use in the United States, in-
24 cluding both the availability of illicit drugs and

1 the prevalence of substance use disorders, which
2 shall include the following:

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

9 “(ii) A summary of the data and
10 trends presented in the Drug Control Data
11 Dashboard required under section 1012.

12 “(B) A mission statement detailing the
13 major functions of the National Drug Control
14 Program.

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

18 “(i) the percentage of the total flow of
19 illicit drugs to be interdicted during the
20 time period covered by the Strategy; and

21 “(ii) the number of individuals to re-
22 ceive treatment for substance use dis-
23 orders.

1 “(D) A description of how each goal listed
2 in the National Drug Control Strategy will be
3 achieved, including—

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

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

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

16 “(iv) an identification of existing or
17 new coordinating mechanisms needed to
18 achieve the 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 listed in the National Drug Control Strat-

1 egy for each National Drug Control Program
2 Agency, 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 quarterly objectives
8 and targets for each performance measure;
9 and

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

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 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 was
22 determined, including—

23 “(i) a description of each required
24 consultation and how such consultation
25 was incorporated;

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

3 “(iii) a statement of whether the goal
4 established in subparagraph (C)(i) will be
5 adequate to disrupt drug trafficking orga-
6 nizations that supply the majority of for-
7 eign-sourced illicit drugs trafficked into the
8 United States.

9 “(I) A 5-year projection for program and
10 budget priorities.

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

16 “(K) The strategy of the Federal Govern-
17 ment for preventing the illegal trafficking of
18 drugs across the international borders between
19 the United States and Mexico, the United
20 States and Canada, and the United States Car-
21ibbean border, including through ports of entry
22 and between ports of entry on the borders.

23 “(L) A strategy to end the illegal traf-
24 ficking of drugs to or through Indian reserva-
25 tions.

1 “(M) Such statistical data and information
2 as the Director considers appropriate to dem-
3 onstrate and assess trends relating to illicit
4 drug use, the effects and consequences of illicit
5 drug use (including the effects on children),
6 supply reduction, demand reduction, drug-re-
7 lated law enforcement, and the implementation
8 of the National Drug Control Strategy.

9 “(2) CLASSIFIED INFORMATION.—Any contents
10 of the National Drug Control Strategy that involve
11 information properly classified under criteria estab-
12 lished by an Executive order shall be presented to
13 Congress separately from the rest of the National
14 Drug Control Strategy.

15 “(3) SELECTION OF DATA AND INFORMA-
16 TION.—In selecting data and information for inclu-
17 sion under paragraph (1), the Director shall en-
18 sure—

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

1 “(B) the inclusion of data and information
2 to permit a standardized and uniform assess-
3 ment of the effectiveness of drug treatment pro-
4 grams in the United States.

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

11 “(1) annual and quarterly quantifiable and
12 measurable objectives and specific targets to accom-
13 plish long-term quantifiable goals specified in the
14 Strategy; and

15 “(2) for each year covered by the Strategy, a
16 performance evaluation plan for each goal listed in
17 the Strategy for each National Drug Control Pro-
18 gram Agency, including—

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

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

1 Director, to the Director an evaluation of progress by the
2 agency with respect to drug control program goals using
3 the performance measures for the agency developed under
4 this section, including progress with respect to—

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

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

9 “(3) success in expanding access to and in-
10 creasing the effectiveness of substance use disorder
11 treatment;

12 “(4) success in protecting the borders of the
13 United States (and in particular the Southwestern
14 border of the United States) from penetration by il-
15 legal narcotics;

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

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

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

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

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

6 “(2) a summary of the progress of each Na-
7 tional Drug Control Program Agency toward the
8 drug control program goals of the agency using the
9 performance measures for the agency developed
10 under this section;

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

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

24 “(5) a detailed accounting of the amount of
25 funds obligated by each National Drug Control Pro-

1 gram Agency in carrying out the responsibilities of
2 that agency under the Strategy;

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

9 “(7) a detailed accounting of the amount of
10 funds obligated during the previous fiscal year for
11 carrying out the media campaign under section
12 1013(d), including each recipient of funds, the pur-
13 pose of each expenditure, the amount of each ex-
14 penditure, any available outcome information, and
15 any other information necessary to provide a com-
16 plete accounting of the funds expended; and

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

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

24 “(1) develops annual, 2-year, and 5-year per-
25 formance measures, objectives, and targets for each

1 National Drug Control Strategy goal and objective
2 established for reducing drug use, availability, and
3 the consequences of drug use;

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

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

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

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

22 “(6) coordinates the development and imple-
23 mentation of national drug control data collection
24 and reporting systems to support policy formulation

1 and performance measurement, including an assess-
2 ment of—

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

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

12 “(C) the adequacy of the coverage of exist-
13 ing national treatment outcome monitoring sys-
14 tems to measure the effectiveness of substance
15 use disorder treatment in reducing illicit drug
16 use and criminal behavior during and after the
17 completion of substance use disorder treatment;
18 and

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

23 “(e) MODIFICATIONS.—A description of any modi-
24 fications made during the preceding year to the national
25 drug performance measurement system described in sub-

1 section (d) shall be included in each report submitted
2 under subsection (a).

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

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

11 “(2) a general review of the status of, and
12 trends in, demand reduction activities by private sec-
13 tor entities and community-based organizations, in-
14 cluding faith-based organizations, to determine their
15 effectiveness and the extent of cooperation, coordina-
16 tion, and mutual support between such entities and
17 organizations and Federal, State, local, and Tribal
18 government agencies.

19 **“§ 1007. Monitoring and evaluation of national drug**
20 **control program agencies**

21 “(a) IN GENERAL.—The Director shall monitor im-
22 plementation of the National Drug Control Program and
23 the activities of the National Drug Control Program Agen-
24 cies in carrying out the goals and objectives of the Na-
25 tional Drug Control Strategy including—

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

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

6 “(b) ACCOUNTING OF FUNDS EXPENDED.—The Di-
7 rector shall—

8 “(1) require the National Drug Control Pro-
9 gram Agencies to submit to the Director not later
10 than February 1 of each year a detailed accounting
11 of all funds expended by the agencies for National
12 Drug Control Program activities during the previous
13 fiscal year, and require such accounting to be au-
14 thenticated by the Inspector General for each agency
15 prior to submission to the Director; and

16 “(2) submit to Congress not later than April 1
17 of each year the information submitted to the Direc-
18 tor under paragraph (1).

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

1 ernment to place agency personnel who are engaged
2 in drug control activities on temporary detail to an-
3 other agency in order to implement the National
4 Drug Control Strategy.

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

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

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

12 and

13 “(B) for any other agency, 10.

14 “(c) DIRECTING FEDERAL FUNDING.—The Director
15 may transfer funds made available to a National Drug
16 Control Program Agency for National Drug Control Strat-
17 egy programs and activities to another account within
18 such agency or to another National Drug Control Program
19 Agency for National Drug Control Strategy programs and
20 activities, except that—

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

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

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

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

13 “(5) the Director shall—

14 “(A) submit to the appropriate congres-
15 sional committees and any other applicable
16 committees of jurisdiction, a reprogramming or
17 transfer request in advance of any transfer
18 under this subsection in accordance with the
19 regulations of the affected agency or agencies;
20 and

21 “(B) annually submit to the appropriate
22 congressional committees a report describing
23 the effect of all transfers of funds made pursu-
24 ant to this subsection or section 1004(f) during

1 the 12-month period preceding the date on
2 which the report is submitted.

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

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

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

17 “(B) in the case of an interagency trans-
18 fer, the total amount of transfers under this
19 subsection may not exceed 10 percent of the
20 total amount of funds made available for Na-
21 tional Drug Control Strategy programs and ac-
22 tivities to the agency from which those funds
23 are to be transferred;

24 “(C) funds transferred to an agency under
25 this subsection may only be used to increase the

1 funding for programs or activities authorized by
2 law; and

3 “(D) the Director shall—

4 “(i) submit to the appropriate con-
5 gressional committees and any other appli-
6 cable committees of jurisdiction, a re-
7 programming or transfer request in ad-
8 vance of any transfer under this subsection
9 in accordance with the regulations of each
10 affected agency; and

11 “(ii) annually submit to the appro-
12 priate congressional committees a report
13 describing the effect of all transfers of
14 funds made pursuant to this subsection or
15 section 1004(f) during the 12-month pe-
16 riod preceding the date on which the report
17 is submitted.

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

24 “(e) FUND CONTROL NOTICES.—

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

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

10 “(B) activities, functions, projects, or ob-
11 ject classes.

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

17 “(3) DISCIPLINARY ACTION FOR VIOLATION.—
18 In the case of a violation of paragraph (2) by an of-
19 ficer or employee of a National Drug Control Pro-
20 gram Agency, the head of the agency, upon the re-
21 quest of and in consultation with the Director, may
22 subject the officer or employee to appropriate ad-
23 ministrative discipline, including, when cir-
24 cumstances warrant, suspension from duty without
25 pay or removal from office.

1 “(4) CONGRESSIONAL NOTICE.—Not later than
2 5 days after issuance of a fund control notice, the
3 Director shall submit a copy of such fund control
4 notice to the appropriate congressional committees
5 and make such notice publicly available.

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

12 “(f) FOREIGN ASSISTANCE ACT PARTICIPATION.—
13 The Director may participate in the drug certification
14 process pursuant to section 490 of the Foreign Assistance
15 Act of 1961 (22 U.S.C. 2291j) and section 706 of the
16 Department of State Authorization Act for Fiscal Year
17 2003 (22 U.S.C. 229j–1).

18 “(g) CERTIFICATIONS OF POLICY CHANGES TO DI-
19 RECTOR.—

20 “(1) IN GENERAL.—Subject to paragraph (2),
21 the head of a National Drug Control Program Agen-
22 cy shall, unless exigent circumstances require other-
23 wise, notify the Director in writing regarding any
24 proposed change in policies relating to the activities
25 of that agency under the National Drug Control

1 Program prior to implementation of such change.
2 The Director shall promptly review such proposed
3 change and certify to the head of that agency in
4 writing whether such change is consistent with the
5 National Drug Control Strategy.

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

8 “(A) the head of the National Drug Con-
9 trol Program Agency shall notify the Director
10 of the proposed change as soon as practicable;
11 and

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

17 “(h) WORK IN CONJUNCTION WITH ASSISTANT FOR
18 NATIONAL SECURITY AFFAIRS.—The Director shall, in
19 any matter affecting national security interests, work in
20 conjunction with the Assistant to the President for Na-
21 tional Security Affairs.

22 **“§ 1009. Emerging threats**

23 “(a) EMERGING THREATS TASK FORCE.—

24 “(1) ESTABLISHMENT AND MONITORING.—The
25 Associate Director of Emerging and Continuing

1 Threats (referred to in this section as the ‘Associate
2 Director’) shall monitor evolving and emerging drug
3 threats in the United States and shall serve as Chair
4 of an Emerging Threats Task Force (in this section,
5 referred to as the ‘task force’). The Director shall
6 appoint other members of the Task force, which
7 shall include representatives from—

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

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

12 “(C) other entities as determined to be
13 necessary by the Director.

14 “(2) INFORMATION SHARING.—The task force
15 shall disseminate and share with Federal, State,
16 local, and Tribal officials and other entities as deter-
17 mined by the Director pertinent information and
18 standardized data relating to the following:

19 “(A) Recent trends in drug supply and de-
20 mand.

21 “(B) Drug overdose deaths.

22 “(C) Substance use disorder treatment ad-
23 mission trends.

1 “(D) Drug interdiction, supply, and de-
2 mand data from State, local, and Tribal law en-
3 forcement agencies.

4 “(E) Other criteria determined to be nec-
5 essary by the Director; and

6 “(3) CRITERIA TO IDENTIFY EMERGING DRUG
7 THREATS.—Not later than 60 days after the date on
8 which a task force first meets, the task force shall
9 develop and recommend to the Director criteria to be
10 used to identify emerging drug threats based on sta-
11 tistical data, evidence-based information, and infor-
12 mation gathered by the task force in paragraph (2).

13 “(4) MEETINGS.—The task force shall meet in
14 person not less frequently than quarterly and at ad-
15 ditional meetings if determined to be necessary by
16 and at the call of the Chair to—

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

20 “(B) formulate the plan described in sub-
21 section (c);

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

24 “(D) provide such other advice to the As-
25 sociate Director and Director concerning strat-

1 egy and policies for emerging drug threats and
2 trends as the task force determines to be appro-
3 priate.

4 “(b) DESIGNATION.—

5 “(1) IN GENERAL.—The Director, in consulta-
6 tion with the Associate Director, the task force, and
7 the head of each National Drug Control Program
8 Agency, may designate an emerging drug threat in
9 the United States.

10 “(2) STANDARDS FOR DESIGNATION.—The Di-
11 rector, in consultation with the Associate Director,
12 shall promulgate and make publicly available stand-
13 ards by which a designation under paragraph (1)
14 may be made. In developing such standards, the Di-
15 rector shall consider the recommendations of the
16 task force and other criteria the Director considers
17 to be appropriate.

18 “(c) PLAN.—

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

1 “(2) TIMING.—Not less frequently than every
2 90 days after the date on which the plan is pub-
3 lished under paragraph (1), the Director shall up-
4 date the plan, until the Director determines that the
5 goals of the plan have been achieved.

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

9 “(A) a comprehensive strategic assessment
10 of the emerging drug threat, including the cur-
11 rent status of prevention, treatment, and en-
12 forcement efforts surrounding the emerging
13 drug threat;

14 “(B) comprehensive, research-based, long-
15 range, quantifiable goals for addressing the
16 emerging drug threat;

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

20 “(D) the level of funding needed to imple-
21 ment the plan, including whether funding is
22 available to be reprogrammed or transferred to
23 support implementation of the plan or whether
24 supplemental appropriations are necessary to
25 implement the plan.

1 “(d) IMPLEMENTATION.—

2 “(1) IN GENERAL.—Not later than 90 days
3 after the date on which a designation is made under
4 subsection (b), the Director, in consultation with the
5 President, the appropriate congressional committees,
6 and the head of each National Drug Control Pro-
7 gram Agency, shall issue guidance on implementa-
8 tion of the plan described in subsection (c) to the
9 National Drug Control Program Agencies and any
10 other relevant agency determined to be necessary by
11 the Director.

12 “(2) ASSOCIATE DIRECTOR’S RESPONSIBIL-
13 ITIES.—The Associate Director shall—

14 “(A) direct the implementation of the plan
15 among the agencies identified in the plan,
16 State, local, and Tribal governments, and other
17 relevant entities;

18 “(B) facilitate information-sharing between
19 agencies identified in the plan, State, local, and
20 Tribal governments, and other relevant entities;
21 and

22 “(C) monitor implementation of the plan
23 by coordinating the development and implemen-
24 tation of collection and reporting systems to
25 support performance measurement and adher-

1 ence to the plan by agencies identified in plan,
2 where appropriate.

3 “(3) REPORTING.—Not later than 180 days
4 after designation under subsection (b) and in accord-
5 ance with paragraph (2)(C), the head of each agency
6 identified in the plan shall submit to the Associate
7 Director a report on implementation of the plan.

8 **“§ 1010. National and international coordination**

9 “(a) DISSEMINATION OF RESEARCH AND INFORMA-
10 TION TO STATES.—The Director shall ensure that drug
11 control research and information is effectively dissemi-
12 nated by National Drug Control Program Agencies to
13 State and local governments and nongovernmental entities
14 involved in demand reduction by—

15 “(1) encouraging formal consultation between
16 any such agency that conducts or sponsors research,
17 and any such agency that disseminates information
18 in developing research and information product de-
19 velopment agendas;

20 “(2) encouraging such agencies (as appropriate)
21 to develop and implement dissemination plans that
22 specifically target State and local governments and
23 nongovernmental entities involved in demand reduc-
24 tion; and

1 “(3) supporting the substance abuse informa-
2 tion clearinghouse administered by the Adminis-
3 trator of the Substance Abuse and Mental Health
4 Services Administration and established in section
5 501(d)(16) of the Public Health Service Act by—

6 “(A) encouraging all National Drug Con-
7 trol Program Agencies to provide all appro-
8 priate and relevant information; and

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

11 “(b) STANDARDS.—

12 “(1) DEVELOPMENT.—The Director shall co-
13 ordinate the development of evidence-based stand-
14 ards developed by National Drug Control Program
15 Agencies and other relevant agencies and non-Fed-
16 eral entities to State, local, and Tribal governments
17 and nongovernmental entities related to drug control
18 policies, practices, and procedures, such as the inves-
19 tigation of drug-related deaths, by—

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

24 “(B) encouraging information sharing be-
25 tween appropriate agencies and State, local,

1 and Tribal governments of relevant drug control
2 information and data;

3 “(C) establishing a working group of agen-
4 cies, State, local, and Tribal governments, and
5 other relevant stakeholders to discuss and de-
6 velop such standards; and

7 “(D) facilitating collaboration among agen-
8 cies, non-Federal entities, States, local, and
9 Tribal governments, and nongovernmental
10 agencies.

11 “(2) IMPLEMENTATION.—The Director shall
12 promote the implementation of the standards de-
13 scribed in paragraph (1) by—

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

19 “(B) facilitating the use and dissemination
20 of such standards among State and local gov-
21 ernments by—

22 “(i) providing technical assistance to
23 State, local, and Tribal governments seek-
24 ing to adopt or implement such standards;
25 and

1 “(ii) coordinating seminars and train-
2 ing sessions for State, local, and Tribal
3 governments seeking to adopt or imple-
4 ment such standards.

5 “(c) PRIVATE SECTOR.—

6 “(1) IN GENERAL.—The Director or the head
7 of a National Drug Control Program Agency acting
8 in furtherance of the National Drug Control Strat-
9 egy shall coordinate with the private sector to pro-
10 mote private research and development of medica-
11 tions to treat or prevent addiction, including re-
12 search and development for non-addictive pain man-
13 agement medication, abuse deterrent formulations,
14 medication-assisted treatment, and other addiction
15 research determined to be necessary by the Director
16 by—

17 “(A) encouraging the sharing of informa-
18 tion regarding evidence-based treatment addic-
19 tion findings and related data between agencies
20 and the private sector, as appropriate;

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

23 “(C) providing private sector entities with
24 relevant statistical data and information to en-
25 hance research as permissible.

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

7 “(d) MODEL ACTS PROGRAM.—

8 “(1) IN GENERAL.—The Director shall provide
9 for or shall enter into an agreement with a non-prof-
10 it corporation that is described in section 501(c)(3)
11 of the Internal Revenue Code of 1986 and exempt
12 from tax under section 501(a) of such Code to—

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

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

20 **【“(2) AUTHORIZATION OF APPROPRIATIONS.—**
21 There is authorized to be appropriated to carry out
22 this subsection \$**【XXX】** for each of fiscal years
23 2019 through 2023.**】**

1 “(e) INTERNATIONAL COORDINATION.—The Director
2 shall facilitate international drug control coordination ef-
3 forts.

4 **“§ 1011. Interdiction**

5 “(a) FEDERAL DRUG CONTROL AGENCY DE-
6 FINED.—In this section, the term ‘Federal drug control
7 agency’ means—

8 “(1) the Office;

9 “(2) the Department of Defense;

10 “(3) the Drug Enforcement Administration;

11 “(4) the Federal Bureau of Investigation;

12 “(5) the Department of Homeland Security;

13 “(6) the Coast Guard; and

14 “(7) any other agency that the Director deter-
15 mines to be relevant.

16 “(b) UNITED STATES INTERDICTION COORDI-
17 NATOR.—

18 “(1) IN GENERAL.—The Director shall des-
19 ignate or appoint a United States Interdiction Coordi-
20 nator to perform the duties of that position de-
21 scribed in paragraph (2) and such other duties as
22 may be determined by the Director with respect to
23 coordination of efforts to interdict illicit drugs from
24 entering the United States.

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

4 “(A) coordinating the interdiction activities
5 of the National Drug Control Program Agen-
6 cies to ensure consistency with the National
7 Drug Control Strategy;

8 “(B) on behalf of the Director, developing
9 and issuing, on or before March 1 of each year
10 and in accordance with paragraph (4), a Na-
11 tional Interdiction Command and Control Plan
12 to ensure the coordination and consistency de-
13 scribed in subparagraph (A);

14 “(C) assessing the sufficiency of assets
15 committed to illicit drug interdiction by the rel-
16 evant National Drug Control Program Agen-
17 cies; and

18 “(D) advising the Director on the efforts
19 of each National Drug Control Program Agency
20 to implement the National Interdiction Com-
21 mand and Control Plan.

22 “(3) STAFF.—The Director shall assign such
23 permanent staff of the Office as he considers appro-
24 priate to assist the United States Interdiction Coor-
25 dinator to carry out the responsibilities described in

1 paragraph (2), and may request that appropriate
2 National Drug Control Program Agencies detail or
3 assign staff to assist in carrying out such activities.

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

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

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

10 “(ii) shall state the specific roles and
11 responsibilities of the relevant National
12 Drug Control Program Agencies for imple-
13 menting that strategy;

14 “(iii) shall identify the specific re-
15 sources required to enable the relevant Na-
16 tional Drug Control Program Agencies to
17 implement that strategy; and

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

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

1 the United States Interdiction Coordinator shall
2 issue the National Interdiction Command and
3 Control Plan, in consultation with the other
4 members of the Interdiction Committee de-
5 scribed in subsection (c).

6 “(C) REPORT TO CONGRESS.—On or be-
7 fore March 1 of each year, the Director,
8 through the United States Interdiction Coordi-
9 nator, shall provide to the appropriate congres-
10 sional committees, to the Committee on Armed
11 Services and the Committee on Homeland Secu-
12 rity of the House of Representatives, and to the
13 Committee on Homeland Security and Govern-
14 mental Affairs and the Committee on Armed
15 Services of the Senate, a report that includes—

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

18 “(ii) information for the previous 10
19 years regarding the number and type of
20 seizures of drugs by each National Drug
21 Control Program Agency conducting drug
22 interdiction activities and statistical infor-
23 mation on the geographic areas of such
24 seizures; and

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

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

12 “(c) INTERDICTION COMMITTEE.—

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

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

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

1 “(C) provide such other advice to the Di-
2 rector concerning drug interdiction strategy and
3 policies as the committee determines is appro-
4 priate.

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

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

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

24 “(d) INTERDICTION PERFORMANCE BUDGET RE-
25 PORT.—In order to assist Congress in determining the

1 personnel, equipment, funding, and other resources that
2 would be required by Federal drug control agencies in
3 order to achieve a level of interdiction success at or above
4 the highest level achieved before the date of the enactment
5 of this chapter, the Director shall submit to Congress and
6 to each Federal drug control program agency a report that
7 includes—

8 “(1) with respect to the southern and western
9 border regions of the United States (including the
10 Pacific coast, the border with Mexico, the Gulf of
11 Mexico coast, and other ports of entry) and in over-
12 all totals, data relating to—

13 “(A) the amount of marijuana, heroin,
14 methamphetamine, cocaine, and any other drug
15 identified by the Director—

16 “(i) seized during the year of highest
17 recorded seizures for each drug in each re-
18 gion and during the year of highest re-
19 corded overall seizures;

20 “(ii) disrupted during the year of
21 highest recorded disruptions for each drug
22 in each region and during the year of high-
23 est recorded overall seizures; and

24 “(iii) the number of persons arrested
25 for violations of section 1010(a) of the

1 Controlled Substances Import and Export
2 Act (21 U.S.C. 960(a)) and related of-
3 fenses during the year of the highest num-
4 ber of arrests on record for each region
5 and during the year of highest recorded
6 overall arrests;

7 “(2) the street price of cocaine, heroin, meth-
8 amphetamine, marijuana, and any other drug identi-
9 fied by the Director under paragraph (1) during the
10 year of highest price on record during the preceding
11 10-year period, adjusted for purity where possible;
12 and

13 “(3) a description of the personnel, equipment,
14 funding, and other resources of the Federal drug
15 control agency devoted to drug interdiction and se-
16 curing the borders of the United States against drug
17 trafficking for each of the years identified in para-
18 graphs (1) and (2) for each Federal drug control
19 agency.

20 “(e) BUDGET PROCESS.—

21 “(1) INFORMATION TO DIRECTOR.—Based on
22 the report submitted under subsection (d), each Fed-
23 eral drug control agency shall submit to the Direc-
24 tor, at the same time as each annual drug control
25 budget request is submitted by the Federal drug

1 control agency to the Director under section 1004,
2 a description of the specific personnel, equipment,
3 funding, and other resources that would be required
4 for the Federal drug control agency to meet or ex-
5 ceed the highest level of interdiction success for that
6 agency identified in the report submitted under sub-
7 section (d).

8 “(2) INFORMATION TO CONGRESS.—The Direc-
9 tor shall include each submission under paragraph
10 (1) in each annual consolidated National Drug Con-
11 trol Program budget proposal submitted by the Di-
12 rector to Congress under section 1004, which sub-
13 mission shall be accompanied by a description of any
14 additional resources that would be required by the
15 Federal drug control agencies to meet the highest
16 level of interdiction success identified in the report
17 submitted under subsection (d).

18 **“§ 1012. Critical information coordination**

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

20 “(1) ESTABLISHMENT.—There is established
21 within the Office a Fusion Center (referred to in
22 this section as the ‘Center’). The Center shall oper-
23 ate under the authority of the Director and shall
24 work with the National Drug Control Program
25 Agencies to collect, compile, analyze, and facilitate

1 the sharing of data on the use of illicit drugs, treat-
2 ment for substance use disorder, and interdiction of
3 illicit drugs. The Center shall be considered a ‘statistical
4 agency or unit’, as that term is defined in section
5 502 of the Confidential Information Protection
6 and Statistical Efficiency Act of 2002 (44 U.S.C.
7 3501 note).

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

13 “(3) DATA COMPILATION.—The Director, acting
14 through the Center Director, shall do the following:
15

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

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

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

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

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

11 “(i) The recipient.

12 “(ii) The amount.

13 “(iii) The intended purpose.

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

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

19 “(4) TOXICOLOGY SCREENING.—

20 “(A) ESTABLISHMENT.—The Director,
21 acting through the Center Director, shall estab-
22 lish a toxicology screening program that en-
23 gages in secondary analysis of de-identified
24 urine samples that would otherwise be dis-
25 carded by—

1 “(i) hospitals and drug treatment pro-
2 grams;

3 “(ii) correctional facilities, booking
4 sites, probation programs, drug courts, and
5 related facilities; and

6 “(iii) coroners and medical examiners.

7 “(B) DE-IDENTIFICATION OF INFORMA-
8 TION.—The Director, acting through the Center
9 Director, shall ensure that no samples have any
10 personally identifiable information prior to col-
11 lection.

12 “(C) LIMITATION ON USE.—No data ob-
13 tained from analysis conducted under this para-
14 graph may be used as evidence in any pro-
15 ceeding.

16 “(D) STATE PROGRAM.—The Director,
17 acting through the Center Director, shall estab-
18 lish a program that enables States and local ju-
19 risdictions to submit up to 20 urine samples per
20 year for toxicology analysis for the purposes of
21 identifying substances present in individuals
22 who have suffered fatal drug overdoses.

23 “(5) AUTHORITY TO CONTRACT.—The Director
24 may award contracts, enter into interagency agree-

1 ments, manage individual projects, and conduct
2 other operational activities under this subsection.

3 “(b) CRITICAL DRUG CONTROL INFORMATION AND
4 EVIDENCE PLAN.—

5 “(1) IN GENERAL.—Not later than the first
6 Monday in February of each year, the Director shall
7 submit to Congress a systematic plan for increasing
8 data collection to enable real-time surveillance of
9 drug control threats, developing analysis and moni-
10 toring capabilities, and identifying and addressing
11 policy questions relevant to the National Drug Con-
12 trol Policy, Strategy and Program. Such plan shall
13 be made available on the public website of the Of-
14 fice, shall cover at least a 4-year period beginning
15 with the first fiscal year following the fiscal year in
16 which the plan is submitted and published, and con-
17 tain the following:

18 “(A) A list of policy-relevant questions for
19 which the Director and each National Drug
20 Control Program Agency intends to develop evi-
21 dence to support the National Drug Control
22 Program and Strategy.

23 “(B) A list of data the Director and each
24 National Drug Control Program Agency intends
25 to collect, use, or acquire to facilitate the use of

1 evidence in drug control policymaking and mon-
2 itoring.

3 “(C) A list of methods and analytical ap-
4 proaches that may be used to develop evidence
5 to support the National Drug Control Program
6 and Strategy and related policy.

7 “(D) A list of any challenges to developing
8 evidence to support policymaking, including any
9 barriers to accessing, collecting, or using rel-
10 evant data.

11 “(E) A description of the steps the Direc-
12 tor and the head of each National Drug Control
13 Program Agency will take to effectuate the
14 plan.

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

17 “(2) CONSULTATION.—In developing the plan
18 required under paragraph (1), the Director shall
19 consult with the following:

20 “(A) The public.

21 “(B) Any evaluation or analysis units and
22 personnel of the Office.

23 “(C) Office officials responsible for imple-
24 menting privacy policy.

1 “(D) Office officials responsible for data
2 governance.

3 “(E) The appropriate congressional com-
4 mittees.

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

7 “(c) EVIDENCE-BASED POLICY.—

8 “(1) HARM REDUCTION PROGRAMS.—When de-
9 veloping the national drug control policy, any policy
10 of the Director relating to syringe exchange pro-
11 grams for intravenous drug users shall be based on
12 the best available medical and scientific evidence re-
13 garding their effectiveness in promoting individual
14 health and preventing the spread of infectious dis-
15 ease and their impact on drug addiction and use. In
16 making any policy relating to syringe exchange pro-
17 grams, the Director shall consult with the National
18 Institutes of Health and the National Academy of
19 Sciences.

20 “(2) FUND RESTRICTION FOR THE LEGALIZA-
21 TION OF CONTROLLED SUBSTANCES.—The Director
22 shall ensure that no Federal funds appropriated to
23 the Office shall be expended for any study or con-
24 tract relating to the legalization (for a medical use
25 or any other use) of a substance listed in schedule

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

3 “(d) DRUG CONTROL DATA DASHBOARD.—The Di-
4 rector shall create and maintain a data dashboard on the
5 online portal of the Office titled ‘Drug Control Data Dash-
6 board’.[?] The Director shall ensure the user interface of
7 the dashboard is constructed with modern design stand-
8 ards.

9 “(1) The data presented in the Drug Control
10 Data Dashboard shall be updated not less frequently
11 than quarterly and shall include, at a minimum—

12 “(A) for each substance identified under
13 section 1005(e)(1)(A)(i)—

14 “(i) the total amounts seized and dis-
15 rupted in the current year and each of the
16 previous 3 years;

17 “(ii) the known and estimated flows
18 into the United States from all sources in
19 the current year and each of the previous
20 3 years;

21 “(ii) the total amount of known flows
22 which could not be interdicted or disrupted
23 in the current year and each of the pre-
24 vious 3 years;

1 “(iv) the known and estimated levels
2 of domestic production in the current year
3 and each of the previous three years, in-
4 cluding the levels of domestic production if
5 the drug is a prescription drug product
6 that appears on the controlled substances
7 list; and

8 “(v) the current street price, as well
9 as the highest known street price during
10 the preceding 10-year period;

11 “(B) for the current year and each of the
12 previous three years, the following data,
13 disaggregated by State and, to the extent fea-
14 sible, by region within a State, county, or city—

15 “(i) the number of fatal and non-fatal
16 overdoses caused by each drug identified
17 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; and

1 “(iv) the extent of the unmet need for
2 substance use disorder treatment, includ-
3 ing the unmet need for medication assisted
4 treatment;

5 “(C) the extent of prescription drug diver-
6 sion, trafficking, and misuse in the current and
7 each of the previous 3 years; and

8 “(D) such quantifiable measures as the Di-
9 rector shall deem appropriate to detail progress
10 toward the achievement of the goals of the Na-
11 tional Drug Control Strategy.

12 “(e) ACCESS TO INFORMATION.—

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

21 “(A) drug control; or

22 “(B) the manner in which amounts made
23 available to that agency for drug control are
24 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 AGENCIES.—The head of each Na-
20 tional Drug Control Program Agency shall submit to
21 the Director such information and reports as re-
22 quested from such National Drug Control Program
23 Agency by the Director, which shall include from the
24 appropriate National Drug Control Program Agen-
25 cies:

1 “(A) 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 an assessment of the quantity of illegal drug
6 cultivation and manufacturing in the United
7 States on lands owned or under the jurisdiction
8 of their respective agencies that was seized or
9 eradicated by their personnel during the pre-
10 ceding 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 for drug violations
18 by United States Attorneys; 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 designated under paragraph (1)
17 shall, to the extent practicable, be nonproprietary
18 and interoperable.

19 “(3) OTHER REQUIREMENTS.—In designating
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, such as the National Information Ex-
6 change Model; and

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

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

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

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

23 “(i) incorporate a widely accepted,
24 nonproprietary, searchable, machine-read-
25 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
11 Secretary 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 elec-
7 tronic portal of the Office, 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, as measured by—

3 “(i) the quantities of cocaine, heroin,
4 marijuana, methamphetamine, ecstasy,
5 opioids, and other drugs available for con-
6 sumption in the United States;

7 “(ii) the amount of marijuana, co-
8 caine, heroin, methamphetamine, ecstasy,
9 opioids, and precursor chemicals and other
10 drugs entering the United States;

11 “(iii) the number of illicit drug manu-
12 facturing laboratories seized and destroyed
13 and the number of hectares of marijuana,
14 poppy, and coca cultivated and destroyed
15 domestically and in other countries;

16 “(iv) the number of metric tons of
17 marijuana, heroin, cocaine, methamphet-
18 amine, and opioids seized; and

19 “(v) changes in the price and purity
20 of heroin, methamphetamine, cocaine,
21 opioids, changes in the price of ecstasy,
22 and changes in tetrahydrocannabinol level
23 of marijuana and other drugs.

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

4 “(i) the cost of treating substance use
5 disorder in the United States, such as the
6 quantity of illicit drug-related services pro-
7 vided;

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

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

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

14 “(i) public and private treatment utili-
15 zation; and

16 “(ii) the number of illicit drug users
17 the Director estimates meet diagnostic cri-
18 teria for treatment.

19 “(E) A summary of the efforts made to co-
20 ordinate with private sector entities to conduct
21 private research and development of medica-
22 tions to treat addiction by—

23 “(i) screening chemicals for potential
24 therapeutic value;

25 “(ii) developing promising compounds;

- 1 “(iii) conducting clinical trials;
- 2 “(iv) seeking Food and Drug Admin-
3 istration approval for drugs to treat addic-
4 tion;
- 5 “(v) marketing the drug for the treat-
6 ment of addiction;
- 7 “(vi) urging physicians to use the
8 drug in the treatment of addiction; and
- 9 “(vii) encouraging insurance compa-
10 nies to reimburse the cost of the drug for
11 the treatment of addiction.

12 **“§ 1013. Education and outreach campaign for emerg-**
13 **ing threats**

14 “(a) IN GENERAL.—The Director shall provide for
15 the planning and implementation of national public-pri-
16 vate partnerships for a substance use prevention education
17 and outreach campaign to raise public awareness of the
18 dangers of an illicit drug designated as an emerging threat
19 under section 1009. Such campaign shall include the dis-
20 semination of information that—

21 “(1) educates the public about the dangers of
22 such drug, including patient and family education
23 about the characteristics of such drug, and the haz-
24 ards of such drug, and methods to safeguard against
25 such dangers, including safe disposal of such drug;

1 “(2) supports evidence-based prevention pro-
2 grams targeting audiences’ attitudes, perceptions,
3 and beliefs concerning substance use and intentions
4 to initiate or continue such use;

5 “(3) increases awareness of the negative con-
6 sequences of drug use;

7 “(4) encourages individuals affected by sub-
8 stance use disorders to seek treatment and provides
9 such individuals with information on how to recog-
10 nize addiction issues, what forms of evidence-based
11 treatment options are available, and how to access
12 such treatment; and

13 “(5) combats the stigma of addiction and sub-
14 stance use disorders, including the stigma of treat-
15 ing such disorders with medication-assisted treat-
16 ment therapies.

17 “(b) CONSULTATION.—For the planning of the cam-
18 paign under subsection (a), the Secretary shall consult
19 with appropriate National Drug Control Program agencies
20 to provide ongoing advice on evidence-based scientific in-
21 formation for policy, program development, and evalua-
22 tion.

23 “(c) GIFTS AND DONATIONS.—

24 “(1) IN GENERAL.—The Director may accept
25 gifts and donations (in cash or in kind, including

1 voluntary and uncompensated services or property),
2 which shall be available until expended, for the pur-
3 pose of supporting the education and outreach cam-
4 paign authorized in this section, including the media
5 campaign.

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

11 “(A) reflect unfavorably upon the ability of
12 the Director or the Office, or any employee of
13 the Office, to carry out responsibilities or offi-
14 cial duties under this chapter in a fair and ob-
15 jective manner; or

16 “(B) compromise the integrity or the ap-
17 pearance of integrity of programs or services
18 provided under this chapter or of any official
19 involved in those programs or services.

20 “(3) ANNUAL REPORT REQUIRED.—The Direc-
21 tor shall provide an annual report to the appropriate
22 congressional committees identifying the sources of
23 all gifts and donations accepted by the Office or any
24 contractor acting on behalf of the Office, under this

1 subsection, including the value of each gift and do-
2 nation provided by each source.

3 “(d) MEDIA CAMPAIGN.—

4 “(1) IN GENERAL.—Not later than 60 days
5 after a designation under section 1009, the Director
6 shall establish and implement a national evidence-
7 based media campaign on the designated emerging
8 drug threat and use prevention.

9 “(2) REQUIREMENT OF CAMPAIGN.—The cam-
10 paign implemented under paragraph (1)—

11 “(A) shall be designed to prevent the use
12 of such designated illicit drug, and to achieve
13 the goals of subsection (a);

14 “(B) shall be carried out through competi-
15 tively awarded contracts to entities providing
16 for the professional production and design of
17 such campaign;

18 “(C) may include the use of television,
19 radio, Internet, social media, and other com-
20 mercial marketing venues and may be targeted
21 to specific age groups based on peer-reviewed
22 social research; and

23 “(D) may include the use of nationally rec-
24 ognized positive role models.

1 “(3) EVALUATION.—The Secretary shall ensure
2 that any media campaign implemented under para-
3 graph (1) is subject to an independent evaluation
4 every 2 years and shall report every 2 years to Con-
5 gress on the effectiveness of such campaigns towards
6 meeting evidence-based metrics.

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

10 “(1) To supplant current anti-drug community-
11 based coalitions.

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

15 “(3) For partisan political purposes, or express
16 advocacy in support of or to defeat any clearly iden-
17 tified candidate, clearly identified ballot initiative, or
18 clearly identified legislative or regulatory proposal.

19 “(4) For any advocacy in support of any par-
20 ticular company, industry association, or advocacy
21 group or the explicit policy positions held by such
22 groups.

23 “(5) To direct any individuals to a specific type
24 of substance use disorder treatment, treatment facil-

1 ity, medical provider, or form of medication assisted
2 treatment.

3 “(6) To fund any advertising that features any
4 elected officials, persons seeking elected office, cabi-
5 net level officials, or other Federal officials employed
6 pursuant to section 213 of Schedule C of title 5,
7 Code of Federal Regulations.

8 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
9 is authorized to be appropriated to the Office to carry out
10 this section, \$[Amount to be determined] for each of fis-
11 cal years 2019 through 2023.

12 **“§ 1014. Authorization of appropriations**

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

17 “SUBCHAPTER II—HIGH INTENSITY DRUG
18 TRAFFICKING AREAS PROGRAM

19 **“§ 1021. High intensity drug trafficking areas pro-
20 gram**

21 “(a) ESTABLISHMENT.—

22 “(1) IN GENERAL.—There is established in the
23 Office a program to be known as the High Intensity
24 Drug Trafficking Areas Program (in this section re-
25 ferred to as the ‘Program’).

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

4 “(A) facilitating cooperation among Fed-
5 eral, State, local, and Tribal law enforcement
6 agencies to share information and implement
7 coordinated enforcement activities;

8 “(B) enhancing law enforcement intel-
9 ligence sharing among Federal, State, local, and
10 Tribal law enforcement agencies;

11 “(C) providing reliable law enforcement in-
12 telligence to law enforcement agencies needed to
13 design effective enforcement strategies and op-
14 erations; and

15 “(D) supporting coordinated law enforce-
16 ment strategies which maximize use of available
17 resources to reduce the supply of illegal drugs
18 in designated areas and in the United States as
19 a whole.

20 “(b) DESIGNATION.—

21 “(1) IN GENERAL.—The Director, in consulta-
22 tion with the Attorney General, the Secretary of the
23 Treasury, the Secretary of Homeland Security,
24 heads of the National Drug Control Program Agen-
25 cies, and the Governor of each applicable State, may

1 designate any specified area of the United States as
2 a high intensity drug trafficking area.

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

7 “(A) obligate such sums as are appro-
8 priated for the Program;

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

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

16 “(D) coordinate activities under this sec-
17 tion (specifically administrative, recordkeeping,
18 and funds management activities) with State,
19 local, 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 re-

1 view 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
24 TRAFFICKING AREAS.—

1 “(1) EXECUTIVE BOARD AND OFFICERS.—To
2 be 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
12 establishing and achieving the goals of the high
13 intensity drug trafficking area;

14 “(B) managing the funds of the high in-
15 tensity 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
20 to the Director on the activities of the high in-
21 tensity 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 eligi-
13 bility requirements of this section are intended to
14 ensure the responsible use of Federal funds. Nothing
15 in this section is intended to create an agency rela-
16 tionship between individual high intensity drug traf-
17 ficking 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 drug treatment pro-
21 grams and not more than 5 percent of the Federal funds
22 appropriated for the Program are expended for drug pre-
23 vention 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
3 of 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 allo-
15 cating funds under this subsection, the Director
16 shall consider—

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
23 considers 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,
5 conditional upon a review by the Office of the re-
6 quest submitted by such HIDTA and the perform-
7 ance of such HIDTA, with supporting narrative de-
8 scriptions 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 in-
21 vestigate and prosecute organizations and individ-
22 uals trafficking in each major illicit drug, as identi-
23 fied by the Director, in the prior calendar year, and
24 a description of how those funds were used.

1 “(k) HIDTA ANNUAL EVALUATION REPORT.—As
2 part of each National Drug Control Evaluation assess-
3 ment under section 1006, the Director shall include, for
4 each designated high intensity drug trafficking area, a re-
5 port 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
13 of 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
4 enforcement 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 Fed-
14 eral, State, local, and Tribal law enforcement
15 agencies participating in each high intensity
16 drug trafficking area are sharing law enforce-
17 ment intelligence information to assess current
18 drug trafficking threats and design appropriate
19 enforcement 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 “(l) COORDINATION OF LAW ENFORCEMENT INTEL-
4 LIGENCE SHARING WITH ORGANIZED CRIME DRUG EN-
5 FORCEMENT TASK FORCE PROGRAM.—

6 “(1) DRUG ENFORCEMENT INTELLIGENCE
7 SHARING.—The Director, in consultation with the
8 Attorney General, shall ensure that any drug en-
9 forcement intelligence obtained by the Intelligence
10 Support Center for each high intensity drug traf-
11 ficking area is shared, on a timely basis, with the
12 drug intelligence fusion center operated by the Orga-
13 nized Crime Drug Enforcement Task Force of the
14 Department 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
23 is authorized to be appropriated to the Office of National
24 Drug Control Policy to carry out this section—

25 【“(1) \$____0,000,000 for fiscal year 2019;】

1 【“(2) \$____0,000,000 for fiscal year 2020;】

2 【“(3) \$____0,000,000 for fiscal year 2021;】

3 【“(4) \$____0,000,000 for fiscal year 2022;

4 and】

5 【“(5) \$____0,000,000 for each of fiscal year
6 2023.】

7 “(n) SPECIFIC PURPOSES.—

8 “(1) IN GENERAL.—The Director shall ensure
9 that, of the amounts appropriated for a fiscal year
10 for the Program, at least 2.5 percent is used in high
11 intensity drug trafficking areas with severe neigh-
12 borhood safety and illegal drug distribution prob-
13 lems.

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

22 “(3) BEST PRACTICE MODELS.—The Director
23 shall work with the HIDTAs to develop and main-
24 tain best practice models to assist State, local, and
25 Tribal governments in addressing witness safety, re-

1 location, financial and housing assistance, or any
2 other services related to witness protection or assist-
3 ance in cases of illegal drug distribution and related
4 activities. The Director shall ensure dissemination of
5 the best practice models to each HIDTA.

6 “SUBCHAPTER III—DRUG-FREE COMMUNITIES
7 SUPPORT PROGRAM

8 “§ 1031. Establishment of drug-free communities sup-
9 port program

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

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

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

18 “(2) provide for technical assistance and train-
19 ing, data collection, and dissemination of informa-
20 tion on state-of-the-art practices that the Director
21 determines to be effective in reducing substance use;
22 and

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

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

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

9 **“§ 1032. Program authorization**

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

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

16 “(2) MAJOR SECTOR INVOLVEMENT.—

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

20 “(i) Youth.

21 “(ii) Parents.

22 “(iii) Businesses.

23 “(iv) The media.

24 “(v) Schools.

25 “(vi) Organizations serving youth.

1 “(vii) Law enforcement.

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

4 “(ix) Civic and volunteer groups.

5 “(x) Health care professionals.

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

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

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

20 “(i) the Federal Government; and

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

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

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

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

9 “(A) that the representatives of the coali-
10 tion have worked together on substance abuse
11 reduction initiatives, which, at a minimum, in-
12 cludes initiatives that target drugs referenced in
13 section 1037(8)(A), for a period of not less
14 than 6 months, acting through entities such as
15 task forces, subcommittees, or community
16 boards; and

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

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

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

1 imum, includes the use of illegal drugs ref-
2 erenced in section 1037(8)(A), in a comprehen-
3 sive and long-term manner, with a primary
4 focus on youth in the community;

5 “(B) describe and document the nature
6 and extent of the substance abuse problem,
7 which, at a minimum, includes the use and
8 abuse of drugs referenced in section
9 1037(8)(A), in the community;

10 “(C)(i) provide a description of substance
11 abuse prevention and treatment programs and
12 activities, which, at a minimum, includes pro-
13 grams and activities relating to the use and
14 abuse of drugs referenced in section
15 1037(8)(A), in existence at the time of the
16 grant application; and

17 “(ii) identify substance abuse programs
18 and service gaps, which, at a minimum, in-
19 cludes programs and gaps relating to the use
20 and abuse of drugs referenced in section
21 1037(8)(A), in the community;

22 “(D) develop a strategic plan to reduce
23 substance abuse among youth, which, at a min-
24 imum, includes the use and abuse of drugs ref-

1 erenced in section 1037(8)(A), in a comprehen-
2 sive and long-term fashion; and

3 “(E) work to develop a consensus regard-
4 ing the priorities of the community to combat
5 substance abuse among youth, which, at a min-
6 imum, includes the use and abuse of drugs ref-
7 erenced in section 1037(8)(A).

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

11 “(A) is—

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

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

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

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

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

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

1 “(A) establish a system to measure and re-
2 port outcomes—

3 “(i) consistent with common indica-
4 tors and evaluation protocols established
5 by the Administrator; and

6 “(ii) approved by the Administrator;

7 “(B) conduct—

8 “(i) for an initial grant under this
9 subchapter, an initial benchmark survey of
10 drug use among youth (or use local sur-
11 veys or performance measures available or
12 accessible in the community at the time of
13 the grant application); and

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

18 “(C) provide assurances that the entity
19 conducting an evaluation under this paragraph,
20 or from which the coalition receives informa-
21 tion, has experience—

22 “(i) in gathering data related to sub-
23 stance abuse among youth; or

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

1 “(7) ADDITIONAL CRITERIA.—The Director
2 shall not impose any eligibility criteria on new appli-
3 cants or renewal grantees not provided in this chap-
4 ter.

5 “(b) GRANT AMOUNTS.—

6 “(1) IN GENERAL.—

7 “(A) GRANTS.—

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

15 “(ii) SUSPENSION OF GRANTS.—If
16 such grant recipient fails to continue to
17 meet the criteria specified in subsection
18 (a), the Administrator may suspend the
19 grant, after providing written notice to the
20 grant recipient and an opportunity to ap-
21 peal.

22 “(iii) RENEWAL GRANTS.—Subject to
23 clause (iv), the Administrator may award a
24 renewal grant to a grant recipient under
25 this subparagraph for each fiscal year fol-

1 lowing the fiscal year for which an initial
2 grant is awarded, in an amount not to ex-
3 ceed the amount of non-Federal funds
4 raised by the coalition, including in-kind
5 contributions, for that fiscal year, during
6 the 4-year period following the period of
7 the initial grant.

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

11 “(B) COALITION AWARDS.—

12 “(i) IN GENERAL.—Except as pro-
13 vided in clause (ii), the Administrator may,
14 with respect to a community, make a grant
15 to 1 eligible coalition that represents that
16 community.

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

20 “(I) the eligible coalitions dem-
21 onstrate that the coalitions are col-
22 laborating with one another; and

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

1 “(2) RURAL COALITION GRANTS.—

2 “(A) IN GENERAL.—

3 “(i) IN GENERAL.—In addition to
4 awarding grants under paragraph (1), to
5 stimulate the development of coalitions in
6 sparsely populated and rural areas, the
7 Administrator, in consultation with the Ad-
8 visory Commission, may award a grant in
9 accordance with this section to a coalition
10 that represents a county with a population
11 that does not exceed 30,000 individuals. In
12 awarding a grant under this paragraph,
13 the Administrator may waive any require-
14 ment under subsection (a) if the Adminis-
15 trator considers that waiver to be appro-
16 priate.

17 “(ii) MATCHING REQUIREMENT.—
18 Subject to subparagraph (C), for a fiscal
19 year, the Administrator may grant to an
20 eligible coalition under this paragraph, an
21 amount not to exceed the amount of non-
22 Federal funds raised by the coalition, in-
23 cluding in-kind contributions, for that fis-
24 cal year.

1 “(iii) SUSPENSION OF GRANTS.—If
2 such grant recipient fails to continue to
3 meet any criteria specified in subsection
4 (a) that has not been waived by the Ad-
5 ministrator pursuant to clause (i), the Ad-
6 ministrator may suspend the grant, after
7 providing written notice to the grant re-
8 cipient and an opportunity to appeal.

9 “(B) RENEWAL GRANTS.—The Adminis-
10 trator may award a renewal grant to an eligible
11 coalition that is a grant recipient under this
12 paragraph for each fiscal year following the fis-
13 cal year for which an initial grant is awarded,
14 in an amount not to exceed the amount of non-
15 Federal funds raised by the coalition, including
16 in-kind contributions, during the 4-year period
17 following the period of the initial grant.

18 “(C) LIMITATIONS.—

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

22 “(ii) AWARDS.—With respect to a
23 county referred to in subparagraph (A),
24 the Administrator may award a grant

1 under this section to not more than 1 eligi-
2 ble coalition that represents the county.

3 “(3) ADDITIONAL GRANTS.—

4 “(A) IN GENERAL.—Subject to subpara-
5 graph (F), the Administrator may award an ad-
6 ditional grant under this paragraph to an eligi-
7 ble coalition awarded a grant under paragraph
8 (1) or (2) for any first fiscal year after the end
9 of the 4-year period following the period of the
10 initial grant under paragraph (1) or (2), as the
11 case may be.

12 “(B) SCOPE OF GRANTS.—A coalition
13 awarded a grant under paragraph (1) or (2),
14 including a renewal grant under such para-
15 graph, may not be awarded another grant
16 under such paragraph, and is eligible for an ad-
17 ditional grant under this section only under this
18 paragraph.

19 “(C) NO PRIORITY FOR APPLICATIONS.—
20 The Administrator may not afford a higher pri-
21 ority in the award of an additional grant under
22 this paragraph than the Administrator would
23 afford the applicant for the grant if the appli-
24 cant were submitting an application for an ini-
25 tial grant under paragraph (1) or (2) rather

1 than an application for a grant under this para-
2 graph.

3 “(D) RENEWAL GRANTS.—Subject to sub-
4 paragraph (F), the Administrator may award a
5 renewal grant to a grant recipient under this
6 paragraph for each of the fiscal years of the 4-
7 fiscal-year period following the fiscal year for
8 which the initial additional grant under sub-
9 paragraph (A) is awarded in an amount not to
10 exceed amounts as follows:

11 “(i) For the first and second fiscal
12 years of that 4-fiscal-year period, the
13 amount equal to 80 percent of the non-
14 Federal funds, including in-kind contribu-
15 tions, raised by the coalition for the appli-
16 cable fiscal year.

17 “(ii) For the third and fourth fiscal
18 years of that 4-fiscal-year period, the
19 amount equal to 67 percent of the non-
20 Federal funds, including in-kind contribu-
21 tions, raised by the coalition for the appli-
22 cable fiscal year.

23 “(E) SUSPENSION.—If a grant recipient
24 under this paragraph fails to continue to meet
25 the criteria specified in subsection (a), the Ad-

1 administrator may suspend the grant, after pro-
2 viding written notice to the grant recipient and
3 an opportunity to appeal.

4 “(F) LIMITATION.—The amount of a grant
5 award under this paragraph may not exceed
6 \$125,000 for a fiscal year.

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

12 “(c) TREATMENT OF FUNDS FOR COALITIONS REP-
13 RESENTING CERTAIN ORGANIZATIONS.—Funds appro-
14 priated for the substance abuse activities of a coalition
15 that includes a representative of the Bureau of Indian Af-
16 fairs, the Indian Health Service, or a tribal government
17 agency with expertise in the field of substance abuse may
18 be counted as non-Federal funds raised by the coalition
19 for purposes of this section.

20 “(d) PRIORITY IN AWARDING GRANTS.—In awarding
21 grants under subsection (b)(1)(A)(i), priority shall be
22 given to a coalition serving economically disadvantaged
23 areas.

1 **“§ 1033. Information collection and dissemination**
2 **with respect to grant recipients**

3 “(a) COALITION INFORMATION.—

4 “(1) GENERAL AUDITING AUTHORITY.—For the
5 purpose of audit and examination, the Adminis-
6 trator—

7 “(A) shall have access to any books, docu-
8 ments, papers, and records that are pertinent to
9 any grant or grant renewal request under this
10 chapter; and

11 “(B) may periodically request information
12 from a grant recipient to ensure that the grant
13 recipient meets the applicable criteria under
14 section 1032(a).

15 “(2) APPLICATION PROCESS.—The Adminis-
16 trator shall issue a request for proposal regarding,
17 with respect to the grants awarded under section
18 1032, the application process, grant renewal, and
19 suspension or withholding of renewal grants. Each
20 application under this paragraph shall be in writing
21 and shall be subject to review by the Administrator.

22 “(3) REPORTING.—The Administrator shall, to
23 the maximum extent practicable and in a manner
24 consistent with applicable law, minimize reporting
25 requirements by a grant recipient and expedite any

1 application for a renewal grant made under this sub-
2 chapter.

3 “(b) DATA COLLECTION AND DISSEMINATION.—

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

6 “(A) national substance abuse organiza-
7 tions that work with eligible coalitions, commu-
8 nity anti-drug coalitions, departments or agen-
9 cies of the Federal Government, or State or
10 local governments and the governing bodies of
11 Indian tribes; and

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

15 “(2) ACTIVITIES OF ADMINISTRATOR.—The Ad-
16 ministrator may—

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

19 “(B) conduct an evaluation of the Pro-
20 gram; and

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

23 “(i) eligible coalitions and other sub-
24 stance abuse organizations; and

25 “(ii) the general public.

1 “(3) CONSULTATION.—The Administrator shall
2 carry out activities under this subsection in consulta-
3 tion with the Advisory Commission and the National
4 Community Antidrug Coalition Institute.

5 “(4) LIMITATION ON USE OF CERTAIN FUNDS
6 FOR EVALUATION OF PROGRAM.—Amounts for ac-
7 tivities under paragraph (2)(B) may not be derived
8 from amounts under section 1038(a) except for
9 amounts that are available under section 1038(b) for
10 administrative costs.

11 **“§ 1034. Technical assistance and training**

12 “(a) IN GENERAL.—

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

16 “(A) offer technical assistance and train-
17 ing; and

18 “(B) enter into contracts and cooperative
19 agreements.

20 “(2) COORDINATION OF PROGRAMS.—The Ad-
21 ministrator may facilitate the coordination of pro-
22 grams between a grant recipient and other organiza-
23 tions and entities.

1 “(b) TRAINING.—The Administrator may provide
2 training to any representative designated by a grant re-
3 cipient in—

4 “(1) coalition building;

5 “(2) task force development;

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

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

10 **“§ 1035. Supplemental grants for coalition mentoring**
11 **activities**

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

19 “(b) TREATMENT WITH OTHER GRANTS.—

20 “(1) SUPPLEMENT.—A grant awarded to a coa-
21 lition under this section is in addition to any grant
22 awarded to the coalition under section 1032.

23 “(2) REQUIREMENT FOR BASIC GRANT.—A coa-
24 lition may not be awarded a grant under this section
25 for a fiscal year unless the coalition was awarded a

1 grant or renewal grant under section 1032(b) for
2 that fiscal year.

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

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

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

10 “(2) has achieved, by or through its own ef-
11 forts, measurable results in the prevention and treat-
12 ment of substance abuse among youth;

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

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

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

24 “(e) USE OF GRANT FUNDS.—A coalition awarded
25 a grant under this section shall use the grant amount for

1 mentoring activities to support and encourage the develop-
2 ment of new, self-supporting community coalitions that
3 are focused on the prevention and treatment of substance
4 abuse in such new coalitions' communities. The mentoring
5 coalition shall encourage such development in accordance
6 with the plan submitted by the mentoring coalition under
7 subsection (d)(5).

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

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

15 “(2) has made demonstrable progress in the de-
16 velopment of one or more new, self-supporting com-
17 munity coalitions that are focused on the prevention
18 and treatment of substance abuse.

19 “(g) GRANT AMOUNTS.—

20 “(1) IN GENERAL.—Subject to paragraphs (2)
21 and (3), the total amount of grants awarded to a co-
22 alition under this section for a fiscal year may not
23 exceed the amount of non-Federal funds raised by
24 the coalition, including in-kind contributions, for
25 that fiscal year. Funds appropriated for the sub-

1 stance abuse activities of a coalition that includes a
2 representative of the Bureau of Indian Affairs, the
3 Indian Health Service, or a tribal government agen-
4 cy with expertise in the field of substance abuse may
5 be counted as non-Federal funds raised by the coal-
6 tion.

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

10 “(3) RENEWAL GRANTS.—The total amount of
11 renewal grants awarded to a coalition under sub-
12 section (f) for any fiscal year may not exceed
13 \$75,000.

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

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

1 **“§ 1036. Authorization for National Community Anti-**
2 **drug Coalition Institute**

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

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

13 “(c) USE OF GRANT AMOUNT.—The organization re-
14 ceiving the grant under subsection (a) shall continue a Na-
15 tional Community Anti-Drug Coalition Institute to—

16 “(1) provide education, training, and technical
17 assistance for coalition leaders and community
18 teams, with emphasis on the development of coali-
19 tions serving economically disadvantaged areas;

20 “(2) develop and disseminate evaluation tools,
21 mechanisms, and measures to better assess and doc-
22 ument coalition performance measures and out-
23 comes; and

24 “(3) bridge the gap between research and prac-
25 tice by translating knowledge from research into
26 practical information.

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated for purposes of activities
3 under this section, including the grant under subsection
4 (a), for each of the fiscal years 2019 through 2023,
5 **【\$____,000,000】**.

6 **“§ 1037. Definitions**

7 “In this subchapter:

8 “(1) ADMINISTRATOR.—The term ‘Adminis-
9 trator’ means the Administrator appointed by the
10 Director under section 1031(c).

11 “(2) COMMUNITY.—The term ‘community’ shall
12 have the meaning provided that term by the Admin-
13 istrator, in consultation with the Advisory Commis-
14 sion.

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

18 “(4) GRANT RECIPIENT.—The term ‘grant re-
19 cipient’ means the recipient of a grant award under
20 section 1032.

21 “(5) NONPROFIT ORGANIZATION.—The term
22 ‘nonprofit organization’ means an organization de-
23 scribed under section 501(c)(3) of the Internal Rev-
24 enue Code of 1986 that is exempt from taxation

1 under section 501(a) of the Internal Revenue Code
2 of 1986.

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

5 “(7) SUBSTANCE ABUSE.—The term substance
6 abuse means—

7 “(A) the illegal use or abuse of drugs, in-
8 cluding substances listed in schedules I through
9 V of section 112 of the Controlled Substances
10 Act (21 U.S.C. 812);

11 “(B) the abuse of inhalants; or

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

15 “(8) YOUTH.—The term ‘youth’ shall have the
16 meaning provided that term by the Administrator, in
17 consultation with the Advisory Commission.

18 **“§ 1038. Drug-free communities reauthorization**

19 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to the Office to carry
21 out this subchapter the following:

22 “(1) \$[Amount to be determined] for fiscal
23 year 2019.

24 “(2) \$[Amount to be determined] for fiscal
25 year 2020.

1 “(3) \$[Amount to be determined] for fiscal
2 year 2021.

3 “(4) \$[Amount to be determined] for fiscal
4 year 2022.

5 “(5) \$[Amount to be determined] for fiscal
6 year 2023.

7 “(b) ADMINISTRATIVE COSTS.—

8 “(1) LIMITATION.—Not more than 3 percent of
9 the funds appropriated for this subchapter may be
10 used by the Office to pay for administrative costs as-
11 sociated with the responsibilities of the Office under
12 this subchapter.

13 “(2) DESIGNATED AGENCY.—The agency dele-
14 gated to carry out the program under section
15 1031(d) may use up to 5 percent of the funds allo-
16 cated for grants under this subchapter for adminis-
17 trative costs associated with carrying out the pro-
18 gram.”.

19 **SEC. 3. OPIOID CRISIS RESPONSE.**

20 (a) EMERGING THREAT DESIGNATION.—The Direc-
21 tor shall designate opioids and opioid analogues as emerg-
22 ing threats, in accordance with section 1009 of title 31,
23 United States Code, as added by section 2(b).

24 (b) OPIOID RESPONSE PLAN.—

1 (1) ISSUANCE.—Not later than 60 days after
2 the date of the enactment of this Act, the Director
3 shall publish, make publicly available, and notify the
4 President and the appropriate congressional commit-
5 tees of, the plan required under section 1009 of title
6 31, United States Code, as added by section 2(b), to
7 be designated as the “National Opioid Crisis Re-
8 sponse Plan”.

9 (2) CONTENTS.—The Director shall ensure the
10 plan establishes measurable goals, including reduc-
11 ing fatal and non-fatal overdoses, and includes the
12 following:

13 (A) Initiatives to ensure the United States
14 mail is effectively screened to prevent illicit
15 drugs from entering the United States, includ-
16 ing—

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

20 (ii) directing the United States Postal
21 Service and any other related National
22 Drug Control Program Agency to take any
23 appropriate actions necessary to reduce the
24 amount of illicit drugs entering the coun-
25 try; and

1 (iii) developing an international co-
2 ordination plan, in accordance with section
3 1010 of such title 31, United States Code,
4 as added by section 2(b)), to include ef-
5 forts to address international drug control
6 initiatives and strengthen bilateral and
7 multilateral strategies to reduce illicit
8 drugs and precursor chemicals from enter-
9 ing the United States through inter-
10 national mail or across land borders, or
11 ports of entry.

12 (B) Support for universal adoption of evi-
13 dence-based prescribing guidelines, including—

14 (i) establishing a task force to supple-
15 ment existing prescribing guidelines with
16 evidence-based standards and to facilitate,
17 coordinate, and, as appropriate, conduct
18 research to inform such guidelines;

19 (ii) encouraging the adoption of evi-
20 dence-based prescribing guidelines by each
21 relevant agency, State and local govern-
22 ments, and private sector organizations;

23 (iii) issuing guidance to National
24 Drug Control Program Agencies to, as ap-
25 propriate, revise regulations to ensure pro-

1 professionals have effective continuing edu-
2 cation requirements; and

3 (iv) disseminating and encouraging
4 the adoption of best practices and evi-
5 dence-based guidelines for effective pre-
6 scribing practices.

7 (C) A program to monitor the prescription
8 drug market and illicit drug market for changes
9 in trends relevant to reducing the supply or de-
10 mand of such drugs.

11 (D) An initiative to facilitate and coordi-
12 nate Federal, State and local government initia-
13 tives, studies, and pilot or demonstration pro-
14 grams designed to evaluate the benefits of drug
15 courts and related programs that reduce sub-
16 stance use prevalence.

17 (E) Programs, developed in coordination
18 with the private sector, to—

19 (i) facilitate the development of treat-
20 ment and deterrent products, in accord-
21 ance with section 1010(c) of title 31,
22 United States Code, as added by section
23 2(b); and

24 (ii) encourage the expansion of medi-
25 cation disposal programs and technology.

1 (F) Initiatives to encourage the National
2 Drug Control Program Agencies and the Model
3 Acts program, established under section
4 1010(d) of title 31, United States Code, as
5 added by section 2(b)—

6 (i) to prioritize the development of
7 sentencing standards or model codes for
8 trafficking opioids and opioid analogues;
9 and

10 (ii) to advise States on establishing
11 laws and policies to address opioid issues
12 based on the recommendations developed
13 and set forth by the President's Commis-
14 sion on Combating Drug Addiction and the
15 Opioid Crisis.

16 (G) Working groups, established in accord-
17 ance with section 1010 of title 31, United
18 States Code, as added by section 2(b), to de-
19 velop standards, and encourage the use of such
20 standards, for the collection of data necessary
21 to understand and monitor the opioid crisis, in-
22 cluding—

23 (i) State medical examiner reports on
24 deaths caused by overdoses and related
25 statistical data; and

1 (ii) first responder opioid intoxication
2 incidents.

3 (H) A program to identify successful col-
4 lege recovery programs, including sober housing
5 programs that provide a shared living residence
6 free of alcohol or illicit drug use for individuals
7 recovering from drug or alcohol addiction and
8 substance use disorders, on college campuses
9 and disseminate best practices to Colleges and
10 Universities to increase the number and capac-
11 ity of such programs.

12 (I) Convening working groups, consisting
13 of the appropriate National Drug Control Pro-
14 gram Agencies, State, local and Tribal govern-
15 ments, and other appropriate stakeholders, es-
16 tablished in accordance with section 1010 of
17 title 31, United States Code—

18 (i) to support Prescription Drug Mon-
19 itoring Programs by—

20 (I) facilitating the sharing of pro-
21 gram data among States and Federal
22 prescription drug monitoring pro-
23 grams;

24 (II) assisting States in increasing
25 utilization of such programs;

1 (III) facilitating efforts to incor-
2 porate available overdose and
3 naloxone deployment data into such
4 programs;

5 (IV) evaluating barriers to inte-
6 grating program data with electronic
7 health records; and

8 (V) offering recommendations to
9 address identified barriers; and

10 (ii) to develop standards, and encour-
11 age the use of such standards, for the col-
12 lection of data necessary to understand
13 and monitor the opioid crisis, including—

14 (I) State medical examiner re-
15 ports on deaths caused by overdoses
16 and related statistical data; and

17 (II) first responder opioid intoxi-
18 cation incidents.

19 (J) Research initiatives, to be initiated not
20 later than 30 days after the issuance of the
21 plan, to evaluate the uses and barriers to use
22 of and the effects of improving the following
23 programs:

24 (i) Medication Assisted Treatment.

1 (ii) Data collection systems used to
2 confirm opioid use by individuals who have
3 been arrested or hospitalized.

4 (c) RECOMMENDATIONS.—Not later than 1 year after
5 the date of the enactment of this Act, the Director shall
6 submit to Congress a report on the results of the initia-
7 tives conducted under subsection (b)(2)(K) and rec-
8 ommendations based on such results.

9 **SEC. 4. EXCEPTIONS AND RULES OF CONSTRUCTION.**

10 (a) RULES OF CONSTRUCTION.—Nothing in this Act,
11 or the amendments made by this act shall be construed
12 as derogating the authorities and responsibilities of the
13 Director of National Intelligence or the Director of the
14 Central Intelligence Agency contained in the National Se-
15 curity Act of 1947 (50 U.S.C. 401 et seq.), the Central
16 Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.),
17 or any other law.

18 (b) INAPPLICABILITY TO CERTAIN PROGRAMS.—This
19 Act, and the amendments made by this Act, shall not
20 apply to the National Intelligence Program and the Mili-
21 tary Intelligence Program, unless such program or an ele-
22 ment of such program is designated as a National Drug
23 Control Program—

24 (1) by the President; or

25 (2) jointly by—

1 (A) in the case of the National Intelligence
2 Program, the Director and the Director of Na-
3 tional Intelligence; or

4 (B) in the case of the Military Intelligence
5 Program, the Director, the Director of National
6 Intelligence, and the Secretary of Defense.

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

13 **SEC. 5. GAO STUDY AND REPORTS.**

14 (a) REPORTS.—

15 (1) INITIAL.—Not later than 3 years after the
16 date of the enactment of this Act, the Comptroller
17 General shall provide an initial report to the appro-
18 priate Congressional Committees.

19 (2) FINAL.—Not later than 6 years after the
20 date of the enactment of this Act, the Comptroller
21 General shall provide a final report to the appro-
22 priate Congressional Committees.

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

1 (1) A review of the implementation of the Edu-
2 cation and Outreach Campaign for Emerging
3 Threats, including—

4 (A) whether the objectives of the campaign
5 and the Media Campaign have been met during
6 the relevant period; and

7 (B) whether the Office took steps to en-
8 sure that the campaign operated in an efficient
9 and effective manner consistent with the overall
10 strategy and focus of the campaign.

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

16 (3) An evaluation of the most recent, applicable
17 National Drug Control Strategy, including whether
18 the National Drug Control Strategy met the require-
19 ments of section 1005 of title 31, United States
20 Code, as added by section 2(b).

21 (4) An evaluation of whether the required an-
22 nual assessments prepared by the Office met the re-
23 quirements of section 1006 of title 31, United States
24 Code, as added by section 2(b).

1 (5) Such other matters as the Comptroller Gen-
2 eral determines to be appropriate.

3 **SEC. 6. DEFINITIONS.**

4 In this Act, the terms “appropriate congressional
5 committees”, “Director”, “drug”, “illicit drug use”, “il-
6 licit drugs”, and “National Drug Control Program Agen-
7 cies” have the meaning given those terms in section 1001
8 of title 31, United States Code.